EUROPEAN
COMMISSION

Brussels, 22.5.2014
SWD(2014) 165 final

COMMISSION STAFF WORKING DOCUMENT
Accompanying the document

Communication from the Commission to the European Parliament and the Council

5th Annual Report on Immigration and Asylum (2013)

{COM(2014) 288 final}

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1. INTRODUCTION

This paper, which accompanies the Communication from the Commission on the 5th Annual Report on Immigration and Asylum (2013)[1], provides a factual overview of the main developments in the area of migration and international protection over the year 2013, at both EU and national level. It covers the period from 1 January 2013 to 31 December 2013.

The paper is structured according to the following main sections: International Protection and Asylum, Irregular Migration and Return, Unaccompanied Minors and other vulnerable groups, Trafficking in Human Beings, Legal Migration and Mobility, and Development and Migration. A Statistical Annex (Chapter 9) provides 2013 data on migration from Eurostat, and the European Migration Network National Contact Points.

Information regarding developments at EU level were provided essentially by the Commission, whereas developments at national level[2] refer to the contributions provided by the National Contact Points of the European Migration Network (EMN NCPs), including Norway[3], as part of its Annual Policy Report activity[4].

1 COM(2014)288 final of 22.05.2014

2 Given the focus of and the manner in which this paper was produced, it should not be treated as an exhaustive identification of all relevant Member State activities. In particular, the fact that a Member State is not identified in relation to a certain activity or policy does not mean that it did not or does not pursue that activity or policy, but rather that there were no specific developments in 2012 and/or because such developments were not reported by the EMN NCP(s).

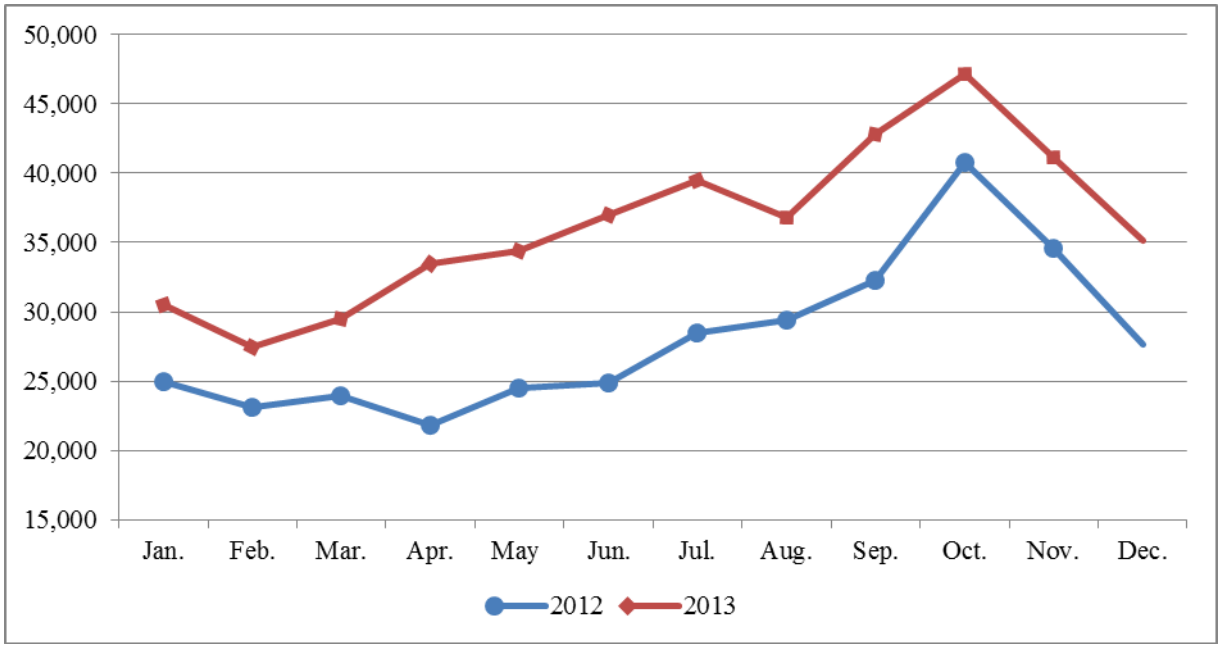
3 This report includes information in national activities from all EU Member States and Norway. Denmark, Ireland and the UK are not bound by most of the *acquis* referred to in this report. IE and UK are part of the EMN, and have submitted reports. DK is not formally part of the EMN. Contributions from Norway provided by their NO EMN NCP are included as they participate in the EMN via a Working Arrangement concluded in November 2010.

4 See http://www.emn.europa.eu under "Annual Policy Reports" for the individual National Reports.

2. INTERNATIONAL PROTECTION INCLUDING ASYLUM

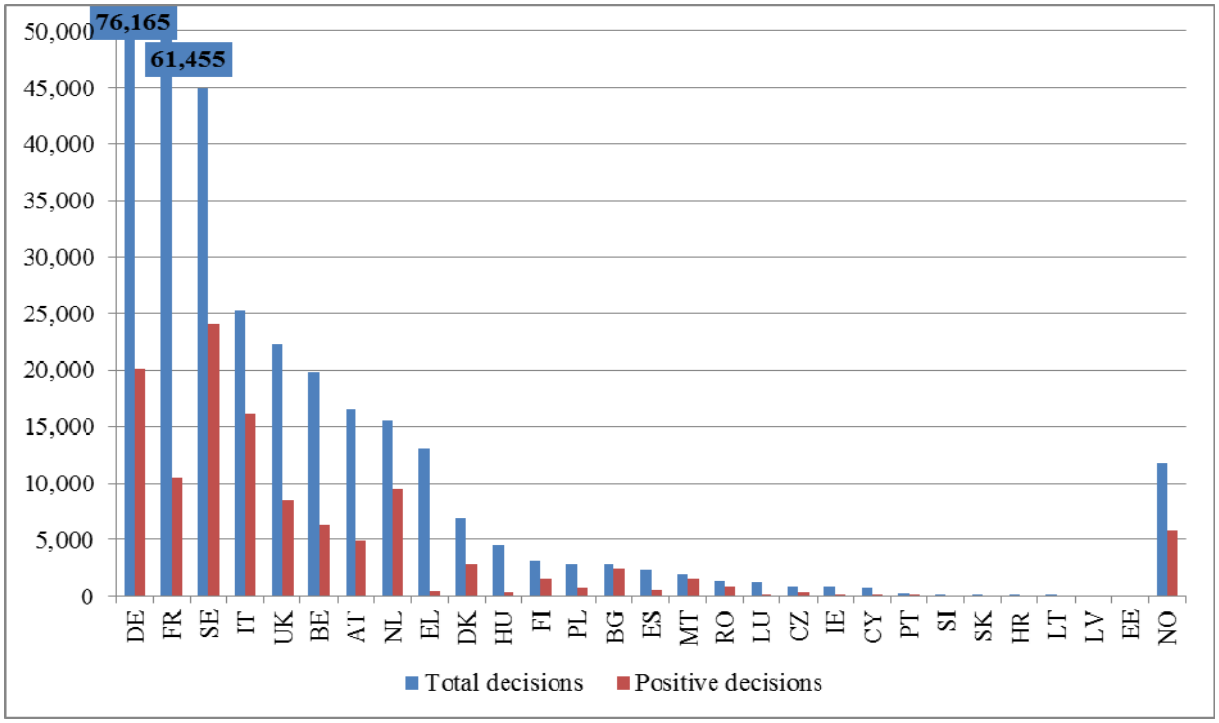
2.1. Common European Asylum System

Figure 1: Asylum applications in EU-28, January 2012 – December 2013



Source: Eurostat (migr_asyapp)

Figure 2: Total first instance decisions on asylum applications and total positive decisions in first instance, 2013



Source: Eurostat (migr_asydec)
Tables 1 and 2 in the Annex, provide an overview of asylum applicants and first instance decisions by Member State and Norway in 2013.

During 2013, there were 434 160 asylum applicants, representing an increase of nearly 30 % since 2012 (336 015 asylum applicants)[5] (see Figure 1). The main countries of citizenship of the applicants were Syria (50 470) representing 12% of total EU-28 applicants, Russian Federation (41 270 or 10%) and Afghanistan (26 290 or 6%). Germany, France, Sweden, the United Kingdom and Italy registered nearly 70% of all applicants, with the highest number registered in Germany (126 705, or 29% of the total) and followed by France (64 760, or 14%), Sweden (54 270, or 12%), the United Kingdom (29 875, or 6%) and Italy (27 930, or 6 %). When compared with the population of each Member State, the highest rates of applicants registered were recorded in Cyprus (5 330 applicants per million inhabitants), Luxembourg (32 070), Malta (2 245) and Romania (1 905).

A total of 326 310 first instance decisions were made in 2013 (see Figure 2), of which 11 730 were positive decisions (some 35%). Of these 49 510 (15%) applicants were granted refugee status, 45 540 (14%) subsidiary protection and 17 685 (5%) authorisation to stay for humanitarian reasons. There were 213 580 rejections (65% of decisions) overall.

At EU level: 2013 was an important year in terms of the advancement of the Common European Asylum System. The co-legislators finalised negotiations on the recast Dublin and Eurodac Regulations and on the recast Reception Conditions and the Asylum Procedures Directives. Consequently the full package of asylum instruments was adopted on 26 June 2013[6]. The CEAS will provide better access to the asylum procedure for those who seek protection; will lead to fairer, quicker and better quality asylum decisions; and will provide dignified and decent conditions both for those who apply for asylum and those who are granted international protection within the EU.

An emphasis on uniform implementation follows from the adoption of the new asylum instruments and will be the focus of Member States' efforts over the next few years. Contact Committees were held on each instrument in 2013 in order to discuss the provisions in detail with the aim of ensuring correct transposition of the new texts and harmonisation of asylum practices. The goal of the CEAS is that an asylum application in one Member State should follow a similar process and lead to a similar outcome as in any other Member State, and that a similar treatment is afforded to them during the examination of their asylum application. Following conclusion of the negotiation of new legislation in 2013, the Commission stepped up its regular contact with Member States to monitor their application of EU asylum law.

At national level: Before looking at the implementation of the EU asylum *acquis*, this report addresses some horizontal developments in Member States, related to the CEAS.

Eight Member States (BE, BG, EL, IT, LU, NL, SE, UK) adopted policies to enhance the situation of vulnerable groups within the asylum procedure (see also section 4.2). In the area of legislation, a political agreement entered into effect in the Netherlands, granting, under specific conditions, residence permits to unaccompanied minors (initially for a period of one year, but eventually leading to a permit for an indefinite period of time). In the United Kingdom, the policy on granting limited leave to unaccompanied asylum seeking children was incorporated into the Immigration Rules. Meanwhile several Member States drafted action plans or guidelines on how to deal with vulnerable groups. Belgium updated its National Action Plan 2010-2014 on domestic violence, which also includes information on how to better deal with vulnerable groups in asylum procedures and Sweden adopted new operational guidelines for age assessments of unaccompanied minors. In

[5] Statistics for 2012 excludes Croatia

[6] More information on the Common European Asylum System can be found at http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/index_en.htm. A brochure explaining CEAS can be found at http://ec.europa.eu/dgs/home-affairs/e-library/docs/ceas-fact-sheets/ceas_factsheet_en.pdf together with an infographic at http://ec.europa.eu/dgs/home-affairs/e-library/multimedia/infographics

Spain, subsidiary provisions to the Asylum Law in relation to vulnerable groups were drafted and their adoption is currently under internal consultation. Bulgaria designated a special area for unaccompanied minors in one of its reception centres and Italy raised the budget for the National Fund for the Reception of Unaccompanied Minors to EUR 20 million.

Training also remained an important area of national activity in implementing the CEAS, with at least eleven Member States (BE, EE, EL, ES, HU, IT, LV, LU, MT, SE, SI) participating in training courses in 2013. Hungary trained staff in preparing the implementation of the recast Dublin Regulation. Staff in Estonia participated in training on processing asylum claims while Italy trained officials involved in complex rescue operations at sea, such as the Finance Police (*Guardia di Finanza*) and the navy. Sweden expanded the induction programme of the Swedish Migration Board for new recruits, started a new course and trained a number of LGBT-specialists to assess LGBT claims by asylum applicants. Spain also provided training to staff from the Spanish Office for Asylum and Refugees on LGBT claims and training on the international protection procedure to staff in the Aliens Offices. A Belgian expert coordinated the update of the EASO Interviewing Children Module. Staff members in Belgium and Luxembourg participated in EASO training, respectively on the issues of age assessment and family tracing (BE) and interviewing vulnerable persons (LU).

Belgium, Croatia, Hungary, Italy and Sweden amended policies on Country of Origin Information (COI). Belgium aims to harmonise the drafting of COI products, enhance efficiency of the department and publish (in the near future) some COI products on the website of the office of the CGRS (Commissioner General for Refugees and Stateless Persons)[7]. Meanwhile, Hungary improved COI-related output through regular reports, conferences and training. Sweden launched a legal country database within the COI Unit, gave priority to LGBT issues within the country information products, and started an internet service "Focus Countries" which includes key country and legal information on the nine most frequent countries of origin of asylum seekers. In Italy, national experts collaborated in developing definitions and implementing methodologies for quality control, while authorities responsible for asylum applications increased usage of the EU COI Portal. Finally, Luxembourg confirmed the production of 18 reports in 2013 by Country of Origin Unit of the Asylum Unit. Croatia gained access to Austrian database on countries of origin.

Several Member States (BE, CY, HU, IE, SK) amended legislation in the area of appeal or judicial review. Belgium amended several elements of the appeal procedure before the Council for Aliens Law Litigation, including procedural changes and some provisions to tackle improper use of the right of access to justice. Croatia provided training to administrative courts judges dealing with asylum cases, including updates and information on the activities within the framework of EASO and other issues related to the asylum procedure. The Refugee Law amended in Cyprus now grants the right of appeal to beneficiaries of international protection applying for family reunification. New legislation in Hungary reconfirmed that asylum-seekers enjoy the right to stay on the territory during the course of the whole asylum procedure. For rejected applicants in Ireland it is now possible to appeal to the Refugee Appeals Tribunal in case of negative decisions made by the Refugee Applications Commissioner. The Slovak Republic laid down the provision that since January 2013 only lawyers or the Legal Aid Centre may represent an asylum in appeal procedures.

[7] http://www.cgra.be/en/A_propos_du_CGRA/

2.1.1. The Qualification Directive

At EU level: The Qualification Directive[8] was the first of the recast asylum instruments to be adopted in December 2011. It specifies the grounds for granting international protection. Its provisions also foresee a series of rights.

The minimum standards in the previous Directive[9] were to a certain extent vague, which maintained divergences in national asylum legislation and practices. The chances of a person to be granted international protection could vary tremendously depending on the Member State processing the asylum application.

The new Qualification Directive will contribute to improve the quality of the decision-making and ensure that people fleeing persecution, wars and torture are treated fairly, in a uniform manner. It clarifies the grounds for granting international protection and will lead to more robust determinations. It significantly upgrades the rights granted to beneficiaries of subsidiary protection. It will also ensure a better taking into account of the best interests of the child and of gender-related aspects and it will improve the access of beneficiaries of international protection to rights and integration measures. The new Directive becomes applicable from 22 December 2013.

Finally, based on the extension of the scope of the Long Term Residents Directive[10] applicable as of 20 May 2013, beneficiaries of international protection have become entitled to the status of long term residents and to intra-EU mobility under certain conditions, in particular after five years of legal and continuous residence in the Member State that granted the protection.

At national level: A number of Member States (BE, CY, EL, IT, NL, LV, SE) changed policies or practices on first instance procedures. Belgium amended its Immigration Law, including changes to implement provisions of the recast EU Qualification Directive and the current Asylum Procedures Directive by clarifying certain concepts and introducing the concept of 'first country of asylum'. This makes it possible to reject an asylum application if the asylum seeker already enjoys refugee status in another Member State, or sufficient protection in a third country. Legislation was also amended in Cyprus where the access procedure was changed to allow applicants and their legal representatives' access to the interview transcript before proceeding with an appeal procedure. Greece implemented the Qualifications Directive through the adoption of a presidential degree concerning mainly legal aid to asylum applicants. Latvia implemented several procedural changes, such as deadlines, clarification of the procedure for submission of repeated applications, while specifying the conditions for the application of judicial proceedings. Sweden did not amend procedures but continued its increased use of video interviews to improve flexibility and cost-efficiency. Finally, Belgium, Luxembourg, France and Slovak Republic updated their list of safe countries.

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8 Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), OJ L 337 20.12.2011, p. 9

9 Directive 2004/83/EC

10 Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection, OJ L 132 19.5.2011, p. 1

2.1.2. The Reception Conditions Directive

At EU level: The recast Reception Conditions Directive[11] met with political agreement between the co-legislators in 2012 and was adopted in June 2013 together with the remaining recast asylum instruments. It deals with access to reception conditions for asylum seekers while they wait for the examination of their claim. It ensures that applicants have access to housing, food, health care and employment, as well as medical and psychological care.

Under the previous Directive,[12] diverging practices among Member States sometimes led to an inadequate level of material reception conditions for asylum seekers. The new Directive aims to ensure better as well as more harmonised standards of reception conditions throughout the Union. These include, for the first time, detailed common rules on the issue of detention of asylum seekers, ensuring that their fundamental rights are fully respected. The new Directive becomes fully applicable from 21 July 2015.

At national level: In the area of reception facilities, Belgium, Bulgaria, Greece, Hungary and Poland amended the capacity of accommodation. In Belgium, the agency responsible for the reception of asylum seekers (Fedasil) was able to decrease reception capacity, focus more on quality and install a buffer capacity if the need arises to deal with sudden increases of asylum-seekers. Bulgaria increased reception capacity with 3 000 places and Poland opened a new reception centre administrated by external institutions. Through its adoption of the Integrated Action Plan for management of a potential mass influx of asylum seekers / illegal immigrants, in the case of massive influx of asylum applicants, Romania will now be able to increase its reception capacity up to 2 500 places. Greece established a new reception centre in Evros as well as two mobile reception units in Chios and Samos. Due to the dramatic increase of the number of asylum-seekers, Hungary established new reception facilities, one reception centre in Vámosszabadi (operating since August 2013) and a temporary one in Nagyfa (operating between May-October 2013). After the Lampedusa tragedy in October 2013 (see also section 2.2), Italy set up a fund to deal with the exceptional influx of asylum-seekers, which should also meet the potential increased future needs in the area of reception. Reception legislation was amended in Hungary and Lithuania. Hungary created a new detention regime, while as of 1st July 2013 a person seeking recognition is entitled to work within the reception centre within nine months of the submission of the application for recognition, and beyond that according to the general rules applicable to foreigners. Lithuania amended legislation regarding grounds for detention of asylum seekers. Austria and the Slovak Republic worked on the quality of the accommodation centres and reception facilities. Austria started a new working group on common quality criteria for reception facilities.

2.1.3. The Asylum Procedures Directive

At EU level: The Asylum Procedures Directive[13] sets out rules on the whole process of claiming asylum, including on: how to apply, how the application will be examined, what help the asylum seeker will be given, how to appeal, what can be done if the applicant absconds, or how to deal with repeated applications.

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11 Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast), OJ L 180 29.6.2013, p. 96

12 Directive 2003/9/EC

13 Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast), OJ L 180 29.6.2013, p. 60

The previous Directive[14] was the lowest common denominator between Member States at the time. The rules were often too vague and derogations allowed Member States to go below basic agreed standards.

The new Asylum Procedures Directive is much more precise. It creates a coherent system, which ensures that asylum decisions are made more efficiently and more fairly and that all Member States examine applications with a common high quality standard.

The new Directive includes clearer rules on how to apply for asylum. Procedures will be both faster and more efficient such that normally an asylum procedure will not take longer than six months.

Anyone in need of special support - for example because of their age, disability, illness, sexual orientation, or traumatic experiences - will receive adequate assistance, including sufficient time, to explain their claim. Clear cases that are unlikely to be well-founded can be dealt with in special procedures ('accelerated' and/or 'border' procedures). Rules on appeals in front of courts are much clearer than previously and provide for an effective protection of the applicants' rights. Member States will also become better equipped to deal with abusive claims, in particular with subsequent applications made by the same person.

The new Directive becomes applicable from 21 July 2015, with the exception of the provisions regarding the duration of the asylum procedure which will become applicable as of 21 July 2018.

At national level: Bulgaria and Hungary introduced new practices to enhance applicants' access to the asylum procedure for applicants by improving access to information. In the Netherlands a new Application Centre for the registration of applications for international protection was opened at Schiphol Airport. The general asylum procedure for aliens at Schiphol AC has changed and applicants filing a claim at the airport are now entitled to six days preparation prior to submitting the application as is the case at other Application Centres. Greece has established four new regional asylum offices (Attica, North Evros, South Evros and Lesvos), while the opening of other four is planned in 2014.

Hungary, Italy, Poland and Slovak Republic amended policies relating to access to legal counselling and interpretation. A new free legal assistance service in Hungary started its work in all reception centres, while the Office of Immigration and Nationality extended cooperation with other organizations (e.g. Hungarian Helsinki Committee) that provide free legal assistance for asylum-seekers. In a similar vein, Poland launched a working group on providing free legal aid from 2015. Italy launched projects for legal counselling and interpretation.

2.1.4. The Dublin Regulation

At EU level: The Dublin Regulation[15] determines that the responsibility for examining claim lies primarily with the Member State which played the greatest part in the applicant's entry or residence in the EU. The criteria for establishing responsibility run, in hierarchical order, from family considerations, to recent possession of visa or residence permit in a Member State, to whether the applicant has entered EU irregularly, or regularly.

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14 Directive 2005/85/EC

15 Regulation EU/604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast). OJ L 180 29.6.2013, p. 31

Experience of the previous Regulation[16] has however shown the need to better address situations of particular pressure on Member States' reception capacities and asylum systems. The revised Regulation contains sound procedures for the protection of asylum applicants and improves the system's efficiency.

New provisions include: an early warning, preparedness and crisis management mechanism; a series of provisions on protection of applicants, such as compulsory personal interview, guarantees for minors; the possibility for appeals to suspend the execution of the transfer for the period when the appeal is judged; an obligation to ensure legal assistance free of charge upon request; a single ground for detention in case of risk of absconding; strict limitations of the duration of detention; an obligation to guarantee right to appeal against transfer decision; more legal clarity of procedures between Member States - e.g. exhaustive and clearer deadlines. The entire "Dublin procedure" cannot last longer than 11 months to take charge of a person, or 9 months to take him/her back (except for absconding or where the person is imprisoned). The new Regulation became applicable in 1 January 2014.

A revision of the Dublin Implementing Regulation was adopted in early 2014 to assist national authorities in the implementation of the new instrument.[17] In 2013 the CJEU also issued significant judgments on the Dublin Regulation.[18] The Implementing Regulation covers various issues relevant for the application of the Dublin Regulation, such as uniform conditions for the consultation and exchange of information on minors and dependent persons, including standard forms on the exchange of information between Member States on these issues; uniform conditions for the preparation and submission of take charge and take back requests, as well as the exchange of information regarding Dublin transfers, including on a person's health; two lists of relevant elements of proof and circumstantial evidence; a common format for a laissez passer; a common leaflet on the Dublin and Eurodac regulations, as well as a specific leaflet for unaccompanied minors; the set-up of secure electronic transmission channels for the transmission of requests.

At national level: Croatia began to implement the Dublin Regulation on 1st July 2013, receiving some 372 applications over the year from other (Member) States, predominantly Hungary, Bulgaria, Austria and Switzerland. Hungary experienced an augmented caseload resulting from the Dublin procedure (by 465% compared to 2012) due to increased requests from the other Member States and Spain also experienced an increased number of requests within the Dublin procedure (a 20% raise as compared to 2013). Belgium, the Netherlands, Sweden, and the United Kingdom declared that they would no longer send back unaccompanied minors (UAMs) if there are no family members residing in another (Member) State in keeping with the ECJ ruling on UAMs of June 2013 *(Case C-648/11).*As a result these Member States will consider substantive claims for asylum from UAMs even if they have previously applied for asylum in another Member State.

2.1.5. The Eurodac Regulation

At EU level: The Eurodac Regulation[19] establishes an EU asylum fingerprint database. When someone applies for asylum, no matter where they are in the EU, their fingerprints are transmitted

16 Regulation (EC) No 343/2003

17 OJ L 39 08.2.2014, p. 1

18 See section 2.1.7

19 Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law

to the Eurodac central system. Eurodac has been operating since 2003 and has proved a very successful IT tool.

Some updates were however required, in particular to reduce the delay of transmission by some Member States. The new Regulation therefore sets time limits for fingerprint data to be transmitted and ensures full compatibility with the latest asylum legislation and better addresses data protection requirements.

Until now, the Eurodac database could only be used for asylum purposes. The new Regulation now allows national law enforcement forces and Europol to compare fingerprints linked to criminal investigations with those contained in Eurodac. This will take place under strictly controlled circumstances and only for the purpose of the prevention, detection and investigation of serious crimes and terrorism.

Eurodac has been operated by the Commission since 2003. In June 2013, the operational management of Eurodac was transferred to the EU-LISA.[20]

2.1.6. Institutional and legislative changes

At national level: Austria established new institutions, which would take over responsibility for processing asylum applications and appeals. The United Kingdom established new immigration rules allowing a stateless person to apply for Leave to Remain though the Home Office but separately form the Asylum system. In Belgium, Finland and Ireland there were shifts in the governmental departments responsible for the assessing new facts and circumstances presented by applicants for international protection during subsequent applications (BE), legal aid and cost compensation (FI) and the granting subsidiary protection (IE). In Greece the new Asylum Service, the first four new regional asylum offices and the new First Reception Service became operational. In response to a sudden influx of applicants for international protection, Italy set up seven temporary territorial commissions (regional offices) to process decisions on applications. The United Kingdom restructured its processes for case management meaning that a single case worker would no longer be responsible for a single case, but rather that management of the case would be passed down through different expert teams throughout the life of the case via clear and effective handovers. Croatia continued to further strengthen its own asylum capacities increasing the number of employees in the competent office.

Legislative changes in the asylum field took place in 21 Member State (AT, BE, BG, CY, CZ, DE, EE, IE, FR, HR, IT, LV, LT, LU, NL, PL, RO, SE, SI, SK, UK). Belgium, Czech Republic, Hungary, Latvia, the Netherlands, Poland, Romania, Slovenia and Slovak Republic made changes to transpose the EU Qualification Directive 2011/95/EU. In Italy, amendments to legislation in this area also introduced a regulation relevant to international and subsidiary protection status holders' access to public employment. These citizens (as well as third-country family members of EU citizens and third-country nations with residency permission in the EC over a long period of time) can be employed by public authorities on an equal footing with EU citizens. Eight Member States (CZ, IT, LV, LT, LU, NL, PL, RO) changed national legislation to transpose Directive 2011/51/EU amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international

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enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast). OJ L 180 29.6.2013, p. 1

[20] eu-LISA is the Agency established by Regulation (EU) No1077/2011 of the European Parliament and of the Council of 25 October 2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice.

protection. Croatia transposed five Directives through several amendments to the Asylum Act which entered into force on 10 December 2013[21].

In 2013, Ireland signed the EU Subsidiary Protection Regulation, which came into force in the same year and gives applicants the opportunity of appeal. This national legislation makes it possible for applicants to be interviewed as part of the first instance investigation of their application and gives them the opportunity of an appeal. Cyprus amended the national Refugee Law Regulations for Reception Conditions regarding financial and other aid to those seeking international protection. Germany amended national legislation to ensure temporary legal protection against transfer decisions. Estonia amended national laws in the area of the protection of the rights of unaccompanied minors, as well as in the field of reception and detention. Luxembourg also amended national legislation on international protection. Latvia made changes to the Asylum law regarding reception and detention. The United Kingdom introduced provisions to allow a stateless person to apply for leave to remain on that basis. The new policy and procedure is primarily intended for those who do not qualify for refugee status or subsidiary protection. Two Member States drafted national action plans: Bulgaria drafted an action plan for dealing with increased migratory pressures. France adopted an Action Plan to reform the French Office for the Protection of Refugees and Stateless Persons (OFPRA) aiming at improving its working method.

2.1.7. Jurisprudence

At EU level: On 6 June 2013, the CJEU issued a judgment in Case C-648/11, *MA, BT, DA v Secretary of State for the Home Department* a request for a preliminary ruling concerning the interpretation of Article 6 of the Council Regulation (EC) No 343/2003.[22] The CJEU confirmed that where an unaccompanied minor with no member of his family legally present in the territory of a Member State has lodged asylum applications in more than one Member State, the Member State in which that minor is present after having lodged an asylum application there is to be designated the 'Member State responsible'.

On 7 November 2013, the CJEU issued a judgment in Case C-199/12, C-200/12, C-201/12, *X, Y, Z v Minister voor Immigratie en Asiel* concerning persecution based on sexual orientation. The CJEU confirmed that a person's sexual orientation is a characteristic so fundamental to his or her identity that he or she should not be forced to renounce it. In that connection, the Court recognises that the existence of criminal laws specifically targeting homosexuals supports a finding that those persons form a separate group which is perceived by the surrounding society as being different. The CJEU further confirmed that not all violations of the fundamental rights of an applicant amount to persecution within the meaning of the Geneva Convention, but only those which are sufficiently serious. This is not the case of the mere existence of laws criminalising homosexual acts. However, the enforcement of such laws, in particular where the penalty attached is a term of imprisonment,

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21 1. Council Directive 2001/55/EC on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof; 2. Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers; 3. Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification; 4. Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status; 5. Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

22 OJ L 50, 25.2.2003, p.1.

may constitute an act of persecution. Finally, the CJEU ruled that it is not reasonable to expect that in order to avoid persecution an asylum seeker should conceal his homosexuality in his country of origin or exercise restraint in expressing it.

On 14 November 2013 the CJEU issued a judgment in Case C-4/11, in the proceedings *Bundesrepublik Deutschland v Kaveh Puid*, concerning the interpretation of Article 3(2) of the Dublin Regulation and more precisely whether the duty of the Member States to exercise their right under the first sentence of Article 3(2) results in an enforceable personal right on the part of the asylum seeker to force a Member State to assume responsibility.

The Grand Chamber ruled that where the Member States cannot be unaware that systemic deficiencies in the asylum procedure and in the conditions for the reception of asylum seekers in the Member State initially identified as responsible in accordance with the criteria set out in Chapter III of Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national provide substantial grounds for believing that the asylum seeker concerned would face a real risk of being subjected to inhuman or degrading treatment within the meaning of Article 4 of the Charter of Fundamental Rights of the European Union, which is a matter for the referring court to verify, the Member State which is determining the Member State responsible is required not to transfer the asylum seeker to the Member State initially identified as responsible and, subject to the exercise of the right itself to examine the application, to continue to examine the criteria set out in that chapter, in order to establish whether another Member State can be identified as responsible in accordance with one of those criteria or, if it cannot, under Article 13 of the Regulation. Conversely, in such a situation, a finding that it is impossible to transfer an asylum seeker to the Member State initially identified as responsible does not in itself mean that the Member State which is determining the Member State responsible is required itself, under Article 3(2) of Regulation No 343/2003, to examine the application for asylum.

On 10 December 2013 the CJEU issued the judgment in Case C-394/12, a request for a preliminary ruling in the proceedings *Shamso Abdullahi v Bundesasylamt* concerning the interpretation of Articles 10, 16, 18 and 19 of Council Regulation (EC) No 343/2003. The Grand Chamber ruled that Article 19(2) of Council Regulation (EC) No 343/2003 must be interpreted as meaning that, in circumstances where a Member State has agreed to take charge of an applicant for asylum on the basis of the criterion laid down in Article 10(1) of that regulation – namely, as the Member State of the first entry of the applicant for asylum into the European Union – the only way in which the applicant for asylum can call into question the choice of that criterion is by pleading systemic deficiencies in the asylum procedure and in the conditions for the reception of applicants for asylum in that Member State, which provide substantial grounds for believing that the applicant for asylum would face a real risk of being subjected to inhuman or degrading treatment within the meaning of Article 4 of the Charter of Fundamental Rights of the European Union.

At national level: In Belgium, Croatia, Czech Republic, Germany, Finland, France, Ireland, Luxembourg, the Netherlands, Slovak Republic and the United Kingdom a number of cases provided for new jurisprudence in the area of asylum. In Croatia administrative courts delivered 68 judgements on the decisions of rejections: 66 of them confirmed the first instance decision, while, in one case the proceedings were suspended and in one case the first instance decision was annulled.

In Belgium, jurisprudence of the Constitutional Court confirms the introduction of the concept of safe country of origin in Belgian legislation[23]. The Supreme Administrative Court (SAC) of the Czech Republic confirmed that asylum seekers may send written evidence to the administrative body in their language of preference and the administrative body has the obligation to translate it in Czech or the language of the administrative procedure. In another ruling, the SAC confirmed that an asylum seeker may leave the territory of the Czech Republic for a short term, which is contrary to Asylum act. The implications of both rulings could be far-reaching and result in the amendment of relevant legislation.

Regarding procedural rights for asylum seekers there were developments in France, Germany and Slovak Republic. In France, a legal notice states that if an asylum seeker does not respect the regulatory time limit to send a request to the responsible authority, it does not prevent the submission of another request, which could be subject to an accelerated procedure. In Germany, the Federal Administrative Court held that an asylum procedure may be terminated if the asylum-seeker manipulates his or her fingertips and thus avoids having fingerprints taken. Consequently, it establishes the precedent of the obligation to cooperate.

The Supreme Court in Slovak Republic ruled that applicants are not required to prove persecution by manner other than by their own credible statement. It is up to the administrative authority, when in doubt over the credibility of the applicant´s statement, to find evidence demonstrating that the applicant´s statement is not truthful.[24]

In the area of return, a court in Finland ruled that if a person cannot be returned through forced return, a temporary residence permit is to be issued, regardless of the fact if it would probably have been possible for the person in question to return voluntarily. This ruling guides the Finnish Immigration Service towards the principle that if there is a technical obstacle for returning an asylum seeker to his/her home country, a temporary residence permit, as defined in Section 51 of the Finnish Aliens Act, can be issued regardless of the fact that there is no enforceable return decision.

Both in Ireland and the Netherlands there were court rulings relating to the issue of grounds for refusal. In Ireland, a Supreme Court ruling denied the Minister the possibility to rely on the fact of a marriage being religious as a ground for refusal. Also in Ireland, a High Court ruling stated that proxy marriages which were valid according to the law of the locality in which it took place would be recognised as valid in Irish law. In case the Minister is presented with such a case, he or she will have to consider the applicant's assertion that a marriage has taken place and assess its credibility, based on all circumstances.

In relation to the application of the Qualification Directive (2004/83/EC) to asylum seekers claiming persecution on grounds of their sexual orientation in the Netherlands, the Court of Justice in Luxembourg ruled that while homosexuals should be considered as a specific social group as intended in the Convention on Refugees and Article 10, paragraph 1d of the Directive, the single penalization of homosexual acts can be deemed an act of persecution in the sense of the Directive unless a prison sentence given in a law stating that homosexual acts are penalised is actually

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23 A more recent judgement of the Constitutional Court of 16 January 2014 further clarifies that also for asylum seekers from safe countries of origin the appeal procedure should be an effective remedy in accordance with Article 13 European Convention on Human Rights (ECHR).

24 According to Slovak legislation, court decisions do not constitute a source of law. The Supreme Court of the Slovak Republic publishes its decisions of key importance in the Collection of Opinions of the Supreme Court and Court Decisions. Such decisions only have a recommending nature for the decision-making of courts but they are respected and accepted by lower-instance courts when deciding on similar matters.

adhered to. Nonetheless, the Court also ruled that upon assessing an application for asylum, the authorities cannot expect that asylum seekers keep their sexual orientation a secret in their country of origin or practice it with reticence so as to avoid persecution.

2.1.8. Efficiency and quality of asylum procedures

At national level: Thirteen Member States (BE, BG, DE, CY, EE, EL, FI, HR, IT, LU, PL, SE, UK) undertook measures in 2013 to safeguard or improve efficiency of their of asylum procedures.

Bulgaria, Cyprus and Luxembourg reduced processing times of applications. Luxembourg created a separate unit for the Western Balkans within the Refugee Department. Applications have been in majority resulted in an accelerated procedure. Because of increased migratory pressures, Cyprus formalised the procedures for asylum applications and integrated it under ERF national co-financing actions to increase the processing speed. Greece improved the efficiency and quality of services following the introduction of four new regional asylum offices and increasing the service of interpreting and guidance to applicants. Romania continued to implement, on permanent bases, the system for ensuring the management of asylum procedures quality, according with the Cooperation Agreement with UNHCR.

Germany, Italy and Sweden improved their efficiency in the area of IT and digital government. Italy continued a project started in 2012 on the digitalisation of international protection applications and status recognition. Germany made improvements to IT systems and the management of process flows. Sweden digitalised parts of the application process. In other areas, Estonia outsourced the accommodation of asylum applicants, which should lead to efficiency gains. Sweden introduced a special procedure for applications from Syria, started case segmentation and provided accommodation for applicants subject to accelerated procedures in facilities near transport hubs. Croatia, with a view to improving work and achieving better results in general, relocated all Asylum Section staff from the headquarters of the Ministry of the Interior to the Asylum Seekers Reception Centre.

Thirteen Member States (BE, CY, DE, EE, FI, FR, IT, LV, LT, LU, PL, SE, UK) introduced measures related to the quality of the national asylum system. Belgium, Latvia, France, Poland the United Kingdom improved the quality of the national asylum system through the improvement of internal procedures and working methods. Belgium set up a 'Quality project' to achieve better quality asylum decisions and harmonise working methods, while it includes quality indicators, setting up of a quality unit and methods of quality management. Spain signed a new cooperation agreement with the United National High Commission for Refugees (UNHCR), aimed to guarantee the UNHCR's participation in the procedure and including a financial grant to fulfil its role within the procedure. Two Member states (LT and LV) implemented projects with UNHCR with the aim of improving the quality of first instance asylum procedures. Poland implemented a large set of measures to enhance both efficiency and quality by reducing workload, introducing monitoring indicators and participation in UNHCR and EASO projects. The United Kingdom introduced a strengthened audit framework and enhanced internal quality assessment standards. In France, an agreement was signed between the OFPRA's Director General and the UNHCR Representative in France establishing quality controls and an evaluation grid with criteria on the interview, investigation and decision. The objective is to envisage useful measures for the improvement of the quality of the decisions taken. In other areas, Luxembourg improved the quality of reception of applications and communications by moving to new facilities, while it also intensified cooperation with other Member States, in particular Austria and the Netherlands. Cyprus, Germany, Italy, Poland and Sweden carried out training activities to improve the knowledge and competence of staff.

Five Member States (BE, FI, IT, LV, SE) demonstrate evidence of the effectiveness of the above-mentioned measures. In Finland, improvements led to quicker investigation and removal procedures, enhanced cost-efficiency and acceleration of the placement of asylum seekers that received a residence permit. Italy partially overcame delays in examining asylum applications. Sweden reached better end-to-end processing times for applications subjected to accelerated procedures. Latvia trained 25 providers of legal assistance and 10 representatives of the State Border Guard

2.1.9. Challenges in the asylum field

At national level: In 2013, at least seventeen Member States experienced challenges in the asylum field (AT, BE, CY, CZ, DE, EL, ES, FR, HU, IE, IT, LV, MT, NL, PT, RO, SE).

The challenge most frequently identified relates to increased migratory flows and high numbers of asylum applications (AT, BG, CY, DE, ES, FR, HU, IT, RO, SE). Member States are dealing with these pressures on the asylum system in a variety of ways. Because of the increase in applications, Cyprus is facing the additional challenge of managing costs. Cyprus and Sweden seek to address the issue by having additional costs covered under the ERF. Malta experienced its second highest number of annual arrivals of irregular migrants by boat during the past decade, all of whom then proceeded to apply for international protection. Malta sought, and received, funding under the European Refugee Fund Emergency Assistance to cover some of the costs related to accommodation and asylum–processing. As higher number of refugees arriving in Italy, the country also struggled to avoid the violation of *non-refoulement* at borders or at sea. To deal with higher numbers of asylum seekers, Hungary and Italy developed plans to increase reception capacity, which in the case of Hungary is funded through the ERF emergency assistance. To tackle the increase in applications from the Western Balkans recorded in some regions of the country, Belgium, France and Sweden visited this region to assess the reasons for the increase. When Germany faces challenges in over- or understaffing levels, it makes use of staff temporarily posted in other sections of the Federal Office for Migration and Refugees (e.g. in the integration section) who are still trained to process the claims.

Other challenges experienced by Member States not directly relating to increases in asylum applications include the length of proceedings, either relating to administrative procedures of international protection (CZ) or high numbers of pending appeal cases (IE, PT). To tackle this issue, the Czech Republic proposed changes in human resource management, while Ireland plans to revise national legislation in the area. Portugal conducted meetings with judicial authorities with a view to reducing delays in appeal. Malta reduced the backlog in appeal cases by creating three further chambers (in addition to the previous two) within the Refugee Appeals Board, as well as by increasing the number of lawyers providing legal aid to appellants. Germany sought to address the issue of applicants who have previously registered in the asylum systems of other (Member) States manipulating their fingertips to prevent a successful EURODAC matching by introducing new procedures; applicants who do not provide useable prints will be requested to re-take their fingerprints in compliance with their obligation to cooperate and if this attempt fails again the case will terminated. In a similar vein, the Netherlands faced challenges in establishing the authenticity of claims of religious conversion as a reason for asylum applications and was criticised for its procedures by external advocacy groups; it sought to address this challenge by involving relevant religious interest groups in the asylum interviews so that the assessment is transparent. Finally, Sweden faced the difficulty of providing enough housing in municipalities for asylum applicants granted residency. The Ombudsman's Office of Latvia investigated ways to improve access to social assistance and social services for persons with subsidiary protection status by conducting a

study on the topic and subsequent discussions with representatives of relevant ministries, local authorities and service providers.

Eight Member States (CZ, DE, EE, FI, HU, IE, IT, NL) faced at least some criticism for the challenges described above. The Czech Republic and Germany were criticised by the NGOs, the ombudsman and the Supreme Administrative Court (CZ), the general public (DE) for the length of proceedings and Ireland faced criticism in the media over the quality and appropriateness of its direct provision reception centres in consideration of the time some applicants spend there. Other points of criticism not indicated above were the detention of unaccompanied minors seeking international protection (FI), the overcrowding of open reception centres (HU) and the cost of dealing with the influx from migrants from North Africa (IT). For Estonia, the isolated location of the accommodation centre was criticized, a situation in the process of being rectified in 2014.

2.2. Emergency funding after "Lampedusa" and other emergency measures funded in 2013

At EU level: The Commission paid particular attention to Italy following the tragedy of Lampedusa in order to support the authorities in managing their migratory flows and step up their capacity to monitor the central Mediterranean route with a view to improve border surveillance and save lives. To this end, Frontex operations have been strengthened with an additional budget of EUR 7.9 million while Italy received emergency allocations under the European Refugee Fund, European Borders Fund and the Return Fund for a total of EUR 23 million. This was aided by the implementation of a Special Support Plan by EASO aimed at strengthening the Italian asylum system by providing training, Country of Origin Information and support in order to improve the management of the reception system.

In addition, emergency measures were funded in 2013 under the European Refugee Fund (ERF) for a total amount of EUR 36.34 million to respond promptly to the consequences from the Syrian crisis, of which EUR 28.34 million were made available from October 2013. Nine Member States benefitted of the ERF emergency measures:

Hungary received EUR 1.17 million to reinforce its accommodation and administrative capacity, to meet the challenges caused by the unprecedented increase in the number of asylum seekers during the summer of 2013.

Italy received EUR 12 million to strengthen the reception capacity through new facilities, increase service supply in the already existing centres, and reinforce the asylum procedure.

France received EUR 1.6 million to increase emergency reception capacity for asylum seekers in 2 particular regions (720 extra places).

Malta received EUR 3.7 million to improve the accommodation conditions in open reception centres, the renovation and provision of supplies for closed reception centres, and to reinforce the capacity of the Refugee Commissioner's office in dealing with the asylum claims.

Germany, which was faced with the sudden arrival of a large number of asylum seekers (+ 68% during the first two quarters of 2013 compared to the same period in 2012), received EUR 4 million to cover additional reception and accommodation for asylum seekers, including coverage of basic needs and supplies.

The Netherlands received EUR 1.12 million for opening one additional reception centre to enable 600 asylum seekers to be properly housed and catered for.

Greece received EUR 4 million to, inter alia, provide for the basic needs of people that may be in need of international protection and medical screening.

Cyprus received EUR 3.1 million to increase open accommodation capacities, together with provision of medical support and screening, as well as to prepare for a situation of mass influx from Syria.

Bulgaria received EUR 5.65 million to enhance its accommodation and administrative capacity, transportation/transfers, legal assistance and translation. Bulgaria plans to increase emergency accommodation capacities by up to 5 000 places.

Additionally, emergency support was allocated to Greece and Bulgaria under the External Borders Fund Community Actions:

Greece received almost EUR 2 million under the External Borders Fund for a project to support the First Reception Mobile Units operation for the first reception procedures in areas that are under pressure by high migration flows.

Bulgaria was provided EUR 2.4 million under the External Borders Fund for reinforcing capacities of the Bulgarian Border Police to identify and register new arrivals (within mixed flows), improving accommodation capacities of the centres managed by the Border Police, supporting costs of internal transportation of migrants, maintenance of border control and surveillance technical equipment.

2.3. Cooperation with the European Asylum Support Office (EASO)

At EU level: The European Asylum Support Office[25], that became operational in June 2011, continued to be built up in 2013, reaching a total of 71 staff and an allocation of EUR 11.9 million. The agency has contributed significantly to the further development of practical cooperation projects. In the field of training, 2 111 officials have been trained in the modules included in the EASO Training Curriculum in 2013. EASO also stepped up its activities in order to enhance the quality of the asylum procedure focusing on access to protection, personal interview, evidence assessment, and family tracing. As regards Country of Origin Information (COI), it published a report on the Western Balkans[26] and held several workshops on Syria, Russia and other key countries of origin of asylum applicants. In the field of COI, the agency also developed a new so-called "network approach" strategy, establishing networks of experts from Member States in constant contact with key countries of origin of asylum seekers, in order to share information and harmonise decisions at EU level. In parallel, EASO developed its capacity to provide up-to-date information on the main indicators in the field of asylum, including: new applications, backlog of pending cases, and other qualitative analyses, thereby contributing to the wider effort of implementing the provisions of Article 33 of the recast Dublin Regulation which establishes a permanent early warning and preparedness mechanism to prevent crisis in the field of asylum to happen.

While developing these practical cooperation activities, the agency has continued its operational activities in Member States by providing assistance to Greece, in line with the wider Action Plan on Migration and Asylum, as well as by activating a special support plan for Italy and for Bulgaria due to the difficulties these two countries were facing in managing their asylum applications.

25 See http://easo.europa.eu

26 http://easo.europa.eu/wp-content/uploads/WB-report-final-version.pdf

EASO also published its second "Annual Report on the Situation of Asylum in the Union"[27] which provides factual information on the state of play of the implementation of the Common European Asylum System and an analysis of asylum flows towards the European Union.

The agency also developed some initial actions in the field of relocation, resettlement and the external dimension of the CEAS which will be developed further in 2014.

During 2013, the European Commission carried out a first evaluation of the impact of EASO on the implementation of the Common European Asylum System as foreseen in the Communication on Intra EU Solidarity.[28]

2.3.1. Participation in EASO activities and provision of support by EASO to the Member States

At national level: In 2013, 28 (Member) States apart from participated in EASO activities. Activities ranged from the provision of experts and staff for Asylum Support Teams (AT, BE, BG, CY, CZ, DE, DK, EL, FI, FR, IE, MT, NL, PL, RO, SE, SK, UK, NO), participation in training courses (BG, CY, EL, ES, HR, LU, MT, PL, PT, SE, SI, SK, UK), practical cooperation, group meetings, workshops and seminars (BE, CZ, DK, EE, EL, ES, FR, HR, HU, IE, IT, LV, MT, PL, RO, SK, UK) and institutional development and developing training modules (BE, CY, EL, ES, FR, IE, MT, NL, PL, RO, SI, SK, UK). At the end of 2013 an association agreement between Norway and EASO was initialled, and signings are expected in early 2014. Norway provided experts to EASO in 2013.

Bulgaria, Finland, France, Greece, Hungary, Italy, the Netherlands, Poland, Sweden and the United Kingdom received support from EASO. This support concerned technical assistance (BG, EL), training and workshops (BG, EL, FI, FR, IT, HU, NL, PL, UK), emergency exercises (HU, RO) and special support plans (IT). UNHCR relocated 410 refugees in Romania to other countries.

The EASO Training Curriculum was also used as a basis for training third country national authorities within the EU-funded UNHCR project '*Asylum Systems Quality Initiative in Eastern Europe and the Southern Caucasus*'. The project was jointly implemented in 2013 by Germany, Poland, Romania and Sweden with a view to improving the quality of decision-making in this region. In the first phase of the project, current asylum practices in the beneficiary countries were mapped and in the second phase quality control mechanisms will be established, staff will be trained, and country of origin information and translate selected modules of the EASO Training Curriculum will be translated into Russian.

2.4. Intra-EU solidarity including relocation

2.4.1. Support to national asylum systems including relocation[29]

At EU level: 692 persons (either beneficiaries of international protection or, in a few cases, asylum seekers) have been relocated from Malta since 2005. Following on from the EUREMA I pilot project, a second project took place from 2011-2013. Ninety-seven places were pledged for relocation through this project, but only 14 persons were relocated. During the same period, 264 persons were relocated through bilateral agreements outside the EUREMA project. Some of the

[27] http://easo.europa.eu/wp-content/uploads/EASO-Annual-Report-Final.pdf

[28] COM(2011)835

[29] Relocation: the transfer of persons having a status, defined by the Geneva Convention or subsidiary protection (2004/83/EC) from the Member State which granted them international protection to another Member States where they will be granted similar protection (see EMN Glossary V2).

reasons for the limited success of the EUREMA II project include the fact that most participants were "new" Member States that were for the first time embarking on resettlement / relocation activities and had only small non-European communities already established; or they had some limiting criteria as to whom to relocate (e.g. families rather than single men).

Following on from a discussion at the October 2012 JHA Council, the Commission announced that an annual Relocation Forum would be held to discuss relocation issues. The first one took place on 25 September 2013. The Forum was an opportunity for Member States to discuss with the Commission both their needs for relocation and their intentions as regards future relocation activities. Under the new Asylum and Migration Fund, there will no longer be a project-based approach, but instead the financing for relocation will be mainstreamed into Member States' national programmes. In addition, a EUR 6 000 lump-sum per person relocated is given to the Member State.

The Commission will evaluate the EUREMA projects and the bilateral relocation efforts in 2014.

At national level: Austria, Belgium, Czech Republic, Denmark, France, Portugal, Sweden, Slovak Republic and Norway provided support to other (Member) States experiencing specific and disproportionate pressures on their national asylum systems. A number of Member States provided material and logistic support to Bulgaria (AT, BE, CZ, DK, HU, SK), Greece (AT, BE, UK) and Italy (BE). Denmark is in close contact with the Bulgarian authorities in order to support them with their asylum system. Sweden sent several asylum experts to Bulgaria, Greece, Hungary, Italy and Romania; and Norway provided EEA grants to Greece. The Czech Republic assisted the Asylum Intervention Teams managed by EASO in both Greece and Italy. Portugal deployed several experts to provide assistance to Greece and Bulgaria.

Bulgaria, Hungary, Lithuania, Poland, Portugal and Slovak Republic continued to participate in EUREMA II to support Malta with the relocation of beneficiaries of protection. Ireland relocated ten people for permanent resettlement on a bilateral basis. Poland accepted seven persons under EUREMA II and saw six persons arrive in January 2013. Bulgaria, Hungary and Slovak Republic offered relocation to Malta but noted that no suitable candidates were found. The four persons (citizens of Eritrea) relocated by Lithuania arrived in December 2012. Portugal also relocated 4 citizens of Sudanese nationality from Malta in 2012. Persons relocated under the EUREMA II project were assisted to integrate in the respective Member States throughout 2013.

2.4.2. Joint/supported processing of asylum applications

At EU level: In 2013, the Commission undertook a study on the feasibility, and on the legal and practical implications, of establishing a mechanism for the joint processing of asylum applications on the territory of the EU.[30] The purpose of the study was to provide a basis for discussion and informed decisions about the possible development of such a solidarity mechanism that would help Member States cope with some of the challenges they face in asylum matters.

The study indicated that the mechanism for joint processing would be employed in a situation where a Member State's asylum system is struggling to cope with the inflow of asylum seekers. In such a scenario, "joint processing teams" would be set up on an ad hoc basis, consisting of officials from the existing EASO Asylum Intervention Pool, who will support the State in crisis either on the ground or by means of remote working. Participation in the EASO Asylum Intervention Pool is

30 http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/asylum/common-procedures/docs/jp_final_report__final_en.pdf

mandatory, but participation in support processing missions is voluntary, as is the request for support from the Member State in crisis.

The supporting officials can make recommendations on the basis of the EU *acquis* but the final decision is made by the Member State responsible for the application (as defined by the Dublin Regulation), which would also be responsible for any ensuing appeal cases, as well as for returns and removal operations. This mechanism would be financed through funding of EASO and support from the Asylum, Migration and Immigration Fund (AMIF).

The start of a first pilot project of supported processing was included in the recommendations of the Task Force Mediterranean (TFM), and will be started by EASO in 2014.

2.5. Enhancing the external dimension including resettlement

2.5.1. Cooperation with third countries including resettlement[31]

At EU level: The EU has pursued policy dialogues and cooperation with third countries and regions in line with the Global Approach to Migration and Mobility (GAMM), the overarching framework of the EU external migration and asylum policy, and thereby contributing to institutional and legislative reforms and capacity building in partner countries. The policy dialogues have been matched by financial and operational support in the area of international protection and asylum. Through the Commission's development cooperation instruments more than 15 new projects in 20 partner countries have been launched in 2012-2013, for an amount of more than EUR 25 million.

In addition to work on existing Regional Protection Programmes (RPPs),[32] and following a call from the Justice and Home Affairs Council in 2012,[33] the Commission is responding to the on-going conflict in Syria and the refugee situation in neighbouring countries by setting up during 2014 a Regional (Development) and Protection Programme in the Middle East, complementary to the immediate humanitarian assistance already being provided.

Apart from wider humanitarian efforts in the region, the Commission is also providing financial support to the UNHCR to support efforts enabling refugees in countries neighbouring Syria to be properly registered and thus gain access to protection. The support includes assisting the local authorities with the provision of transport from border crossing points, providing the necessary equipment and supplies, as well as, wherever necessary, providing training and familiarising non-governmental organisations, officials, and other stakeholders with the basic principles of international protection.

Solidarity is also being shown with the countries neighbouring Syria that are hosting almost all of the more than two million refugees who have fled Syria since 2011. The United Nations High Commissioner for Refugees called for the international community at large to offer some 12 000 places for the resettlement and humanitarian admission of Syrians in 2013, only to increase this call to some 30 000 by the end of 2014. Several Member States (Austria, Belgium, Finland, France, Germany, Hungary, Ireland, Luxembourg, the Netherlands, Spain and Sweden) responded to this call by offering more than 13 100 places. The European Commission continues to support this call

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31 Resettlement: the transfer on a request from the UNHCR and based on their need for international protection, of a third-country national or stateless person from a third country to a Member State where they are permitted to reside with one of the following statuses: i. refugee status ii. a status which offers the same rights and benefits under national and EU law as refugee status (see EMN Glossary Version 2).

32 Projects were on-going in Eastern Europe and the Horn of Africa. The Commission was also very active in supporting the development of RPPs in North Africa (included Egypt, Tunisia).

33 October 2012. http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/133241.pdf.

for resettlement and humanitarian admission. The European Union also became member of the Core Group on the Resettlement of Refugees from Syria.

The resettlement of refugees from outside the EU continues to be a key act of solidarity between the EU and its Member States with third countries that are hosting large refugee populations. The Commission's goal is to ensure that more refugees are resettled each year by more Member States, while respecting the voluntary nature of resettlement. In reaching agreement on the Joint EU Resettlement Programme[34] under the European Refugee Fund in March 2012, Member States agreed, for the first time, on specific common EU resettlement priorities for 2013[35]. This gives a strong political signal of unity and solidarity with the international community and refugees in need of a sustainable solution and is an expression of the importance that the EU and the Member States attach to directing the Union's resettlement efforts towards protracted situations that need special attention and increased efforts. The outlines of the Union Resettlement Programme from 2014 onwards are under negotiation as part of the new Asylum, Migration and Integration Fund.

Under the 2013 call for proposals on Resettlement (Preparatory Action), which supports the exchange of best practices and knowledge transfer on resettlement between targeted municipalities and local authorities in Member States, only one project was financed (EUR 0.5 million): SHARE II - Building a European Resettlement Network for Cities and Regions, whose project coordinator is the International Catholic Migration Commission (ICMC) - Europe. SHARE II follows up on the SHARE Project' implemented during 2012-2013 by ICMC Europe in partnership with Sheffield, UNHCR, EUROCITIES and others in 13 countries. The main objective of the SHARE projects is to build toward a network of cities and regions in Europe committed to receiving resettled refugees, ensuring a significant number of places and good quality reception and integration structures and practice'. SHARE II reaches out to actors in all EU Member States through activities involving Austria, Belgium, Finland, France, Germany, Netherlands, Poland, Portugal, Romania, Spain, Sweden and the UK.

In 2013, three projects selected under the 2012 call on Preparatory Action on emergency resettlement were implemented, i.e. to enable the resettlement of refugees during emergency situations. UNHCR received EUR 1.5 million to renovate and upgrade the UNHCR Emergency Transit Facility in Romania and Slovakia, to support its staff capacity for urgent resettlement in headquarters and in Brussels, to support the existing European Resettlement Network in particular with regard to emergency resettlement activities and to support the development of an info campaign presenting the emergency resettlement itinerary of a few individuals. Ireland (Department of Justice and Equality) got a grant of EUR 415 156,56 to resettle 30 persons from Syria and finally Austria, after an application submitted in October 2013, was awarded a grant of EUR 1 million to resettle 250 Syrian refugees from neighbouring countries. Both projects include pre-departure medical examinations and cultural orientation, the transfer of the refugees to the resettling country, reception and orientation of the resettled refugees and integration of refugees in the local community.

At national level: Thirteen (Member) States (AT, BE, BG, CZ, DK, FR, HU, IE, NL, SE, SK, UK, NO) cooperated with third countries to enhance the external dimension of international protection. This includes support to Armenia for Armenian-Syrian refugees (AT), institutional development of the asylum system to Burundi (BE), training to Burundi and Kyrgyzstan (BE), organising international workshops on resettlement (BG), the implementation of the Regional Development and Protection Program for Refugees and Host Communities in the Middle East (CZ), coordination,

[34] Decision 281/2012/EU of 29 March 2012. http://www.resettlement.eu

[35] Under this scheme, the participating Member States pledged to resettle 3 962 refugees in 2013. This is an increase compared with 2012 when 3 083 resettlement places were pledged.

co-funding and co-implementation of the Regional (Development) and Protection Programme set up in the Middle East (DK, NL, UK), security cooperation with Hong Kong (FR), support to development of the asylum and migration capacities of Serbia (HU), and readmission and return (NO). Furthermore, this support includes cooperation under the framework of the Eastern Partnership Panel on Migration and Asylum (FR, PL, SE), migration management in Armenia (SE) and training under the European Asylum Curriculum for Eastern Partnership countries, together with Germany (SE).

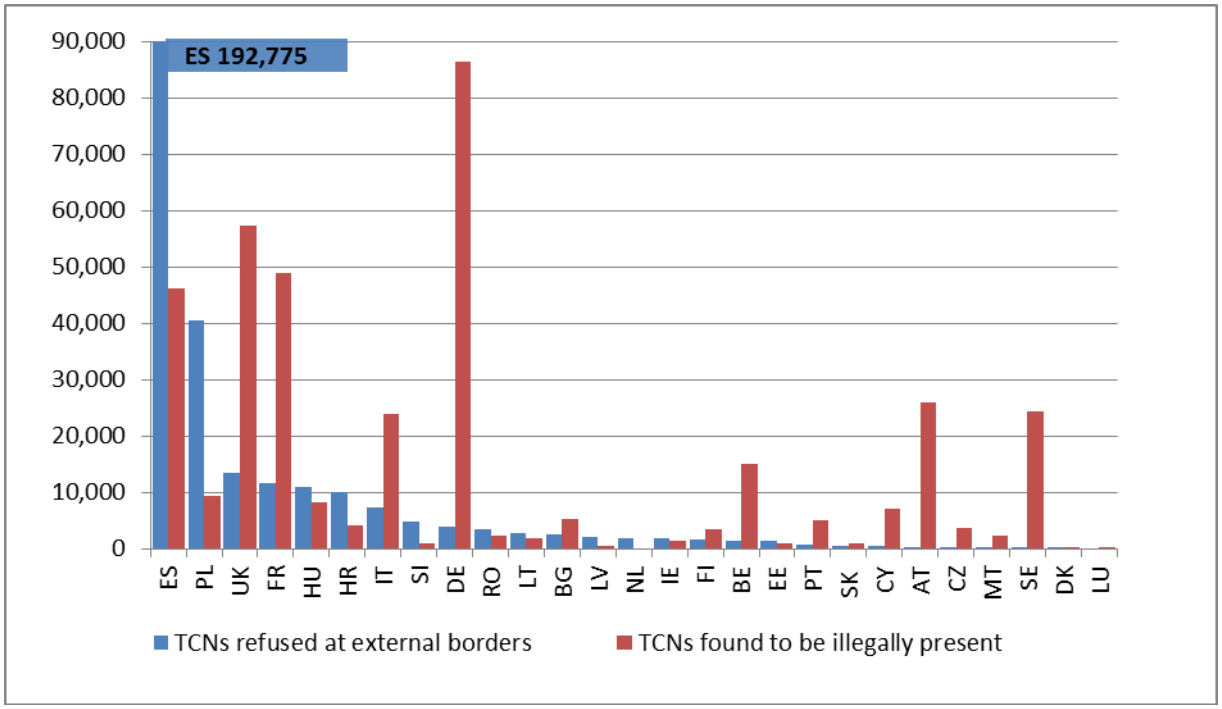
Twelve (Member) States took part in resettlement activities (BE, FI, FR, HU, IE, NL, PL, PT, SE, SK, UK, NO). In at least ten (Member) States (DE, DK, FR, HU, NL, PT, SE, SK, UK, NO) the activity concerned the resettlement of refugees placed under the protection of the Office of the UNHCR in third countries. Romania took the decision to resettle 40 Iraqis refugees from Turkey. The Czech Republic and Spain postponed the implementation of the resettlement quota to 2014.

DE has adopted a humanitarian admission programme at federal level for the admission of 10 000 Syrians in 2013-204, in particular those in special need of protection, in this way providing a substantial part of all resettlement or humanitarian admission places for Syrians in the EU for 2013-2014.

3. IRREGULAR MIGRATION AND RETURN

This chapter includes activities at the EU level and in the Member States that have contributed to combating irregular migration, and focuses primarily on the Strategic Priority Areas outlined in the Strategic Response to EU Action on Migratory Pressures[36].

Figure 3: Third-country nationals refused at external borders and Third-country nationals found to be illegally present 2013



Source: Eurostat, [migr_eirfs]
Notes:
Third-country nationals refused at external borders: statistics not published for EL and NO due to lack of reliability because of small sample size.
Third-country nationals found to be illegally present: statistics not published for EL, NL and NO due to lack of reliability because of small sample size.

Table 7 in the Statistic Annex shows the number of third-country nationals refused at the external borders and those found to be illegally present in 2013. Statistics for refusals at the external border are available for 26 Member States and for those found to be illegally present, for 25 Member States.

The highest numbers of refusals at the border were reported by Spain (192 775); Poland (40 386); United Kingdom (13 435); France (11 745) and Hungary (11 055). The number of refusals reported by Spain represented a figure significantly higher than the reported numbers by all other Member States combined. Poland also reported a relatively high number of refusals (40 385) when compared with other Member States. The lowest numbers of refusals at the external borders were reported by Luxembourg (0); Denmark (140); Sweden (180); Malta (300) and Czech Republic (310). Statistics for all Member States (where available) are shown above in Figure 3.

[36] 8714/1/12 REV 1 http://register.consilium.europa.eu/pdf/en/12/st08/st08714-re01.en12.pdf

The highest numbers of those found to be illegally present were reported by Germany (86 305); United Kingdom (57 195); France (48 965); Spain (46 195); and Austria (25 960). The lowest numbers of refusals at the external borders were reported by Latvia (175); Luxembourg (260); Denmark (395); Estonia (910) and Slovak Republic (1 025).

In 16 out of the 25 Member States for which statistics were available for comparison, the number of third-country nationals found to be illegally present exceeded the number of those refused at the external border. The differences were most marked in Germany (82 460); United Kingdom (43 760); France (37 220); Austria (25 600) and Sweden (24 220). Conversely, in 10 Member States, refusals of third country nationals at the border (far) exceeded those found to be illegally present. These differences were most marked in Spain (146 580); and Poland (31 105).

3.1. Priority I: Strengthening cooperation with third countries of transit and origin on migration management & Priority VII: Preventing illegal immigration from and via the Southern Mediterranean countries

3.1.1. Prevent and combat irregular immigration by ensuring smooth and orderly return of irregular migrants between states; ensure implementation of all EU readmission agreements to their full effect

At EU level: EU readmission policy remains an important priority, with the emphasis being placed on implementing those EU Readmission Agreements already in force, and completing outstanding mandates.

It is expected that the Mobility Partnership established with Morocco on 7 June will lead to a re-launching of negotiations on a Readmission Agreement in due course. The first meeting on the implementation of the Mobility Partnership took place on 24-25 September in Rabat. Negotiations on a Mobility Partnership with Tunisia will include a commitment to concluding a Readmission Agreement. Partnership negotiations with Egypt are foreseen once conditions allow. Elements on readmission are included in the EU-India Common Agenda on Migration and Mobility, in discussion since April. Efforts are being made to rekindle readmission negotiations with China following new proposals from the Commission and the EEAS. A Readmission Agreement was signed with Armenia on 19 April and the Readmission Agreement with Azerbaijan was initialled in July with Commission proposals for its signature and conclusion submitted on 29 October. The Mobility Partnership with Azerbaijan was signed on 5 December. The Readmission Agreement with Cape Verde was signed on 18 April, and a further Readmission Agreement with Turkey was signed on 16 December. Following indications from the side of Belarus, the Commission started preparations for launching readmission negotiations with this country, acting on the last of the negotiating directives for the countries of the Eastern Partnership.

Over the course of 2013, the EU institutions and agencies have continued to apply pressure on certain third countries to fully implement EU Readmission Agreements. In the case of Pakistan, the first readmission applications were examined under the Agreement, and were approved following successful efforts by the Commission and the Delegation of the EU to Pakistan. Joint return flights were organised by FRONTEX in April. A Joint Readmission Committee (JRC) meeting took place in Islamabad on 7 July, and the next one is scheduled to take place in Brussels, with the date still to be confirmed. Regular JRCs have been promoted with cooperating third countries, including the first JRC with Sri Lanka, which took place in Colombo on 18 February, and the sixth and fourth JRC meetings, respectively, with the Republic of Moldova[37] on 12 June and Georgia on 26

[37] Hereinafter also called Moldova.

February in Brussels. The issue of irregular migration, including readmission, is regularly addressed in each of the seven regional dialogues and three bilateral dialogues under GAMM, with the aim of asserting pressure through diplomatic channels to encourage relevant third countries to cooperate further on readmission.

With regard to ensuring the effective implementation of Article 13 of the Cotonou Agreement, to follow on from the expert recommendations on readmission endorsed by EU and ACP Ministers in April 2012, the EU has proposed the organisation of a regional seminar on readmission to provide for expert exchanges on specific issues. This proposal was accepted by the ACP States and the seminar is likely to focus on the West African region and take place in the second quarter of 2014.

At national level: During 2013, protocols to support the implementation of EU readmission agreements entered into force in at least eight Member States (CZ, DE, EE, EL, HR, PL, SK, UK). A further four Member States (EL, FR, HR, NL) signed and/or ratified such protocols with third countries or started negotiations (LV). Ireland completed the necessary parliamentary procedures to opt-in to eleven EU readmission agreements, which is now undergoing the requisite procedure at EU level before taking effect. No new developments were reported in relation to EU readmission agreements in Cyprus, Finland, Italy, Lithuania and Sweden during the reference period.

The Czech Republic, Belgium, The Netherlands and Poland together with IOM supported the authorities in Georgia to develop software for submitting readmission applications through the Internet. EU readmission agreements are supplemented by a joint declaration between the European Commission and the respective partner government encouraging the latter to enter into a similar agreement also with Norway (and Iceland). Readmission agreements with Norway have been concluded on this basis with a number of countries, e.g. Montenegro, FYROM and Serbia. Norway is currently either in contact with or planning to contact all remaining third-countries which have an EU readmission agreement in place; however, no new agreements were concluded in 2013.

No new developments took place in relation to the implementation of the EU readmission agreements with Hong Kong (2003) and Macao (2004). It should be noted that no progress has been made with third countries belonging to the Mediterranean area due to the political instability in these countries. Indeed, many Member States have bilateral readmission agreements in place with third countries and for this reason have not developed implementing protocols with these countries.

Table 2.1: Implementing protocols under EU Readmission Agreements

	Negotiation planned	***In negotiation***	***Approved &awaiting third country's signature***	***Signed***	***Ratified***	***Entered into force***
Albania	EL	PT		BG		HR
Bosnia Herzegovina		LV	DE, EL, SK	BE, FR, NL, LU		CZ, HR, HU,
FYROM		LV	SK	BE, LU, NL		HR
Georgia	DE	ES, LV, PT	CZ, SK	BE, LU, NL		EE

Hong Kong						
Kosovo[38]				HR		EE
Macao						
Moldova		EL, PT		BE, ES, LU, NL		
Montenegro		LV		EE	BE, LU	DE, HR, SK
Pakistan		HU, LV, PL				UK
Russia						PL, PT
Serbia		LV, PT	ES	BE, EL, BG, LU, NL		CZ, HR, RO
Sri Lanka	NL	UK				
Ukraine		BE, LV, LU, NL, PT	EE	CZ		

3.1.2. Enhance the capacity of countries of origin and transit to manage mixed migration flows

At EU level: In order to allow persons requiring international protection to access it as soon as possible after initial displacement and as close as possible to their region of origin, Regional Protection Programmes are used to build third countries' capacity in the field of international protection. The Commission is working for the Regional Protection and Development Programme in the Middle Eastern countries to be operational early 2014, in order to respond effectively to the Syrian crisis, and the situation of Syrian refugees in neighbouring countries. This complements the significant support already provided to Syrian refugees under EU development and humanitarian funding.

To avert secondary movements, it is also necessary to improve refugees' access to the means for self-reliance in third countries of first asylum. In February, the Commission organised a one month Mission of Member State experts to Moldova in the framework of the Visa Liberalisation Action Plan. The mission concluded that Moldova's asylum, border and migration management frameworks are in line with EU practices and have been well-implemented.

Strengthening the capacity of third countries to better tackle the challenges of mixed migratory flows is a key element of the existing Mobility Partnerships with Moldova, Cape Verde, Georgia and Armenia, as well as the Mobility Partnership signed with Morocco in June. The Commission, EASO, FRONTEX and Europol continue to work to identify new actions and initiatives aimed at strengthening third countries' capacities.

[38] This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

At national level: Several (Member) States (BE, CZ, FI, HU, IT, NL, PL, RO, SK, UK, NO) implemented actions to support third countries of first asylum with the means to guarantee refugee protection and to better manage mixed migration flows. In some cases this assistance was provided within the framework of EU programmes, such as Regional Protection Programmes[39] (CZ, DK, NL, UK), Mobility Partnerships (BE, DK, NL, PL, RO, SK) and the Prague Process (BE, PL).

In the case of four (Member) States (CZ, HU, UK, NO), actions were implemented to support third countries experiencing high influxes of asylum seekers and refugees from Syria. The Czech Republic and Hungary sent aid to Turkey, Jordan and Lebanon, and Norway also financed a project to support the Turkish Government. The Czech Republic, Denmark, the Netherlands and the United Kingdom provided funding towards the Regional Development Protection Programme set up in 2013 to support refugees and host communities in Lebanon, Jordan and Iraq.[40] The programme is coordinated by Denmark and aims to improve the communities' capacity for integration of refugees by developing social infrastructure (energy supply, healthcare services, education) and creating greater possibilities for the refugees to contribute economically to their host society (e.g. vocational training and skills development, creating better employment opportunities, and supporting micro-enterprise finance). Within the framework of EU Mobility Partnerships, Belgium and Poland provided support to Armenia and Georgia on voluntary return and reintegration, Czech Republic helped Georgia with voluntary return and reintegration, and the Slovak Republic helped to establish a permanent independent and institutionalised training mechanism to build capacity for analysing data on migration in Moldova and Georgia. The Slovak Republic also aims to lead future projects in Azerbaijan. In a report on Italy's participation in the EU, Italy's Council of Ministers expressed their hope for continued negotiations with Morocco and Tunisia on Mobility and Security Partnerships and similar initiatives with other Southern Mediterranean countries to bring about shared migration flow management. Under the Prague Process, Belgium and Hungary participated in the pilot project '*Quality and training in the asylum processes*' and hosted a study visit for Kyrgyzstan's and Belarus' asylum and migration authority, respectively.

Belgium, Finland and Poland bilaterally supported third countries to build capacity to manage mixed migration flows. Finland's Immigration service (FIS) similarly set up learning exchange visits with asylum authorities in Iraq, and visited the USA, China and Korea to present on good practices there. The Finnish Immigration Service (FIS) also investigated the opportunity of establishing a shared EU facility centre in Ethiopia for management of migration flows. Similarly, Poland and Sweden implemented a twinning project *Support the State Migration Service for Strengthening of Migration Management in Armenia*. Belgium provided support to the Burundi National Office for the Protection of Refugees and Stateless Persons (ONPRA) to assist in the development of the organisation and to provide training to their staff based around the EASO Asylum Curriculum.

3.1.3. Prevention of irregular migration from the Southern Mediterranean countries; the Western Mediterranean and the African Atlantic coast

At EU level: Member State-Third Country regional networks of cooperation in the Mediterranean, such as the European Commission-funded 'Seahorse Mediterranean Network' should continue in the framework of EUROSUR. Two workshops have taken place within the framework of FRONTEX'S

[39] EU Regional Protection Programmes are practical programmes focusing on return, local integration and resettlement, designed to enhance the capacity of non-EU countries in the regions from which many refugees originate, or through which they pass in transit - http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/external-aspects/index_en.htm

[40] http://europa.eu/rapid/press-release_IP-13-1253_en.htm

AFIC (Africa-FRONTEX Intelligence Community) project in May and September, with a conference and the release of the second Joint Annual Report in November. The project included Morocco, Western Sahara, DR Congo and Cameroon. FRONTEX also recently invited selected third countries to take part in a European Patrol Network (EPN) meeting to become familiar with FRONTEX-coordinated maritime activities.

Europol is in the process of negotiating a Strategic Agreement with Morocco, through which it will be able to be more active in information sharing (no personal data).

In order to strengthen its operational cooperation with the competent border control authorities in the Southern Mediterranean countries, FRONTEX supports Member States taking part in its joint operations to integrate third country observers or nominate suitable contact points for dealing with urgent matters regarding the operation. FRONTEX also supports the EU-funded EuroMed Migration III project. FRONTEX delivered a presentation to the 4th Irregular EuroMed Migration Training session in September and EuroMed Migration raises awareness of FRONTEX's role in the third countries concerned. The Commission will also fund a project to support the practical cooperation of FRONTEX and EASO with Morocco, Tunisia and Jordan. With a view to maintaining and developing the current effective handling of the migration situation in this region, FRONTEX continues to facilitate Member State coordination in European Patrol Network (EPN) areas and support several joint operations in the Mediterranean and North Africa: Joint Operations EPN- Indalo and EPN- Minerva in the Western Mediterranean, and Joint Operation EPN-Hera located off the North African coast. FRONTEX also supports national efforts of the Southern Mediterranean countries, by facilitating initiatives such as the EPN Common Patrols as a part of EUROSUR.

At national level: The prevention of irregular migration from the **southern Mediterranean region** remained a strategic priority for Italy, as outlined in the 2013 report of the Council of Ministers on Italy's participation in the EU. Other Member States (DE, FR, HU, IT, PL) also sought to prevent irregular migration from this region (especially from Tunisia and Morocco) by building the capacity of border authorities in the respective countries through provision of equipment e.g. patrol boats (DE, IT), training (HU, PL) and secondment of experts (FR). Hungary hosted and Poland participated in peer-to-peer meetings of border guards as part of the EU-funded EUROMED Migration III project.[41] Italy also targeted a training and information campaign at public administrators and third sector actors in Morocco, with a view to increasing understanding and awareness of Italian migration rules. Austria and Bulgaria fostered dialogue with officials in Morocco and Algeria on readmission matters. This was especially important for Bulgaria, since in 2013 Algeria and Morocco were amongst the top five source countries of irregular migration to Bulgaria. Malta and Libya have convened the Joint Working Group on Security and Illegal Migration, with the aim of enhancing cooperation and sharing information in addressing illegal migration across the central Mediterranean. The Maltese and Libyan sides agreed on cooperation in this sphere. Furthermore, the Maltese side offered training to the Libyan side in relation to border control and police issues, which offer was accepted by the Libyan side. In Spain, the project "Seahorse Mediterranean Network", approved by the European Commission, was presented within Guardia Civil Headquarters in Madrid, and will be developed over the next three years in collaboration with Spain (Guardia Civil), Italy (Ministry of Interior), France (PAF), Malta (Armed Forces), Portugal (GNR), Cyprus (Police), Greece (Coast Guard) and Libya (Coast Guard). Thus, Member States and Libya will join forces in an agreement to curb irregular immigration between

[41] The EUROMED III project aims to develop co-operation between EU Member States and member countries of the European Neighbourhood Partnership Instrument South (Algeria, Egypt, Israel, Jordan, Libya [observer status], Morocco, Palestine, Syria [suspended], and Tunisia.

Mediterranean countries. The "Seahorse Mediterranean Network" project is an extension of EU cooperation projects implemented since 2006 between Spain and African countries on the Atlantic coast: The "Seahorse Atlantic" programme made it possible to diminish migratory pressures via sea from Africa to Europe. A further project, the "West Sahel Project", co-financed by the EU and Spain and implemented by Guardia Civil was set up in 2011 and was completed during the reference year. The project involved the following countries: Mali, Mauritania, Niger and Senegal, as associated countries and principal beneficiaries of the action.

To prevent irregular migration from the **African Atlantic coast**, Belgium and Italy carried out information campaigns in Senegal on legal migration channels and the risks of migrating irregularly. Belgium also carried out such actions in Guinea and the Democratic Republic of Congo. Under the framework of the Dakar Strategy, [42] the Netherlands participated in meetings to discuss border management with actors from North, Central and West Africa.

3.1.4. Prevention of irregular migration from the Eastern Partners; address migratory pressures via the 'Silk Routes', including prevention of irregular migration and combating trafficking in human beings

At EU level: The fight against irregular migration is an integral part of the Mobility Partnerships, which are important instruments in terms of cooperation with the Eastern Partnership countries. For example, the EU-funded project 'Targeted Initiative for Armenia' aimed at strengthening Armenia's migration management capacities, focuses on return and reintegration activities. In February, there were joint workshops held under the Legal Migration Pilot and Migration and Development Pilot Projects of the EU-funded Prague Process Targeted Initiative. The workshop that took place in Tbilisi on 9 October for the Migration and Development Pilot Project focused on policies of circular migration. The first meeting of the Prague Process National Contact Points was held on 10-11 October in Tbilisi and focussed on fostering cooperation on labour migration among the Prague Process States.

Several actions were taken in 2013 to enhance cooperation and coordination with the Eastern Partners in the prevention of, and the fight against, irregular migration, organised crime, trafficking in human beings, money laundering and terrorism. A workshop on the illegal immigration Pilot Project held in Warsaw on 11-12 March focussed on readmission and return and was followed up by a practical study visit in June. The Eastern Partnership Panel on Migration and Asylum held in Georgia on 20-21 March focussed on practical aspects of readmission, return and reintegration. A workshop on the victims of trafficking in human beings was held in Warsaw on 21-22 May. Cooperation has been reinforced through on-going visa liberalisation dialogues with Moldova, Georgia and Ukraine. Additionally, the visa dialogues with these three countries encourage the legislative and operational approximation towards European best-practices.

Europol has signed a Strategic Agreement with Moldova, a Moldovan liaison officer has been posted in the Hague since July and Europol entered the final phase of starting negotiations with Moldova for concluding an operational agreement in 2014. Georgia is in the process of being included in the list of third countries with which Europol can conclude agreements.

The Ministerial Conference of 19 April in Istanbul, concluded with the approval of a Declaration establishing a "Silk Routes' Partnership for Migration", redirected the focus of the Budapest Process towards the migration originating from and taking place within the Silk Routes' countries, such as Iraq, Iran, Afghanistan and Pakistan. The Commission and several Member States have taken

[42] http://www.icmpd.org/index.php?id=2178

various initiatives to implement the Declaration and develop cooperation with those countries. Since June 2013, three scoping missions have taken place to Iraq, Pakistan and Afghanistan with a two day workshop taking place in Brussels on 17-18 July with the Commission and the UK, Croatia, Hungary, the Netherlands, Norway, Sweden and Switzerland in attendance. Clear progress was achieved in terms of multilateral agreement in respect of Afghanistan and a range of country-specific activities. An expert meeting took place in Islamabad on 28-29 October and work is underway with Pakistani senior officials to undertake a training needs assessment on migration. Basic training on migration issues covering a broad range of actors working in the area of migration in Afghanistan is scheduled for December 2014. The Commission has launched a EUR 2.6 million projects to support the implementation of the Silk Routes Partnership in 2014-2015, with additional co-funding from EU MS and Turkey.

The issue of trafficking in human beings is systematically included in all bilateral and regional policy dialogues within the framework of the GAMM.

At national level: Belgium continued with information campaigns targeting North Caucasus and Armenia and Germany made plans to launch an information campaign in Chechnya targeting 20-30 year olds. Two EU projects: '*Support Reintegration of Georgian Returning Migrants and the Implementation of EU-Georgia Readmission Agreement*' (implemented by Belgium, Czech Republic, France, Germany, Italy, the Netherlands, Poland, Romania and Sweden in conjunction with IOM)[43] and the ICMPD project '*Fostering Cooperation in the Area of Migration with and in the Silk Routes Region*'[44] ended in 2013. Both projects aimed to foster dialogue and cooperation, and in the case of the ICMPD project to develop understanding of migration from this region. The results of both projects have yet to be disseminated.

Member States delivered training to border authorities and provided equipment to support border management in the Eastern Partnership countries of Moldova (DE, PL, SE) and the Ukraine (PL, SE). In the case of Poland, Romania and Sweden, the training was given within the framework of the '*European Commission Training and Consulting Mission for Moldova and Ukraine*' (EUBAM). Action agreements on combating cross-border crime were signed between Latvia, Estonia, Lithuania, Poland and Russia and joint operations subsequently carried out. A similar action plan signed between Lithuania and Belarus led to the dismantling of a transnational criminal group in the reporting period. Austria and the Czech Republic signed a Memorandum of Understanding regarding cooperation on border control and Austria and Hungary continued to carry out joint border patrols.

Romania participated to a project led by the Hungarian Ministry of Interior in collaboration with the ICMPD aiming at strengthening the cooperation with countries of origin and transit in the fight against irregular migration.

3.1.5. Prevention of irregular migration from the Western Balkans

At EU level: In order to prevent irregular migration via the Western Balkans, FRONTEX provides analytical and operational support for the establishment of Coordination points at the Hungarian-Serbian border. There are currently Coordination Points established in Albania (Murriqan) and FYROM (Tabanovce), with the further development of the network to other Western Balkan countries foreseen. FRONTEX published its Western Balkan Annual Risk Analysis[45] in May, providing analytical inputs to operational activities in the region. FRONTEX implemented Joint

43 For more information, see: www.informedmigration.ge

44 So-called 'silk route' countries are Afghanistan, Bangladesh, China, Iran, Iraq, Pakistan and Syria.

45 http://frontex.europa.eu/assets/Publications/Risk_Analysis/WB_ARA_2013.pdf

Operation Neptune in June-July 2013. The RABIT (Rapid Border Intervention Team) exercise carried out on the Hungarian-Serbian border in July to test the RABIT mechanism and to contribute to overall border control measures, filled the gap between the two phases of the Joint Operation. The annual activity Joint Operation Focal Points 2013 Land is on-going in the Western-Balkan region, with the operation being extended to Croatian border crossing points from 1 July onwards. The FRONTEX conference on the Western Balkans held in Vienna on 13-14 November provided a forum for the relevant actors involved in activities being implemented in the Western Balkans to identify possible needs and support in order to contribute to effective border management. It is foreseen that similar conferences will be held once or twice a year. On 16 January 2014, Serbia signed an operational agreement with Europol, enabling it to exchange operational intelligence data with Europol members and to fully engage in the operational work of Europol.

IPA (Instruments for Pre-Accession) projects to further develop border, migration, asylum and visa systems have been programmed, and the Commission is in the process of designing, for the next Multiannual Financial Framework, new IPA projects focusing on the rule of law with a regional focus.

Within the framework of developing cooperation to combat criminal organisations dealing with the smuggling of migrants and trafficking in human beings, the current Joint Investigation Teams to fight Trafficking in Human Beings (JIT THB) project concluded with a final Ministerial Conference in Slovenia in May. The aim of the project was to enhance cooperation within the Southeast European Law Enforcement Community and facilitate the use of Joint Investigation teams (JITs) as an effective tool to fight trafficking in human beings. A new project on JITs was recently funded under ISEC.

There has been further enhancement of inter-agency cooperation, notably between FRONTEX, EASO and Europol, to address cross border crimes related to irregular migration and to contribute to assisting asylum capacity in Western Balkan countries. Interagency cooperation is a part of each Operational Plan, with detailed roles and/or the contribution of the relevant agencies foreseen in each particular joint operation before implementation of the activities. The Europol Focal Point Checkpoint project on Facilitated Illegal Immigration Affecting Austria and Hungary continues to be productive, with the last common action resulting in over 100 arrests.

At national level: Member States undertook various measures to prevent irregular migration from the Western Balkans. The concerned Member States stepped up operational co-operation with the visa exempt countries in the region. Some (DE, FI, PL, SE) provided training to border guards in the region and/or sought to monitor and analyse data on irregular migration to improve understanding (CZ, HU, SK). Sweden deployed border guards as part of the EU's external action mission EULEX in Kosovo[46] and liaison officers to Pristina and Belgrade within the framework of the Nordic Liaison Officer's cooperation. Belgium organised meetings with Serbian and Kosovo authorities to discuss the prevention of irregular migration and the return of their irregular migrants. In the framework of the Salzburg Forum (SF)[47], the SF countries (AT, BG, CZ, HR, HU, PL, RO, SI, SK) further intensified cooperation with the Western Balkan countries. Romania deployed experts in FYROM, Hungary and Croatia, and hosted jointly with Hungary the Rapid Exercise REX 2013.

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46 This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

47 The Salzburg Forum (SF) is a Central European security partnership which aims to coordinating collaboration within the EU and to enhance cooperation with the Western Balkan countries. Member States include Austria, Bulgaria, Croatia, Czech Republic, Hungary, Poland, Romania, Slovak Republic and Slovenia.

3.2. Priority II: Enhanced border management at the external borders

3.2.1. Border control measures: technology, equipment and infrastructure, including systems linked to EU instruments and actions to coordinate different types of border checks

At EU level: The Regulation establishing the European Border Surveillance System[48] entered into force on 2 December 2013[49], making EUROSUR operational for the 19 Schengen Member States at the southern and eastern external borders. The remaining 11 Schengen countries will join EUROSUR on 1 December 2014[50]. EUROSUR is a multipurpose system to detect and prevent cross-border crime, such as drug trafficking, as well as to contribute to saving migrants' lives at the external borders of the Schengen area. It provides a common mechanism for near-real time information exchange and interagency cooperation in the field of border surveillance.

External Borders Funds has been providing the financial support to the Member States to increase their capabilities to deal with migration flows, manage the EU's external borders and security, and improve the infrastructure and equipment for effective control and surveillance of the Union's external borders. For example, in 2013 number of EU financed projects have supported several Member States for the provision and/or upgrade of technical equipment linked to border surveillance and sharing of information through the EUROSUR network, which became operational as of 2 December 2013.

The second generation Schengen Information System (SIS II) entered successfully into operation on 9 April 2013. The migration from SIS 1+ to SIS II was carried out at central as well as at national level without encountering any major problems. The central SIS II and the communication infrastructure were handed over to the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (EU-LISA) on 9 May 2013. In comparison with its predecessor, SIS II contains *new data categories* for objects, such as industrial equipment, aircraft, boats, outboard boat engines, containers and securities. It also provides for *new functionalities* which help to identify a person or an object by adding *fingerprints* and *photographs*; it allows the *linking of alerts* in case of an operational need; it requires to upload the European Arrest Warrant (EAW) to an alert for arrest which produces the same legal effect as the transmission of EAWs between judiciaries as well as it strengthens the rights of data subjects by higher data quality and increased transparency.

FRONTEX has supported Member States to make full use of passenger data, in accordance with Directive 2004/82/EC, to improve border controls and combat illegal immigration. This has been achieved through actively supporting Member States in rolling out their Advanced Passenger Information (API) systems and establishing best practice guidelines for the harmonization and use of API in border control. The Commission presented the results of the external evaluation of Directive 2004/82/EC to the Frontiers Working Party in April. FRONTEX is leading an initiative to develop a passenger intelligence model that Member States could use to screen persons of interest, which could achieve more effective and efficient border control whilst also improving passenger experience.

At national level: To date 24 Member States operate the SIS II as do four associated countries (Switzerland, Iceland, Liechtenstein and Norway). The United Kingdom, Ireland, Cyprus and Croatia are still in the legal and technical preparatory phase of their integration. Eleven (Member) States (AT, DK, EE, HU, LT, LV, LU, MT, PL, SI, NO) completed accession to the second phase

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48 Regulation (EU) No 1052/2013, OJL 295, 06.11.2013, p.11

49 Following the formal adoption in October 2013.

50 See the infographic on Eurosur: http://ec.europa.eu/dgs/home-affairs/e-library/docs/infographics/eurosur/eurosur_en.pdf

Schengen Information System (SIS II) in 2013. SIS II plays an important role in refusing the entry of third country nationals to the Schengen area (altogether 34 020 persons were refused to enter the Schengen area on the basis of an SIS II alert) and 8 499 persons were arrested. For example, the Federal Ministry of Interior of Austria reported in 2013 that, since establishing the SIS, it has identified and extradited to Schengen States 2 666 wanted individuals through the SIS, and has received a further 2 482 individuals who were arrested and extradited to Austria. Only Belgium reported further roll-out of the VIS and Luxembourg reported on plans to purchase and install equipment to implement VIS amongst the judicial police and at its international airport although no date has yet been set for the installation. In the context of the development of Romanian Integrated System for Border Security, the structures of the Romanian Border Police (at the land, air and sea border) were equipped with new technical means necessary for control and surveillance activities.

As mentioned above, EUROSUR became operational in 19 Schengen Member States located at the southern and eastern external borders in December 2013 and preparations for making it operational in the remaining 11 Schengen countries are under way. Bulgaria, Croatia, Estonia, Hungary, Italy, Lithuania, the Slovak Republic, Sweden and Norway all extended their surveillance systems at their external borders. In the context of EUROSUR, several Member States were granted funds for exchanging the situational picture of their neighbouring external border sections with each other in near-real time.

3.2.2. Border control measures: (other) activities to improve the effectiveness of controls at external borders (e.g. training and policy)

At EU level: The European Patrol Network (EPN) meetings provide a forum for practitioners to openly discuss questions related to the maritime domain and to look for possible common solutions. The EPN involves partner authorities from Member States, EU institutions and agencies (Europol, EMSA, EFCA, JRC, ESA and FRA), international associations (UNDOC, Interpol), other entities (CeCLAD) and third country partner organisations, such as the US Coast Guard, the Australian Department of Immigration and Citizenship and the Canadian Border Services Agency.

At national level: Several Member States (AT, BE, EL, ES, HU, IT, LV, LT, MT, PL, RO, SI) reported on training they provided to border guards and other relevant actors in 2013 to improve the effectiveness of border controls. The Czech Republic established a committee in the Alien Police Service to review and update training courses to its staff. In Romania, more than 5 000 border police officers were trained, 196 taking part in courses organized by Frontex. At least four Member States (CZ, EL, HU, UK) also increased the number of staff deployed at their borders and the Federal Ministry of the Interior in Austria carried out an audit of its staffing (and equipment) needs. Belgium introduced different measures to encourage border guards to maintain skills and learning: it created a pool of trainers in the field of border checks, developed an online information platform allowing border guards access to the most up-to-date information on risks, and encouraged staff to make use of FRONTEX's eLearning and distance-learning modules.

Four Member States (AT, DK, HU, SE) established new policies related to border control in 2013. Austria started to develop a national plan for integrated border management; the Danish National Police launched the process of implementing a new national strategy for border management; the Hungarian police adopted a new Border Management Strategy; and the Central Border Management Division at the National Police Board in Sweden began to develop a national strategy which aims to harmonise border checks carried out by the Swedish Police and Coast Guard.

In cooperation with the company Eurostar, Belgium introduced new measures at the rail crossing between Belgium, France and the United Kingdom to close the so-called 'Lille loophole' by which

third-country nationals had been able to bypass the external border controls between Belgium and the United Kingdom by buying a ticket to France, but staying on the journey to the United Kingdom. In the Eurostar railway terminal in Brussels, an Intra-Schengen terminal was created for the passengers from Brussels to Lille or Calais and profiling of passengers was increased.

Portugal adopted a new version of the "RAPID" system proving with equipment to reading of identification cards, which entered into force after the opening of a new space in Lisbon's Airport, on July 2013. Romania lunched the process of adopting a new Strategy for Integrated Border Management. The Romanian Border Police (RBP) was involved in several initiatives to grant support to third countries which are carrying out a reform, reorganization and development process in the field of border security.

3.2.3. Border control measures: support to Member States experiencing disproportionate pressures at the border (including participation in FRONTEX operations)

At EU level: As the migratory pressure remained high on the EU's external borders in the course of 2013, FRONTEX continued supporting and coordinating the operational response of Member States, notably through joint operations at the most affected land borders as well as along the main maritime migratory routes, always with particular emphasis on promoting best practices of border management and full respect of fundamental rights.

Joint maritime operations have been implemented covering the main migration routes at the EU's external borders. Inter-agency cooperation, initially established in the context of joint maritime operation EPN- Indalo, has been extended to all maritime operations, in line with the EUROSUR Regulation.

FRONTEX invited EASO to participate in the REX exercise organised in June-July at the Hungarian-Serbian and Romanian-Serbian borders, for possible testing of their Emergency Response Mechanisms.

At national level: Bulgaria, Croatia, Greece, Italy, Greece, Portugal, Romania and Spain received support from Member States cooperating through FRONTEX to help them with disproportionate pressures at the border. Various FRONTEX operations (Aeneas, Poseidon, Attica and joint operations at air, sea and land borders) targeted Bulgaria and Greece in 2013. In addition all Member States and Norway participated in FRONTEX border operations during the year. Ireland only participated in FRONTEX joint return operations.

3.2.4. Preventing and combating irregular immigration by ensuring strong and efficient border control agreements with third countries

At EU level: A list of initiatives for the implementation of the May 2012 Memorandum of Understanding signed between Turkey and FRONTEX was discussed and the FRONTEX Executive Director visited Turkey in May 2013.

Cooperation on combating illegal immigration and criminal organisations dealing with the smuggling of migrants and trafficking of human beings was on-going with key third counties of origin and transit throughout the period.

There has been cooperation with Moldova and Ukraine in the framework of the EU Border Assistance Mission to Moldova and Ukraine (EUBAM), for example through the Joint Border Control Operation Ovidius and Project Coordination Points 2013.

At national level: To improve cooperation regarding controls at borders shared with third countries, a number of Member States (BG, EE, ES, HR, HU, IT, LV, LT, PL, PT, SK) set up agreements outlining protocols for collaboration. In particular, this concerned protocols for exchanging information between Estonia and the Russian Federation and between Spain and Algeria, joint patrols between Croatia and Serbia, between Hungary and Serbia, between Poland and the Ukraine, between Spain and Mauritania, Senegal and Morocco, between the Slovak Republic and the Ukraine and between Romania and the Ukraine. Bulgaria signed an agreement on a Common Contact Centre for police and customs cooperation with Turkey.

Latvia entered into a cooperation agreement on border control with the Republic of Armenia and is planning to enter into with the Republics of Belarus, Tajikistan and Uzbekistan, with the Russian Federation and with the Ukraine. Between May and July Lithuania implemented an action plan on reinforced control of the state border with the Republic of Belarus during which period an enhanced period of controls was introduced at the frontier districts of these countries. Portugal carried out border cooperation and training actions in several Portuguese-speaking African Countries.

Romania continued its cooperation with the countries from the Black Sea region by participating to a maritime exercise in the Bulgarian territorial waters with the participation of naval mobility means of the Black Sea coastal countries; and signed a protocol with the Serbian Ministry of Interior on the establishment and functioning of Common Contact Point at Romanian - Serbian border.

3.3. Priority III: Preventing irregular migration from Turkey

3.3.1. Ensure effective border controls at the Greek-Turkish border and combat irregular immigration transiting Turkey to enter the EU

At EU level: The Greek-Turkish land border has been the most critical point of entry of irregular migrants into the EU up to 2012. Significant actions have been taken by the Greek authorities to reinforce the control of such border section. In particular since the launch of the Shield operation on 2 August 2012, Greece has registered a dramatic decrease of irregular crossings at that land border. Such decrease in the number of apprehensions of irregular migrants was stabilised during 2013.

The situation of overall border control in Greece is being monitored also by the Commission within the framework of the Greek Action Plan on Asylum and Migration.

A visit by experts in the framework of the Schengen evaluation was carried out in October 2013, in order to assess the progress being achieved in fulfilling the recommendations of the Action Plan "Greece-Schengen", following the original Schengen evaluation carried out in 2010. The visit concluded that the border control had considerably improved since the time of the first visits, in particular at the Greek-Turkish land border.

Due to the shift in migratory flows from the Greek-Turkish land border to the maritime borders and the impact of the Syrian crisis, the Joint Operation Poseidon Sea continued throughout year 2013 and it will continue also in 2014.

If the border control of the Greek-Turkish land border was stabilised in 2013, the migratory pressure shifted to the Bulgarian-Turkish land border, which recorded a significant increase in the number of irregular migrants and required the reinforcement of the Joint Operation Poseidon Land in that border section.

Operational activities at the Bulgarian-Turkish land border were reinforced from July 2013 onwards due to increases in migratory flows. These operations focused primarily on the deployment of seconded experts, for example interpreters and *debriefers*. An International Coordination Centre has

also operated out of Sofia since 6 November under the framework of the Joint Operation Poseidon Land 2013, foreseen to continue until March 2014.

FRONTEX continues to support the deployment of interpreters and *debriefers* from Member States under the Poseidon Regional Programme. FRONTEX has also organised workshops and training sessions for Greek and Bulgarian officers to build capacity in debriefing activities.

Project Attica, foreseen to run until the end of March 2014, started permanent deployments of screening experts and interpreters to Samos and Lesvos in March.

Within the framework of the Memorandum of Understanding signed between FRONTEX and Turkey in May 2012, the Turkish authorities attended a workshop on information exchange. The first instance of planned regular information exchange took place in August 2013. Migration from Turkey and changes in migratory routes are being monitored continuously by FRONTEX, and Joint Operation Poseidon Land 2013 is modified accordingly.

The workshop on information exchange with Turkish border authorities, and the exchange of information that took place between FRONTEX and Turkey in August, have been positive steps towards the enhancement of the situational awareness of irregular migration via Turkey. FRONTEX has also been taking part in the regional ILO meetings in Turkey since 2012, which contribute to building and updating the situational picture on smuggling of migrants and trafficking of human beings in Turkey. FRONTEX also undertook a number of actions to strengthen its risk analysis cooperation with Turkey. The agency managed and implemented a risk analysis workshop with all relevant border control authorities, and a Turkish delegation participated in a follow-up workshop on practical information exchange held in Warsaw. Discussions are well-advanced for the establishment of a risk analysis network with Turkey, including an information exchange platform with a number of strategic indicators to facilitate joint analytical work.

The Commission continued to co-finance IPA projects that contribute, directly and indirectly, to combating irregular migration in Turkey. IPA assistance and dialogue with the Commission contributed to the preparation of the Law on International Protection and Foreigners adopted by the Turkish Parliament in April. This Law completely modifies and reforms the management of asylum and migration in Turkey by approximating it to the EU's system. The dialogue on visa liberalisation with Turkey, based on the 2012 Roadmap towards a visa-free regime, was initiated in parallel with the signature of the EU-Turkey Readmission Agreement on 16 December. Several meetings have taken place at various levels between the Commission and the Turkish authorities to explain the contents of the Roadmap and to describe how the dialogue on visa liberalisation should function. In order to establish a trilateral common contact centre for cooperation between the relevant authorities of Greece, Bulgaria and Turkey, IPA is ready to co-finance a project aimed at supporting Turkey's participation. External Border Funds should be mobilised to facilitate the participation of the two Member States in the same project.

In order to develop cooperation at the appropriate levels to combat organised crime facilitating the smuggling of migrants and the trafficking of human beings, two of the eight priorities for the EU Policy Cycle for Organised and Serious International Crime for 2014-2017 are illegal immigration and trafficking in human beings.

In 2013, Turkey participated in two international operations supported by Checkpoint, with information exchange taking place via Germany. In order to develop cooperation between Europol and the Turkish police, a workshop was held in January to discuss possible ways of reaching an operational agreement; the workshop covered issues such as data protection and confidentiality.

Work is on-going on the cooperation with Turkey within JHA areas, with a view to implementing escorted transit and assisted voluntary return projects via Turkey.

At national level: In 2013, many Member States continued to participate in FRONTEX operations targeting the Greek-Turkish border. Such operations included Attica (DK, LV, MT, NL, PL, RO, SK) Poseidon (BE, DK, EE, FI, HU, LV, MT, NL, PL, PT, RO, SE, SI, SK, UK) and Evros (NL, SE and other Member States). The FRONTEX Agency assessed these activities as having an impact on reducing irregular migration. At its border with Turkey, Bulgaria deployed an additional 1,572 police officers and 141 patrol off-road vehicles. A few Member States (FI, UK) also provided Turkey with support on its borders bilaterally. For example, the Finnish Border Guard has sought to create bilateral operative cooperation with the key border management authorities, especially Turkey's national police, coast guard and customs and the Netherlands and the UK participated in a twinning project with Turkey to improve the third country's intelligence and analysis capacity. Until 2013, both Belgium and Finland seconded experts to Greece and Turkey respectively to help authorities in these countries with their border management. The United Kingdom also worked closely with the Greek authorities to assist their integration into and cooperation with the International Liaison Officer network, to exchange information, to provide training on forgery detection and to enable study visits of the Greek authorities to the United Kingdom.

3.4. Priority IV: Better tackling of abuse of legal migration channels

3.4.1. Prevent an increase in unfounded asylum applications as a direct consequence of introducing a visa free regime for a third country; combat and prevent irregular migration caused by visa liberalisation

At EU level: As far as visa liberalisation dialogues with Ukraine and Moldova are concerned, an update to FRONTEX's risk analysis was prepared in July 2013, with a view to assessing the expected impact of visa liberalisation on migration.

In the framework of continued monitoring of the effects of current visa free regimes, the Commission established in January 2011 the Post-Visa Liberalisation Monitoring Mechanism for the visa exempt Western Balkan countries. It allows for an assessment of a consistent implementation of the reforms launched under the visa liberalisation roadmap. The mechanism covers the areas of: border management, document security, combating organised crime and corruption, fundamental rights, as well as the effective implementation of readmission agreements. The monitoring acts as an alert and prevention mechanism against abuse of the visa free regime. FRONTEX continues to support the Commission in this task by providing monthly reports. The overview of the development of the post-visa liberalisation monitoring is presented regularly by the Commission in its reports. The fourth was presented in November 2013.[51]

EASO has submitted a comparative analysis of the flow of Western Balkan asylum seekers.

The Commission proposal to amend Visa Regulation (EC) No 539/2001[52] and establish a suspension mechanism for the visa waiver in the event of a sudden and considerable abuse of asylum procedures or an increase in the number of irregular migrants, was adopted by the European Parliament in September.

The results of the Slovenian questionnaire to analyse the 'state of play' on the use of accelerated procedures and swift returns in the case of manifestly unfounded claims that abuse visa liberalisation were presented to SCIFA in January.

Visa dialogues continue with Kosovo, Russia and Turkey, and Visa Liberalisation Action Plans are on-going with Georgia and Ukraine. Moldova completed successfully its Visa Liberalisation Action

[51] COM(2013) 836 final
[52] COM(2012) 650 final

Plan and the Commission made a proposal for visa-free travel for holders of biometric passports in November. The Council is involved on a case-by-case basis and all visa liberalisation processes are dependent on progress being made in the third countries concerned.

At national level: Belgium volunteers within the Strategic Committee on Immigration, Frontier and Asylum (SCIFA) of the Council of the EU to monitor effects of visa free regimes and towards the end of November 2012 consulted Member States (via questionnaire) to identify best practices for decreasing the number of unfounded asylum applications from visa-free Western Balkan countries.[53] The consultation suggested that information campaigns targeting the Western Balkans have been successful in reducing the inflow of asylum seekers with unfounded applications from this region.[54] Indeed, the number of asylum applicants and irregular migrants arriving in Belgium from the Western Balkans has been decreasing since 2011. Sweden also notes a slight decrease in asylum seekers from the Western Balkans overall, although there was an increase in numbers from Kosovo; in 2013, Sweden reported that the vast majority of total asylum applications from citizens of Western Balkan countries in 2013 (4 300) were unfounded. Denmark and Germany also saw a high number of unfounded applications from citizens of these countries at the end of 2012 / beginning of 2013.

To further combat unfounded asylum applications from these countries in 2013, the Belgian Immigration Office shared its monthly monitoring data with the third countries concerned and organised meetings with their diplomatic staff; it also participated in a seminar in Serbia regarding strategic analysis and inflows of asylum seekers to the EU. The Danish National Police also increased cooperation with Serbian authorities to make information on the Danish asylum system more accessible to the Serbian public and to charter flights in order to expedite the return of unfounded asylum applicants. Belgium undertook measures to ensure the accelerated and swift return of persons from visa-free third countries making unfounded asylum applications, or otherwise abusing legal migration channels. Its Immigration Office negotiated the conclusion of collaboration agreements with the Albanian low-cost flight company Belle Air in order to organise cost-efficient return operations; however, the company ceased operations in November 2013, and therefore the collaboration ceased. In addition to cooperating with national authorities, Denmark introduced fast-track procedures for applicants with manifestly unfounded claims and sought to reduce the possible 'pull factors' of this irregular migration by stopping subsistence cash payments for their accommodation, providing them instead with material support (e.g. catered accommodation). The introduction of these measures resulted in a significant decrease in the number of such unfounded asylum applications. To address misuse of visa liberalisation from the Western Balkans, the Swedish Migration Board increased and improved cooperation and exchange of information with Swedish Embassies in the Western Balkan countries.

Slovenia took part in a Ministerial meeting of the *Brdo* process[55] where interior ministers and state secretaries of the *Brdo* Process member states agreed that increasing mixed migration flows should not be addressed through a suspension of visa liberalisation. Instead, the group agreed to establish a platform for the exchange of information, data and practices in cooperation with regional international organisations, in order to ensure better management of mixed flows.

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53 See Council document (7812/13) of March 2013. The preliminary findings were also presented at the informal meeting on SCIFA of January 2013.

54 See 3rd Biannual update of the EU Action on Migratory Pressures - A Strategic Response (doc 14934/13), available at: http://www.statewatch.org/news/2013/oct/eu-council-migratory-pressure-strategic-response-14934-13.pdf

55 The *Brdo* Process is an established platform for the internal affairs (illegal migration, organised crime, corruption and terrorism) in the Western Balkans geographical region.

3.4.2. Combat and prevent irregular migration through misuse of family reunification

At EU level: In follow-up to the 2011 Green Paper on the right to family reunification[56], the Commission has prepared guidelines to provide guidance to Member States on how to better apply Directive 2003/86/EC. The aim of the guidelines is (1) to clarify the issues identified in the implementation report and during the public consultation following the Green Paper, (2) to ensure a transparent and clear understanding of family reunification rules and common standards at EU level, and (3) to contribute to the coherent application of these rules across Member States. The guidelines intend to balance the right to family reunification, stemming from the fundamental right to family life, with a need to ensure that this right is genuinely applied according to the rules of the Directive, and support Member States to fight possible misuse. The guidelines were adopted as a Commission Communication in April 2014[57].

At national level: At least eight Member States (BE, EE, ES, FI, HU, LV, PT, SK) identified cases of misuse of family reunification in 2013. Typical forms of misuse included false declarations of parenthood (BE, ES, HU), suspected legal cohabitations of convenience (BE) and suspected marriages of convenience (BE, ES, FI, LV, SK). This included 250 cases of misuse in Finland, fewer than 10 cases in Latvia, and 9 cases in the Slovak Republic. Estonia identified a total of 41 cases of suspected misuse overall.

To combat misuse, Belgium and Ireland respectively introduced and drafted new legislation. The Belgian legislation introduced new powers to registrars and greater deterrents such as fines, prison sentences and entry-bans for persons found to be misusing family reunification. The Irish legislation also grants new powers to registrars to investigate suspected cases of false marriage, to refuse to issue a registration form and a duty to notify immigration authorities. The Belgian government is committed to intensifying the fight against misuse of family reunification, as outlined in the November 2013 policy paper of the Secretary of State for Migration and Asylum Policy. Measures include: an information campaign aimed at vulnerable women at risk of being targeted for false marriages to legitimise stay for a third-country national; further examination of the existence of false declarations of parenthood; establishment of a working group to look into the possibility of introducing new measures in this area; and plans to establish a national database for registering information on suspected and proven marriages / legal cohabitations of convenience, to enable municipalities to register evidence or suspicion of misuse, and thus to better detect persons 'shopping' for marriages or legal cohabitations of convenience. The Aliens Police of the Netherlands also plan to improve prevention and detection of marriages / relationships of convenience more effectively in 2014.

Italy reports that the fact that Italian citizenship is only granted after two years of cohabitation deters third country nationals from misusing the system of family reunification. Member States can also better combat misuse of family reunification through intra-EU cooperation. In 2013, the Slovak Republic and the United Kingdom established a new joint investigation team to investigate cases of misuse involving EU citizens. At the September 2013 meeting of the Expert Group on the right to free movement of persons (FREEMO), the United Kingdom agreed to lead the drafting committee for an operational handbook on the identification and detection of marriages of convenience together with Austria, Germany, and the Netherlands. Finland and Belgium also participate in the drafting of this handbook. In the framework of the EU policy cycle on combating organised crime, the Netherlands was action leader in the Operational Action on Marriages of Convenience in the EMPACT (European Multidisciplinary Platform against Criminal Threats) project Facilitated

[56] Green Paper on the right to family reunification of third-country nationals living in the European Union (Directive 2003/86/EC), COM(2011) 735 final.

[57] COM(2014)210 final as of 3.4.2014

Illegal Immigration, alongside other participating Member States (IT, BG, CY, UK, PL, SI), Europol, Eurojust and FRONTEX. Romania launched a consultation between competent authorities to clarify some aspects of family reunification applications (predominantly from Syria) where possible misuse is indicates e.g. if required documents are not provided.

3.4.3. Combat and prevent irregular migration through misuse of student migration

At national level: Five Member States (FI, HU, LV, PL, SK) identified cases of misuse of student migration in 2013, although the numbers were small (e.g. 10- 15 in Latvia during the reference period). Such cases involved the submission of falsified or false documents in the application (FI, PL), students failing to register at the university after a residence permit had been granted to them (HU, PL), students seeking to engage in economic activities following the registration procedure (HU), and applicants demonstrating no or poor language skills in the national language of the recipient country during consular interviews (HU).

Three Member States (NL, RO, UK) introduced new legislation (or strengthened existing provisions) aimed at combating misuse. The Netherlands introduced compulsory monitoring of foreign students' progress at university based on a common set of standards and Denmark began to monitor the number of hours which individuals on student residence permits work. Romania established new procedures regarding the enrolling mechanism of third country nationals. In the United Kingdom, the government reformed the Tier 4 student route to attract and retain the 'brightest and the best' students, whilst also reducing the risk of misuse. Whilst no new measures were introduced in Finland, misuse of student migration has been found to be particularly common among certain nationalities, including students from Nigeria, Ghana, Cameroon, Bangladesh and Pakistan. Finland has thus adopted a policy of carefully scrutinising residence permit applications from students from these countries.

New measures implemented must ensure a balance between reducing the risk of misuse against facilitating student access to EU Member States. Evaluation of the impact of the measures is anticipated to take place in the future in the Czech Republic. In the United Kingdom, there has been public debate on the student visitor route, which allows people to visit the country for up to 6 months to undertake a short course of study (as opposed to enrolling for a long-term course of study). Recent Home Office research has investigated who is using this growing short-term study route and whether they are using it as intended, however, it found that there was no evidence to suggest misuse of this migration route.

3.5. Priority V: Safeguarding and protecting free movement by prevention of abuse by third-country nationals

3.5.1. Improve the understanding of abuse of free movement rights by third country nationals and organised crime aimed at facilitating irregular immigration; and prevent the fraudulent acquisition and use of free movement rights by third-country nationals

At EU level: A number of actions are taking place with the aim of gathering, analysing and sharing data on fraud and abuse of free movement rights at the EU level and to share intelligence and best practices for prevention between Member States.

In terms of addressing abuse of free movement rights, the Commission has agreed to consider holding a joint Family Reunification/ Free Movement expert group meeting to better link the work being carried out by different Commission services on this issue.

As regards organised crime related to the facilitation of illegal immigration, a thematic discussion on document fraud, informed by a paper presented by Austria, was held in April 2013 with the participation of FRONTEX, Europol and Member States. During this discussion, it was also agreed by Member States that there should be greater cooperation and collaboration between FRONTEX and Europol on the issues of abuse of free movement rights and tackling the trafficking of human beings and organised crime aimed at the facilitation of illegal immigration.

In terms of gathering and analysing data on the facilitation of suspected marriages of convenience and EU documentation fraud by organised criminal groups, there has been an initial discussion conducted with Europol on the type of data and the level of its usefulness. Europol completed a report on marriages of convenience, providing examples and recommendations for more accurate assessment of this increasing threat. Europol Checkpoint Target Group SNOW is dedicated to exchanging and analysing information on Organised Crime Groups facilitating marriages of convenience whilst Europol Checkpoint Target Group RAIN is specifically dedicated to exchange and analysis on information related to large-scale travel document production and supports several on-going investigations focusing on print shops in EU Member States. Initial discussions have been held with Europol on the establishment of a Europol Platform for Experts.

FRONTEX continues to manage the European Document Fraud Risk Analysis Network (EDF-FRAN), in which Europol also takes part. This has allowed more data to be gathered on document fraud, resulting in improved analysis. Analytical findings from this network are incorporated into more general FRONTEX analyses like the FRAN Quarterlies and the Annual Risk Analysis. In addition, the FRONTEX Annual Risk Analysis 2013 on Document Fraud was released in May. FRONTEX invited Member States to contribute to a feasibility study on extending the scope of the EDF data exchange, with the results presented in the EDF network meeting in October. On marriages of convenience, FRONTEX participates in the Operational Action Plan Illegal Immigration in cases where there is suspicion of a marriage of convenience with organised crime involvement.

Criteria and best practices related to the detection of marriages of convenience are being explored and work is on-going on a draft handbook to provide practical support for operational authorities and clarity on the EU legal framework on this issue.

With a view to implementing enhanced security standards for EU documentation for legal stay, discussions have been initiated within the Article 6 Committee on new technical specifications for visa and residence permits for third country nationals. Some initiatives are featured in the False Documents Working Group's programme of work such as initiatives on secure issuing processes on the basis of improved source documents. Member States are progressing with the implementation of the Single Points of Contact, which enable Member States to exchange certificates to access fingerprints on chips in documents from issuing countries in accordance with Commission Decision C(2011) 5478. Member States have to use the Biometric Residence Permit in card format since May 2011. Work is on-going on improvements to the security design of the Uniform Format Visa and Residence Permit. The Presidency launched a questionnaire on 'exchange of information on EU family members residence cards to which 23 Member States replied. A summary and analysis of the replies has been established, and was presented on 16 December.

At national level: At least seven Member States (BE, DE, IT, MT, NL, PT, RO) improved the security standards of EU documentation on legal stay (residence cards etc.). Germany continued to investigate possibilities to improve machine based verification of physical document security features. Portugal will finalize in 2014 the introduction of a new card for permanent residence to EU citizens and an electronic residence card for their family members which includes biometrics.

To better detect false documents, the State Border Guard in Latvia intensified its actions to detect false documents in 2013 through in-depth document verification procedures, greater information dissemination within the Guard, and improved registration of sample forgeries so that future ones can be more quickly detected. Norway started discussions on whether legislative changes or other measures should be introduced to prevent identity fraud. The Slovak Republic set up a database outlining the format of different international police records, in order to facilitate access to these documents and enable the Slovak authorities to better verify these documents to improve the detection of forged and counterfeited documents. In Bulgaria, the national centre on combating false and forged documents was opened. In Slovenia document scanners at border crossing points have been developed in order to enhance scanning quality and response times, allowing an increase detection of document abuses.

More information on recent developments regarding the application of free movement rights by third country nationals is provided in the 2013 EMN Focussed Study on *Intra-EU Mobility of third-country nationals*[58].

3.6. Priority VI: Enhancing migration management including cooperation on return practices

3.6.1. Ensure that all Member States have efficient migration management systems in place in order to be prepared for fluctuating migration pressures

At EU level: In order to ensure that adequate statistical data and analysis is in place, dialogue has begun between EASO and Eurostat on the availability of asylum statistics collected by Eurostat under Article 4 of the Migration Statistics Regulation. FRONTEX has also initiated discussions with Member States on the gathering of data related to passenger flow. Passenger flow data collected for the purpose of regional analysis on the Western Balkans and the Eastern land border has already improved FRONTEX's analysis. Furthermore, the European Migration Network Bulletin provides an overview of the latest published Eurostat statistics and serves to provide statistics and analysis on topics of relevance to policy makers.

FRONTEX continues to manage a project on the structured exchange of information and statistics on intra-Schengen detections of secondary movements of irregular migrants, managed within the framework of the Risk Analysis Tactical meetings.

EASO has taken significant steps towards collecting non-validated data for the purposes of the Early Warning and Preparedness System, to prevent the sole use of Eurostat as its data source. The system will be further developed in the coming months to support the implementation of Article 33 of the Dublin Regulation. EASO, in cooperation with the Commission (DG HOME, Eurostat) and FRONTEX, has also designed a table of proposed asylum indicators which would provide a comprehensive overview of the functioning of the Common European Asylum System. EASO's Group for the Provision of Asylum Statistics, comprised of Member States experts nominated to be the responsible persons for asylum data collection and statistics, met in April and November.

There is continued close monitoring of migration movements from Syria on the part of the Commission, EASO, IOM and UNHCR, including through the monthly BorderNet conferences set up by the Commission with the participation of FRONTEX, Europol and EASO. EASO organised a Practical Cooperation meeting on Syria on 18-19 March, and made a statistical analysis of the flow. This analysis will be included in the EASO Annual Report covering 2013, due mid-2014.

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58 http://ec.europa.eu/dgs/home-affairs/doc_centre/immigration/docs/studies/emn-synthesis_report_intra_eu_mobility_final_july_2013.pdf

EURINT Phase 2, designed to increase structural cooperation between EU Member States and third countries to increase commitment in terms of re-documentation and return, was kicked-off with a conference in The Hague on 17 September where country lists were established.

FRONTEX, through capacity building, knowledge-sharing and coordination, continues to support Member States in the field of joint return operations and more effective use of detention capacities, in the framework of Project Attica and other initiatives.

At national level: In 2013, a number of Member States introduced measures to improve their capacity to cope with sudden and fluctuating migration pressures. Bulgaria, Croatia, Estonia, Greece, Italy, Latvia, Poland, Romania, Slovenia, the Slovak Republic and Sweden prepared operational protocols to be followed in case of sudden or mass influxes of migrants / international protection applicants.

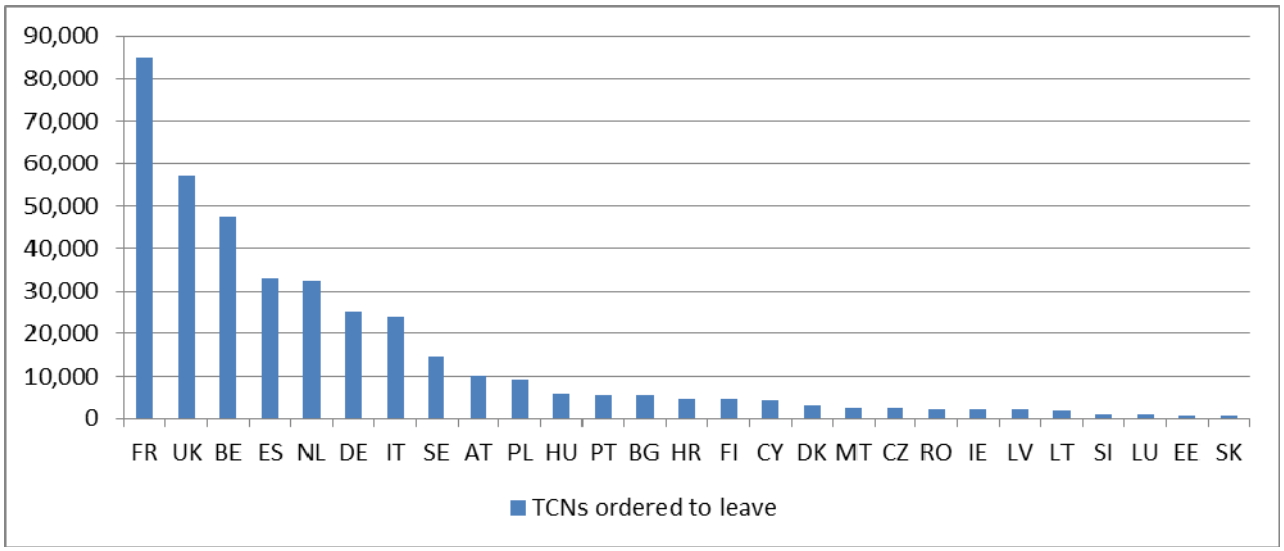
In the case of Bulgaria, the protocol was developed in response to the major influx and ensuing accommodation shortage and emergency situation. In expectation of a 'knock-on' effect from this major influx in Bulgaria into Romania, the Romanian authorities developed an Integrated Action Plan (see section 2.1.2). Hungary also experienced large influxes of Asian and African migrants at the border with Serbia, with almost 90% of these, seeking asylum. Hungary responded by increasing the number of police forces deployed along the external border and seeking support from Austria with its border interventions. As the migratory influxes arriving in Italy from North Africa decreased in volume as compared to previous year, Italy began to encourage applicants to leave reception facilities and where possible to return to their country of origin, whilst guaranteeing reception for vulnerable persons. Sweden also received high numbers of applicants for international protection. In 2013, the Swedish Government increased the resources of the Migration Board in order to expand its asylum units and to arrange temporary accommodation for the applicants. In the long term, the Migration Board seeks to mitigate pressure from mass influxes by increasing the competence of its staff in processing applications and by continuously improving the IT system.

In response to large numbers of refugees resulting from the ongoing conflict in Syria, the United Kingdom continued to implement exceptional arrangements for Syrian nationals who are currently in the UK on visas for a further year. These arrangements enable Syrian nationals to extend their visa or switch into a different visa category without returning to Syria. Bulgaria highlighted the value of FRONTEX joint operations as another mechanism for mitigating the impact of sudden influxes.

3.6.2. Maximise the potential of a common EU approach in the field of return, both voluntary and forced in compliance with existing EU acquis

Statistics on the numbers of third country nationals ordered to leave in 2013 are available for 27 Member States and are shown in Table 5 of the Statistics Annex. The highest numbers of third country nationals ordered to leave were reported by France (84 890); United Kingdom (57 195); Belgium (47 465); Spain (32 915) and Netherlands (32 435) and together these Member States accounted for 70% of the overall total for all Member States where statistics were provided. Three Member States (France, United Kingdom, and Belgium) accounted for 52% of this overall total. Statistics for all Member States are shown in Figure 4a below:

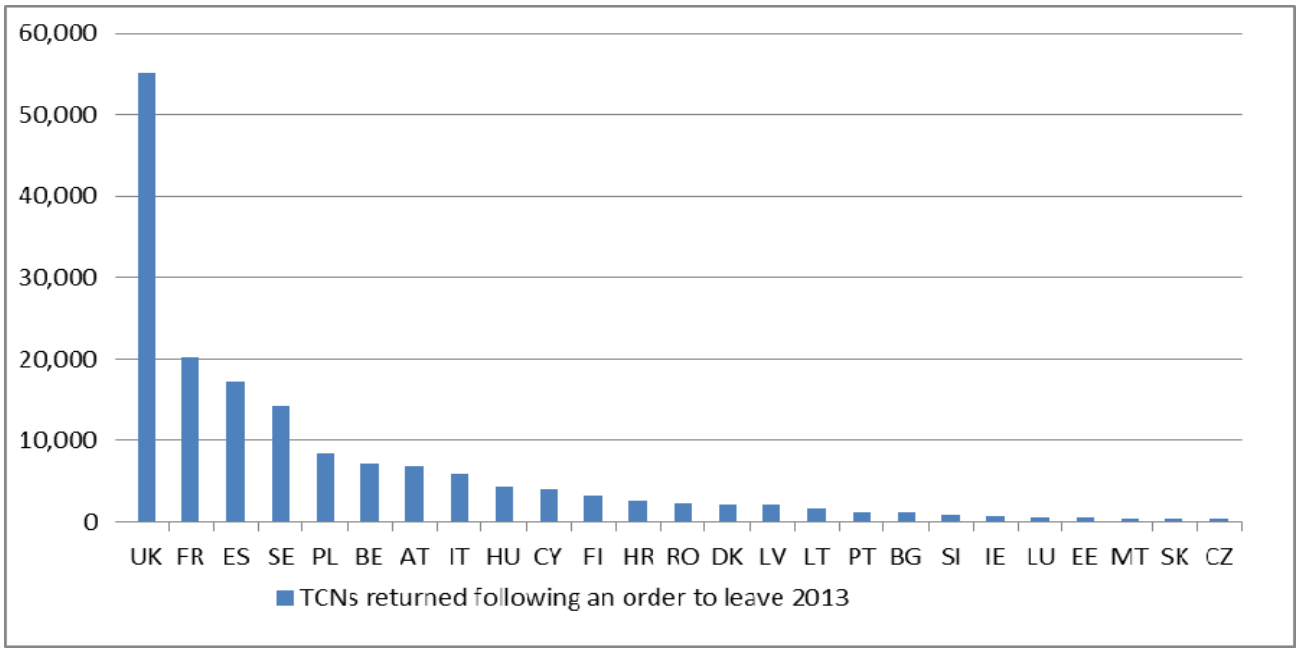
Figure 4a: Third-country nationals ordered to leave in 2013



Source: Eurostat
Notes: Statistics not published for EL and NO due to lack of reliability because of small sample size.

Statistics on the numbers of third country nationals returned following an order to leave in 2013 are available for 25 Member States and are also shown in Table 5 of the Statistics Annex. The highest numbers of third country nationals returned under these circumstances were reported by United Kingdom (55 100); France (20 140); Spain (17 285); Sweden (14 315) and Poland (8 465). Together these Member States accounted for 71% of the overall total for all Member States where statistics were provided. Three Member States (United Kingdom, France, and Spain) accounted for almost 60% of this overall total. Statistics for all Member States are shown in Figure 4b below:

Figure 4b: Third-country nationals returned following an order to leave in 2013.



Source: Eurostat
Notes: Statistics not published for DE, EL, NL and NO due to lack of reliability because of small sample size.

Table 6 in the statistics annex sets out the numbers of third country nationals returned as part of forced return measures, those returned voluntarily, and of those who were returned voluntarily, the numbers returned under assisted voluntary return measures.

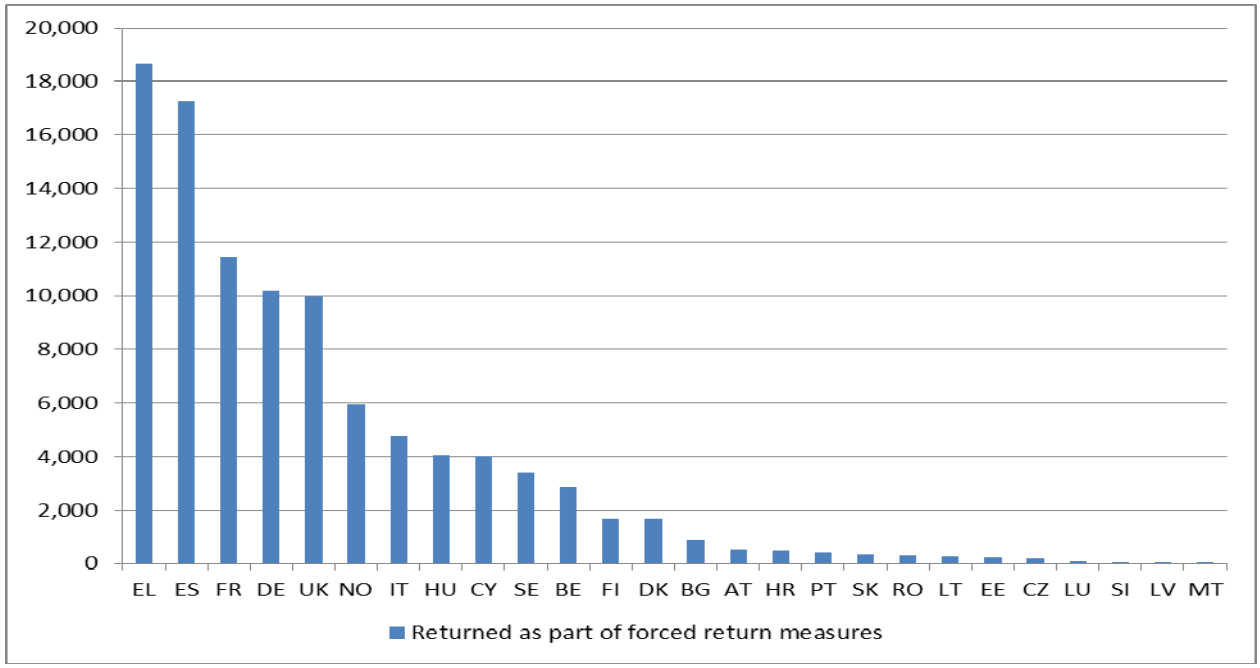
Statistics are available in 23 Member States and Norway on the numbers of third country nationals returned under forced return measures. The highest numbers for 2013 were reported in Spain (17 286); Germany (10 198); United Kingdom (9 963); Italy (4 742); and Norway (5 965). The countries to which irregular migrants are returned show considerable diversity according to (Member) State. For the countries returning the highest numbers of third country nationals under forced return arrangements, these were: Morocco, Algeria, Colombia, Bolivia and Ecuador (Spain); and Pakistan, India, Nigeria, Albania and Bangladesh (United Kingdom). Data was not available for Germany, Hungary and Italy. The countries of return most frequently reported by (Member) States for forced return (where data was available) were Russia, Kosovo, Nigeria, Serbia and Ukraine.

Ten Member States (CZ, DK, EE, LV, LU, MT, AT, SK, FI, SE) and Norway were able to provide forced return statistics by gender. In all cases, the number of males returned was greater than the number of females. The highest proportions of males returned under forced return were reported in Malta[59] (100%); Czech Republic (92%); Latvia (91%); Austria (88%) and Estonia (86%). The countries with the highest proportion of females returned were Luxembourg and Finland (31% respectively); Sweden (28%); and Denmark (27%).

Five Member States (DK, EE, SK, FI, SE) and Norway reported that minors had been returned under forced return measures. The numbers were highest in Norway (455); Denmark (430); and Finland (82). Minors represented 26% of all persons returned under forced return in Denmark, 8% in Estonia and Norway, 5% in Finland and 2% or less in Slovak Republic and Sweden.

Statistics for all (Member) States (where available) for Third-country nationals returned as part of forced return measures in 2013 are shown in Figure 5a below.

Figure 5a: Third-country nationals returned as part of forced return measures

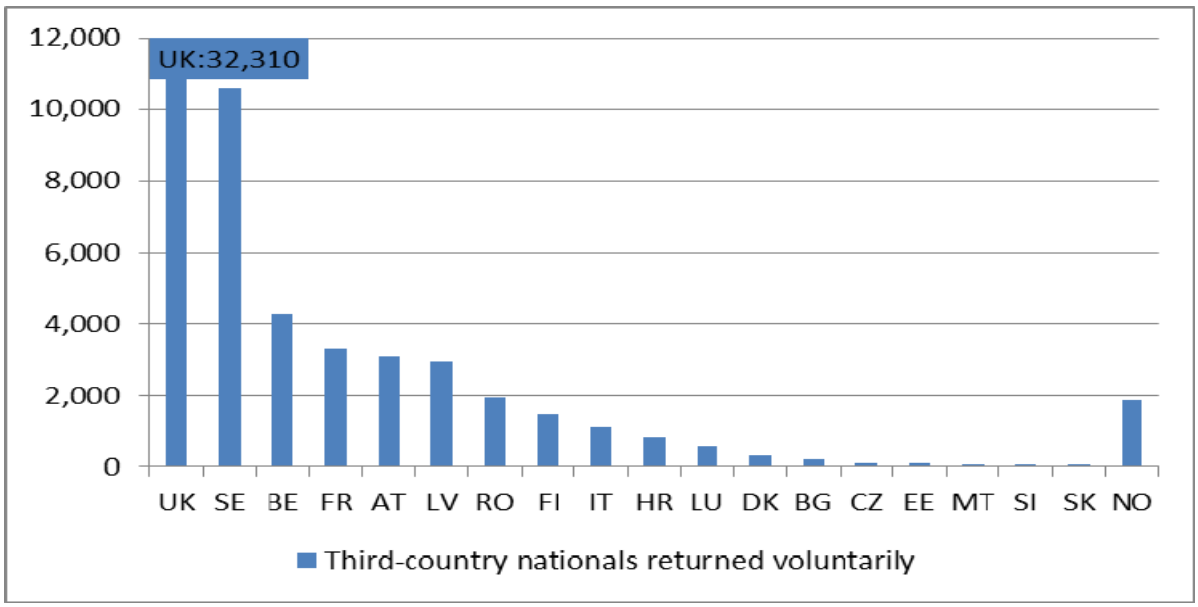


[59] In Malta, the sample size in 2013 was very small, with only 3 forced returns reported.

Source: European Migration Network National Contact Points
Notes:
Statistics not currently available in Ireland, Netherlands and Poland
For Cyprus, this number also includes a number of TCNs (647) who were illegal in the country and requested to leave Cyprus. The Cyprus Aliens Law defines voluntary return as "complying with the obligation to return within the time frame set in the Decision to return". Due to the fact that there are no data as to how many of the persons who requested to leave, actually did that within the set time frame, there can be no actual statistical data on voluntary returns, as defined in the National Legislation.*

Statistics are available in 18 Member States on the numbers of third country nationals returned under voluntary return measures (please see Figure 5b below). Of these, the countries returning the highest numbers of people through voluntary return were United Kingdom (32,310); Sweden (10 611); Belgium (4 290); Austria (3 095) and Latvia (2 047). The countries where Member States returned people most often in 2013 were Serbia, Kosovo, Russian Federation and Ukraine.

Figure 5b: Third-country nationals returned under voluntary return measures



Source: European Migration Network National Contact Points
Notes:
Statistics not currently available in Cyprus, Germany, Greece, Hungary, Ireland, Lithuania, The Netherlands, Poland and Spain.

Five Member States provided information about the proportion of men and women returned under voluntary measures (DK, LU, AT, FI, SE). In all countries except Luxembourg, more men were returned in 2013 than women. Only three countries provided statistics on minors returned under voluntary return programmes. These were Sweden (183, accounting for 1.7% of all voluntary returns); Finland (76, accounting for 5% of all voluntary returns) and Denmark (40, accounting for 12.9% of all voluntary returns).

At EU level: Considerable progress has been made in 2013 in further harmonising the legal framework and the practical procedures for the conduct of return measures in Member States across the Union, notably with the implementation of the Return Directive[60]. The Directive's aim is to ensure that the return of third-country nationals, who have no legal grounds to stay lawfully in the

[60] Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals

EU, is carried out effectively through fair and transparent procedures in full respect of the fundamental rights and dignity of the persons concerned. In 2013 the Commission continued the evaluation of the correct application of the Return Directive. By the end of 2013 a significant number of Member States have already amended their national legislation to close existing gaps or to remedy shortcomings identified by Commission services. Other Member States started legislative procedures to do so.

Based inter alia on the experiences made during the evaluation of the application of the Return Directive, the Commission adopted Communication on the EU Return Policy[61]. The Communication reports on the development of the EU return policy over the last years analyses its impact and presents some forward-looking ideas on future developments. It complies with the Commission's obligation to submit a report to the European Parliament and the Council on the application of the Return Directive, and responds as well to the political commitment made by the Commission at the time of adoption of the amended FRONTEX Regulation in 2011 to report on the monitoring of return operations coordinated by FRONTEX.

Voluntary return or departure remains the preferred option to carry out returns, although in some cases forced returns may be necessary. To better harmonise and improve their cooperation in the field of voluntary returns Member States should make use of the possibilities that will be offered in the future by the European Migration Network (EMN) where voluntary return will be a self-standing part of the system.

In order to support the efforts made by the Member States to improve the management of return, following in 2013 eight projects were financed by the Commission under the European Return Fund Community Actions, with focus on preventive and reintegration measures accompanying the return and exchange of experts to share knowledge, experience and best practices.

In the field of operational cooperation between Member States, joint return flights coordinated and financed by FRONTEX were increasingly used. From 2006 until December 2013, FRONTEX coordinated 209 Joint Return Operations (JROs) returning 10 855 persons. In 2013 FRONTEX continued to provide a standardized training for return officers focussing on safeguarding fundamental rights and dignity of returnees during forced return operations.

A FRONTEX Code of Conduct (CoC) for JROs, paying attention to effective forced return monitoring procedures, respect of fundamental rights and the dignity of the returnees during the return operations was adopted on 7 October 2013. The monitor (an independent outside observer) will obtain in advance all necessary information and will be involved into the return process from the pre-return phase (internal briefings) until the post return phase (debriefing). The monitor will have access to all information and physical access to any place he wishes. The observations/reports of the monitor will be included into the reporting on the JRO.

An EU financed project run by the International Centre for Migration Policy Development (ICMPD) seeking to further harmonise the different approaches taken by Member States in the field of monitoring was launched in 2013. It seeks to develop common rules, and objective and transparent criteria for monitoring, as well as to provide a pool of independent monitors to Member States which may also be used in the context of JROs.

In 2012, the office of an independent FRONTEX Fundamental Rights Officer (FRO) was created and on 17 December 2012 the first FRO was appointed. The role of the FRO is to monitor, assess and make recommendations on the protection and guarantees of fundamental rights during FRONTEX operations and activities, including JROs. The FRO has access to all information

[61] COM(2014) 199 final of 28.03.2014

concerning respect for fundamental rights as regards all the activities of FRONTEX. In 2013 the FRO managed to implement the necessary structures and to sharpen its' role and perception as an important independent body within the FRONTEX structures.

In 2013 the Court of Justice of the European Union issued three preliminary rulings on return related issues. The May 2013 judgment in case C 534-11 (Arslan) dealt with the relation between return related detention (under Directive 2008/115/EC) and Asylum related detention (under Directive 2003/9) in a situation where a third-country national is detained under the Return Directive and submits an application for asylum with the objective of postponing return. The judgment confirms that asylum-related detention and return-related detention are covered by two different legal regimes with respective legal safeguards adapted to the specific situation of asylum seekers and returnees. The Court made clear that the existence of these two differing regimes does not imply an obligation on the Member State to automatically release detained returnees once they make an asylum application. The judgement expressly confirms that detention may be continued – provided Member States take without delay a decision under national law to continue detention in compliance with the asylum *acquis*.

The judgement of 19.9.2013, in case C-297/12 (Filev/Osmani) relates to the validity of "historic" entry bans issued before the entry into force of the return directive as well as rules on the length of entry bans. In this judgement the ECJ:

- Confirmed that Article 11(2) precludes a provision of national law which makes the limitation of the length of an entry ban subject to making an application seeking to obtain the benefit of such a limit.

- Clarified that an entry ban which was handed down more than five years before the date of the entry into force of the national legislation implementing that directive ("historic entry bans") cannot develop further effects, unless the person constitutes a serious threat to public order, public security or national security.

- Precludes Member States from excluding under Article 2(2)(b) of that directive persons which during the date on which that directive should have been implemented and the date on which it was implemented, benefited from more favourable direct effect of the Directive.

The judgement of 10.9.2013 in case C- 383/13 PPU (G and R), confirmed that the rights of the defence are to be respected when deciding on the extension of detention. It clarified that not every irregularity in the observation of the rights of the defence brings about the annulment of the decision. Such effect would only take place if the national court considers that the infringement at issue actually would have led to a different outcome.

At national level: All Member States implemented measures to support a common EU approach in the field of return, whether through cooperation and exchange of information (at both national and EU level), through increased monitoring of return, and through increased coordination of efforts to return third-country nationals whether forced or through voluntary return.

Member States exchanged information at the EU level on good practices on return through the European Initiative on Integrated Return Management (EURINT) network which in 2013 was led by the Netherlands (with the support of a seconded Belgian immigration officer). In 2013, Bulgaria stepped up the participation in joint flights organised by other Member States and co-financed by FRONTEX Agency and European Return Fund. Bulgaria mainly returned citizens of Nigeria, Pakistan, Iraq and Ecuador through joint flights with Poland and Sweden. Bulgaria also cooperated with France in 2013 on a joint European Return Fund project to exchange of experience to improve the administrative cooperation in the field of return. Croatia started sharing practices on return through EMN and participating in Contact Committee Return Directive. Romania participated into

3 joint flights organized by Austria and Spain and returned citizens in Nigeria and Pakistan. The Belgian Federal Agency for the Reception of Asylum Seekers (Fedasil) set up a network for intergovernmental cooperation in 2013: the Common Support Initiative (CSI) aims to increase the sharing of information between administrations responsible for voluntary return, to strengthen the effective management of return and reintegration programmes in countries of origin and to support operational cooperation between the countries in this field and Belgium, France, Germany, the Netherlands and Sweden continued to participate in the European Reintegration Initiative (ERI) to support reintegration in seven return countries: the Russian Federation, Azerbaijan, Afghanistan, Pakistan, Iraq, Nigeria and Morocco. IOM in Rome (IT) , Vilnius (LT) and Riga (LV) were active in holding meetings with relevant national and international actors (e.g. members of embassies) with the objective of sharing best practices, statistical data and relevant available information. Other EU level vehicles for the sharing of best practices on return are the Working group on Admission, Control and Enforcement (ACE) the IGC (Intergovernmental Consultations on Migration, Asylum and Refugees) and the European Voluntary Return Network (VREN).

Many Member States (e.g. BE, CY, EE, EL, FI, HR, IT, PL, PT, SI) continued to develop cooperation between national NGOs, international organisations and state actors involved in return. The Swedish National Bureau of Investigation opened an Embassy Liaison Section to serve as a national contact point for foreign embassies in Sweden as well as for police authorities when they need to contact an embassy. Belgium's competent authority for the reception of asylum seekers and voluntary return (Fedasil) carries out training sessions on return for social workers in reception facilities. Latvia, Poland, and Portugal collaborated with IOM, organising a seminar for the employees of the Office of Citizenship and Migration Affairs and the State Border Guard regarding the implementation of the voluntary assisted return programmes (LV) and developing a web-based application to improve the referral system to improve timeliness and efficiency (PT).

Developments at national level demonstrated an increased focus on voluntary return in some Member States. Hungary's use of forced removal dropped by nearly 60%, and funding for IOM's AVR initiative was increased; this has significantly contributed to enhance the safe return of those whose asylum application has been refused. Estonia and Finland drafted legislation to facilitate voluntary return (EE) and to further develop the system of voluntary return (FI) and Croatia introduced included encouraging voluntary return of as one of the objectives of its migration policy 2013 – 2015. Voluntary return remained a key priority of the Bulgaria's National Strategy on Migration, Asylum and Integration that runs until 2020 and in 2013 Bulgaria returned 149 third country nationals through its assisted voluntary return programme. IOM representatives implementing the programme are stationed in the Bulgarian reception facilities so they can provide information and advice to returnees as needed. Lithuania introduced legal provisions on the application of assisted voluntary return for vulnerable irregular migrants. In the Slovak Republic, IOM Bratislava began to record short videos of clients successfully reintegrating into their countries of return. IOM also disseminated information on the AVR programme to representatives of the Aliens Police Department, to improve their understanding of the programme. The Fedasil in Belgium introduced a measure to better assess whether persons applying for assisted voluntary return from Brazil have sufficient financial means to pay for the return themselves and whether they have the intention to return or not, since it became clear that nationals from this country had been misusing the scheme. In 2014, Portugal will disseminate new visibility material in order to increase and improve the Voluntary Return programme, working with IOM, and a new campaign will be launched. The Danish project for prepared return of vulnerable migrants, such as unaccompanied minors and victims of human trafficking was extended to the end of December 2014 and the reintegration period was extended from 3 to 6 months, raising the monthly support from USD 150 to USD 200 and doubling the amount for migrants who support minors. In Romania assisted

voluntary repatriation was implemented under within the framework of Return Fund project "Effective voluntary return and integration in the country of origin". During 2013, a total number of 206 immigrants benefited from the project. Even so, the number registered a drop by 33.76% comparing to 2012.

Eight Member States (BE, BG, ES, FI, LV, MT, PT, SK) increased efforts to monitor return, including forced return accordance with Article 8 (6) of the Return Directive. The Latvian Ombudsman's Office developed a report on forced return monitoring for the period from July 2011 to March 2013 and will continue to do so 2013 – 2015 as part of a project funded by the European Return Fund. Similarly, Bulgaria implemented an RF project to establish a mechanism for monitoring forced returns from Bulgaria. Amendments to the Finnish Aliens Act on establishing an effective monitoring system is currently under discussion. Legislation will enter into force on 1 January 2014. Portugal will develop further activities in cooperation with IOM in Lisbon with the purpose of improving pre and post-boarding assistance mechanisms. The Slovak Republic will introduce provisions on the monitoring of forced return decisions through an amendment of the Act on Residence of Aliens with proposed date of effect from 1 January 2014. In Belgium, the Sensitisation, Follow-up & Return mechanism, which monitors data on return in Belgium, continued to monitor the voluntary return of irregular migrants receiving a return order. Third-country nationals can register their departure for this purpose with the Federal Police or border guards at border crossing points (BCPs), at the Belgian embassy in their country of return or by sending a copy to the Immigration Office. The underlying objective of this is to avoid the unnecessary issuance of re-entry bans. So far over a thousand independent returnees have been counted in 2013. The Ministry for Home Affairs and National Security of Malta participated in the ICMPD FReM (Forced Return Monitoring) Project which aims to create a European pool of Forced Return Monitors, available to the countries in need of implementing a system for monitoring whether human rights standards and legal obligations are met during return.

Three Member States (AT, BE, EL) saw developments in relation to the detention of migrants awaiting return. Austria established and equipped a new detention centre in the municipality of Vordernberg in the State of Styria which will become operational in early 2014. By contrast, Belgium extended the capacity of its so-called 'housing units' established as alternatives to detention for families without legal stay. The Immigration Office now rents 23 houses, with a total capacity for about 120 persons. Greece established five 'pre-removal centres' during 2013 and three more are expected to be operational during 2014.

Assisted voluntary return with special focus on sustainability and successful reintegration whilst being fully aware of possible pull effects of such measures are an increasingly important part of the return policy in Germany. To maximize the positive effects Germany increasingly cooperates with other MS like France with which concrete collaboration has already been started on the project Return Assistance in Armenia - Cooperation OFII-BAMF (RACOB).

Spain has established a framework applicable to the programs financed by the Ministry of Employment and Social Security (MEYSS) for the sustainable voluntary return. Special focus is laid on the situation of vulnerable persons and the cooperation with countries of origin, other MS.

3.7. Other measures to combat irregular migration

3.7.1. Developing a network of immigration liaison officers

At EU level: In order to disrupt the increasing number of organised crime groups operating in source and transit countries to facilitate irregular immigration to the EU, 'Illegal Immigration' has

been included as one of the EU Crime Priorities under the EU Policy Cycle for organised and serious international crime 2014-2017.[62]

The Operational Action Plan for 'Illegal Immigration' in 2014 (launched on 4 February) includes, among other activities, the establishment in Libya and Turkey of networks of Immigration Liaison Officers (ILOs), deployed or seconded to embassies, solely dedicated to gaining intelligence on irregular immigration. The aim of these dedicated networks is help establish a better operational picture of the situation in neighbouring countries of transit. The network in Libya will be established as soon as the security situation allows.

Following on from the amendment to the ILO Regulation[63], work is also underway to improve the functioning of networks of ILOs, with on-going discussion between Member States and FRONTEX to improve the coordination and cooperation, particularly in terms of data sharing, between ILOs posted in third countries.

In line with Regulation (EC) No 377/2004 on the creation of an immigration liaison officers network, a number of projects were financed through the External Borders Fund Community Actions to establish or further develop ILO activities and networks in third countries, thereby contributing to the prevention and combating of irregular immigration, the return of irregular immigrants and the management of legal migration to the European Union. Immigration Liaison Officers supported through EU funding were deployed in several regions, including Africa and Eastern countries neighbouring the EU, and they all work on behalf of at least two Member States.

At national level: Several Member States (AT, EE, FI, IT, LV, LT, PT, RO[64], SI, UK) expanded their networks of immigration liaison officers (ILOs). Three others (FI, HR, SK) deployed police liaison officers with the aim of monitoring and analysing immigration flows. The Latvian State Border Guard's liaison officer cooperated with 33 state liaison officers accredited in Moscow. Portugal has initiated a new phase of deployment of ILOs in Brazil, Cape Verde, Senegal, Angola, Guinea-Bissau and Russia. Posted next to Portugal's consulates in those countries, ILOs collect relevant information in close coordination with their counterparts in other Member States and perform a rigorous examination of visa applications submitted. Several Member States reduced costs and increased the collective impact of the ILO by setting up joint ILO missions to Thailand (involving Austria, Slovenia, Hungary, Romania, Czech Republic and Slovakia); Ukraine and Moldova (involving Lithuania, Estonia and Finland); and Moscow (involving Lithuania, Estonia and Latvia).

As described in the French National Report, ILOs play a "fundamental role in the collection, the understanding and the transmission of information" and in promoting international cooperation on migration. Through the secondment of liaison officers, amongst other measures, Italian authorities have promoted a form of permanent dialogue, especially with countries of the southern Mediterranean, which is important for their ability to prevent irregular migration flows from these countries. Portugal underlined that ILOs' work has been efficient in detecting illegal practices and has played an important role as contact points to the local authorities. Information exchanged between ILOs enables Member States to better predict and better control irregular immigration flows towards Europe. Austria and the United Kingdom newly deployed ILOs to Pakistan. The UK also newly deployed ILOs to Nepal and Albania. The ILO in Kathmandu (Nepal) trained airline authorities and as a result the UK saw a reduction the number of inadequately documented arrivals (IDAs) originating from Nepal.

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62 Please see Council Conclusions from JHA Council 6-7 June 2013. Access via: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/137401.pdf

63 Regulation (EU) No 493/2011 OJ L 141 27.5.2011 p.13

64 Romania does not deploy ILOs as such, but its home affairs attachés also perform ILOs tasks and duties.

3.7.2. Monitor and identify migration routes

At national level: A few Member States introduced changes to their systems of National Liaison Officers (NLOs) in 2013. The Czech Republic introduced new measures to develop its network of NLOs. Sweden set up a new unit for migration intelligence within the Swedish Migration Board. Several Member States (EL, ES, FR, HU, HR, LV, LT, PL, PT, SE, SK) reported on the continued importance of the work of their NLOs in gathering data on irregular migration that can be subsequently used for more accurate responses and resource allocation. In 2013, Latvia reported that its NLOs specifically played an important role in identifying 90 visas that stated potentially fraudulent information on the purpose of entry. Through a joint operation, the Latvian border guards, together with Russian, Estonian, Lithuanian and Polish border guards identified a route for the irregular migration of Vietnamese people. Others reported that data collected by NLOs is used as evidence in procedures against irregular migrants. Another key activity of NLOs is risk analysis. Risk analyses performed by the Latvian State Border Guard showed that transit roads are elements of increased illegal immigration risk routes. For this reason, it is useful that the Latvian NLO shares risk analysis information with Estonia and Lithuania. In the Netherlands, a new process has been started to better identify migration routes within the EU, so-called 'secondary movements.'

3.7.3. Identify and curb irregular migration routes inside the Schengen Area through improved cooperation and information exchange; improve the situational picture of migration pressures by taking into account modi operandi used for secondary movements within the EU

At EU level: The second expert meeting on intra-Schengen flows took place in April 2013. In December, the FRONTEX Risk Analysis Network agreed on indicators of these movements to be regularly collected as of January 2014. The knowledge gathered through the regular data collection and the analytical follow up should feed into the assessment of the functioning of the Schengen area and to the strategic level discussion on possible measures aimed at countering unauthorised secondary movements of third country nationals within the European Union.

Within the European Document Fraud Risk Analysis Network (EDF-FRAN), the scope of information exchange has been extended to cover document fraud taking place as part of secondary movements across air borders. This should improve the situational picture of migratory pressures by taking into account the *modi operandi* used for secondary movements within the EU.

3.7.4. Sanctions and measures against employers of illegally staying third-country nationals

At EU level: In 2013 work progressed on the assessment of the implementation of the Employers Sanctions Directive [65], in view of a publication of the Commission's first report on the implementation of the Directive [66]. The report concludes that all [67] Member States bound by the Directive prohibit the employment of irregular migrants, and punish their employers through financial and criminal sanctions. Even if a number of Member States have made those sanctions tougher, for example by raising the amount of fines or the severity of criminal sanctions, the level of the sanctions varies, however, considerably between Member States.

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65 Directive 2009/52/EC. OJL 168, 30.6.2009, p. 24.

66 COM(2014)286 final of 22.05.2014

67 Not applied by Denmark, Ireland and the United Kingdom. Croatia's implementation after accession is still to be assessed.

Not all Member States have yet implemented the protective elements in favour of the irregular migrants in a satisfactory manner. There is still room for improvement in all areas offering protection to irregular migrants, be it the right to introduce a claim against an employer, effective mechanisms to do so, or a provision as basic as the systematic and objective information on rights.

Inspections are the backbone to enforce the prohibition of illegal employment and to inform the irregular migrants about their rights. However, many Member States failed to submit the requested report on inspections in July, necessitating the opening of pre-infringement procedures, after which the requested reports were submitted. The fact that these reports are often not complete and not easily comparable renders a meaningful EU-wide synthesis of inspections and their results difficult. The information collected so far Member States suggests that there are big gaps in enforcement efforts between Member States.

Member States are obliged to report on inspections each year before 1 July, and the Commission will therefore continue to monitor closely the measures taken by Members States in this area and will pursue its bilateral exchanges with each Member States to ensure that effective, proportionate and dissuasive sanctions are applied across the EU and that mechanism to facilitate the enforcement of the rights of the irregular migrants are in place. An effective enforcement of the Directive shall constitute an incentive for the employers to use the legal channel to recruit third countries national for the benefits of the migrants, the employers and the Member State.

At national level: To deter employers from employing illegally staying third-country nationals, the Netherlands and Slovak Republic raised fines for illegal employment. The Home Office in the United Kingdom conducted a public consultation on their employer sanction 'civil penalty' scheme, which has led the authority to propose an increase in the maximum civil penalty for 2014. Sweden and the United Kingdom also sought to reduce the administrative burden placed on employers who employ third-country nationals (thus enabling the employers to better comply with migration and labour rules): the Swedish Tax Agency launched a standard form for employers to notify the authority and the United Kingdom's Home Office published guidance to employers on how to check third country nationals' right to work.

As a result of changes to the national definition of 'illegal work' following transposition of EU Directive 2009/52/EC (Employer Sanctions), the Czech Republic saw an increase in penalties to employers who allowed illegal work. In the United Kingdom, as a result of increased operational enforcement of the rules against illegal working, more than double the number of penalty notices were served on employers from April to August 2013 (1 436) as compared to the same period in 2012 (669). By contrast, Italy reports that the labour crisis has contributed a reduction in the number of irregularly staying migrants employed in the Member State. Estonia also reports a reduction in incidences from 71 irregular migrants detected in work in 2012 to 41 in 2013.

3.8. The fight against facilitation of irregular migration ('smuggling')

At EU level: New actions to combat and prevent smuggling in human beings were developed within the framework of the Task Force Mediterranean. At the end of 2013, the Commission launched a study to gather updated and complete information on the transposition of the EU *acquis* in this field, including Directive 2002/90/EC and Framework Decision 2002/946/JHA.

A major operation against a smuggling criminal network was finalised in January 2013, thanks to the coordination provided by Europol. The operation Fimathu, initiated in September 2011 by Austria and Hungary as a joint response to the significant increase in illegal immigration in their

jurisdictions, involved more than 1 200 law enforcement officers from 14 European countries[68], EULEX (European Union Rule of Law Mission in Kosovo) and Europol, and was one of the largest international actions against people smugglers in Europe. Irregular migrants were recruited in Afghanistan, Iraq, Pakistan, Syria and Turkey by a major international people smuggling criminal network. The migrants were often smuggled in inhumane and dangerous conditions in very small, hidden compartments of buses or trucks, by freight trains or boats. In some cases falsified travel documents were used, as well as marriages of convenience to regularise their status in the EU. The operation, coordinated via the International Coordination Centre set up at Europol and staffed with senior investigators from participating countries, brought about the arrest of 103 suspects across Europe. The operation was facilitated by Europol and its network, which provided tailored, also on-the-spot support, including financial, technical and expert support.

3.8.1. National actions and international cooperation against smuggling

At national level: Austria, Finland, Italy and Portugal each created new investigative bodies tasked with investigating smuggling and irregular migration. While in Austria the two investigation teams exclusively comprise police officers, the 25 Finnish investigative teams consist of police, border officers and customs officers and the Italian task force comprises representatives of various ministries (Interior, Foreign Affairs, Integration, Infrastructure and Transport, Defence, European Affairs). Portugal established joint teams with other law enforcement authorities that performed joint operations and regular meetings.

Estonia planned changes to the Tourism Act, which will create a database of accommodation establishments in 2014 to facilitate the identification of third-country nationals for whom the criteria for entering, staying or living in the country may suggest a risk of smuggling.

In order to dismantle smuggling networks, a number of Member States (AT, BG, CZ, DE, FI, FR, SI, UK) participated in Europol operations in 2013, such as the "Fake" operation, which involved Austria, Czech Republic, Germany, France and United Kingdom and which led to the dismantling of a criminal organisation specialised in the counterfeiting of documents and human smuggling and to five suspects being apprehended and further evidence seized.[69] France's Border Police contributed to the elaboration of FRONTEX's guide for European border guards to help them identify potential victims of networks smuggling people across borders.

Within the context of its upcoming presidency, Italy held a meeting of the Fifth High Level Group with France on cross-border cooperation between two States' police forces to combat organised crime and illegal migration. It also hosted meetings attended by the chiefs of Police of Latvia and Luxembourg. It also led a dialogue with Mediterranean Member States (Spain, Malta, Cyprus) on the issues of migration emergency and combating irregular migration. At international level, Latvia set up cooperation frameworks with authorities of the Russian Federation and the Republic of Belarus on smuggling and Malta signed a Memorandum of Understanding on Migration Matters with Burkina Faso to strengthen cooperation on return, readmission and reintegration. During 2013 Malta also concluded the ICMPD *Strengthening Malta's long-term Return Management Capacities* (MAREMCA 2) project which aimed to build Malta's cooperation with countries of origin on migration issues and reinforce its return management capacities in order to better manage the return

[68] Austria; Bosnia and Herzegovina; Bulgaria; Croatia; Czech Republic; Germany; Greece; Hungary; Poland; Romania; Serbia; Slovakia; Slovenia; Switzerland.

[69] Federal Ministry of the Interior, *Erfolgreiche Beteiligung der SOKO Schlepperei Nord an Europol-Operation "Fake"*, Press Release, 23 October 2013, available at www.bmi.gv.at/cms/bk/_news/start.aspx?id=384973545055664350464D3D&page=0&view=1 (accessed on 1 November 2013).

operations of irregular migrants. Intelligence gathered as well as operational activities developed by the Joint Investigation Teams (for example, those kept by the National Police on African territory) have the objective of finding out and neutralizing the complete structure of the smuggling organisation.

3.8.2. Activities to monitor smuggling

At national level: Many Member States exchanged information on smuggling in the EU through participation in the FRONTEX Risk Analysis Network (FRAN) and in specific FRONTEX operations, such as Perkūnas ("Thunder") which was led by Lithuania with the support of 23 other Member States with the aim of establishing a link between irregular crossings at external borders of the EU and secondary migration in the EU Member States and Schengen Associated Countries. The French Unit for the Operational Coordination of Measures to Combat the Trafficking and Exploitation of Migrants (UCOLTEM) created a European community of specialised experts from Spain, United Kingdom, Bulgaria, Portugal, Netherlands, Sweden and the two agencies FRONTEX and Europol, to analyse information and intelligence that can lead to the dismantling of irregular immigration networks. On the basis of the border cooperation agreement between Estonia, Latvia, Lithuania, Poland and Russia, a multilateral joint operation was carried out which led to the identification of facilitators of smuggling.

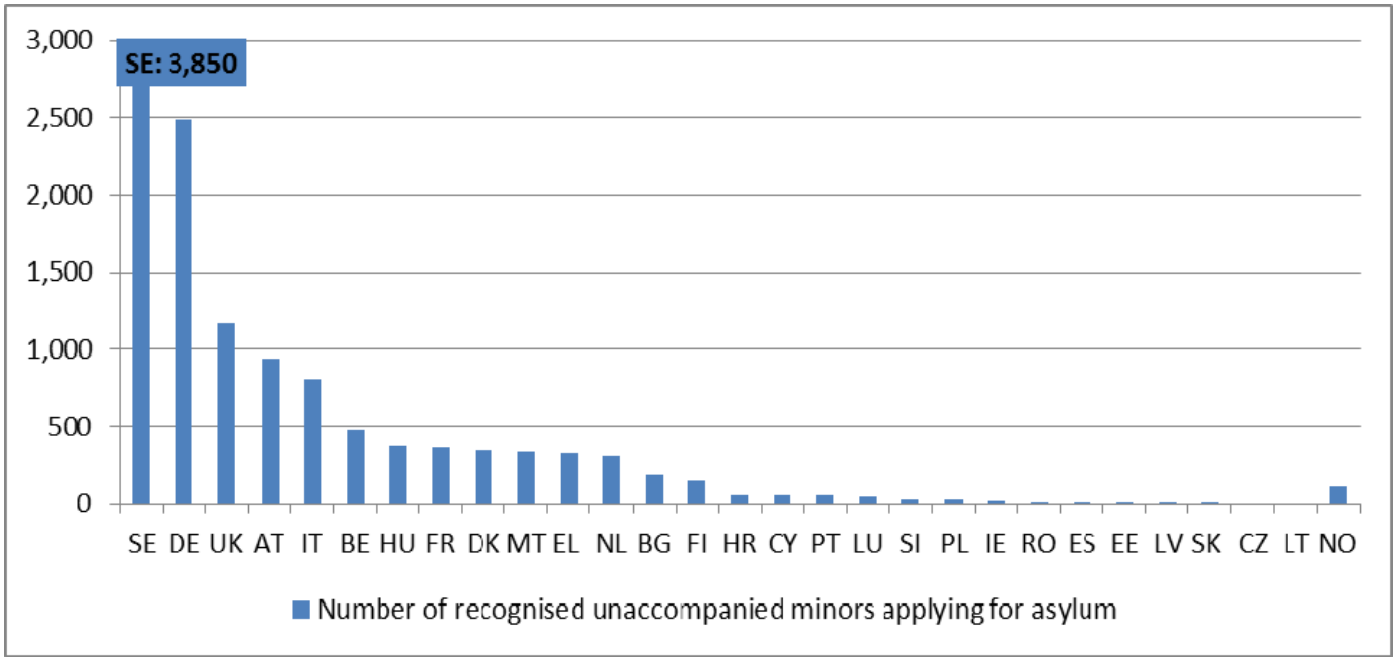
Most Member States had national authorities collecting data information on smuggling in 2013. This activity was usually undertaken by the (federal) criminal police authority (e.g. AT, SE) or the border guard / alien police (e.g. CZ, LV) and involves the exchange of information with other Member States and third countries. A few Member States (EE, FR, HU, SI) however reported challenges in collecting the data. For instance, Estonia reported that data with neighbouring third countries can sometimes be incompatible due to differences in the two information management systems. Similarly, France describes inconsistencies in the way that Member States report data on smuggling to the FRONTEX Analysis Network (FRAN) either categorising data incorrectly or in reporting different figures from NLOs. Croatia, Estonia and Hungary each reported that challenges to data collection on smuggling could be mitigated through increased cooperation between the national authorities, e.g. through continued use of Joint Investigation Teams (Croatia) and expert pooling (Hungary). Slovenia noted that facilitated illegal migration tends to be under-reported and facilitators remain undetected due to their clandestine operations. The Police in Norway established a new analytical framework for intelligence and threat and risk assessment through consultation with other relevant authorities and public and private partners.

4. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

4.1. Unaccompanied minors

Table 10 in the Statistical Annex gives an overview of the provisional number of unaccompanied minors including, where possible, a distinction between those who did and those who did not apply for asylum in 2013. On the basis of these provisional data, the following countries received the highest numbers overall: Italy (807 asylum applicants, 8 461 non-asylum applicants), Sweden (3 850 asylum applicants) and Germany (2 485 asylum applicants). Figure 6 below provides an overview of number of recognised unaccompanied minors applying for asylum in 2013.

Figure 6. Unaccompanied minors applying for asylum, 2013



Source: Eurostat, [migr_asyunaa]

At EU level: Unaccompanied minors continued to receive much attention in 2013. In September 2013 the European Parliament adopted a Resolution on the situation of unaccompanied children in the EU, calling upon the Commission and Member States to increase efforts for the protection of such a vulnerable group. The Parliament puts particular emphasis on the need to reinforce cooperation with countries of origin and transit, and to increase the funding of actions aimed at better protecting unaccompanied minors. The Resolution also mentioned the importance of integrating the child in the host country, according to a life project drawn up for and with the minor, with full respect of his/her ethnic, religious, cultural and linguistic background.

EASO continued its work on age assessment, family tracing and countries of origin, thanks to a great involvement of national authorities and non-governmental organisations. A publication providing practical support to Member States in the field of age assessment was finalised early 2014[70]. While the aim of this publication is to address age assessment in the specific field of asylum, it may also serve as a useful reference in other areas where age assessment is key.

A session of the 8th Forum on the Rights of the Child was dedicated to the subject of children on the move. The Forum, which took place in Brussels on 16-17 December 2013, gathering representatives

[70] http://easo.europa.eu/wp-content/uploads/EASO-Age-assessment-practice-in-Europe.pdf

from the European Institutions, EU Member States, Ombudspersons for children, international organisations and NGOs, discussed the role of integrated child protection systems.

A second call for proposal for pilot projects on unaccompanied minors was launched in 2013, with a total budget of EUR 1 million. The first selected project focuses on the Best Interest Concept (BIC) and Best Interest Determination (BID) as described in the most important international documents, and aims at transposing those concepts to the needs of national policy makers and practitioners who are dealing with unaccompanied minors' cases in national context. The second project selected for financing aims to draft a best practice guide on durable solutions. It foresees drafting national reports from the participating countries with extensive interviews of practitioners and unaccompanied minors to be also included in the best practice guide.

In addition, a project funded by European Return Fund emergency assistance started in January 2013 aims to improve the ability of the Greek Government to assist unaccompanied minors returning from the country to their respective countries of origin and their reintegration. EU financed pilot project leaded by Swedish Migration Board (ERPUM II), involving partners from SW, NL, UK and NO, aimed at development of alternative methods together with third countries for facilitating family reunification, re-integration and return of UAM to their country of origin.

At national level: Developments in policy and / or practice in relation to unaccompanied minors (UAMs) took place in 17 Member States (AT, BE, BG, ES, HR, CY, EE, EL, FR, HU, IT, NL, RO, SE, UK) and Norway, including the adoption of new policies in Belgium, Croatia, Cyprus, Estonia, France and Italy.

To improve access to rights for unaccompanied minors, new legislation in Norway strengthened the legal position of unaccompanied minors by clarifying the tasks of their representatives and ensuring a more consistent practice in recruitment, training, and supervision. In a similar vein, the new Integration Policy of the Slovak Republic, which is still in preparation, is to include a chapter on UAMs specifying measures such as developing a new guidance for determining the child's best interests or identification of the causes of absconding. In Finland, a legislative project is under way to exclude detention as a possibility for unaccompanied minors seeking international protection. Germany is planning to introduce new provisions and practice in relation to representatives to support minors in exercising their rights. Lithuania is preparing guidelines on provision of services for UAMs who do not lodge applications for asylum. Romania implemented a project “Information of unaccompanied minors on their rights” in partnership with IOM (with technical support of Austria, Bulgaria, the Czech Republic and Poland) and co-financed by European Commission. One of the results of the project was a documentary – “My Name Is” – which presents the rights of the unaccompanied minors and also the risks of leaving their countries of origin.

In response to increasing numbers of UAMs arriving in Sweden, the Swedish Migration Board was granted extended possibilities to assign UAMs seeking asylum to municipalities, and new measures are being taken to further enhance the rights of the child in the Swedish Aliens Act. In the United Kingdom, a policy on granting limited leave to UAMs applying for international protection has been incorporated into the immigration rules. In Spain an Action Protocol on unaccompanied minors will soon be approved with a view to coordinating the work of institutions responsible for detecting, assisting and monitoring numbers of unaccompanied minors in Spain, through a Registry of unaccompanied minor coordinated by the State General Prosecutor. In Greece, a Minister’s Decision was issued to establish systems for age determination at reception centres; six reception facilities, which will give priority to Unaccompanied Minors, are currently under construction. In Lithuania, a protocol on age determination is being drawn up. In Luxembourg, the age assessment practice has been contested by the Court of Appeal and a reform of the practice is foreseen for 2014. In the Netherlands, new policy measures have been introduced with a view to limiting the

period of uncertainty of stay of unaccompanied minors. If their asylum requests are rejected, they will be supported in their efforts to return to their country of origin for a period of maximum three years. If they do not succeed in returning, and they cannot be considered responsible for this, they will be granted a residence permit. In Norway the Directorate of Immigration initiated a research and development programme to develop improved methods for medical age assessment, involving researchers from Italy, Norway and the United Kingdom.

The changes in policy described above were the result in many Member States of the significant increases in the numbers of UAMs arriving on the territory, which have in turn driven the need for clarity about how to treat minors in various administrative processes, and how to ensure that the rights of the child are respected consistently and comprehensively in practice. Member States have also focused on combating trafficking of minors (see also Section 5). Weaknesses in existing practices also lay behind some of the changes – as with detention in the case of Finland, and age assessments in the case of Luxembourg. The cost of services provided to UAMs has also been debated in France, and resulted in the publication of a ministerial circular.

4.2. Other vulnerable groups

At EU level: On 26 June 2013, the Commission adopted a Communication presenting its second assessment of Member States' implementation of National Roma Integration Strategies.[71] The Communication focused on structural pre-conditions that are important for a successful implementation of the strategies: working with local and regional authorities and civil society; allocating proportionate financial resources; monitoring and enabling policy adjustment; fighting discrimination convincingly; and establishing national contact points for Roma integration. The report showed that while some progress has been made, the improvement on the ground remains too slow. In order to provide specific guidance to help Member States strengthen the effectiveness of their measures to achieve Roma integration and accelerate their efforts, the Council adopted, on 9 December 2013, a Recommendation on effective Roma integration measures in the Member States[72]. It recommends that Member States take targeted action to bridge the gaps between the Roma and the rest of the population. It reinforces the EU Framework for national Roma integration strategies agreed by all Member States in 2011 by setting the conditions for an effective inclusion of Roma and focusses on access to education, employment, healthcare and housing.

A significant number of Roma living in the Member States are legally staying third-country nationals, who face the same challenges as migrants coming from outside the EU. They must enjoy the same rights as those granted to other non-EU migrants.

At national level: In EU Directives, e.g. the Recast Qualification Directive (2011/95/EU), the Return Directive (2008/115/EC) and the Reception Conditions and Procedures Directives, vulnerable persons include minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence.

A focus on these groups of persons has been introduced or strengthened via the transposition of EU law in Croatia, Cyprus and Luxembourg. Germany is currently evaluating whether changes in provisions on the treatment of vulnerable groups will be needed in view of the upcoming transposition of the EU Reception Conditions and Procedures Directives. In Estonia, changes to the Victims Support Act and related acts introduced a general obligation to take into account the special

71 COM(2013) 454 final

72 Council Recommendation of 9 December 2013 on effective Roma integration measures in the Member States, 2013/C 378/01. OJ C378, p.1.

needs of all vulnerable groups (including unaccompanied minors). Lithuania introduced a possibility for assisted voluntary return migrants irregularly entering and/or staying in Lithuania who are also vulnerable persons Overall, twelve Member States (AT, BE, BG, CY, EE, FI, FR, IE, IT, LU, PT, SE) introduced new measures during the reference year in relation to vulnerable groups.

In Finland, an action plan being drafted as part of a future migration strategy will seek to improve identification of persons in vulnerable positions Other Member States (CY, PT) report ongoing projects with the aim of improving conditions and ensuring the rights of vulnerable persons – primarily in relation to trafficking, asylum or return procedures. In Portugal, a project was developed that organised dissemination of information directed at women of foreign nationality, particularly minors, on the prohibition of female genital mutilation.

In some Member States, specific measures have taken place to ensure that authorities are sensitive to the specific needs and vulnerabilities of particular groups, including gay, lesbian, bisexual and transgender (LGBT) groups and women victims of violence. In Sweden, the Migration Board, among other measures taken, has appointed LGBT-specialists that have to be consulted in all decisions regarding LGBT-related asylum claims. This measure followed the Government's instruction to develop and report methods and tools for a systematic follow-up of law application quality at the Board and to report on how the Board ensures a uniform application of the law in cases where sexual orientation or gender identity are referred as grounds for asylum. In Belgium, a new action plan includes a focus on forms of violence, particularly affecting women and LGBT migrants and asylum seekers, with training of staff in reception centres foreseen. As for legislation, a draft bill amending the Refugee Law in Cyprus clarifies which groups are considered to be a particular vulnerable group, by stating that the aspects related to gender and gender identity shall be taken into account. Such measures have been timely in view of 7 November 2013 ruling by the Court of Justice of the European Union (CJEU) that people fleeing their country with a well-founded fear of being persecuted because of their sexual orientation may qualify for asylum in the European Union.

In France, a multi-disciplinary working group of the OFPRA was established to deal with, among other issues, the situation of vulnerable groups. One of the projects for which the group is responsible includes training of staff in sensitivity towards vulnerable persons, among them victims of trafficking and persons with disabilities

In Italy, renewed attention has been paid to the inclusion of Roma, Sinti and traveller groups.

5. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

5.1. Implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings: Identifying, protecting and assisting victims of trafficking

The latest available statistics on the numbers of presumed and identified victims of trafficking in human beings from across the EU Member States and Norway are shown in Table 11 of the Statistics Annex. The numbers of reflection periods and residence permits granted to such victims are set out in Tables 12 and 13, whilst Table 14 provides the latest available statistics on the numbers of traffickers in human beings arrested and convicted in 2013.

5.1.1. Improving the identification of and provision of information to victims

At EU level: The deadline for transposing Directive 2011/36/EU[73] setting out the legal framework governing the EU anti-trafficking policy, expired on 6 April 2013. The EU Directive on trafficking in human beings can make a real difference on the lives of the victims and to prevent others from falling victims. Twenty Member States had notified full transposition at the end of 2013. The Commission will analyse the information received and take all measures to ensure correct application of EU law, including by launching infringement procedures where necessary Infringement cases are open against Cyprus, Spain, Italy and Luxembourg for not communicating the transposition of the Directive, to ensure full compliance with their obligations under EU legislation on trafficking in human beings.

The Commission carried out a study in 2013 gathering updated information on the transposition and practical application of Directive 2004/81/EC[74] on the residence permit for victims of trafficking in human beings or who have been subject to smuggling. The results of the study will feed into the publication of a Commission report on the application of this Directive in the first half of 2014.

Additionally, following a victims centered approach, the Commission presented a publication in April 2013 on the "EU rights of victims of trafficking in human beings", available in all official EU languages from EU Anti-Trafficking website.[75] The overview aims to enable access to and realisation of rights for victims, by providing clear and user-friendly information on the EU rights of victims of trafficking in human beings, which range from (emergency) assistance and health care to labour rights, rights regarding access to justice and to a lawyer, residence, as well as possibilities of claiming compensation. The overview will further help authorities to deliver the assistance and protection that victims need and deserve. In June 2013 the Justice and Home affairs Council adopted conclusions that Member States will develop similar overview(s) at national level in 2014.[76]

In order to ensure better coordination and increase coherence in identification of victims of trafficking, as well as bearing in mind the projects funded by the Commission, the Commission published a Reference document on the Guidelines for the identification of victims of trafficking in human beings especially for border guards and consular services[77]. The document provides for a list of indicative guidelines, refers to the existing handbooks and manuals and lists the projects on the

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73 Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA

74 OJL 261, 6.8.2004, P.19.

75 "EU rights victims " publication available here.

76 10966/13

77 http://ec.europa.eu/dgs/home-affairs/e-library/docs/thb-victims-identification/thb_identification_en.pdf

identification of victims, in particular those targeting consular services and border guards and thus encourage their systematic use by the respective officials.

The Lithuanian EU Presidency and the Commission co-organised a conference on the occasion of the 7th EU Anti-Trafficking Day, on 18 October 2013 in Vilnius, Lithuania[78]. The purpose of the conference was to explore the links between the Internet and trafficking and how cyberspace could be used for prevention and not recruitment for trafficking in human beings. Three workshops were organised addressing online awareness raising, online investigations and online recruitment and facilitation.

At national level: The deadline for transposition of Directive 2011/36/EU was 6 April 2013. Cyprus, Luxembourg and Italy did not transpose the Directive in 2013, but all drafted bills to do so. In many Member States (e.g. AT, BG, SK) transposition of the Directive meant that the definition of trafficking was widened to include victims of forced labour, forced begging and/or the removal of organs as per Article 1 of the Directive. Luxembourg's draft legislation provides that potential victims will no longer be obliged to file a written complaint in order to be identified as a victim if there is sufficient evidence otherwise available. Malta's Second National Action Plan against Human Trafficking, which was launched in January, translates the objectives of the EU Strategy into national measures.

To facilitate detection of potential victims, lists of indicators of victimisation were developed in Hungary (as part of new legislation implementing Directive 2011/36/EU) and in Poland. Belgium also made plans to update the list of indicators currently outlined in the Circular relating to investigation and prosecution of acts of trafficking. A dedicated anti-trafficking working group in Finland proposed that the national anti-trafficking coordinator develop standard national indicators for use by both the authorities responsible for identification and by NGOs. Guidelines on identification of victims were developed for health workers in the Netherlands and for staff in reception centres, and are being planned for all relevant actors in Italy and Latvia. Lithuania also plans to update its guidelines. As part of the ISEC-funded project '*Development of Common Guidelines and Procedures of Victims of Trafficking*', which ended in 2013 and which involved France, Bulgaria, Spain, Greece, the Netherlands and Romania, common guidelines and procedures on identification of victims were developed. The guidelines were tested during a 4-month pilot phase in Spain before final endorsement and publication in seven other EU languages. France and Sweden provided specific guidance (and Poland made plans to do the same) on the identification of victims to actors responsible for processing applications for international protection. Spain adopted a *National Police Plan against trafficking in human beings for sexual exploitation* with a view to reinforcing prevention and enhancing detection of trafficking in human beings and to intensifyingthe investigation of criminal organisations. The Plan sets out measures to improve analysis of data on trafficking to better identify and provide support to groups at risk of being trafficked, and will involve coordination at national and international levels.

Bulgaria and United Kingdom set up new law enforcement task forces to proactively investigate possible cases of trafficking. The Irish Police also established trafficking in human beings as one of its operational priorities with increased priority given to the prevention and detection of human trafficking in their Annual Policing Plan. Identification can be facilitated through dedicated National Referral Mechanisms (NRM). In 2013, Croatia newly established an NRM and Cyprus upgraded its NRM. Netherlands will soon establish an NRM assuming a multi-disciplinary approach. In Portugal, during 2013, an Anti-Trafficking Special Unit was established with the purpose of improving the coordination between relevant actors. Romania provided expertise for the

78 http://ec.europa.eu/anti-trafficking/Events/Seventh_EU_Anti_Trafficking_Day

Croatian authorities to improve the identification and protection of victims of trafficking, with a focus on sexual exploitation and forced labor[79].

Many (Member) States (BE, BG, CZ, DK, EE, EL, IE, IT, LV, LT, MT, PL, PT, RO, SE, SK, UK, NO) also carried out awareness raising activities and trained relevant stakeholders to improve their capacity to identify victims. In Estonia, these trainings were specifically to bring relevant actors up to speed on changes introduced through the national law transposing the Directive. In the Czech Republic, Latvia, Slovak Republic and the United Kingdom, specific training curricula were developed for border guards (CZ, LV, SK), labour inspectors (CZ) and the police (UK); in the case of the Czech Republic and the Slovak Republic this was based on the FRONTEX manual[80]. Lithuania developed an awareness raising video for victims of trafficking for labour purposes. The Czech Republic also developed awareness raising videos in the framework of a competition titled "Think up, Warn and Win" run in cooperation with a private transport company, as well as upon demand by the NGO La Strada. More than 26 600 police officers and other relevant staff completed the police e-learning package on human trafficking in the United Kingdom. Following the activities of the Romanian competent authorities the number of victims of trafficking decreased in 2013. In order to facilitate self-reporting, Member States improved access to information and assistance for victims: Germany and Latvia set up hotlines for victims to self-report, although the German hotline is specifically for women who are victims of (all forms of) violence (including trafficking); Finland updated a website targeting vulnerable asylum applicants with information for those applicants who are potential victims of trafficking; and Poland launched a website on trafficking primarily for professionals, but also providing relevant information for victims. The Polish website is visited on average by 9 500 visitors a month. Austria made plans to adapt the EU brochure on Rights of Victims of Trafficking for dissemination in the Member State in 2014, Malta developed a booklet on victims rights and available services, and in Denmark, the national Centre against Human Trafficking expanded the team implementing its outreach service, developed written material for victims of trafficking on their rights, and is in the process of strengthening cooperation with personnel in prisons. A transnational project focusing on preventing trafficking for labour exploitation took place among Romania, Bulgaria, Cyprus, Greece, Hungary and FYROM, with an awareness raising campaign launched as well as a Transnational study on the characteristics of policies in the field of trafficking in human beings for labour exploitation - 2009-2011".

5.1.2. Protection of Child Victims of Trafficking[81]

At EU level: The 2011/36/EU directive on preventing and combating trafficking in human beings and protecting its victims and the 2012 "EU strategy towards the eradication of trafficking in human beings 2012-2016" seek to promote victims' rights and safeguard their protection while ensuring to them appropriate support and access to justice. The directive acknowledges the particular vulnerability of child victims of human trafficking. It includes special provisions to address their needs and to safeguard their rights as children and as victims. The best interest of the child is a primary consideration in all actions concerning the child. In 2013, the European Commission and the Fundamental Rights Agency started working on a best practice model for guardianship for children deprived of parental care – with a particular focus on child victims of trafficking, with the intention to support Member States authorities and practitioners working in the field. The

[79] Within the project "*Enhancing Identification of Victims of Trafficking in Human Beings*" financed through the Instrument for Pre-accession Assistance.

[80] Available at: http://ec.europa.eu/dgs/home-affairs/e-library/docs/thb-victims-identification/thb_identification_en.pdf

[81] In line with Directive 2011/36/EU 'child' shall mean any person below 18 years of age.

publication, which will be finalised in 2014, includes an overview of the existing national guardianship models.

At national level: Developments regarding the protection of child victims of trafficking took place in Austria, Belgium, Cyprus, Cyprus, Germany, Finland, Ireland, Italy, Latvia, Luxembourg, Poland, Slovak Republic, Sweden, United Kingdom and Norway.

Several Member States introduced greater safeguards for children who are presumed victims of trafficking. Latvia, Luxembourg and the Slovak Republic reported that these provisions were the result of transposing Directive 2011/36/EU; in Italy they reflected Italy's recent implementation of the Council of Europe 2007 Convention on the Protection of Children against Exploitation and Sexual Abuse. These concern for example provisions on the situations in which minors may be interrogated. Germany and Latvia also introduced new laws (not linked to the Directive) to strengthen the rights of child victims in judicial proceedings. In the case of Germany, the legislation specifically concerns victims of sexual abuse and makes it easier for such child victims to provide testimony in court via video-link rather than physical attendance at the court, preventing multiple examinations of vulnerable victims as witnesses and granting further procedural rights to persons who were minors at the time an offence was committed, but who have reached the age of consent once the proceedings begin. Legislative amendments in United Kingdom set out measures to be taken by the police to safeguard the best interests of child victims in human trafficking investigations and the Slovak Republic introduced new legal provisions to ensure that child victims of trafficking engaged in prostitution will now be regarded as victims of trafficking rather than charged with prostitution.

Also to support the best interested of child victims of trafficking, Cyprus introduced individual care plans for child victims, which will be developed in conjunction with the child and relevant service provider including NGOs and state actors. Ireland is in the process of establishing a Child and Family Agency which will look after all services to children and families, including those who are victims of trafficking. The United Kingdom published practical guidance through the Department of Education on trafficking as well as guidance for first child responders. Greece initiated a programme to upgrade two national centres (hostels) for women and children who are victims of trafficking and family violence and also began to implement a two-year EU funded programme ("VICTOR") on comprehensive support to child victims of trafficking involving the support of the South - Eastern Europe Centre for Missing and Exploited Children.

To support actors coming into contact with potential child victims of trafficking, Austria, Belgium, Cyprus, Denmark, Finland and Norway drafted leaflets, brochures, manuals or guidelines specifying practices regarding child victims of trafficking. This was foreseen for the coming year in Latvia and Poland. Looking ahead, Sweden updated its action plan against exploitation of children, to be presented in 2014; the Irish Health Service (HSE) and the Human Trafficking Investigation and Coordination Unit (HTICU) in Ireland started developing a protocol for treating unaccompanied minors who arrive at ports of entry (primarily Dublin Airport) and in Norway, the Directorate of Police supported the development and implementation of cooperation mechanisms at reception centres for response in cases when UAMs abscond. In Romania, two initiatives to counter child begging took place: the project "Where starts begging, ends childhood" involving 600 children (aged between 8 and 12) and 110 representatives of the local communities and authorities, and the information campaign" Contribute through information A.Z.I. (Today)!".

Belgium, Italy and the Netherlands commissioned studies on child victims of trafficking. In Belgium and Italy, this concerned an evaluation of the protection offered to minor victims, which resulted in a series of recommendations to improve the identification of minor victims to be implemented in 2014. In the Netherlands, the study focused on identifying the scale of UAMs who

might be victims of trafficking and it set forth recommendations to strengthen cooperation between partners to ensure protection. A government working group in Germany investigated how cooperation could be improved between the police, the Youth Welfare Offices, expert counselling agencies and other institutions, authorities and specialists.

The Danish Centre against Human Trafficking started a Nordic Network against Child Trafficking with members from Sweden, Norway and Finland and hosted the first meeting in 2013. Meetings will be held on a yearly basis.

5.2. Implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings: Enhanced coordination and cooperation among key actors and policy coherence

5.2.1. Coordination and cooperation among key actors

At EU level: During 2013, the Commission further implemented the EU Strategy towards the Eradication of Trafficking in Human Beings. More specifically, in May 2013, the Commission launched the EU Civil Society Platform against Trafficking in Human Beings, which brings together more than hundred representatives from different NGOs from across of the EU. The second meeting was also open to NGOs from neighbouring priority third countries (Albania, Morocco, Turkey and Ukraine). The EU Civil Society Platform against trafficking in human beings is a forum for civil society organisations to engage at the EU level, exchange experiences and enhance coordination and cooperation amongst key actors.

The EU also financed project led by IOM seeks to enhanced cooperation between the Members Sates and aims to provide flexible and tailored assistance to victims of trafficking for returning and to resettle in their home countries and become once again active members of their communities. The project seeks to establish a common and integrated reintegration assistance delivery mechanism for victims of trafficking ensuring the sustainability of the return and thus preventing re-trafficking.

In 2013, the Socio-economic Sciences and Humanities Theme of the Seventh Framework Programme for Research and Development opened a topic on "Addressing demand in anti-trafficking efforts and policies". One research project is currently being funded under this topic: DemandAT[82].

At national level: In many Member States (AT, BE, BG, CZ, DE, EE, EL, FI, HU, IT, LV, LT, LU, NL, PL, PT, RO, SE, SK, UK) measures have been initiated or strengthened to enhance coordination and cooperation among key actors and to ensure a comprehensive approach.

At national level such coordination has involved inter-Ministerial working groups or committees (IT, LV, LT, LU, PL, SK) with NGOs included as members in the Czech Republic, Latvia, Luxembourg and the Slovak Republic. Finland has also proposed greater multi-sectorial cooperation as well as the establishment of a national secretariat to support a national coordination network with public authorities as well as NGOs and social partners. Improved coordination with CSOs is also a focus of developments in Hungary, as it is with the national referral mechanism which is being set up in the Netherlands. In Sweden, the government extended the commission to the County Administrative Board in Stockholm to foster, at a national level, coordination and cooperation among actors. Austria and France each established new working groups on trafficking: in Austria, the working group on Trafficking for the Purpose of Labour Exploitation was established within the national Task Force Human Trafficking with NGOs and Social Partners participating in the group; and in France the inter-ministerial mission for the protection of women

[82] Addressing demand in anti-trafficking efforts and policies (DemandAT), http://research.icmpd.org/2491.html

against violence and the fight against trafficking in human beings (MIPROF) will act as national coordinator for anti-trafficking policy and practice in the Member State from now onwards. In the United Kingdom, the new National Crime Agency will now be responsible for strengthening the capability of law enforcement, sharing intelligence on trafficking and coordinating activity to disrupt traffickers. Portugal set up two new coordination networks; the first - the Support and Protection Network for Victims of Trafficking (RAPVT) – brings together government and NGOs to both provide assistance to victims and to investigate crime; the second - the Regional Network for Assistance and Protection for Victims of Trafficking in Human Beings – was established in the Central region to reinforce the national structure for supporting and protecting victims of trafficking in human beings. In Romania, several projects took place with the aim of creating sustainable partnerships between prosecutors, police and civil society in the prevention and fight against trafficking.

EU Member States cooperate in relation to trafficking in human beings through the informal EU Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Human Beings[83]. Greece appointed a National Rapporteur on Trafficking within the Minister of Foreign Affairs; the office will make use of international databases and the national system of identification and referral of victims of human trafficking for its data collection. In addition, Member States also cooperate in the framework of for example the Council of the Baltic Sea States and, the network of National Coordinators for combating trafficking in South Eastern Europe and the Council of Europe. Bilaterally, Hungary and Romania have cooperated with each other within the framework of the project 'Integrated approach for Prevention of Labour exploitation in origin and destination countries'; a regional seminar was held in March 2013 to improve inter-institutional cooperation and increase capacity amongst labour inspectors, judges, prosecutors, police officers, social workers, and NGOs. Upon an initiative of the Netherlands, a Benelux-cooperation concerning trafficking in human beings has been proposed in the framework of the Benelux Common Action Plan 'Senningen 2013-2016'. An EU conference[84] on the multidisciplinary approach to trafficking in human beings was organised by Cyprus, the Netherlands and Poland. In 2013, the Seimas of the Republic of Lithuania hosted an international conference on issues of prevention of human trafficking for forced labour and labour exploitation devoted to the EU Anti-Trafficking Day. The Conference 'Putting Rantsev into Practice', involving representatives of prosecution services, the police, border guards, labour inspectors and labour detectives, immigration officials and municipalities. The conference "Discovering Trafficking for the Purpose of Forced Labour and Labour exploitation" took place in Prague; where project outcomes including case law analyses from 9 EU Member States in the area of labour exploitation have been presented. Cooperation and exchange among the Member States is further facilitated by the CEPOL Exchange Programme in the field of combating trafficking where responsible public and private sector entities exchange experience. CEPOL courses on victim identification, awareness raising, protection of victims and the investigation of human trafficking have also brought together representatives from different Member States.

[83] http://ec.europa.eu/anti-trafficking/section.action?sectionPath=National+Rapporteurs&sectionType=MAP&page=1&resetBreadcrumb=false

[84] 'Putting Rantsev into Practice' – a conference based around the formative case law Rantsev v. Cyprus and Russia, Application no. 25965/04

5.2.2. Coordinating EU External Policy Activities

At EU level: On the external dimension, the Commission and European External Action Service continued working towards implementation of the Action Oriented Paper's (AOP) second implementation report, which identified a list of priority countries and regions, for further strengthening and streamlining cooperation for addressing trafficking in human beings. Both are working on an inventory to map current instruments as well as funded projects which involve the participation of the EU and/or EU Member States in the area of trafficking in human beings in priority third countries and regions.

At national level: Austria, Bulgaria, Czech Republic, Italy, Latvia, Lithuania, Netherlands, Poland, Portugal, Slovenia and United Kingdom have reported new or planned cooperation activities with source countries. The measures may focus exclusively on trafficking or be part of a broader effort to combat organised crime and irregular migration. The collaborations include bordering third countries such as Belarus, the Russian Federation, Ukraine and Western Balkans, and also Georgia, China, Thailand, Turkey, Vietnam and Nigeria. In addition, trafficking in human beings from Romania and Hungary has been the focus of collaboration between Member States. Portugal's focus is mainly on irregular migration and fight against smuggling and trafficking in human beings from Brazil. The cooperation has included seminars, joint investigations and police cooperation, exchange of information, improvement of partnership, common prevention activities, increasing disruption and deterrence, awareness raising/training, and funding of shelters. Romania has provided expertise, training and guidance to Croatia, Albania, Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia, Republic of Moldova, Montenegro, Turkey and Serbia, using instruments such as TAIEX and cooperation in the context of European or international projects.

5.3. Implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings: Increased knowledge of and effective response to emerging concerns related to all forms of trafficking in human beings

5.3.1. Developing an EU-wide system for data collection

At EU level: In April 2013, the Commission published the first statistical data report on trafficking in human beings at EU level, for the years 2008-2010[85]. The data was collected through the National Statistical Offices of the EU Member States from different authorities working in the field of trafficking in human beings, including civil society organisations. 23 632 people were reported as identified or presumed victims of trafficking in the EU over the 2008-2010 period. In the countries reporting data for 2008-2010, the number of victims of trafficking increased by 18% from 2008 to 2010, but convictions decreased by 13% over the same period. The majority of victims are female (80%, 68% women and 12% girls), while male victims account for 20% (17% men and 3% boys). The majority of the identified and presumed victims over the three reference years are trafficked for sexual exploitation (62%), with women and girls as the overwhelming majority of victims (96 % in 2010). Trafficking for forced labour (25%) comes second, the vast majority of its victims being men and boys (77 % in 2010), and trafficking in other forms such as trafficking for the removal of organs, for criminal activities or for selling of children follow with much smaller percentages (14%). More than half of the victims (61%) come from countries within the EU, most frequently Romania and Bulgaria, with Nigeria and China as the most common countries of origin outside the EU. The quality of statistical data provided increased annually, although it should be interpreted

[85] http://ec.europa.eu/anti-trafficking/download.action?nodePath=/Publications/Trafficking+in+Human+beings+-+DGHome-Eurostat_EN.pdf&fileName=Trafficking+in+Human+beings+-+DGHome-Eurostat_EN.pdf&fileType=pdf

with caution, taking into consideration that these reported figures only represent a small visible percentage of the phenomenon (the tip of the iceberg). A second report is underway and will be published in the course of 2014.

At national level: Challenges to the collection of data concerning trafficking are well-reported[86] and felt throughout all Member States. Belgium, Finland, Hungary, Italy, Luxembourg, the Netherlands and United Kingdom all report ongoing challenges to data collection in 2013. Some specific challenges reported include the fact that it is difficult to capture the number of people victims who cross borders enjoying free movement within the EU (LU), a lack of standardised or systematic data collection data (BE, DE, FR, HU, IT, MT, NL, PL, UK).

In the United Kingdom, a group was established to review issues of data collection and sharing. In consultation with law enforcement agencies, local authorities and civil society groups, the group reviewed of the level and type of data required and to improve knowledge and understanding has proposed to implement a consistent set of data questions which will be collated by the sectors on a regular basis. Similarly, in Finland problems with inconsistencies in data collection have been mitigated through use of the guidelines of the National Police Board. Lithuania enhanced inter-institutional coordination in order to improve data collection and exchange of information. The Danish Centre against Human Trafficking will introduce a comprehensive data collection system in 2014. In Portugal, all data on trafficking in human beings is reported to the Observatory on Trafficking in Human Beings; challenges faced in registering the start of reflection periods were addressed through the circulation of a single harmonised registration guide and regular meetings among involved stakeholders has improved the collection of such information. The Anti-Trafficking Monitoring Committee in Malta is currently working on the creation of a common tool for data collection and reporting based upon standardised national indicators. In Romania, the data collection in this field via the Integrated System to Monitor and Assess Trafficking in Persons has been improved.

The Eurostat report on trafficking in human beings[87] published in 2013 recognised that victims of trafficking are not only detected by state authorities, but also NGOs. As some victims who decide not to make contact with state authorities may contact NGOs, the data collected by the latter is supplementary to that collected by the state and is key to a more accurate understanding of the scale and scope of the problem in the EU. Some Member States recognised in 2013 the need to develop a system for collecting a holistic set of data on trafficking in human beings at national level. For example, Finland, Ireland and the Slovak Republic all encouraged the participation of civil society organisations in the data collection. In Ireland, all leading anti-trafficking NGOs provide depersonalised data for inclusion in the Anti-Human Trafficking Group (AHTU)'s annual report. Relatedly, Belgium made plans to distinguish data on victims in reflection periods and beyond, allowing a better insight into reasons or circumstances in which victims drop out during the reflection period.

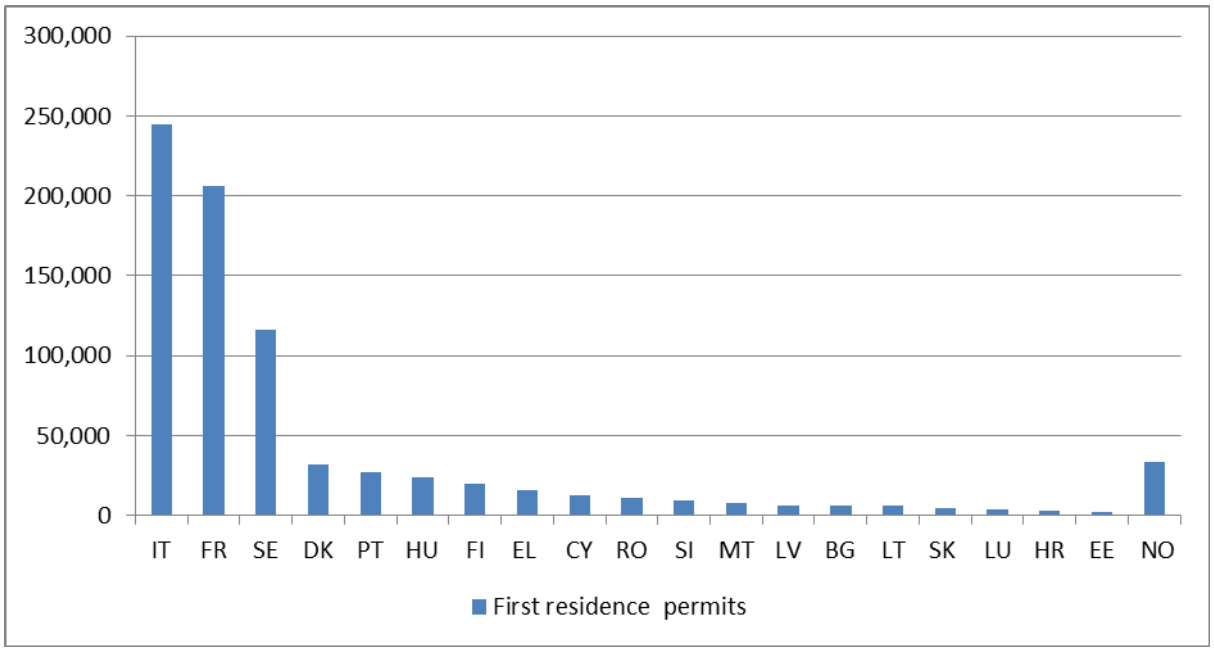
[86] See DG HOME / Eurostat (2013) Working Paper on Statistics: Trafficking in Human Beings: http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf

[87] Ibidem,http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf

6. LEGAL MIGRATION AND MOBILITY

Table 15 in the Statistical Annex gives a *provisional* overview of the residence permits issued in 2013 by reason (family, education, remunerated activities and other reasons). Of the Member States providing such statistics, most residence permits were issued by the United Kingdom (631 940) and Italy (244 688). Member States which issued permits mainly for family reasons were Croatia (65% of all permits); Luxembourg (51%) and Estonia (48%). The highest proportions of permits issued for the purpose of education were by Denmark (36%), Hungary (35%) and Romania (33%). Those who issued permits mostly for the purpose of remunerated activities were Slovenia (38%), Slovak Republic (36%) and Italy (33%). The highest share of permits issued for 'other reasons' were by Bulgaria (45%) and Sweden (43 %). The overall position across the Member States and Norway are shown in Figures 7 and 8, 9, 10, 11 below.

Figure 7: Total first residence permits issued in 2013



Source: European Migration Network National Contact Points (EMN APR2013, Annex2)
Notes: Statistics are not currently available in BE, CZ, DE, IE, EL, ES, NL, AT, PL,UK

Figure 8: First residence permits issued 2013, by reason

Figure 8a: Family reasons **Figure 8b: Education reasons**

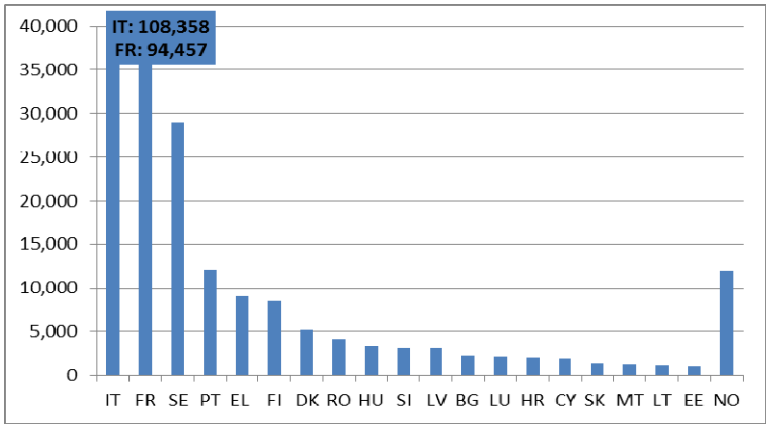


Figure 8c: Remunerated activities

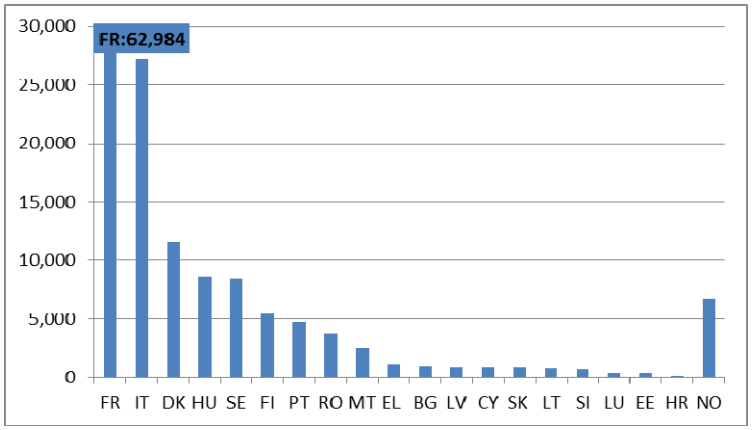
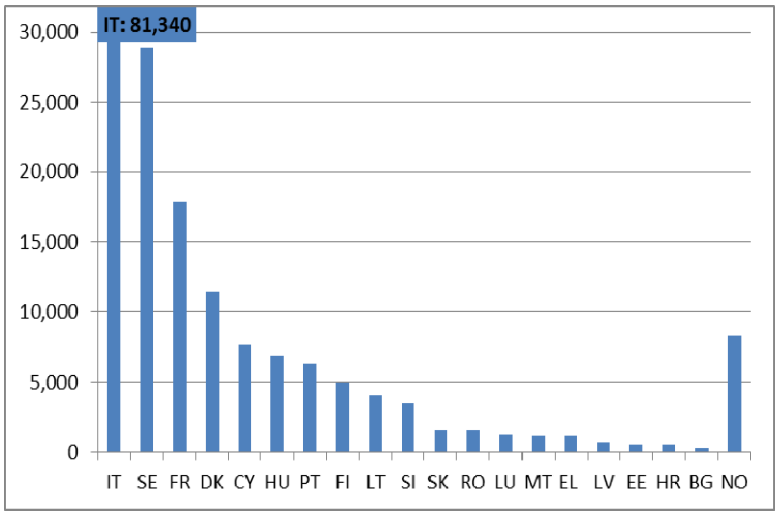
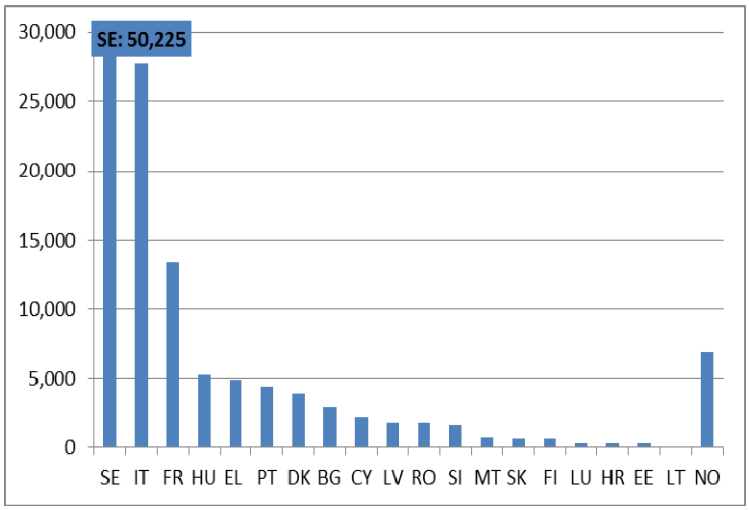


Figure 8d: Other reasons





Source: European Migration Network National Contact Points (EMN APR2013, Annex2).
Notes: Statistics are not currently available in AT, BE, CZ, DE, ES, IE. NL, PL, UK

6.1. Promoting legal routes to Europe – developing and implementing EU legislation

At EU level: After more than 3 years of negotiations, the co-legislators reached agreement on a Directive on Seasonal Employment. Once implemented, the Directive will allow employers to draw on a pool of seasonal workers in a responsible manner. Negotiations continued on the proposal of a Directive on Intra-Corporate Transfers, dating from 2010. The co-legislators reached common ground on a range of issues and have explored innovative solutions to the very specific issues facing this category of workers. In March 2013 the Commission furthermore issued a new proposal for a recast Directive on Students, Researchers, Au-pairs, un-remunerated trainees.

The monitoring of the implementation of existing legislation continued, such as the legislation on Long Term residents Directive, the new "Single Permit" Directive and the Family Reunification Directive. For the latter consultations took place in 2013 for the preparation of Guidelines on the implementation of the Family Reunification Directive, to help ensure a coherent and robust implementation across the EU.

6.1.1. Highly qualified workers - implementation of the EU Blue Card Directive

At EU level: The Commission's first report on Member States' implementation of the Blue Card Directive was adopted first semester 2014[88]. The report concludes that all Member States have now transposed the Directive and that all participating Member States are now in the position of delivering Blue Cards to third-country national applicants.

Twenty Member States were late in bringing the Directive into force by 19 June 2011. In five Member States the scheme was brought into force by the end of 2011. In the first half of 2012, nine more Member States brought the necessary legislation into force, while in 4 Member States it took until the second half of 2012 and in 2 Member States even until 2013. In Croatia, the necessary legislation entered into force timely on 1 July 2013.

Currently, the first available statistics are those for 2012 for 22 Member States. These show that 3 664 Blue Cards were granted in 2012 of which 2 584 were granted in Germany. Also, 146 Blue Cards were renewed and 1 withdrawn. Together with the Blue Card holders 1 107 family members were admitted and 108 residence cards for family members were renewed.

The top 10 countries of origin were India (699), China (including Hong Kong) (324), United States (313), Russia (271), Ukraine (149), Turkey (112), Egypt (105), Mexico (105), Syria (104), and Japan (93). The top 5 destination countries in 2012 were Germany (2 584), Spain (461), Luxembourg (183), France (126) and Austria (124).

As a result of the late transposition in most Member States the Blue Card scheme was only in force for a short time in 2012 in many Member States, often only a few months, if at all. In addition, it could be expected that it takes some time before potential applicants find their way to this new scheme. Consequently, based on the currently available statistics, it is not yet possible to draw conclusions on the effectiveness of the Blue Card scheme in attracting highly qualified third country nationals to the EU.

The Commission is continuing the assessment of Member States' implementation and is clarifying questions as well as potential cases of non-conformity with Member States prior to launching possible EU Pilots.

In October an EMN study entitled "Attracting Highly-qualified and Qualified Third-country Nationals" was issued, addressing the role of the EU Blue Card and the Researchers Directive, as well as issues such as brain drain and circular migration[89].

At national level: Many (Member) States invested efforts to attract highly qualified migrants as part of the global competition for talent (AT, BG, CZ, DK, EE, ES, HR, FI, IE, LU, LT, MT, NL, SE, SK, UK). Steps were undertaken to facilitate or simplify access to the labour market for highly qualified migrants by reducing administrative burden (AT, CZ, EE, ES, IE, IT, LT, LU, SI), implementing the EU Blue Card Directive (EL, HU, LT, PL, PT, SE, SI, SK); initiating projects aiming to educate employers on the EU Blue Card provisions (BG and LT); simplifying entry of family members of highly qualified migrants (EE, ES, LT) and organising conferences (AT, CZ, SK). Ireland and United Kingdom are not taking part in the adoption of the EU Blue Card Directive and are not bound by or subject to its application, also undertook measures to expand their existing migration routes for highly qualified migrants.

Austria, Estonia, Ireland, Italy, Lithuania, the Netherlands and Spain all facilitated highly qualified migrants' entry and stay by undertaking actions to reduce administrative burdens. In Austria,

[88] COM(2014) 287 final of 22.05.2014

[89] http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/attracting/emnsr_attractinghqworkers_finalversion_23oct2013_publication.pdf

pursuant to changes in legislation all groups of highly qualified workers are able to file applications for the "Red-White-Red Card" [90] also at Austrian representations abroad or through the prospective employer in Austria. [91] In Estonia and Lithuania, amendments were adopted to the Aliens Act introducing a separate category of highly qualified workers (classified as top specialists). The amendments also provided highly qualified workers, international students and researchers with the possibility to apply for a residence permit while already in Estonia, a right also extended to their family members. Italy has developed memorandums of understanding with employer associations with regard to the employment of highly qualified workers. In Ireland, a number of changes were made to the employment permits regime for highly qualified workers, including the opening of Green Card occupations to all sectors; an increase in the level of information and declaration rather than provision of documents to simplify application process and a reduction in advertising requirements prior to offering employment to third-country nationals. In the Netherlands, with the Modern Migration Policy Act taking effect in 2013, companies which were covenant holders as part of the Highly Skilled Migrants Scheme became recognised sponsors under certain conditions. Companies can apply to become a recognised sponsor.

A number of Member States (BG, HU, LT, PL, SE, SK) introduced provisions in their national legislation pursuant to the EU Blue Card Directive (2009/50/EC). Some Member States transposed or amended provisions on minimum wages and salary thresholds for highly qualified workers (LU, LT PL, SE). In Bulgaria, several projects aiming to educate employers in major cities on the EU Blue card Directive and its transposition into Bulgarian legislation were implemented. In Lithuania, according to data of the Lithuanian Labour Exchange, not all employers are aware of the new procedure in force in respect to highly qualified workers and in this respect, measures are planned to disseminate information to employers.

With regard to expanded existing migration routes for highly qualified migrants, Ireland opened its Green Card [92] occupations to all sectors and the United Kingdom expanded the Exceptional Talent route with new provisions for artists of exceptional talent.

With regard to planned measures, in Finland actions were planned to ensure effectiveness and flexibility of the permit system for highly qualified workers. Migration of skilled labour will be promoted by developing forecasts of labour needs and resources for targeted recruitment abroad. Similarly, Italy is also planning to develop further its visa policy as a strategic level to attract talent. In Denmark, the introduction of a simplified and more efficient procedure for obtaining residence and work permits was considered.

Attracting investors and/or entrepreneurs also remained on the political agenda in several Member States (CZ, EL, ES, IT, LT, UK). In the Czech Republic a project called "Welcome Package for investors" was launched in July 2013 aiming to facilitate the procedure for entry and employment of third-country nationals (managers, key specialists, statutory bodies), in conjunction with an investment in the Czech Republic. Lithuania prepared amendments facilitating admission and stay for aliens who made a substantial investment in Lithuania. Greece adopted provisions on the right of ten year residence in the country to TCNs, who are the legal representatives of strategic investments agencies or five years residence in the country for TCNs, who already possess or plan to invest in real estate in the country. The United Kingdom expanded the "Graduate Entrepreneur"

90 The Red-White-Red Card is issued for a period of twelve months and entitles the holder to fixed-term settlement and employment by a specified employer.

91 The possibility to apply for the "Red-White-Red Card" in Austria while regularly staying in the country remains unchanged.

92 The Green Card Employment Permit in particular, is designed to attract highly skilled people into the labour market with the aim of encouraging them to take up permanent residence.

route adopted by the Government and in Italy a policy plan "Destination Italy" was adopted by the Government to attract foreign investment and promote competitiveness of Italian companies, with special attention paid to addressing to human capital and the capacity to attract talent and highly qualified workers.

6.1.2. Intra-Corporate Transferees (ICTs)

At EU level: Negotiations[93] on the proposal for a Directive on Intra-corporate transferees continued throughout 2013 and resulted in a political agreement early in 2014. Once adopted, the new Directive will provide for a workable system for intra-EU mobility — which is of particular importance to this category of employees — and the rights and working conditions of intra-corporate transferees.

At national level: Some Member States reported on actions with regard to measures to facilitate access to intra-corporate transferees. These actions included legislative measures (ES, HR, LT and UK) and projects aimed at accelerating the procedure for intra-corporate transfers of foreign investors' employees (CZ, PL). Whilst a relatively small number of Member States undertook developments in this area during the reference period, seven Member States reported that they were planning to implement new measures in the future (EE, FR, IT, LV, NL, SK).

With regard to regulatory measures, under the Protocol on the Accession of the Republic of Croatia to the Marrakesh Agreement establishing the World Trade Organization, Croatia introduced measures allowing third-country nationals transferred as part of internal staff relocation inside companies to be issued a residence and work permit outside the annual quota. Under deregulation measures, and in response to business representatives, in United Kingdom, the English language requirements for intra-corporate transferees extending their stay beyond three years were removed.

In Czech Republic and Poland, projects were initiated aiming at accelerating the procedure for intra-corporate transfers of foreign investors' employees. In the Czech Republic, the project "Fast Track" aimed to streamline the procedure of entry and employment of third country nationals under intra-corporate transfers (posting of employees - managers, key specialists), thus providing the Czech Republic with enough skilled workforce to maintain and increase its competitiveness. In Poland, the National Labour Inspectorate participated in an international project "The posting of workers: Development of cooperation between the bodies of public authorities and social partners" which was implemented between July 2012 and June 2013 under the coordination of the French National Institute for Labour, Employment and Vocational Training (INTEFP). The aim of the project was to develop cooperation tools between public authorities and social partners of the EU Member States to increase the effectiveness of protection of workers posted to temporary performance of work abroad in two sectors, construction and agriculture. In December 2013, the National Labour Inspectorate launched a new project, similar to the previous one, entitled "The posting of workers. Learning through Action".

Several Member States (EE, EL, FR, IT, LV, NL, SK) reported on planned measures, anticipating the adoption of the Intra-Corporate Transferees Directive, and undertaking measures at national level in this respect. In Italy, for example, this entry channel attracted special attention from institutions striving to guarantee efficient entry procedures for intra-corporate transferees, also considering the upcoming labour demands of the Expo 2015.[94] Latvia is planning to analyse the

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93 COM(2010)378. See EP Legislative Observatory : Inter-institutional reference 2010/0209(COD)

94 The Expo is a non-commercial Universal Exposition (not a trade fair) organized by the nation which wins the candidature, with other countries participating through the diplomatic channels of the hosting nation. http://en.expo2015.org

national framework for intra-corporate transferees as part of the development of "Immigration Concept" strategy.

6.1.3. Seasonal workers

At EU level: 2013 was a year of intensive negotiations on a new *Directive on seasonal employment*, with political agreement between co-legislators reached in November after three and a half years of negotiations[95]. The Directive was adopted in February 2014. This is the first directive addressing circular migration, meaning migrants coming to the EU for short periods and going back to a third country after the end of the contract. This is also the first legal migration directive mainly addressed to low-skilled migrants. Once implemented into national law, by August 2016 at the latest, seasonal workers will enjoy equal treatment with nationals of the host Member State in terms of employment and working conditions. Member States will have to check their access to appropriate accommodation. More controls will reduce the risk of irregular employment and exploitation in a particularly vulnerable group.

At national level: Some Member States reported on actions with regard to measures to facilitate access to seasonal workers. Predominantly, Member States were awaiting the adoption of the Seasonal Workers Directive to undertake measures at national level in this respect. (DE, EE, EL, IE, FR, LV, NL, SK)

Italy reported on measures with regard to quotas for seasonal workers. In Italy, the annual quota was set at 30 000 seasonal workers from third countries which are signatories of cooperation agreements.

Italy and Poland reported on regulatory measures to facilitate access to seasonal workers. In Italy, a circular was adopted regulating to the possibility of converting residence permits for seasonal work into subordinate employment. In Netherlands, some provisions of the Modern Migration Policy Act 2013 concern seasonal workers. In particular, employers have to become legal sponsors of seasonal workers by submitting an application to the Immigration and Naturalisation Service (IND) which entails employers have more responsibilities with regard to administration and information requirements. Poland reported that Armenian nationals are entitled to work in Poland on simplified principles, under the conditions of the EU Mobility Partnership agreed with Armenia. As of 2014, Armenians are able to work in Poland for six months during any subsequent 12 month period without the need to apply for a work permit. These conditions are already permitted to the citizens of Russia, Ukraine, Belarus, Georgia and Moldova.

6.1.4. Students and researchers

At EU level: A new proposal[96] for a recast of the legislation on the rules for the *conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing* adopted by the Commission in March 2013, has been discussed extensively with Member States (at Working Group level) and the European Parliament. The EP adopted its first reading position which takes a very favourable stance on the proposal. The Council is yet to adopt its position. Compared to the

[95] Directive 2014/36/EU on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers, OJ L94, 28.03.2014, p.375-390.

[96] COM(2013)151 final of 25.03.2013 See EP Legislative Observatory : Inter-institutional reference 2013/0081(COD)

currently-existing rules the proposal contains clearer admission conditions and procedural guarantees, an increased coherence with EU mobility programmes, and gives students more opportunities to seek work during and after their studies. It also aims to provide better protection and to address certain rights of equal treatment with nationals.

At national level: Over half of all Member States, plus Norway, implemented new measures to further facilitate the entry, stay and conditions of students and researchers (AT, BE, DK, EE, FI, FR, HU, IE, IT, LV, LU, LT, MT, NL, PL, SK, UK, NO). These changes included the implementation of national strategies to attract international students and facilitate mobility (BE, FI, LV); legislative measures to facilitate the reception of students (BE, EE, IT, UK); implementation of grants and funding opportunities for international students (BE, IE, LT and MT); provision of information and information campaigns to international students (AT, IT, LT, PL); measures to facilitate access to labour market of international students after graduation (EE, IE, IT, LT, SE, SK, UK); bilateral agreements (LV, PL) and a consular mission (LV).

With regard to the implementation of national strategies to attract international students, Finland set out in the government's Structural Policy Programme the important role of such students to strengthen conditions for economic growth. The Programme states that prerequisites will be improved for international students to remain in Finland after gaining a qualification, providing an extension of the duration of a study permit granted after graduation as well as through the provision of teaching in Finland's national languages. In Latvia, the National Development Plan 2014-2020 adopted measures to support the 'export' of higher education and the Declaration of intended activities of the Cabinet of Ministers includes a target set for the number of international students, to reach 10% of the total number of students by 1st September 2014.

Legislative measures were adopted to further facilitate the reception of students (EE, IT, NL, UK) In Estonia, the Aliens Act was amended with the aim to simplify the entry of highly-skilled specialists and international students. International students will be allowed to work without a separate work permit and can stay in Estonia up to six months after finishing their studies. In the Netherlands, pursuant to the Modern Migration Policy Act, educational institutions have legally become sponsors of international students.

With regard to grants and funding opportunities, Ireland launched international scholarships to strengthen links with emerging markets such as China, India and Brazil. In Lithuania, grants were allocated to international students for Lithuanian (Baltic) studies as well as to support postgraduate studies in Lithuania of citizens from Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan and Ukraine. In Malta, a number of targeted government schemes are designed to provide financial support to students.

Several Member States introduced measures to facilitate access to labour market of international students after graduation (BE, EE, IE, IT, SE, SK, UK) In some Member States national legislation was introduce or amended to allow international students to stay for a certain period of time in order to look for employment after finishing their studies. (EE, IE, SK). This period amounted to six months in Estonia, 30 days in Slovak Republic, one year in Italy and twelve months of those at level 8 or above and six months for those with level 7 of the National Framework of Qualifications in Ireland. In Belgium, pursuant to legislative amendments in 2013, students who studied in other Member States and seek to do a traineeship in Belgium are exempted from the need for a labour permit. The United Kingdom introduced a new provision to allow up to 2 000 international MBA graduates and elite global graduate entrepreneurs to switch into the Tier 1 graduate entrepreneur route and international students completing a doctorate to remain in for 12 months to look for skilled work or set up as an entrepreneur. In Lithuania a draft law proposed to extend the possibility for international students for another six months after completing their studies. Similarly,

in Sweden, proposals for legislative changes are under review including a proposal for international students to be allowed to stay in Sweden for a period of time after finishing their studies to seek work. On 12 December 2013, Polish Parliament adopted a new Act on Foreigners, entering into force on 1 May 2014, and extending residence permits for the students for a 1 year period in order to seek employment after the graduation.

Dissemination of information and information campaigns were initiated in Austria, Belgium, Ireland, Italy and Poland. In Austria, two information brochures targeting international students were published.[97] The "Study in Italy" web-site provides information to assist enrolment of international students. In Belgium, in addition to the expansion of the website of the Federation Wallonia-Brussels[98], targeted leaflets for Chinese, Brazilian, and Japanese students were produced.

Latvia and Poland concluded or were in the process of concluding bilateral agreements concerning cooperation in education and science. Latvia signed agreements with Kazakhstan, Turkmenistan and India and was in the process of concluding agreements with Armenia, Georgia, the Philippines and Sri Lanka. Poland signed a bilateral agreement concerning a programme of cooperation with Mongolia and was in the process of concluding 13 bilateral agreements in the domain of science and higher education.

In Latvia, to facilitate admission of foreign students from third countries, the Ministry of Foreign Affairs organised a consular mission to India to interview students for visa applications.

With regard to researchers, several Member States undertook new measures to further facilitate the reception of researchers (AT, EE, HR, IT, LT, LV, NL). In Austria, following legislative amendments, under certain conditions university assistants can apply for the "Red-White-Red Card" as highly qualified workers, which allows them to stay for a longer period and to pursue employment outside the scientific sector. In Estonia, pursuant to legislative amendments to the Aliens, third-country nationals working as teachers, lecturers or researchers are not required to submit documents certifying their qualification in the area of specialisation when applying for a residence permit. Italy, after having simplified the entry of researchers (who are not subject to quotas), has financed several mobility projects for researchers through bilateral scientific protocols. Latvia has recognised that there is an ongoing issue of the ageing of its scientific staff, which is forecast to cause staff shortages by 2020, and has been the driver to attract scientists from third countries. Lithuania prepared amendments to further facilitate the entry and stay conditions for researchers and teachers by issuing a temporary residence permit valid for a longer period and simplifying reunification with family members. Provisions to facilitate family reunifications were implemented also in Estonia.

6.1.5. The "Single Permit" Directive, simplified procedure and equal rights extended to a wider group

At EU level: Directive 2011/98/EU on a *single application procedure for a single permit for third country nationals and equal rights to third country workers*[99], had to be transposed by 25.12.2013. By end 2013, eight Member States had completely transposed the Directive, and 6 had partially transposed. Early 2014 the Commission initiated infringement procedures for Member States who had not notified any legislation. A conformity assessment of the Directive is foreseen to start in the first half of 2014.

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97 Information brochures "Studying and Working in Austria" and " Guide to Entry and Residence Requirements for Foreign Students"

98 Wallonia-Brussels Campus - www.studyinbelgium.be

99 OJ L343, 23.12.2011, P.1.

In addition to simplifying the procedure to one application only for both work and residence, which shall not be included in one single permit, the Directive also specifies that equal treatment compared no nationals shall be granted to all third country workers, including those being granted national work permits. This will further extend the rights to equal working conditions, such as pay and dismissal, and it will ensure equal access to all branches of social security. This will help prevent social dumping and exploitation of third-country workers in the EU.

At national level: As a result of the transposition of the Single Permit Directive (2011/98/EU), a number of Member States have now introduced a single application procedure to simplify access and reduce administrative burden for economic migrants (for example, AT, BG, DE, EE, HU, LU, PL, SI, SK). Germany adopted amendments to the Law on the Improvement of the Rights of Beneficiaries of International Protection and Foreign Workers in August 2013, effectively transposing the Directive. Luxembourg transposed the Directive in June 2013, but since national legislation had already introduced the single permit for salaried workers, only slight further modifications were made. These included the reduction of the deadline for processing an application to 4 months and the requirement that the applicant's authorisation to work should appear on all the residence permits issued to third country nationals, regardless of their category. Czech Republic and Poland reported that the provisions transposing Directive 2011/98/EU will enter into force as of 2014. Pursuant to the amended provisions, migrant workers will be covered by the legislation concerning some branches of social security, including unemployment benefits, family benefits and social pensions. Slovenia introduced the "all in one place" administrative principle which unifies administrative procedures into one office and allows third-country nationals to receive, at the same time and in a single document, a work and a residence permit when they apply for working reasons. The "all in one place" administrative principle was further introduced by Austria, where the amended provisions, as laid down in the Settlement and Residence Act, entered into force as of 1 January 2014. In the Slovak Republic, the amended Act on Residence of Aliens pursuant to Directive 2011/98/EU will enter into force as of 1 January 2014. In Poland the "Single Permit" Directive was implemented by new Act of 12 December 2013 on Foreigners. The Act will enter into force on 1 May 2014, except for provisions with regard to the Act of 12 October 1990 on the Border Guard, which entered into force on 30 December 2013. Romania has notified partial transposition of Directive 2011/98/EU taking into account that the purpose of the directive was already accomplished by the existing legislation and the provisions fully transposing Directive 2011/98/EU will enter into force as of 2014.

6.1.6. Family Reunification

At EU level: In follow-up to the 2011 Green Paper on the right to family reunification[100], the Commission has prepared guidelines to provide guidance to Member States on how to better apply Directive 2003/86/EC. The aim of the guidelines is (1) to clarify the issues identified in the implementation report and during the public consultation following the Green Paper, (2) to ensure a transparent and clear understanding of family reunification rules and common standards at EU level, and (3) to contribute to the coherent application of these rules across Member States. The guidelines intend to balance the right to family reunification, stemming from the fundamental right to family life, with a need to ensure that this right is genuinely applied according to the rules of the Directive, and support Member States to fight possible misuse. The guidelines were adopted as a Commission Communication in April 2014.[101]

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100 Green Paper on the right to family reunification of third-country nationals living in the European Union (Directive 2003/86/EC), COM(2011) 735 final.

101 COM(2014) 210 of 3.4.2014.

At national level: Changes in policy or legislation regulating family reunification have occurred in 10 Member States (BE, DE, DK, EL, IT, LV, LT, LU, NL, SE, SI, SK, UK) and Norway. In the majority of cases (DE, DK, IT, LV, LT, NL, SE, SI, SK) changes did not consist of significant revisions to existing legislation or policy, but represented amendments to existing laws with the aim of extending the category of individuals as beneficiaries of family reunification or introducing more favourable provisions. Other Member States strengthened rules to fight misuse of the right to family reunification (BE, UK, NO). Requirements on integration vary across Member States, for example, Germany applies a pre-entry language test to spouses, while Italy does not make family members' capacity to integrate or their linguistic knowledge a requirement.

The grounds for introducing more favourable provisions resulted from the need to modify certain rules to extend the right to family reunification (LV, SI) and ending potential discrimination (BE), to eradicate loopholes and/or to simplify national legislation (DE, NL and IT). In some cases, change was driven by a national case law finding aspects of a rule discriminatory and / or prejudicial to the right to family life (BE, IT) or in response to new EU jurisprudence (LV, LT). In Sweden, Slovenia, Slovak Republic and also in Italy new provisions were introduced, aimed at improving the rights and promoting integration of family members of third-country nationals, while in the United Kingdom and Norway the rules were strengthened and checks improved to prevent misuse of the right to family reunification. These changes suggest that the trend in the majority of (Member) States has been towards reinforcing the application of the right to family reunification by means of specific amendments, and to prevent misuse of the legislation as an irregular migration channel.

Looking at specific cases, Belgium planned to introduce minor changes to its legislation following a ruling given by the Constitutional Court that annulled some provisions concerning family reunification of EU/Belgian citizens. Changes include, *inter alia*, an exception to the age requirement of 21 years applying to both EU citizens and their partners, and an exception to the income requirement applying to Belgian citizens to be joined by their minor children. A new law introduced in Germany allows minors (under 18) under shared parental custody to be reunited with a parent in Germany when one parent still resides in the country of origin, providing the reunification is agreed by both parties or decided by the competent authority. In Greece, in relation to new provisions on the issuance of the residence permit for legal representatives of investment agencies and real estate investors, family members may accompany them on a personal residence permit expiring on the same date as their sponsor's. Italy introduced a law which includes the category of civil partners of EU citizens within the category of family member of EU citizens, providing that the relationship is documented and stable. Furthermore, the Italian Constitutional Court delivered a judgement that extends protection from return to third-country nationals who, despite having not exercised their right to family reunification, have lived in Italy with their families and therefore hold strong family links in Italy.

Luxembourg introduced a specific residence permit for "private reasons" which allows, under specific conditions, the reunification of family members of third-country nationals who have obtained a work permit under new rules introduced following the transposition of the Single Permit Directive. Under its rules on international protection, Slovenia plans to adopt in 2014 several measures to facilitate family reunification, among these, the possibility to lodge a residence permit application for family members within 90 days of being granted a status. Denmark has adopted an exception to the revocation of residence permits issued under family reunification to a third-country national spouse in cases where the cohabitation ended as consequence of domestic abuse. This change aimed to avoid third-country nationals feeling obliged to stay with a violent spouse/partner due to fear of losing his/her residence permit.

6.2. Economic migration and trade related mobility

At EU level: The European Union has been facing for some time now significant challenges related to the lack of growth, gaining access to needed skills, the deepening of labour market shortages in certain areas, as well as the impact of an ageing population on productivity and competitiveness. Several initiatives in 2013 looked at the contribution of migrants to economic growth, and put forward evidence confirming the benefit of a well-managed migration[102].

The European Migration Network (EMN) published two studies in relation to economic migration. The EMN study on "Intra-EU mobility of third country nationals", including intra-EU mobile third country workers was published in July and analysed the implementation of intra-EU mobility under EU law and identified a number of practical obstacles. The EMN study "Attracting Highly Qualified and Qualified Third-Country Nationals to the EU", published 25 October, gave an overview of selected Member States' policies in this field. It also showed the impact of EU *acquis*, in particular in Member States which previously did not have policies or measures specifically aimed at attracting (highly) qualified third-country nationals. In December EMN also launched a new study on "Business-related immigration to the EU: Attracting immigrant investors and entrepreneurs and facilitating trade-related mobility".

The Commission joined forces with the Organisation for Economic Cooperation and Development (OECD) in two consecutive projects. The first project on "*Matching Economic Migration with Labour Market Needs*" had as an aim to identify policies and practices required to ensure that migration can effectively respond to labour market needs over the short-to-medium term (2020 horizon). It produced a series of studies aimed at analysing the challenges related to an efficient matching of immigrant skills to labour market needs, as well as policy recommendations. The second project,[103] which will run in 2014 and 2015, aims to assess to which extent the EU, as a destination region for labour migrants from outside the Union, can compete on the global labour market for skills, and to which extent EU policy instruments have helped to foster EU attractiveness. On 11 December 2013, the Commission published a call for proposals containing a research topic on "The European growth agenda (EURO-2-2014)", with a specific research dimension on *Migration, prosperity and growth*. The call is part of *Societal Challenge 6 – Europe in a changing world – Inclusive, Innovative and Reflective Societies* of Horizon 2020, the new Framework Programme for Research and Innovation.

6.2.1. Satisfying labour market needs

At national level: Seventeen (Member) States (AT, BE, BG, CZ, DE, EE, HU, GR, IE, IT, LT, NL, MT, PL, PT, UK and NO) amended or introduced changes in their approach to labour migration, and several trends can be identified in national labour migration policies in 2013. Most notably, (Member) States have adopted managed labour market policies to address skill shortages (CZ, DE, EE, LU); to strengthen the knowledge economy by attracting highly qualified migrants (CZ, EE, ES, IT, LU, NL, PT); to increase labour market participation and tackle high unemployment rate of

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[102] Inter alia, a workshop organised by the European Policy Centre on *Skills mismatch and shortages in Europe: A need for increased labour mobility?* (28 February 2013), a publication by the Centre for European Policy Studies on *Social Benefits and Migration – A contested relationship and policy challenge in the EU* - http://www.ceps.eu/book/social-benefits-and-migration-contested-relationship-and-policy-challenge-eu ; two OECD-EC joint projects "*Matching Economic Migration with Labour Market Needs*" completed in 2013, and a 2 year project launched in 2013 *"Review of Labour Migration Policy in Europe"*.

[103] Review of Labour Migration Policy in Europe.

resident third-country nationals (IT and NO); to regulate labour market access by adopting or amending quotas (HR, IT); to control access to the labour market in order to address mis-use (SE and NO) and to regularise status for individuals residing without authorisation (IT,LU). Efforts were also invested in simplifying access to the labour market and reducing administrative burdens. (CZ, DE, EE, LT, LU, NL, PL). In Italy and Norway, high unemployment rates of resident third-country nationals when compared with the national population necessitated the adoption of strategies to increase the labour market participation of migrants. In Italy, it was estimated that over 350 000 third-country nationals were seeking employment. A package of measures was adopted to promote employment, improve the functioning of the labour market and support vulnerable groups. Conversely, other (Member) States, such as Lithuania, experienced labour shortages in particular sectors and issued more work permits to third-country nationals in 2013 as a result of the recovering economy and an increasing number of vacancies.

With regard to addressing skill shortages, some (Member) States have undertaken labour market analyses and adopted lists of shortage occupations (AT, DE, IE, IT, LT, MT, PL, UK). In Germany, a white list of occupations is compiled on the basis of the Federal Employment Agency's established semi-annual analysis for professions characterised by skills shortages. Occupations which featured in the white list included health care and general caring; mechatronics and electrical engineering and occupations in facility management. In Lithuania, the occupation lists included professions mainly in the field of transport (international freight drivers). In Ireland, a bi-annual review of the lists of shortage occupations included highly skilled occupations, such as those in the ICT sector.

In Belgium, institutional changes are introduced, shifting the regulatory competence for work permits from federal to regional level, a move which aims at providing the regions with the necessary powers to fully integrate labour market policy at that level. Many (Member) States invested efforts to attract highly qualified migrants as part of the global competition for talent (CZ, DK, EE, ES, IT, LT, LU, MT, NL, PT). Steps were taken to facilitate or simplify access to the labour market for highly qualified migrants by reducing administrative burdens (CZ, EE, ES, IT, LU, PT), introducing a single residence and work permit (CZ, ES, SI); and simplifying entry of family members of highly qualified migrants (EE, ES, LT). Poland added Armenian nationals to the list of third-country nationals (Russia, Ukraine, Belarus, Georgia and Moldova) who are entitled to work in Poland on simplified principles.

Others undertook measures to facilitate and simplify access to labour markets (AT, CZ, FR, HU, NL, PL, RO). In Austria, a combined residence and work permit was created for the holders of the "settlement permit" and the "residence permit – artist". In France, the requirements of the labour market test were liberalised to facilitate employment of third-country nationals and in the Netherlands, the Modern Migration Policy Act became effective in June 2013, which simplified and accelerated procedures for obtaining residence permits, whilst maintaining the restrictive policy regarding lower skilled labour migration. In Romania a guide for third country nationals who intend to establish or already are in Romania for work purposes was revised and updated.

With regard to regulating access to the labour market, several Member States reported on introducing or updating their annual quotas (HR, IT, UK). In Italy, the annual immigration quotas were set at 17 850, shared across various categories, but with the majority reserved for the conversion into permits for autonomous and/or subordinate labour of other types of permits. Other categories include pre-departure training programs, autonomous workers, seasonal workers and for vocational training purposes.

In 2013, Sweden reviewed the possibility of introducing stricter control measures with the aim to address misuses by employers and to prevent exploitation of migrant workers. Lithuania considered

introducing stricter requirements for issuing temporary residence permit to third-country nationals in engaging in lawful activities in order to prevent establishment of fictitious enterprises with an aim of obtaining a temporary residence permit and moving freely within the Schengen area.

In Luxembourg, a regularisation measure "Single Regularisation Process" was implemented in the beginning of 2013. The regularisation targeted third-country nationals residing without authorisation in Luxembourg to apply for a residence permit as salaried workers. Regularisation was granted to 512 third-country nationals in terms of obtaining a temporary residence permit.

6.2.2. Skills Recognition and labour matching

At national level: Many (Member) States undertook actions to improve skills recognition, such as facilitating and enhancing validation procedures (AT, BE, ES, FI, LU, SK, NO), shortening the recognition procedure (AT, BG, PT), increasing information provision (AT, CZ, DE, PT, SE) and changing the institutional framework (PL, SE). The main driver for the introduction of new measures has been recognition of employers' lack of knowledge with regard to the comparability of foreign educational qualifications and work experience.

With regard to facilitating and enhancing validation procedures, several (Member) States further developed procedures and frameworks for skills recognition. In Austria, a 5-point programme introduced in 2012 to facilitate skills recognition of university graduates from third countries showed positive results in terms of increased efficiency and turnaround of assessed qualifications. In Finland, a new competence-based framework for recognition is planned which will include existing competencies, language skills and vocational skills of migrants. Portugal has implemented a specific measure envisaging at improving recognition of skills by simplifying the administrative procedures, providing information to the public and a database containing all equivalences of higher education diplomas recognized by Portuguese universities.

Actions to increase information provision included updating information on web-sites (BE, PL, SE), establishing regional contact points to provide counselling (AT), developing communication strategies for target groups (BE) as well as cooperating with other Member States and exchange of information within the ENIC/NARIC networks (BE, BG, PL, SK). In Sweden, a new agency, the "University and Higher Education Council" began operations at the start of the reference year, with the aim to facilitate more coherent validation and to help skilled migrant job seekers to find employment in their respective professional fields.

With regard to improved labour matching, (Member) States introduced a number of new activities (AT, CZ, DE, FI, HU, IT, LU, PL, PT, SE and NO). Most notably, specialised platforms and databases were developed in Czech Republic, Germany and Sweden. A centralised database which includes information from all Labour Offices in the Czech Republic is available in English and Ukrainian. In Germany, the web-portal "Make it in Germany" provides information on the living and working conditions in Germany as well as the conditions for legal entry and employment. Portugal created a database of information on migrants with higher-level qualifications that can be cross-checked against information held on labour market needs and training opportunities. Other activities included a project to create an interactive mobile application on the living situation and employment of migrants (CZ). In Norway, the project "New Chance" helped migrants who have been out of the labour market over long periods of time and economically inactive migrant women to improve their skills and find employment. An economic analysis of participants in the programme showed that overall it contributed to increased employment of the target groups as well as increasing the labour market participation of their children, facilitated the transition to other projects or education, and helped to increase community understanding. In Poland, a new monitoring system for skills shortages and redundancy of the local labour market aiming at better identification of the labour market demand was in the process of development in 2013.

6.2.3. Developing migrants' entrepreneurship and trade related mobility

At EU level: The EU has publicly recognized the key contribution that migrant entrepreneurs can make to sustainable growth and employment, and has suggested possible initiatives to be taken both at EU and national level in the Entrepreneurship 2020 Action Plan[104], adopted in January 2013. The Action Plan is a blueprint for decisive action to unleash Europe's entrepreneurial potential, to remove existing obstacles and to revolutionise the culture of entrepreneurship in Europe. Furthermore, the European Agenda for the Integration of Third-Country Nationals[105] stresses the important role of migrants as entrepreneurs and states that "their creativity and innovation capacity should also be reinforced".

Immigrants can significantly contribute to the entrepreneurial development of a country. 52% of start-ups created in Silicon Valley between 1995 and 2005 were initiated by migrants. According to the OECD, migrants are more entrepreneurial than natives and a foreign-born self-employed person who owns a small or medium firm creates between 1.4 and 2.1 additional jobs[106]. Migrants represent an important pool of potential entrepreneurs in Europe. However, today European migrant businesses are mainly micro-businesses with no or very few employees.

Further, joint discussions between trade and home affairs experts on movement of natural persons supplying services (so called "mode 4") were organised in December 2013, which aimed at identifying how to better apply various policy tools to enhance the use of the provisions on mobility of highly qualified professionals in the EU free trade agreements.

At national level: Attracting investors and/or entrepreneurs also remained on the political agenda in several Member States (CZ, EL, ES, IT, UK). In the Czech Republic a project called “Welcome Package for investors” was launched in July aiming to facilitate the procedure for entry and employment of third-country nationals, in conjunction with an investment in the Czech Republic. Greece adopted provisions on the right of ten year residence in the country to TCNs, who are the legal representatives of strategic investments agencies or five years residence in the country for TCNs, who already possess or plan to invest in real estate in the country. The United Kingdom expanded the “Graduate Entrepreneur” route adopted by the Government and in Italy a policy plan “Destination Italy” was adopted by the Government to attract foreign investment and promote competitiveness of Italian companies, with special attention paid to addressing to human capital and the capacity to attract talent and highly qualified workers.

In October 2013 the Netherlands introduced a new admission scheme for investors from third countries who want to invest at least EUR 1.250.000 in a company in the Netherlands, with the overall aim of increasing employment and/or innovation.

6.2.4. Cooperation with partner / third countries for economic migration

At EU level: The issue of legal migration and mobility, including labour migration, continued to be an integral part of the EU's cooperation with third countries and a key area of the EU's external migration policy, as defined through the Global Approach to Migration and Mobility (GAMM). Its policy priority of "better organising legal migration and fostering well managed mobility" is one of

104 COM(2012) 795 final

105 COM(2011) 455 final and SEC(2011) 957 final

106 OECD(2010), Open for Business; Migrant Entrepreneurship in OECD Countries, OECD Publishing, http://dx.doi.org/10.1787/9789264095830-en.

the four priority areas of the GAMM. Furthermore, in the Communication on Maximising the Development impact of Migration of 21 May 2013, the Commission commits itself to, *inter alia*, strengthen migration governance and cooperation in and between developing countries, in particular at regional level, to improve development outcomes for countries of origin, transit and destination. In this context, the Commission will support capacity building in all relevant areas, including by sharing its expertise on protecting migrants' human rights, integration, labour migration systems, tackling human smuggling and trafficking, etc.

At national level: Several Member States reported specifically on their continued participation in the EU Mobility Partnerships including those in the East and South of Europe: Moldova (RO, SE), Georgia (BE, CZ, DK, NL, SE), Armenia (BE, CZ, NL, PL), Azerbaijan (CZ, LT); and Africa: Morocco (DE, ES, IT, NL, PT, SE, UK) and Cape Verde (LU, NL, PT). Luxembourg and the Netherlands specifically reported on participating in the joint European project "Capacity Building of Cape Verde in managing migration". Sweden and United Kingdom reported on their work in the framework of the planned Mobility Partnership with Tunisia.

With regard to bilateral agreements, several Member States reported on activities establishing or strengthening links with third countries for the purpose of promoting working holiday schemes (WHS) (ES, HU, PL, SE, SK), legal labour migration (IT, LU, PT, RO), establishing social insurance arrangements (BG, PL, SK) and to addressing issues of legal and irregular migration with specific countries / regions (UK). Hungary reported on bilateral contracts with third countries concerning legal migration through WHSs[107], completing a contract with Republic of Korea in 2013 and negotiating WHS agreements with, Argentina, Australia, Canada, Chile and Japan. In 2013, Poland signed a WHS agreement with New Zealand.

Italy signed agreements on the regularisation and management of labour migration with Egypt, Albania, Moldova, Morocco and Sri Lanka, and, finalised agreements with six other countries: Bangladesh, the Philippines, Ghana, Tunisia and Peru. Agreements are also being negotiated with India, China, Ecuador, Ukraine and Russia. In addition, Italy launched a bi-annual project to facilitate the effective management of circular migration between Mauritius and Italy. This initiative, which was launched in January 2013 and will be completed by December 2014, includes informative activities and training provision to Mauritian administrative agencies as well as pre-departure training of workers[108.] Luxembourg is in the process of negotiating a bilateral agreement with Cape Verde on the joint management of migration flows and supportive development. Poland concluded a bilateral social insurance agreement with Moldova[109]. The agreement provides for summing up insurance periods completed in both Poland and Moldova when calculating the amount of retirement or pension benefits and the payment of such benefits when living in any of the states concerned. Portugal (in partnership with the Centre for Migration Policy Development - ICMPD) concluded a project in 2013 which provided training and analytical skills for managing the curriculum and legal framework regarding migration from Moldova and Georgia. In addition, cooperation on issues related to labour migration is under negotiation with India. During 2013 Romania initiated negotiations with Israel regarding the conclusion of a bilateral agreement in the area of labour force mobility, and established the implementation of the Agreement with Israel in the field of social security.

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107 The Working Holiday Scheme with third countries allows young people aged between 18 and 35 years old to travel and work in each other's territory for a set period of time each year.

108 http://www.integrazionemigranti.gov.it/Progetti-iniziative/Documents/JD%20Mauritius.pdf

109 Moldova has signed separate bilateral social security agreements with Austria, Belgium, Bulgaria, Czech Republic, Estonia, Hungary, Luxemburg, Portugal, Poland and Romania. Currently Moldovan authorities are in process of negotiating agreements with Latvia and Lithuania.

6.2.5. *Efforts to mitigate 'brain drain'*

At EU level: The Commission analysed the implementation of the EU Blue Card in 2013[110], including the provisions foreseen therein on ethical recruitment from third-countries in sectors suffering from a lack of personnel, by protecting human resources in developing countries. One finding was that few Member States had transposed this safeguard into national legislation. The EMN study on "*Attracting Highly-qualified and Qualified third –country nationals*"[111] found that most of the Member States do not address the issues of brain drain and brain circulation in their national policies to attract (highly) qualified third-country nationals. The focus of their policies is to find the most qualified and to encourage their long-term settlement. In Member States where the issue of brain drain is specifically addressed, this is done through national legislation and/or bilateral agreements. The issue of brain circulation is addressed mainly through projects implemented jointly in the Member State and in a third country.

At national level: Ongoing measures to mitigate brain drain were reported in five Member States (BG, CZ, DE, IT and UK). Specific measures were reported by Germany, Italy and United Kingdom with regard to the healthcare sector. Italy continued to promote an approach that is based on safeguarding health and reinforcing public health systems in developing countries. In Germany, an Employment Ordinance imposed a ban on the private placement and recruitment of health personnel from 57 countries suffering from skills shortages in this sector according to the WHO Global Code of Practice on the International Recruitment of Health Personnel. United Kingdom is committed to an ethical approach to recruiting healthcare professionals, which is formalised in the Code of Practice for the International Recruitment of Healthcare Professionals.

In Bulgaria, Germany and Italy efforts were also made to encourage circular migration to address labour shortages in key sectors through the implementation of specific projects and programmes. In Bulgaria, efforts were made to encourage employers to apply ethical recruitment approaches when targeting economic sectors in countries of origin that might be at risk of skills shortages in order to avoid creating workforce deficits in these countries.

Germany promoted the transfer of knowledge and the fight against brain drain from developing countries under the programme "Returning skilled labour". The programme includes personal counselling on return and career planning, assisting in finding a job and providing financial subsidies. In the Czech Republic, the Central European project "Regions benefiting from returning migrants" (Re-Turn) was implemented to create framework conditions for retaining human capital and to counter brain drain. The project aims to bring the topic of return migration on the political agenda, providing an account of the extent of return migration, competences and needs of returning migrants as well as concrete measures to promote remigration as a source to foster knowledge development. The online platform innovitalia.net was set up in Italy to facilitate a two-way exchange between national and international researchers, to maximise the benefits of international contact for mutual gain.

6.2.6. *Efforts to avoid 'social dumping'*

At EU level: In 2013 the so called "Single Permit Directive" (2011/98/EU) became operational. It is intended to bridge a "rights gap" regarding third-country workers as opposed to own nationals, granting them employment-related rights (e.g. working conditions including pay, access to vocational training and core social security benefit) comparable to own nationals. The Directive

110 COM(2014)287 final of 22.05.2014

111 http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/attracting/emnsr_attractinghqworkers_finalversion_23oct2013_publication.pdf

recognizes that third-country workers contribute to the European economy through their work and tax payments. It can also help reduce unfair competition emanating from this rights gap, thus serving as a safeguard for EU citizens by protecting them from cheap labour and migrants from exploitation. In addition granting a common set of rights in Community law would create a level playing field within the EU for all third-country nationals legally working, irrespective of the Member State in which they stay. The Commission is closely monitoring the implementation of this Directive, as well as other Directives providing equivalent rights such as the EU Blue Card Directive (2009/50/EC) and the Long-term residents Directive (2003/109/EC), as amended. The correct implementation of the Employers Sanctions Directive (2009/52/EC) is also a key priority to address the issue of exploitation of irregularly staying migrants.

At national level: Several (Member) States reported that they had adopted measures to prevent or address social dumping. Specific actions included (proposed) changes in legislation on equal treatment (AT, CZ, IE, UK); information provision to third-country nationals (AT, FI); enhanced inspection measures (CY, CZ, HU, LT, NL, PL, PT, SK and NO); measures for setting the terms of employment and the amount of minimum wage (CY, CZ, DK, FI, LT, PL) and imposing sanctions on employers (CZ, DK, FR, HR, HU, IT, LU, MT, SK).

With regard to changes in legislation, AT, BE, LU and SK reported on changes in national regulation pursuant to the transposition of the Employer Sanctions Directive (2009/52/EC). In Ireland, legislation has been proposed that will introduce new safeguards for migrant workers to avoid labour exploitation.

Actions on information provision included a leaflet to irregular migrants informing them about their labour rights and claim possibilities under labour law that have been developed in languages of main countries of origin (AT), and an information dissemination campaign in countries of origin about employment legislation and employment terms (FI).

With regard to inspection measures, some (Member) States reported on enhanced inspection measures and greater role for Labour inspectorates (CY, CZ, HU, LT, NL, PT, SK, NO) For example, in Cyprus, a new procedure was established for the examination of complaints regarding violation of terms of employment and exploitation, so that inspections are carried out to safeguard the enforcement of Equality Law. In Norway, the competencies and resources of Labour Inspectorates were increased in 2013 in order to ensure compliance with legislation. In Lithuania, the territorial divisions of the State Labour Inspectorate were engaged in scheduled activities in the area of prevention of illegal work, especially in businesses were third country nationals are employed.

Also to offset the risks of social dumping, measures for setting the terms of employment and the minimum wages were adopted in Cyprus, Czech Republic, Finland, Lithuania, Luxembourg, Poland and Norway. In Cyprus, the terms of employment of foreign workers in the areas of farming, agriculture, industry and commerce were outlined in collective agreements to safeguard equal treatment between all workers in Cyprus. In Luxembourg, the trial period of the so called 'Social Badge' was launched in October 2013. The Social Badge, which aims to fight social dumping, requires employers to register employees under the Inspectorate of Labour and Mines. The employee will obtain the badge which includes the name of the employee and a bar code, which can be scanned by the inspectors to obtain all employees' necessary information. The official use of the badge is expected at the beginning of 2014. The Netherlands an action plan was developed and regulations have been tightened with extra enforcement deployed against bogus employment and self-employment in the construction industry. In Norway, trade unions have been given the right to bring actions in matters of illegal hiring in accordance with the Temporary and Agency Work Directive.

6.2.7. Promoting legal migration channels

At EU level: In November 2011, the Commission launched the EU Immigration Portal, a website intended for non-EU citizens who wish to migrate to the European Union[112]. The Portal contains up-to-date and practical information on EU and national immigration procedures and policies. It explains how to enter EU borders legally and describes the risks related to irregular migration, such as trafficking and smuggling. Workers, researchers, students and those looking to join their families already in the EU can find information adapted to their needs. Users can also find straightforward information about their rights and whether they need a visa to come to the EU. It also contains links and contact details of relevant national authorities responsible for immigration, as well as a contact directory of governmental and non-governmental organisations for migrants. Already available in English and French, the Portal was in 2013 made available in Spanish and Arabic, in order to make the information available to a greater number of users. The Portuguese version was also developed and launched March 2014. The Portal is consulted by an increasing number of visitors: in 2013, 128 558 unique visitors were counted.

Through the 2013 call for proposals for the Socio-economic Sciences and Humanities Theme of the Seventh Framework Programme for Research, the Commission is funding two projects[113] on circular and temporary migration, and in particular on the individual drivers and on the impact of policies in shaping these types of migration.

At the national level: Fourteen (Member) States (BE, BG, CZ, EE, ES, FR, IT, LV, LT, NL, NO, PL, PT, SE) introduced new measures to promote legal channels of migration for third-country nationals. Member States' interventions were driven by the aim of improving channels of communication about legal entry and stay and promoting safe alternatives, thus reducing the risks of trafficking in human beings, smuggling and other irregular migration channels. Such actions also aim to tackle misconceptions that can lead third-country nationals to make choices resulting in irregularity, and in many cases, recognised that potential migrants often receive information from social networks rather than through official channels.

Promotion of legal channels has been through public awareness campaigns, the maintaining of up-to-date websites, tailored projects and through bilateral agreements. Campaigning and websites were the two most frequently used measures implemented by the (Member) States to provide third-country nationals with access to both pre-and post-departure information and are generally managed by public authorities (AT, BE, BG, CZ, DK, ES, HU, IT, LV, LT, NL, PL, PT, SK, NO). Information campaigns were commonly delivered using a range of written materials, videos, media communication and telephone lines and web-sites (CZ, EL, IT, PL, SE) or by organising *ad hoc* fairs, events and seminars with public authorities and stakeholders (CZ, EE, EL, LV, NO). Bulgaria implemented several new projects, funded by the European Integration Fund, setting up information points in many of the bigger cities in the country, as well as mobile consultation units for accessing remote areas. Greece organised an information conference addressed to all stakeholders on the new legal framework for strategic investments in the country.

Some Member States were also active in delivering pre-departure measures. Italy, for example, established four independent offices in third countries in Egypt, Albania, Moldova and Sri Lanka with the aim of disseminating information and job vacancy lists to third-country nationals.

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112 http://ec.europa.eu/immigration

113 The two projects funded under the 2013 call are TEMPER (Temporary versus Permanent Migration) and EURA-NET (Transnational Migration in Transition: Transformative Characteristics of Temporary Mobility of People). They both started at the beginning of 2014.

Moreover, two projects were implemented to inform and guide potential migrants coming to Italy for family reunification purposes before departure, in cooperation with local authorities in Morocco and Senegal. Slovak Republic also put in place a plan to create information and consultation centres directly in countries of origin. Portugal has initiated a new phase of deployment of Immigration Liaison Officers (ILO), who will, amongst other duties, provide information on legal migration.

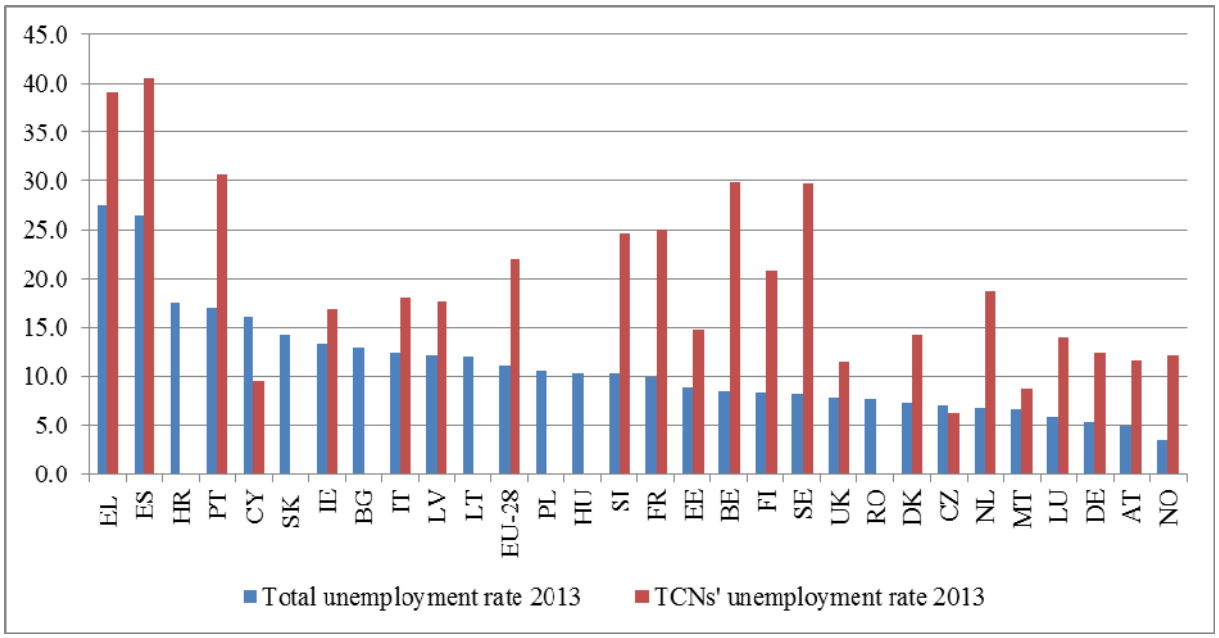
Consistent with the goals of raising awareness amongst potential migrants on the risk of irregular migration, and of increasing regular flows, Member States have also reported efforts to find out more about the motives and driving forces of migrants (SE), developing better relations with countries of origin increasing the number of bilateral agreements (FR) and also registered the increase of migration flow with appropriate visas (PT). Within the project "Strengthening the capacity of Republic of Moldova for the management of labour and circular migration within the Mobility Partnership EU-Moldova" the Guide for Foreign Workers in Romania was updated.

6.3. Integration[114]

Table 18 in the Statistical Annex gives an overview of one of the key indicators of integration of third country nationals: the unemployment rate of third-country nationals, compared to total unemployment in the respective (Member) State. Across the EU-28, the unemployment rate for third country nationals was 22 % in 2013 compared with a total unemployment rate of 11%.

The highest unemployment rates for third-country nationals were reported by Spain (40.5%) and Greece (39.2%), compared with national averages of 26.5% and 27.5% respectively. Gender disaggregated statistics provides that unemployment of third-country national females was the highest in Slovenia at 45.6% (compared to 11% average female unemployment) and Greece at 41.5% (compared to 31.5 % average female unemployment).

Figure 9: Unemployment rate of third-country nationals and total unemployment rate by Member State



Source: Eurostat. Labour Force Survey, annual data

[114] Please also refer to the European Agenda for the Integration of third-Country nationals, COM(2011)455 final.

6.3.1. A European agenda for the integration of third-country nationals

At EU level: Migrants' integration is subject to regular dialogue, exchange of knowledge and good practices between the Commission and Member States, local and regional authorities, civil society and other stakeholders at different levels. Integration is promoted through different means, including with the support of the European Fund for the Integration of Third-Country Nationals (EIF).

Overall, in 2013 the priorities set out in the 2011 European Agenda for the Integration of Third-Country Nationals[115] and the Council Conclusions adopted by the Justice and Home Affairs Council in December 2011[116] continued to guide the Commission's action in this field. The European Parliament also adopted its Resolution on the integration of migrants, its effects on the labour market and the external dimension of social security coordination[117].

Three meetings of the National Contact Points on Integration (NCPI) were held, in February, June and November respectively. Themes discussed varied, including integration indicators, refugee integration, language training, active citizenship, and many more. The NCPI also contributed to the reflection on developments of integration priorities in the context of developing the future strategic guidelines in the area of Home Affairs, following the end of the Stockholm Programme, as well as to the reform of the EU funds in the area of asylum, migration and integration.

A pilot project on EU indicators on migrant integration, which was coordinated by the Commission with the participation of national governments, statistical experts, academics, international organisations and civil society, was finalised in 2013. The final report presented in July 2013 discusses the characteristics, limits and added-value of the current indicators, addressing issues linked to data quality and availability as well as the use of indicators in policy contexts[118]. It confirms the relevance of the identified indicators and suggests possible new ones.

The Commission published the final European modules on migrant integration developed with experts from all over the EU[119]. The aim of the modules is to provide a common reference framework regarding integration, to help increase the quality of policies and practices on the ground across the EU in three areas: introductory and language courses; a strong commitment by the host society; and the active participation of immigrants in all aspects of collective life.

In 2013, the Commission organised, in cooperation with the European Economic and Social Committee, two meetings of the European Integration Forum. The June meeting addressed the 'Integration of Migrant Youth in European Society' and the November meeting discussed 'Participation of migrants in the democratic process – Towards a more inclusive citizenship'.[120] The Committee of the Regions, together with a selected number of local and regional practitioners were invited to attend the Forum meetings, as part of the efforts to reinforce the involvement of local and regional authorities in policy developments on integration.

The Commission also continued to develop the European Web Site on Integration (EWSI),[121] strengthening in particular the local and regional dimension of integration through the collaboration with the Committee of the Regions in the creation of an interactive map of local and regional

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115 COM(2011) 455 final.

116 Council doc 18296/11.

117 P7_TA-PROV(2013)0092.

118 The final report is presented on the European Web Site on Integration, http://ec.europa.eu/ewsi/en/resources/detail.cfm?ID_ITEMS=37216.

119 http://ec.europa.eu/ewsi/en/resources/detail.cfm?ID_ITEMS=40802

120 The reports of the meetings are presented on the European Web Site on Integration, http://ec.europa.eu/ewsi/en/policy/legal.cfm#

121 http://ec.europa.eu/ewsi/en/

integration practices[122]. Other key developments included the release of Special Features on migrant political participation and on language courses, and Integration Dossiers on recognition of qualifications and on the role of employers in integration. The website increased its number of visits by 38% in 2013 and reached more than 100 000 visits by 59 000 unique users.

At national level: In 2013, 21 Member States (AT, BE, BG, CY, DE, DK, EE, EL, ES, FI, FR, HU, IT, LV, LU, MT, NL, PL, PT, SE, SI, UK) and Norway reported the adoption of new measures to facilitate integration of migrants through socio-economic participation. The majority of (Member) States focused on enhancing language skills of migrants and their educational attainment, especially of those newly arrived, less advantaged or starting first school grades. Some Member States planned or already implemented an enhanced language training offer as part of their integration programmes (AT, BE, CY, DE, EE, FI, IT, MT, PL, PT, SE, SI, SK, UK). Italy and Latvia created dedicated websites, portals and archives for language learning. In particular, Estonia appointed new teachers in educational institutions and introduced additional free-language courses to third-country nationals with low economic status. Greece implemented actions on language and IT training, proficiency examination and electronic language tools (such as an e-dictionary). Portugal started in 2013 the 5th generation of the program '*Programa Escolhas*' tailored to vulnerable children and young people, including migrants, from disadvantaged socio-economic backgrounds, with the purpose of ensuring access to educational opportunities, strengthening social inclusion and increasing employability and empowerment.

A finding emerging from the drivers of those measures is that the improvement of educational attainment is closely linked with labour market integration of migrants. Several Member States introduced or augmented combined actions to improve educational attainment, (AT, BG, EE, FI, HU, IT, LU, NL, PL, SK, SE). Some of them focused on vocational training and counselling (AT, BG, EE, FI, PL). Austria, for example, sent "integration ambassadors" to inform young students on topics related to education and labour market and offered modular vocational training sessions for third-country nationals. Other Member States implemented interventions for migrant pupils and students to facilitate their orientation in the educational system (HU, IT, SE). For instance, Sweden aims to provide more time for contacts between teachers and students and to improve the provision of information on the free choice of schools.

New measures to improve access to basic services for migrants were introduced in many (Member) States (AT, BG, CY, DK, EE, ES, FI, HU, IT, LV, LU, MT, NL, PL, SE, UK). These measures typically involved the support of service providers in the sectors of health-care and social services at national and local levels. In Finland a study focused on the health, job skills and need for services among immigrants of Russian, Kurdish and Somali origin and the results will be used for promoting further measures targeting these ethnic minorities. Austria will implement new actions under a new memorandum of understanding between the State Secretariat for Integration and the Association of Social Security Institutions; these include the appointment of an integration coordinator and the exchange of information on the situation of migrants' health. Malta has implemented trainings, in collaboration with the IOM, which have shown that many third country nationals are not well-informed about which institution or office to contact, depending on their needs. Spain introduced new actions in neighbourhoods with high immigrant population, focusing particularly on access to basic services; non-discrimination; participation and civic education. Other new measures aimed at increasing the socio-economic participation of migrants, including individualised projects based on identified needs in the framework of rights and obligations (BE, HU, LU, NL, PL); integration of refugees in municipalities (BG, DK, FI); and promoting social engagement of migrants also through associations of third country nationals (IT, EE).

[122] http://ec.europa.eu/ewsi/en/lra.cfm

According to the information provided, the common driver of these measures clearly emerged as the necessity of improving migrants' language skills and other competences of migrants to facilitate their socio-economic participation into the society. Many (Member) States attempted to address identified challenges that risk jeopardizing migrants' integration. Among these are: the gap in access to services between third-country nationals and nationals (AT); difficulties encountered by third country nationals in accessing services, such as linguistic barriers (MT); higher unemployment and lower level of educational achievements among some migrant children or children with a migration background (FI, SE); difficulties in encouraging reciprocal integration efforts between migrants and citizens (SK); coordination and harmonisation of integration activities (BE, DK); and weaknesses in the current integration models (IT). The most important goals identified for new integration measures are increasing social, economic and cultural participation of immigrants; reducing the information gap in migrant communities on health and other services; improving pupils'/students' skills and access to education; and accelerating entry into the labour market.

Five Member States (DK, EE, FI, IT, PT) reported on the evaluated impacts of their integration measures. In particular, cooperation and joint activities had been shown to enhance integration in society and to promote positive outcomes both for migrants and non-migrants (EE). The acquisition of education and professional skills increases immigrants' inclusion in society and employment opportunities (FI). Italy reported the emergence of a specific "national model" of integration that identifies better social and occupational integration conditions in local contexts characterised by low "social complexity". The results of Portugal's integration project '*Programa Escolhas'* confirm its positive impact, ensuring positive school results to 86.7% of participants (see above). Spain strengthened of actions for integration carried out in neighbourhoods with large immigrant populations, by developing programs of integral intervention in Reception; Education; Health; Social Services and Integration; Conviviality; Equality of Treatment and Fight against Discrimination; Infancy, Youth and Families; Gender and Participation and Civic Education. In Denmark the Government's Task Force on Integration published its findings and recommendations on how to improve integration and citizenship in Denmark with good examples, methods and best practices. A high number of Member States reported positively on the support of EU funding to enhance integration measures, notably through the European Integration Fund (IEF) (AT, BE, BG, CZ, EE, ES, FI, HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, SE, SI, SK, UK).

6.3.2. Promoting integration through participation: rights and obligations, achieving equal treatment and belonging

At national level: Promotion of integration through participation was the focus of new measures in fourteen Member States (AT, BE, CZ, DK, EE, EL, FI, HU, IT, LV, LU, MT, PL, SE, SK) and Norway. Improving rights and obligations, equal treatment and increasing the sense of belonging to society to avoid exclusion were the main objectives of such measures. Measures that increased migrants' involvement in political life and their democratic participation concerned active citizenship (AT, CY, EE, FI), representation of migrants in elective bodies (IT, LU), and the promotion of participation of migrant voters to elections (DK, NO). Spain signed reciprocity agreements on participation in the local elections with 12 countries whereby citizens of these countries will be able to exercise the right to vote in the terms established in the referred agreements.

Participation of migrants in the process of developing integration policy was noted in some Member States, especially in coordination with stakeholders, such as NGOs and national bodies (CZ, HU, IE, LU), and through increasing migrant representation within organisations/forums or other representative bodies (EE, IT, PL, SK). In Estonia, for example, debates involving forums (ad-hoc

consultation platforms) were held in 2013 as a part of the new integration strategy. Greece established legal and administrative aid offices, and developed electronic and printed information material to inform third-country nationals of their legal rights and obligations. However, following a decision of the Greek Council of State, the participation of third-country nationals in local elections is no longer allowed. Latvia has encouraged NGOs that represent the interests of third-country nationals to contribute to the work of its newly set up Advisory Council for the Integration of Third Country Nationals. The elections of the representatives for the Chamber of Employees in Luxembourg, held in November, were opened also to third-country nationals. Similarly, Italy completed the process of development and mapping of representative bodies in which migrants take part: these include Regional and Local Councils, supplementary Councillors, Territorial Immigration Councils. Austria and Sweden reduced the requirements necessary to become citizens, and increased public awareness on attainment of citizenship (e.g. through ceremonies).

Recurrent drivers of such measures have been the need to improve migrants' sense of belonging to a community and to address gaps in social and civic involvement of migrants in society. Low participation rates of migrants in society has emerged as a finding from numerous sociological studies (EE) and inspired the adoption of a bottom-up principle in policy development (SK). In some cases migrants have been found to be underrepresented in specific economic sectors, such as public-employment (FI), as a consequence of lack of equal opportunities for minorities (FI).

6.3.3. Non-discrimination and equal treatment

At EU level : Legislation in the field of *equal opportunities,* of relevance for many third-country nationals since they address discrimination on grounds of, *inter alia*, ethnic origin, religion and belief. An implementation report[123] was adopted early 2014 on the application of the Directives on equal treatment in the employment and occupation[124] and on equal treatment irrespective of racial or ethnic origin,[125] accompanied by a handbook[126] entitled *"How to Present a Discrimination Claim: Handbook on seeking remedies under the EU Non-discrimination Directives".*

At national level: New developments in the implementation of non-discrimination policy were reported in fifteen Member States (BE, DK, EE, EL, ES, FI, HU, IE, IT, LV, LT, LU, MT, PL, SI, UK). Changes mostly related to the adoption of new guidelines/charters and the implementation of public campaigns focusing on anti-discrimination, equality, and the promotion of diversity.

Many Member States have harnessed the mass media to disseminate messages to wide audiences and the use of media channels and websites in this context has been widely reported. Legislative amendments and court rulings contributed to enhance legal protection and participation of migrants to activities that have been the reserve of nationals (IT, PL). In Belgium, Ireland and Spain institutional changes occurred in bodies involved in non-discrimination policy. Spain, for example, established new prosecutors specialised in prosecuting hate crimes, and changes were made to the Criminal Statistics System in line with international requirements for the collection and publication of statistics on racist incidents. Some projects focused on improving intercultural dialogue, promoting ethnic diversity and cooperation between cultures (EL, ES, LV, LT, MT, SI) and others to increase knowledge and respect of other cultures in all fields, e.g. arts, history, customs and food (LT). The core of the "Good Relations" joint project[127] implemented in cooperation among three

123 COM(2014) 2 final and accompanying SWD(2014) 5.
124 Directive 2000/78/EC. OJL303, 2.12.2000, p.16.
125 Directive 2000/43/EC. OJL180, 19.7.2000, p.22.
126 http://ec.europa.eu/justice/discrimination/files/present_a_discrimination_claim_handbook_en.pdf
127 http://www.intermin.fi/en/development_projects/good_relations

Member States (FI, SE, UK) was directed at preventing and combating hate crimes and discrimination. The United Kingdom jointly funds True Vision to provide an anonymous alternative channel for reporting all forms of hatred. In Spain, a project on "Managing Diversity in Small and Medium enterprises" was started.

The objectives of these measures are in general to improve in the implementation of non-discrimination policy and law and to eliminate obstacles to integration of migrants. The resulting benefits to migrants highlighted by Member States include, in particular: the decrease of discrimination and hate-crimes (IT, LU, PL, SK); benefits in terms of more open and receptive attitudes of the host society towards migrants (EE, EL, FI, LV, SI); increases in migrant employment levels (FI); and the dissemination of more precise and objective information on diversity that has improved the motivation of migrants to integrate (HU).

6.3.4. Cooperation, consultation and coordination of stakeholders and promoting action at local level

At EU level: The Commission developed a map of good practices in the area of integration at local and regional level, which is available on the European Website on Integration (EWSI). Some of the practices have been identified via a study carried out by the Committee of the Regions in 2012, titled "Study on Practices of Integration of Third-Country Nationals at Local and Regional Level in the European Union"[128]. All practices on the map have a clear link with the local or regional authority to which they are attached. Practices included are a maximum of five years old, and the EWSI Editorial Team regularly reviews them to ensure that the map displays the most recent good practices.

At national level: In many (Member) States activities on the integration of migrants with the active involvement of local authorities and/or civil society were planned or introduced. There were further improvements in multi-lateral national cooperation between different levels of governance in thirteen (Member) States (BE, CY, EE, EL, IT, LU, LV, NL, PL, PT, SK, NO). These were realized through the adoption of structural reforms (BE), the introduction of collaborative projects (LT, LU, PT, NO) and of mechanisms ensuring the consultation of key-players and their cooperation to fulfil respective missions (CY, EE, EL, IT, LV, NL, PL, SK). Tools such as institutional agreements, workshops, meetings and memoranda proved to be useful to improve the dialogue among different authorities (BE, CY, HU, IT, LV, NL, PL). Several member States highlighted the important role of local authorities in implementing integration policies and addressing integration challenges in disadvantaged and rural areas (AT, CY, CZ, FI, NO). In Poland, the municipality of Lublin is the first municipality working to develop a local strategy for integration and participating in developing the integration strategy at national level.

In sixteen Member States (AT, BG, BE, CY, DE, DK, EE, FI, IT, LT, LU, LV, PL, PT, SE, SI) developments took place to improve the coordination among different actors, authorities and civil society involved in integration. These measures included support to stakeholders in planning strategies and measures for integration. In particular, cooperation-agreements (DK, FI, PT, SE), consultations (CY, EE, IT), and working groups (BG, DE) allowed stakeholders to make a contribution and to identify their intervention priorities. Such approaches can help to inform the implementation of such policies by regional and local authorities, municipalities and private partners working on the ground to ensure the needs of all are understood. Belgium established

128 http://cor.europa.eu/en/documentation/studies/Documents/survey_integration_3rd_country_nationals/survey_integration_3rd_country_nationals.pdf

working practices to ensure that groups in charge of coordinating and implementing national policy on integration were open to the participation of the civil society (social partners, academic and nongovernmental organizations, local authorities) and very often in close cooperation with international organisations. Italy increased the role of Territorial Councils for Integration. Recently, Denmark launched a new strategy seeking to improve local level integration by establishing formalised corporation between local municipalities and civil society organisations. In Latvia projects involved training for representatives of the state and municipal authorities and non-governmental organisations working with third-country nationals. Germany appointed a working group charged with looking at how to improve the reception culture in national enterprises, administrations and in society as a whole, which included efforts to improve stakeholder networking to optimize integration efforts. Portugal started in 2013 the 5th generation of the program '*Programa Escolhas'*, based on agreements with local consortium' funds involving civil society organisations and local authorities in residential areas where descendants of immigrants and ethnic minorities reside.

New mechanisms for information exchange among institutions, such as inter-institutional websites and specific centres, were introduced in three Member States (BE, IT, FI, SI). For example, Slovenia inaugurated a website the purpose of which is to become a key source of information for third-country nationals and a contact point for other organisations, institutions and individuals wishing to exchange information on integration. Projects, working groups and seminars for coordination of national administration and practices with structures at the European level were developed by 6 other Member States (BG, CY, FR, HU, PL, SK). All the (Member) States regularly provide updates and exchange information within the National Contact Points on Integration and the European Integration Forum.

6.3.5. Involvement of countries of origin

At EU level: Through a call for proposal under the European Integration Fund[129], the Commission has co-financed a new IOM project *"HEADSTART: Fostering Integration before Departure"*[130]. The project aims to consolidate the lessons learnt from existing pre-departure integration support practices, and to explore ways to create stronger links between pre-departure and post-arrival immigrant integration services. Within 18 months, the project will combine review and analysis of existing pre-departure integration support, with the development of new practical tools, and networking and partnership building among the policymakers and practitioners in the countries of origin, and with their counterparts in countries of destination. A handbook for Migrant Resource Centres as a specific vehicle of pre-departure information and training provision will be developed and will include recommendations on standard operating procedures, design, institutional set-up, training, competences, data collection and evaluation.

At national level: Several Member States (AT, CY, CZ, DE, FR, HU, IT, LV, LU, PL, PT, SE, UK) implemented initiatives to support integration involving countries of origin, at different stages and a further Member State, Estonia, will consider the introduction of such measures in the next EU funding period.

129 Call for proposals HOME/2012-2013/CFP/EIFX/CA.

130 The project will be implemented in partnership with the World Association of Public Employment Services (WAPES) and authorities in charge of integration issues in Austria, the Czech Republic, Germany, Italy, the Netherlands, Portugal and Slovakia.

Pre-departure measures were introduced by 8 Member States (AT, CY, CZ, DE, FR, HU, IT, SE) and aimed to inform potential migrants about the opportunities and challenges presented by migration, thereby initiating integration processes at the earliest possible stage.

Cyprus, Hungary Italy and Sweden have all implemented actions to inform third country nationals before departure, identifying also specific target groups (e.g., highly skilled workers for Hungary). France and Germany developed pre-departure plans to guide potential migrants, especially for cases of family reunification, in their countries of origin. The pre-departure plans seeks to prepare the integration pathway of migrants and include: language tests, evaluation of knowledge of economic, social and cultural aspects of the host country, support in establishing contacts in the town where they will live and eventually training. Italy introduced pre-departure training aiming to further facilitate migration inflows, especially of highly qualified workers and to promote the immigrant's role as bridge to the country of origin. Romania in cooperation with IOM evaluated the mechanism of reintegration in the country of origin of the voluntary repatriated migrants – Morocco, Tunisia and the Philippines. Following the evaluations a brochure on the best practices on reintegration in the countries of origin was published.

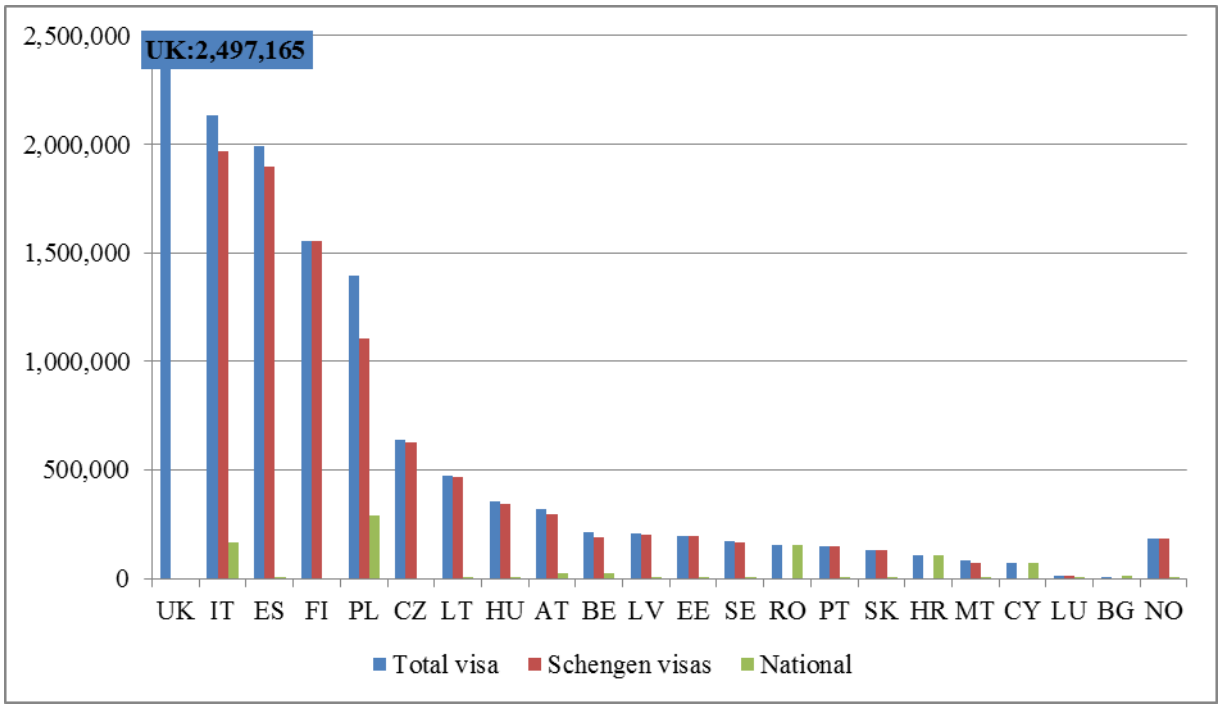
Measures to involve countries of origin are also implemented at different stages of integration: during stay (AT, EE); on return (LU, PL), and others (BG, EE, PT, SK). These measures are conceived to ensure that each migrant is from the very beginning part of a structured integration process as well as to facilitate the exchange of knowledge on integration policies between the countries of origin and destination. Reasons driving these initiatives are the necessity to exchange information with countries of origin to improve integration process from the beginning (AT, FR, PT, SE) and to tackle criticism of integration policy identified in some countries (HU).

Within the framework of the ERIS project (Development of Joint Principles, Procedures and Standards on Integration Policies between the Russian Federation and European Partners), Austria and Czech Republic introduced further developments to their integration measures. The objective of the ERIS project is to establish and maintain cooperation between migration and integration authorities in countries of origin and destination, and to jointly develop principles, procedures and standards on integration policies. Latvia concluded bilateral cooperation agreements with third-countries in order to facilitate and improve the cooperation between the countries and businesses. Estonia has an extensive network of diaspora organisations (so called "national culture societies and associations") that receive regular financial support.

6.4. Managing Migration and Mobility

Tables 17 and 18 in the Statistical Annex give a provisional overview of the number of visas issued, by type. The four Member States issuing the highest number of visas in total in 2013 were United Kingdom (2,497,165); Italy (2,134,049); France (1,990,565) and Finland (1,552,887). Italy, Spain and Finland ranked as the Member States issuing most Schengen visas. In comparison, Poland issued a large number and share of national visas (291,663).

Figure 10: Total visas issued in 2013 showing breakdown (where relevant) between Schengen and National visas



Source: European Migration Network National Contact Points (EMN APR2013, Annex2) for National visas and DG HOME compilation of MS data for Schengen visas
Notes: Statistics for national visas are currently not available in DK, DE, IE, EL, FR, NL, SI

6.4.1. Visa Policy

At EU level: In 2013 agreement was found between the co-legislators on a revised reciprocity mechanism and the new visa suspension mechanism included in the Commission proposal[131] amending Council Regulation (EC) 539/2001[132] which entered into force in January 2014.

In early 2014 agreement between co-legislators was also reached on the Commission proposal amending the visa lists of Council Regulation (EC) 539/2001. The amendment, which provides for the transfer to the visa free list of 16 small Caribbean and Pacific island nations, as well as the United Arab Emirates, Peru and Columbia, is likely to enter into force in June 2014. The Commission proposal amending Regulation (EC) No 539/2001 with a view to transferring the

131 COM (2011)290 of 24.5. 2011

132 COUNCIL REGULATION (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. OJ L 81, 21.3.2001, p.1.

Republic of Moldova to the visa free list[133] was approved by co-legislators early April 2014 and will enter into force at the end of the same month.

Revised visa facilitation agreements (VFA) with Ukraine and the Republic of Moldova entered into force in July 2013. VFAs with Armenia and Cape Verde were concluded, and the one with Armenia entered into force on 1 January 2014. A VFA with Azerbaijan was signed in November and for Morocco negotiating directives were adopted by the Council in December.

On 1 April 2014 the Commission adopted a report on the implementation of the Visa Code and a proposal for a revision to ensure that EU visa policy contributes to fostering economic growth and cultural exchanges by facilitating travel of legitimate travellers, such as business people, tourists, students and young people, while continuing to ensure a high level of security for the EU[134].

The roll-out of the Visa Information System (VIS) continued in 2013 to include eight additional regions (West Africa, Central Africa, East Africa, Southern Africa, South America, Central Asia, South East Asia and the occupied Palestinian territory).

The Joint Research Centre (JRC) concluded a study[135] on the feasibility of including children aged between 6 and 12 years to the fingerprint verification required by current VIS Regulation. The results from the study, presented to the EP in March 2013, provide evidence that processing fingerprints below 12 years old could be considered, provided that appropriate best practice guidelines for enrolling fingerprints of good quality would be developed. The JRC continues addressing the quality challenge of fingerprints and is further developing its research investigation on other group of population such as elderly beyond 65 years.

At national level: Cyprus, Czech Republic, Italy, Latvia, Slovenia and Sweden undertook developments in relation to the implementation of the Visa Code (Regulation 810/2009). Romania initiated the legislative procedures for taking on certain provisions of Visa Code in the national legislation, in a manner consistent with the full application of the Schengen acquis. Trainings have been organised by Italy, Latvia and Slovenia, while Italy has also adopted specific procedures to speed up the issuing of visas for an upcoming major international event taking place on its territory.

Other developments include a national Automated Fingerprint Identification System (AFIS) database developed by Belgium, while Lithuania signed agreements with external service providers (ESPs) for 28 visa centres in Russia and Ukraine.

6.4.2. Schengen Governance

At EU level: The fourth report was adopted on 28 November 2013.[136] Just like the previous reports, it includes information on the situational picture (encompassing the external border, secondary migratory flows, Schengen evaluation mechanism, EUROSUR and rules on Frontex sea border operations), information on the application of the Schengen *acquis* (including, inter alia, occurrences of reintroduced control at internal borders and pending infringement cases) as well as related issues such as the use of the Schengen Information System, the Visa Information System, visa policy and readmission agreements. The biannual reports cover the development over the six

133 COM(2013) 853 of 27.11.2013

134 COM(2014) 165 and COM(2014)164 of 1.4.2014.

135 http://publications.jrc.ec.europa.eu/repository/bitstream/111111111/29732/1/fingerprint%20recognition%20for%20children%20final%20report%20%28pdf%29.pdf

136 COM(2013) 832 final; http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/borders-and-visas/schengen/docs/fourth_biannual_report_on_the_functioning_of_the_schengen_area_en.pdf

months following the previous report, whereby this fourth report stretches from 1 May to 31 October 2013.

The Commission's next report, which will cover the period 1 November 2013 – 30 April 2014, will be adopted in May 2014 and discussed in JHA Council/Mixed Committee in June 2014.

After long and complex negotiations, Regulation (EU) No. 1053/2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis*[137] was adopted on 7 October 2013. It entered into force on 27 November 2013; however, it will start applying only one year later, on 27 November 2014. The Commission is currently taking all necessary steps to prepare a smooth implementation of the new evaluation mechanism. The new mechanism will allow to efficiently monitor the situation and to provide for the necessary support and to remedy weaknesses in order to maintain the mutual trust within the Schengen area. Regulation 1051/2013 amending Regulation 562/2006[138] provides for common rules on the temporary reintroduction of border control at the internal borders for exceptional circumstances where the Schengen evaluation mechanism identified persistent serious deficiencies at the external borders.

At national level: Austria, Croatia, Czech Republic, Italy, the Netherlands, Poland, Slovak Republic, Slovenia and Norway introduced new measures to support Schengen governance during the reporting period.

Legislation was amended in six Member States (AT, IT, CZ, NL, SK). For Italy and the Netherlands this included amendments to the rules for the temporary reintroduction of internal border controls in extraordinary cases, in accordance with the Schengen Borders Code. In the Czech Republic legislation was amended because of relevant rulings of the European Court of Justice and practical experience with the implementation of the Schengen *acquis*, in Italy because of increased migration flows and in both Latvia and Slovak Republic because of existing or amended EU legislation.

Latvia and Poland signed bilateral agreements with the Russian Federation regarding the facilitation of travel for border residents (LV) and local border traffic (PL). Croatia and Slovenia are cooperating in the development of the One Stop Control programme, which aims to ensure the smooth flow of passenger traffic at the respective border crossing points. By contrast, Poland also reintroduced temporary border checks at internal borders. In Poland this was done in order to improve security during a UN forum on climate policy in November 2013. Finally, Austria extended the authority of border control by amending the Border Control Act.

6.4.3. Smart Border Package

At EU level: Facilitating border crossing of third country nationals to enter the EU is another way to make the EU a more attractive destination. On 28 February 2013, the Commission adopted the "smart border package", consisting of proposals for an "Entry-Exit System (EES)"[139], a "Registered Traveller Programme (RTP)"[140] and subsequent amendments of the Schengen Borders Code, to

137 Regulation (EU) No. 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen, (OJ L 295, 6.11.2013, p. 27)

138 Regulation (EU) No 1051/2013 of the European Parliament and of the Council of 22 October 2013 amending Regulation (EC No 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances (OJ L 295 of 6.11., p. 1)

139 COM(2013)95 of 28.2.2013

140 COM(2013)97 of 28.2.2013

speed-up, facilitate and reinforce border check procedures for foreigners travelling to the EU. The first examination of the text of both the EES and RTP proposal in the Council was completed by February 2014. The European Parliament has expressed its preliminary views as well. In order to reach, in full transparency, a technical solution that meets best the shared objectives in terms of technical feasibility, operational soundness, cost-efficiency and data protection, the Commission has suggested a way forward consisting of a proof of concept that would further analyse certain underlying technical elements of the proposals. The first phase of the proof of concept, i.e. a technical study was launched in March 2014, in parallel to continuing negotiations on non-technical aspects of the package. The European project FastPass[141] (funded under Framework Programme 7) has started to develop a harmonised Automated Border Control (ABC) concept suitable for land, sea and air borders, and in line with the "smart border package". The project will have a major focus on appropriate risk analysis guidelines and certification aspects.

At national level: In keeping with the implementation of the EU smart borders package,[142] Member States set up new (AT, BE, DE, EE, EL, FR, HU, IE, NO) or extended existing (ES, NL) automated border controls (ABC). The Netherlands extended its Registered Traveller Programme (RTP) to travellers from Canada and South Korea, amongst other countries and the United Kingdom launched its own domestic Registered Traveller Scheme for certain non-EEA national passengers. Germany extended its RTP to travellers from the United States, and is planning to soon provide this functionality within the framework of the German automated border control system easyPASS. The ABC system in Hungary is expected to be further developed into an RTP in the coming years and France also plans to set up RTPs. The Research and Development Unit of FRONTEX (RDU) plays a role in supporting Member States to assess the feasibility of implementing ABC gates in the EU. For example, in 2013, the RDU supported Denmark with such assessments. At EU level, it also organised an event attended by national border guard officers to assess the performance of existing automated document inspection systems under different configurations, in order to understand their strengths and discuss possible areas for improvement based on the obtained results and needs of end users.[143]

141 For more information see: https://www.fastpass-project.eu/

142 For more information on this, see: http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/20130228_01_en.htm

143 For more information, see: http://frontex.europa.eu/news/document-challenge-ii-announcement-to-industry-D2rPry.

7. MAXIMISING DEVELOPMENT IMPACT OF MIGRATION AND MOBILITY

7.1. Progress towards ensuring effective policy coherence and mainstreaming of migration in development policies

At EU level: The European Commission Communication of May 2013 on 'Maximising the Development Impact of Migration' included strong commitments on the mainstreaming of migration into EU development cooperation, to be implemented in line with the GAMM and the EU development policy, the Agenda for Change. It also underlined the need for a strengthened evidence base on the development-migration nexus in order to ensure that the links between migration and key development sectors such as employment, human rights and education are fully understood.

A migration chapter was included in the 2013 Report on Policy Coherence and Development (PCD)[144], which noted steps taken to incorporate migration into a wide-ranging number of policies that effect migration and brings together examples of the EU's work in this area. A number of issues were highlighted as priority topics for the future work to ensure PCD in the area of migration, including:

- Offering more migration and mobility options for nationals of developing countries seeking legal employment in the EU, and further integrating development concerns into migration and mobility policies;
- Continuing negotiation and implementation of GAMM instruments, in particular MPs and CAMMs;
- Continuing implementation of 'traditional' priorities of the GAMM Migration and Development agenda. In particular, stepping up efforts to lower the costs of remittance transfers from the EU;
- Develop further data and concrete policy guidelines on how to promote the development impacts of migration;
- Further promote migration mainstreaming and the use of Extended Migration Profiles in EU partner countries;
- Strengthening measures at Member State level to ensure that the use of conditionality in migration dialogues does not negatively impact on overall EU and Member State development cooperation.

The April 2013 Commission Staff Working Document on Climate Change, Environmental Degradation and Migration[145] included considerations on how to increase coherence to build a more coordinated response to migration in the context of environmental change, notably by better targeting disaster risk reduction and adaptation support to reducing displacement. The SWD also recommended that measures to promote the positive impact of migration as an adaptation strategy be integrated into the GAMM migration and development pillar and EU development cooperation priorities on both climate change adaptation and migration.

Migration continued to be a very prominent issue in the global agenda in 2013. The second High-level Dialogue on International Migration and Development, organised by the UN General Assembly, took place on 3-4 October 2013 in New York. The meeting renewed and strengthened the international political commitment to the issue of international migration and development. The outcome declaration demonstrated that that the international community is capable of reaching political agreement on migration and development issues, including on the need for integrating migration into the post-2015 development agenda, and provides testimony to the positive progress

144 SWD (2013) 456 of 31.10.2013
145 SWD (2013) 138 of 30.4.2013

made in recent years in this field. The EU took a very active role both in the preparation and during the meetings and the final declaration reflects many of the EU main concerns[146].

At national level: More than half of all Member States (AT, BE, CZ, DE, EL, ES, FI, FR, HU, IE, IT, LU, MT, NL, PL, SE, SK) reported on further efforts to effectively mainstream migration in development policies.

These efforts include participation in the international dialogues such as the UN High Level Dialogue on International Migration and Development (AT, BE, EL, ES, HU, MT, SK) and the Global Forum on Migration and Development - GFMD (BE, EL, FI, HU, MT, SE, SK) as well as the organisation of national follow-up events (AT). As a country holding the Chairmanship of GFMD in the period January 2013 to June 2014, Sweden is exploring how migration can be integrated in the Post-2015 UN Development Agenda as a contributor to sustainable human development.

Member States reported on international cooperation and/or coordination initiatives (AT, DE). For example, the Austrian Development Agency supported the transnational Initiative for Migration and Development (CoMiDe) which aims to enhance coherent migration and development policies in four European countries (AT, IT, SI and SK) by initiating cooperation between NGOs, migrant organisations and migrant communities. Another example of cooperation effort is the institutional counselling on how to utilize the potential of migration for a sustained development that Germany provides within the scope of the EU Mobility Partnerships.

In Finland, Poland and Slovak Republic, the migration and development policies were integrated into strategic policy documents; in Belgium, policy coherence and synergies between migration and development were integrated into legislation[147] as well as in Italy into a draft law on development cooperation. In the Czech Republic, the areas of security and migration were included in the first Multilateral Development Cooperation Strategy 2013-2017.

Belgium, France, Ireland and Netherlands reported on efforts to strengthen national inter-institutional cooperation and enhance institutional capacity in the field of migration and development. For example, in Belgium, efforts where channelled through the national coordination mechanism 'CoorAM' which regularly brought together migration and development stakeholders to coordinate issues, such as effective mechanisms for involving diaspora in development policies and pathways to address legal economic migration taking into account the risk of brain drain.

Migration issues are integrated in bilateral cooperation programmes and specific development projects in many Member States (BE, CZ, DE, FI, FR, HU, LU, NL, PL, SK). Development projects and programmes focused on a number of cross-cutting issues in developing countries, including supporting investment and development initiatives of migrants (BE, FR); private business development and innovation in Tunisia (DE); assistance to Armenian authorities to strengthen impact of economic migration (DE); addressing migrant labour challenges in Tajikistan and Kyrgyzstan (FI); support to solidarity initiatives for development in Senegal (FR); improving living conditions in southern Serbia (LU); strengthening migration management and facilitating

146 The EU position ahead of the High-level Dialogue is reflected in the "Conclusions of the Council and of the representatives of the Member States meeting within the Council on the 2013 UN High Level Dialogue on Migration and Development and on broadening the development-migration nexus" (Council document 12415/13) which endorses the key messages included in the Commission Communication "Maximising the Development Impact of Migration – The EU contribution for the UN High-Level Dialogue and next steps towards broadening the development-migration nexus" (COM (2013) 292).

147 The Law of 19 March 2013 relating to Development Cooperation stipulates that, in order to ensure consistency between policies for development, draft laws, draft royal decrees and proposed decisions, that are submitted to the Council of Ministers, are to be examined in advance as to their possible impact on development;

repatriation in Ghana and Bangladesh (NL); security sector and public administration reform in Tunisia (SK); strengthening the legal framework and institutional capacity of the Bureau of Migration and Asylum for better governance of migration and asylum system in the Republic of Moldova (RO).

7.2. Migrants' Remittances

At EU level: Remittances remained a significant source of private income to many families in third countries. The World Bank estimates that remittances to developing countries reached USD 401 billion in 2012, an increase of 5.3% over the previous year. In 2012, migrant remittance outflows from EU Member States to non-EU countries accounted for approximately EUR 28 billion. Over the last four years, the level of remittances has been stable at around EUR 28 billion. Despite a number of remittance related initiatives over recent years, significant work remains to be done if the commitments made by the EU to reduce the transaction costs for remittances are to be met.

The Council Conclusions of 12 December 2013 on Financing Poverty Eradication reaffirmed the need to ensure faster, easier and cheaper remittance transfer, recalling the G8 and G20 goal of reducing the average cost of transferring remittances from 10% to 5% by 2014. The Commission organised an expert meeting on reducing the cost of remittances at EU level in November 2013 paved the way for the formation of an informal online remittance working group comprised of a wide variety of interested actors, including European Institutions, EU Member States, and think tanks. Building on the seminar, the working group facilitates knowledge sharing to further reduce the cost of remittances. The EU is also funding a number of projects on remittances, including two initiatives that are aiming to enhance competition in the African remittance market through enabling African post offices to offer modern financial services and increasing their rural reach.

At national level: A number of (Member) States (AT, CZ, FR, HU, IE, IT, LU, NL, PL, SE, UK and NO) reported on new or updated measures with respect to migrants' remittances.

Predominantly, actions have included research activities, studies and the dissemination of information (AT, CZ, DE, ES, FR, IT, NL, PL, SE). In the Czech Republic, a follow-up research project was conducted by the Ministry of Finance as part of a World Bank mission of experts to study the remittances market in Czech Republic. The Italian Ministry of Interior has established a National Observatory on Financial Inclusion of Migrants. In the Netherlands, research by De Nederlandse Bank (DNB) investigated the most common channels used by migrants to send remittances. Sweden financially contributed to the World Bank's Global Knowledge Partnership on Migration and Development (KNOMAD), which has remittances as one of its main focus areas. In Spain, *El Banco de España* (Bank of Spain) developed research studies on remittances.

France, Germany, Hungary, Italy and Norway all reported on their on-going initiatives to foster competition among remittance providers and reduce costs of remittance transfers. In Italy, a Strategic Plan "Italian Development Cooperation in the three-year period 2013-2015" was adopted by the Ministry of Foreign Affairs, which renewed the government's commitment for the next three years in the effort to reduce the cost of remittances. In Norway, regulations for the operation of money transfer agencies have been liberalized, and this has continued to encourage the growth in the number of agencies offering services to migrants, resulting in increasing choice.

In 2013, efforts to facilitate safer and faster remittances were undertaken in France, Germany and Ireland. In Germany, the remittance price comparison website http://www.geldtransfair.de was updated according to the World Bank's standards for remittance portals.

Improving the financial literacy of senders and recipients of remittances has been another area of focus in Germany and Hungary. In Germany, as part of a new initiative to improve financial literacy in Uzbekistan, the recipients of remittances were given access to formal financial services (in particular savings accounts). The initiative trained more than 4 500 recipients of remittances and about 15% of them opened savings accounts. Actions to facilitate micro-financing were carried out by Germany and Luxembourg. In Luxembourg, a development project on microfinance in Cape Verde focuses on mobilising migrants' savings in order to finance micro financial institutions in Cape Verde.

Most (Member States) also organised and participated in a number of Conferences and Seminars to share information about remittances and their role in development. For example, Italy participated in the "Remittances, Migration and Development" Conference held in Bangkok in May 2013. In August 2013, Sweden arranged a seminar on remittances, aiming to assemble stakeholders to exchange knowledge on the situation on remittances sent from Sweden.

7.3. Working with Diasporas

At national level: Half of all Member States plus Norway supported actions related to working with diasporas (AT, BE, CZ, DE, DK, EE, FI, HU, IE, IT, LU, NL, PL, SE, UK, NO). These actions included cooperation and dialogue with diaspora organisations (AT, IE and PL); empowerment and capacity building activities (BE, CZ, DE, DK, FI, IT, NL, LU and UK); information and awareness raising events (AT, SE) and research and studies (IT).

Austria and Ireland invested efforts in cooperation and dialogue with diaspora organisations. In Austria, a dialogue and culture programme organized by the Pan-African Forum in Austria for Culture and Development Policy (PANAFA) took place in Vienna. Ireland hosted a meeting with diaspora groups as part of the review of the White Paper on Irish Aid. The knowledge and experience which migrant diaspora have of their country of origin was seen as a resource that can contribute to the Irish Aid policy.

Eight Member States reported on empowerment and capacity building activities to enhance development in their countries of origin (BE, DE, DK, FI, IT, NL, LU and UK). Belgium supported the launching of the MEDMA 2[148] project which focuses on empowering migrant enterprises with sustainable socio-economic impact in Morocco, as well as programmes for the African Diaspora in Belgium active in the health sector in the Democratic Republic of Congo (RDC). Denmark supported a "Fund for Diaspora involvement in rehabilitation and development of former home countries". The Fund aims, through innovative forms of inclusion and participation, to strengthen the role of the Afghan and Somali diaspora in Denmark. Germany funded projects proposed by migrant organisations that contribute to the local economic development in countries of origin, and also supported migrants' private business activities in their countries of origin under the programme "Migrants as entrepreneurs". Finland funded projects of diaspora-based civil society organisations amounting at EUR 3.2 million. Through the project "*Institutionalizing Health Care Improvement through Temporary Returns of Somali Health Professionals Residing in Finland*", Finnish-Somali health professionals have worked in gap-filling and capacity-building tasks in various regions of Somalia. Preliminary review findings indicated that the on-the-job training and systematic training of students has improved individual capacities. In Italy, planned initiatives under the "Migration for Development in Africa" programme (MIDA) will focus on the rural sector (small scale production and basic supply chains) as well as health and medical assistance in maternal and infant care clinics. The Netherlands reported an active participation within the framework of the EU Africa Partnership

[148] Mobilizing Moroccans residing in Belgium for the Development of Morocco.

on Migration, Mobility and Employment (MME). The Dutch Ministry of Foreign Affairs also supported initiatives aimed at strengthening Diaspora Ministries in 12 African countries. Luxembourg participated in the project "Strengthening the Capacity of Cape Verde to manage labour and return migration" via economic integration. In the United Kingdom, the Common Ground Initiative aimed to increase funding to small and diaspora organisations to create sustainable change to some of the most disadvantaged communities in Africa.

With regard to information and awareness raising events, the Austrian Development Agency funded NGO initiatives, which aimed at raising awareness about the reasons and consequences of international migration and development among the Austrian public. As the Global Forum for Migration and Development (GFMD) Chair, Sweden initiated a roundtable on *Facilitating positive development impacts of diaspora engagement in skills transfers, investments and trade between countries of residence and origin*. The expected outcome of the action is a list of possible measures to facilitate diaspora investments and trade, targeting countries of residence, countries of origin and public-private partnerships respectively. A further roundtable is focusing *on Empowering migrants, their households and communities for improved protection of rights and social development outcomes*. Discussions will seek to identify model legal frameworks for ensuring rights and measures that empower migrants in order to minimize the human and social costs and improve access to safe, legal and protected migration opportunities.

With regard to research and studies, the study "The Moroccan community in Italy: A bridge across the Mediterranean" (IT) was published in 2013.

8. PROVISION AND EXCHANGE OF INFORMATION TO SUPPORT POLICY DEVELOPMENT

8.1. Exchange of Information within the European Migration Network

At EU level: The European Migration Network (EMN), established in 2008 by the Council Decision 2008/381/EC, increased its role by providing up-to-date, objective, reliable and comparable information on migration and asylum with a view to supporting to evidence-based policymaking in the European Union in these areas. In 2013, a total of EUR 6,5 million was allocated for the EMN activities, of which EUR 5,6 million were foreseen for the support (action grants) of Member States through their National Contact Points and EUR 0,8 million were allocated for procurement contracts regarding the EMN website and a service provider who assists the Commission in the organisation of the work of the network.

The EMN produces Reports, Studies, Ad-Hoc Queries, EMN Informs, Country Fact Sheets, Glossary & thesaurus and the EMN Bulletin, which analyse and synthesise in a comparative manner the information collected at national level on asylum and migration and thereby help improve its comparability at EU level. All EMN outputs are available online[149]. Recent examples in 2013 are the EMN studies on Immigration of International Students to the EU and Family Reunification, which constituted important inputs to the discussion on the Commission Action Plan on the proposal on students and researchers and in the context of the Green Paper on Family Reunification. All were widely disseminated at the time of the adoption by the Commission of its initiatives. The study on Intra-EU Mobility and the one on attracting highly-qualified third-country nationals also provided an important contribution to the on-going reflections on the future developments of EU migration policy.

Furthermore, the EMN annual conferences fed into the stimulating debate on topical and priority issues in the areas of migration and asylum. The national Annual Policy Reports produced by the EMN gave up to date information on significant and relevant policy developments and is an important contribution to the Commission's Annual Report on Immigration and Asylum.

At national level: All Member States and Norway provided and exchanged information to support policy development at EU level through the European Migration Network (EMN), both through EU level meetings and workshops and also at the National level through events and opportunities for national information exchange via the EMN National networks (see also below).

Other mechanism for exchange of information at EU level were used by some Member States and Norway: FREEMO (e.g. BE, NL, RO) the FRONTEX Risk Analysis Network (e.g. CZ, PL, RO, SK); EASO (e.g. BG, DK, MT, PL, SI, SK, UK) and the GDISC - General Director for Immigration Services' Conference (e.g. SE) and the Strategic Committee on Immigration, Frontiers and Asylum (e.g. BE, IE).Looking at specific new actions undertaken in the reference year, Germany will host the fourth "EUROMED III" training on migration and development in March 2014 in Frankfurt.

8.2. Exchange of Information and Communication

At EU level: A proactive and effective communication strategy regarding migration issues is considered to be key in reaching out to target groups, and help both EU and non-EU citizens in understanding the challenges and benefits of an immigration policies. As part of its communication activities, the Commission produces videos, brochures and factsheets, as well as posters and info graphics on different migration-related topics. In 2013, the Commission also organised the

[149] http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/index_en.htm

multimedia competition "Migrants in Europe", with over 750 art/journalism/design schools from all 28 Member States participating and submitting audio-visual pieces of work on the contribution of migrants to the European society[150]. A series of videos describing different home affairs policies were produced, including on topics such as economic migration, integration, asylum, the Schengen area and trafficking in human beings[151]. Euronews programmes were dedicated to the Common European Asylum System[152], as well as to the relationship between the EU and Morocco in the field of migration[153].

On EU Open Door Day 2013, a special screening of the Serbian movie "Sestre" describing the tragedy of two sisters victims of trafficking, was organised. On EU Anti-trafficking Day, the movie "Not my Life" by Robert Bilheimer was presented in Brussels.

The Spanish, Arabic and Portuguese versions of the EU Immigration Portal were launched in 2013 and early 2014. The Portal provides up-to-date and user-friendly information on EU and national immigration policies and laws, and is intended for third country nationals wishing to migrate to the European Union[154]. It explains how to enter EU borders legally and describes the risks related to irregular migration, such as trafficking and smuggling. Workers, researchers, students and those looking to join their families already in the EU can find information adapted to their needs. Users can also find straightforward information about their rights and whether they need a visa to come to the EU. It also contains links and contact details of relevant national authorities responsible for immigration, as well as a contact directory of governmental and non-governmental organisations for migrants.

At national and regional level: Seven Member States (BE, BG, CY, CZ, DK, FI, SI) introduced new or additional measures to provide and exchange information to support policy development within the "regions" of Europe. Belgium enhanced the exchange of information within the Benelux working groups on visa and readmission. In particular, Bulgaria has developed the Silk Road partnership initiative and contributed to the Black Sea Region Group for cooperation and development, and also considered inter-institutional and bilateral cooperation initiatives in the field of migration policy with the countries of the Caucasian region and Central Asia. Czech Republic and Poland were particularly active in the exchange of information within the Visegrad Group, consisting of four Central European Member States (CZ, HU, PL, SK) and the Salzburg Forum countries (AT, BG, CZ, HU, PL, RO, SK, SI, plus Croatia (observer status)). Finland undertook the presidency of the Council of the Baltic Sea States (CBSS) on 1 July 2013 and hosted the annual meeting of Nordic integration specialists/officers in September 2013. Cyprus, Germany and Slovenia undertook new actions to develop or extend their networks to exchange information with other Member States. Cyprus launched a call for proposals with the aim of establishing a multilateral network on return policies that will involve Member States as well as third countries. Germany organised the 4th edition of the "Nuremberg Conference on Asylum and Residence Law" in cooperation with the German EMN NCP and discussed the findings with participants from France, Italy, Poland and United Kingdom. Moreover, the German EMN NCP in cooperation with the Research Group of the Federal Office for Migration and Refugees conducted a meeting regarding "Migration of skilled workers from Asia to Germany and Europe" which discussed the challenges and experiences of the migration of skilled workers as well as the attitudes of the countries of origin. In September the "G6" group of the Ministers of the Interior of Spain, France,

150 http://europa.eu/rapid/press-release_IP-13-945_en.htm

151 All video products from DG Home Affairs are available online: http://ec.europa.eu/dgs/home-affairs/e-library/multimedia/videos/index_en.htm#080126248ad52a04/c_

152 http://ec.europa.eu/dgs/home-affairs/e-library/multimedia/videos/index_en.htm#0801262489c0db00/c_

153 http://ec.europa.eu/dgs/home-affairs/e-library/multimedia/videos/index_en.htm#08012624899463c4/c_

154 http://ec.europa.eu/immigration

Germany, United Kingdom, Italy and Poland met in Rome in order to discuss migration in the Mediterranean area. Slovenia has established information exchange mechanisms through its police cooperation centres, one with Italy, Austria and the other with Hungary, Croatia, and Austria. Additionally, several Member States (e.g. Poland and Finland) participated in informal meetings of the ministries of interior of the Schengen Area with external land borders. The aim of those gatherings is to focus on the problem of land borders and the provision of public order and internal security, in particular in the context of the EU's visa dialogue with the states neighbouring the EU in the east. The Nordic countries (DK, FI, NO, SE) continued their long-standing cooperation on the regulation of immigration and related statistics. The statistics cooperation also involves the Baltic countries (EE, LT, LV) and Poland.

Four Member States undertook specific initiatives at national level to develop information exchange and improve the role of national stakeholders on asylum and migration (FR, IT, SE, UK). France launched two important debates, the first on student and professional immigration; and the second on the national asylum system. This latter led to a national consultation to feed into the reform of the asylum system in France. Italy implemented several different projects with the involvement of diaspora groups and with the broad involvement of the third sector. Furthermore, Italy has started the implementation of the Guidelines and Strategic Planning on development cooperation for the period 2013-2015 which has renewed its Government's commitment for the next three years in the effort to reduce the cost of remittances. The majority of Member States hosted national events through their EMN national networks, focusing on topics such as international students, attracting highly qualified and qualified migrant workers, reception conditions for asylum seekers, and the Common European Asylum System, in response to the recast Directives.

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9. STATISTICAL ANNEX

This Annex contains data, primarily as provided by the Commission's Eurostat, in accordance with the Regulation (EC) 862/2007 and as available on 9 April 2014. Due attention must be paid to the notes given for each table. Where Eurostat data were not available for the year 2013, the data were provided by the European Migration Network (EMN) from their respective national agencies as of 8 May 2014. Data regarding the EU Blue Card and the Employer Sanctions are not included in this Statistical Annex, as they can be found in the implementation reports on the application of, respectively, Directive 2009/50/EC[155] and Directive 2009/52/EC[156].

[155] COM(2014)287 final of 22.05.2014
[156] COM(2014)286 final of 22.05.2014

1.1. International protection including asylum

Table 1: Asylum applicants in 2013

	Applicants		Citizenships of main groups of asylum applicants								
	#	Per million inh.	First group	#	%	Second group	#	%	Third group	#	%
EU28	**434 160**	**860**	**Syria**	**50 470**	**12**	**Russia**	**41 270**	**10**	**Afghanistan**	**26 290**	**6**
BE	21 030	1 885	Russia	2 150	10	Afghanistan	1 675	8	Guinea	1 610	8
BG	7 145	980	Syria	4 510	63	Stateless	565	8	Algeria	435	6
CZ	695	65	Ukraine	145	21	Syria	70	10	Russia	50	7
DK	7 170	1 280	Syria	1 685	23	Russia	965	13	Somalia	920	13
DE	126 705	1 575	Serbia	18 000	14	Russia	15 475	12	Syria	12 855	10
EE	95	70	Vietnam	25	27	Syria	15	18	Russia	15	15
IE	920	200	Nigeria	130	14	Pakistan	95	10	Zimbabwe	70	8
EL	8 225	745	Pakistan	1 360	17	Afghanistan	1 225	15	Bangladesh	730	9
ES	4 485	95	Mali	1 470	33	Syria	725	16	Algeria	350	8
FR	64 760	985	Kosovo*	5 505	8	Democratic Republic. of the Congo	5 325	8	Albania	5 045	8
HR	1 075	250	Syria	195	18	Afghanistan	185	17	Somalia	135	13
IT	27 930	470	Nigeria	3 580	13	Pakistan	3 310	12	Somalia	2 885	10
CY	1 255	1 450	Syria	570	45	Egypt	145	12	Bangladesh	105	8
LV	195	95	Georgia	145	76	Syria	15	8	Russia	5	3
LT	400	135	Georgia	120	30	Afghanistan	85	22	Russia	75	19
LU	1 070	1 990	Kosovo*	160	15	Bosnia and Herzegovina	145	14	Montenegro	115	11
HU	18 895	1 905	Kosovo*	6 210	33	Pakistan	3 080	16	Afghanistan	2 330	12

MT	2 245	5 330	Somalia	1 015	45	Eritrea	475	21	Syria	250	11
NL	17 160	1 025	Somalia	3 270	19	Syria	2 705	16	Iraq	1 420	8
AT	17 500	2 070	Russia	2 850	16	Afghanistan	2 590	15	Syria	2 005	11
PL	15 150	395	Russia	12 760	84	Georgia	1 235	8	Syria	255	2
PT	500	50	Syria	145	29	Guinea	80	16	Nigeria	35	7
RO	1 495	75	Syria	1 010	68	Iraq	45	3	Pakistan	40	3
SI	270	130	Syria	60	23	Kosovo*	35	13	Algeria	20	8
SK	440	80	Afghanistan	110	25	Somalia	55	13	Georgia	35	8
FI	3 210	590	Iraq	820	25	Russia	245	8	Somalia	215	7
SE	54,270	5 680	Syria	16,540	30	Stateless	6,885	13	Eritrea	4,880	9
UK	29,875	465	Pakistan	4,645	16	Iran	3,055	10	Sri Lanka	2,280	8
NO	11,930	2 360	Eritrea	3,250	27	Somalia	1,695	14	Syria	865	7

Source: Eurostat, News release 46/2014: Asylum in the EU-28 http://epp.eurostat.ec.europa.eu/cache/ITY_PUBLIC/3-24032014-AP/EN/3-24032014-AP-EN.PDF

Notes: Data are rounded to the nearest 5 *Kosovo under UN Security Council Resolution 1244

Table 2: First instance decisions on asylum applications, 2013

			Of which:			
	Total decisions	**Positive decisions**	**Refugee status**	**Subsidiary protection**	**Humanitarian reasons**	**Rejections**
EU28	326,310	112,730	49,510	45,540	17,685	213,580
BE	19,805	6,280	3,910	2,370	-	13,525
BG	2,810	2,460	180	2,280	-	355
CZ	900	345	90	240	15	555
DK	6,965	2,810	1,600	1,130	80	4,155
DE	76,165	20,125	10,910	7,005	2,205	56,040
EE	55	10	5	0	-	45
IE	840	150	130	20	-	690
EL	13,080	500	255	175	70	12,580
ES	2,365	535	205	325	5	1,835
FR	61,455	10,470	8,925	1,545	-	50,985
HR	185	25	5	15	-	165
IT	25,245	16,185	3,110	5,550	7,525	9,060
CY	800	165	35	125	10	635
LV	95	25	5	20	-	65
LT	175	55	15	40	-	120
LU	1,245	130	110	25	-	1,115
HU	4,540	360	175	185	5	4,180
MT	1,905	1,605	45	1,445	115	300
NL	15,590	9,545	1,235	3,460	4,850	6,045
AT	16,610	4,920	3,160	1,760	-	11,690
PL	2,820	745	210	145	390	2,075
PT	305	135	20	115	-	170
RO	1,435	915	385	530	5	515
SI	195	35	25	15	-	160
SK	190	70	5	30	35	125
FI	3,185	1,620	540	785	295	1,565
SE	45,005	24,015	6,750	16,145	1,120	20,990
UK	22,340	8,505	7,475	70	960	13,840
NO	11,785	5,770	4,490	995	280	6,015

Source: Eurostat, News release 46/2014: Asylum in the EU-28,
http://epp.eurostat.ec.europa.eu/cache/ITY_PUBLIC/3-24032014-AP/EN/3-24032014-AP-EN.PDF

Notes:
Data are rounded to the nearest 5
"-" means not applicable

Table 3: Relocation of third-country nationals, 2013

	Number of relocated third-country nationals				
	Total	***Female***	***Male***	***Minor***	***Top 3 countries***
BG	0	0	0	0	n/a
CZ	0	0	0	0	n/a
DE	0	0	0	0	n/a
IE	10	8	2	n/a	Somalia 10
IT	0	0	0	0	n/a
CY	0	0	0	0	n/a
LT	0	0	0	0	n/a
LU	0	0	0	0	n/a
NL	0	0	0	0	n/a
AT	0	0	0	0	n/a
PL	6	0	6	n/a	Somalia 5; Eritrea 1
RO	0	0	0	0	n/a
SK	0	0	0	0	n/a
SE	0	0	0	0	n/a
UK	0	0	0	0	n/a
NO	5	5	0	n/a	Somalia 5

Source: European Migration Network National Contact Points
Statistics Analysis: Summary

Relocation is defined as *"the transfer of persons having a status, defined by the Geneva Convention or subsidiary protection within the meaning of Directive 2011/95/EU, from the Member State which granted them international protection to another Member State where they will be granted similar protection and of persons having applied for international protection from the Member State which is responsible for examining their application to another Member State where their applications for international protection will be examined" – source: EMN Glossary 2.0 (updated)*

Notes:
NB: The table includes statistics only for those Member States, which provided statistics on relocation.

"n/a" means that data is not available or not applicable as some countries do not participate in intra-EU solidarity relocation

Table 4: Resettlement of third country nationals, 2013

	Number of resettled third country nationals			
	Total	***Female***	***Male***	***Countries form which TCNs were resettled***
EU28	4,825	2,420	2,410	n/a
BE	100	n/a	n/a	Burundians from Tanzania: 31 Congolese from Tanzania and Burundi:11 Congolese from Zambia: 2 Congolese from Burundi: 52 Liberians from Gambia: 2 Afghan from Russia: 1 Iranian from Georgia: 1
BG	0	0	0	n/a
CZ	1	0	1	Sri Lanka from UAR: 1
DK	515	265	250	n/a
DE	293	n/a	n/a	n/a
EE	0	0	0	n/a
IE	76	34	42	From Syria: 35 From Tanzania: 24 From Kenya: 10 From Egypt: 7
EL	0	0	0	n/a
ES	0	0	0	n/a
FR	97	n/a	n/a	From Afghanistan 27 From Ethiopia 24 From Soudan 8 From Pakistan 6
HR	0	0	0	n/a
IT	0	0	0	n/a
CY	0	0	0	n/a
LV	0	0	0	n/a
LT	0	0	0	n/a
LU	0	0	0	n/a
HU	0	n/a	n/a	n/a
MT	0	0	0	n/a
NL	310	155	160	n/a
PT	6	0	6	From Egypt: 1 From Ethiopia: 3 From Turkey: 2
RO	0	0	0	n/a
SI	0	0	0	n/a
SK	5	0	5	From Cuba 5
FI	674	326	348	From Afghanistan: 254 From Myanmar: 105 From Iran: 86

SE	1,820	890	935	From Iran, Kenya, Sudan, Ecuador, Egypt, Uganda and other countries
UK	965	525	440	n/a
NO	950	570	380	From Iran: 190 From Uganda: 190 From Turkey: 165 From Kenya: 165 From Ecuador: 75

Source: European Migration Network National Contact Points for BE, DE, FI, IE and for statistics on countries from which TCNs were resettled. Eurostat statistics for the rest of the countries presented in the table
Statistics Analysis: Summary

Resettlement is defined in the EMN Glossary 2.0 (updated to reflect the new EU asylum acquis) as *"In the EU context, the transfer, on a request from the UNHCR and based on their need for international protection, of a third-country national or stateless person, from a third country to a Member State, where they are permitted to reside with one of the following statuses:*

(i) refugee status within the meaning of Article 2(d) of Directive 2011/95/EU, or (ii) a status which offers the same rights and benefits under national and EU law as refugee status. In a global context, the transfer of a refugee from the country in which they have sought refuge to another State that has agreed to admit them. The refugee will usually be granted asylum or some other form of long-term resident rights and, in many cases, will have the opportunity to become a naturalized citizen. For this reason, resettlement is a durable solution as well as a tool for the protection of refugees. It is also a practical example of international burden- and responsibility sharing."

Notes:
NB: The table includes statistics only for those Member States, which provided statistics on resettlement.

"n/a" means that data is not available or not applicable as some countries do not participate in resettlement

1.2. Irregular migration, including return and smuggling

Table 5: Third-country nationals ordered to leave and returned following an order to leave, 2013

	TCNs ordered to leave	TCNs returned following an order to leave
	2013	2013
EU total	361,695	163,370
BE	47,465	7,170
BG	5,260	1,100
CZ	2,405	330
DK	3,110	2,070
DE	25,380	16,510
EE	600	575
IE	2,145	635
EL	:	:
ES	32,915	17,285
FR	84,890	20,140
HR	4,355	2,530
IT	23,945	5,860
CY	4,130	4,025
LV	2,080	2,070
LT	1,770	1,665
LU	1,015	605
HU	5,940	4,395
MT	2,435	460
NL	32,435	8,010
AT	10,085	6,790
PL	9,215	8,465
PT	5,450	1,135
RO	2,245	2,235
SI	1,040	885
SK	545	375
FI	4,330	3,155
SE	14,695	14,315
UK	57,195	55,100

Source: Eurostat [migr_eiord] and [migr_eirtn]

Notes:":" Statistics not published due to lack of reliability because of small sample

Table 6: Third-country nationals returned (by nationality (top 5) and gender), 2013

	Returned as part of forced return measures					***Returned voluntarily***					***Among TCNs returned voluntarily, the number of TCNs returned as part of an assisted return programme***				
	Total	*Female*	*Male*	*Minor*	*Top 5 countries*	***Total***	*Female*	*Male*	*Minor*	*Top 5 countries*	***Total***	*Female*	*Male*	*Minor*	*Top 5 countries*
BE	2,868	*n/a*	*n/a*	*n/a*	Albania 480 Morocco 398 Kosovo 180 Brazil 159 Serbia 148	4,290	*n/a*	*n/a*	*n/a*	Russia 633 Ukraine 465 Brazil 338 Serbia 268 Kosovo 240	4,110	*n/a*	*n/a*	*n/a*	Russia 630 Ukraine 465 Brazil 330 Kosovo 209 Irak 196
BG	876	*n/a*	*n/a*	*n/a*	Iraq 170 Algeria 162 Syria 97 Morocco 58 Nigeria 38	224	*n/a*	*n/a*	*n/a*	Iraq 63 Morocco 30 Algeria 29 Syria 21 Afghanistan 11	149	*n/a*	*n/a*	*n/a*	Iraq 62 Morocco 30 Algeria 27 Afghanistan 8 Tunisia 6
CZ	195	15	180	0	Ukraine 86 Vietnam 53 Belarus 7 Moldova, Russia and Serbia 6	109	*n/a*	*n/a*	*n/a*	*n/a*	174	140	30	4	Vietnam 47 Ukraine 23 Mongolia 20 Uzbekistan 17 Kirgizstan and Moldova 8
DK	1,670	330	910	430	Serbia 715 Afghanistan 110 Kosovo 80	310	50	230	40	Afghanistan 75 Serbia 10 Kosovo 0	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*
DE	10,198	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	10,375	5,985	4,390	4,139	*n/a*
EE[a]	214	28	169	17	Vietnam 76 Russia 52 Georgia 13 Ukraine 12 Pakistan 7	105	22	28	55	Russia 79 Ukraine 8	17	5	12	0	Georgia 5 Ukraine and Russia 3 Iran 2
IE	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	340	*n/a*	*n/a*	*n/a*	Brazil 106 China 46 Mauritius 42 Moldova 40 Georgia and Malawi 10

EL	18,653	1,138	17,515	*n/a*	Albania 6,967 Pakistan 4,833 Bangladesh 1,364 Afghanistan 737 Georgia 497	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*
ES	17,286	*n/a*	*n/a*	*n/a*	Morocco 7,631 Algeria 898 Colombia 717 Bolivia 529 Ecuador 490	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	2,767	1,382	1,285	980	Bolivia 583 Ecuador 399 Brazil 307 Argentina 271 Chile 216
FR	11,415	*n/a*	*n/a*	*n/a*	*n/a*	3,329	*n/a*	*n/a*	*n/a*	*n/a*	3,329	*n/a*	*n/a*	*n/a*	*n/a*
HR	494	*n/a*	*n/a*	*n/a*	Bosnia Herz. 190 Serbia 94 Albania 79 Kosovo 60 Turkey 44	850	*n/a*	*n/a*	*n/a*	Bosnia Herz. 526 Serbia 100 Kosovo 42 Former Yugoslav Republic of Macedonia 31 Albania 27	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*
IT	4,742	*n/a*	*n/a*	*n/a*	*n/a*	1,146	*n/a*	*n/a*	*n/a*	*n/a*	1,040	364	676	*n/a*	*n/a*
CY [b]	4,027	*n/a*	*n/a*	*n/a*	Vietnam 610 Sri Lanka 571 Bangladesh 493 Philippines 472 India 426	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*
LV	33	3	30	*n/a*	Russia 10 Georgia 6 Turkey 3 Ukraine 1	2,047	*n/a*	*n/a*	*n/a*	Russia 906 Ukraine 282 Belarus 247 Uzbekistan 108 Georgia 104	82	8	74	2	Georgia 62 Russia 6 Ukraine 4
LT	279	*n/a*	*n/a*	*n/a*	Georgia 173 Vietnam 37 Russia 26 Belarus 15 Armenia and Kyrgyzstan 6	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	43	4	35	4	Russia 9 Georgia 7 Belarus 6 Kyrgyzstan 5 Azerbaijan 4

LU	84	26	58	*n/a*	Kosovo 22 Albania 13 Bosnia-Herzegovina 13 Kosovo 13 Montenegro 13 Morocco 5	595	249	346	*n/a*	Bosnia-Herzegovina 165 Serbia 151 Montenegro 88 Kosovo 83 Former Yugoslav Republic of Macedonia 35	116	*n/a*	*n/a*	*n/a*	Kosovo 78 Brazil 9 Turkey 4 Azerbaijan 3 Cameroon 3 Iran 3 Morocco 3
HU	4,067	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*353*	*n/a*	*n/a*	*n/a*	Kosovo: 296 Mongolia: 21 Albania: 11
MT	3	0	3	0	Nigeria 2 Ghana 1	70	10	58	2	Libya 24 Serbia 10	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*
AT	512	60	452	*n/a*	Serbia 98 Kosovo 85 Nigeria 49 Pakistan 31 Turkey 30	3,095	808	2,287	*n/a*	Russia 633 Kosovo 593 Serbia 399 China 177 Former Yougoslav Republic of Macedonia 163	2,601	731	1,870	*n/a*	Russia 617 Kosovo 466 Serbia 302 China 159 Former Yougoslav Republic of Macedonia 135
PL	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	45	16	13	16	Russia 43 Syria 2 Palestine 1
PT	420	*n/a*	*n/a*	*n/a*	Brazil 142 Ukraine 45 Cape Verde 44 Angola and Guinea-Bissau 36	715	*n/a*	*n/a*	*n/a*	Brazil 592 Cape Verde 25 Ukraine 23 Angola 15	672	*n/a*	*n/a*	*n/a*	Brazil 575 Ukraine 20 Cape Verde 19 Angola 15
RO	305	*n/a*	*n/a*	*n/a*	*n/a*	1,929	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*	*n/a*
SI	41	*n/a*	*n/a*	*n/a*	Bosnia-Herzegovina 8 Former Yugoslav Republic of Macedonia 3	67	*n/a*	*n/a*	*n/a*	Bosnia-Herzegovina 15 Serbia 9 Former Yugoslav Republic of Macedonia 4	20	*n/a*	*n/a*	*n/a*	Serbia 3 Bosnia-Herzegovina 1

SK	325	55	263	7	Ukraine 160 Moldova 43 Georgia 39 Afghanistan 22 Russia 9	64	10	54	0	Ukraine 20 Vietnam 8 China 6 Moldova 6 India 5	50	4	46	0	Vietnam 8 Ukraine 7 China 6 Moldova 6 India 5
FI	1,672	491	1,099	82	Russia 943 Kosovo 54 Nigeria 52	1,474	512	886	76	Russia 905 Nigeria 39 Kosovo 28	264	52	168	44	Russia 33 Kosovo 21 Nigeria 7
SE	3,400	944	2,432	24	Serbia 280 Iraq 218 Afghanistan 212 Kosovo 204 Albania 178	10,611	3,863	6,565	183	Serbia 1966 Syria 824 Kosovo 706 Albania 587 Former Yugoslav Republic of Macedonia 493	433	127	306	*n/a*	Iraq 179 Afghanistan 88 Russia 45 Stateless 29 Somalia 21
UK	9,963	*n/a*	*n/a*	*n/a*	Pakistan 1,876 India 1,363 Nigeira 742 Albania 664 Bangladesh 611	32,310	*n/a*	*n/a*	*n/a*	India 7,504 Pakistan 3,918 China 3,447 Nigeria 2,062 Bangladesh 1,548	4,264	*n/a*	*n/a*	*n/a*	Pakistan 851 Bangladesh 457 India 437 China 428 Nigeria 228
NO	5,965	905	5,060	455	Nigeria 665 Afghanistan 605 Romania 495 Albania 285 Russia 280	1,889	576	1,313	460	Russia 341 Iraq 308 Afghanistan 156 Kosovo 145 Bangladesh 95	1,885	365	1,060	460	Russia 340 Iraq 290 Afghanistan 155 Kosovo 155 Bangladesh 100

Source: European Migration Network National Contact Points
Statistics Analysis: Summary

Notes:
NB: The table includes statistics only for those Member States, which provided statistics on smugglers arrested and convicted.
"n/a" means that data is not available

a: Statistics for Estonia does not include return based orders to leave issued at the border

b: The Cyprus Aliens Law defines voluntary return as “complying with the obligation to return within the time frame set in the Decision to return”. Due to the fact that there are no data as to how many of the persons who requested to leave, actually did that within the set time frame, there can be no actual statistical data on voluntary returns, as defined in the National Legislation.

Table 7: Third-country nationals refused at external borders and Third-country nationals found to be illegally present, 2013

	TCNs refused at external borders	TCNs found to be illegally present
BE	1,535	15,075
BG	2,550	5,260
CZ	310	3,695
DK	140	395
DE	3,845	86,305
EE	1,400	910
IE	1,935	1,465
EL	:	:
ES	192,775	46,195
FR	11,745	48,965
HR	10,015	4,150
IT	7,370	23,945
CY	430	7,015
LV	2,050	175
LT	2,865	1,910
LU	0	260
HU	11,055	8,255
MT	300	2,435
NL	1,990	:
AT	360	25,960
PL	40,385	9,280
PT	810	5,155
RO	3,410	2,400
SI	4,780	1,040
SK	435	1,025
FI	1,735	3,365
SE	180	24,400
UK	13,435	57,195

Source: Eurostat [migr_eirfs] and [migr_eipre]

Notes:
":" means not available

Table 8: Third country nationals identified as smuggled persons, 2013

	Number of third country nationals identified as smuggled persons		
	Total	**Female**	**Male**
BE	13	n/a	n/a
BG	522	108	414
CZ	580	n/a	n/a
ES	452	n/a	n/a
HR	875	n/a	n/a
IT	556	371	185
CY	251	n/a	n/a
LV	0	0	0
LT	64	n/a	n/a
LU	0	0	0
MT	2,008	319	1,689
PL	373	165	208
PT	12	n/a	n/a
SI	33	1	32
SK	938	n/a	n/a
FI	380	109	271
SE	300	n/a	n/a

Source: European Migration Network National Contact Points
Statistics Analysis: Summary

Smuggling is defined in the EMN Glossary 2.0 as *"the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a Member State of which the person is not a national or a permanent resident."*

Notes:
NB: The table includes statistics only for Member States, which provided statistics on third country nationals identified as smuggled persons.

"n/a" means that data is not available

Among the Member states which have chosen to extend the scope of Directive 2004/81/EC to victims of smuggling, the following have provided statistics: BE granted a total number of 13 residence permits to smuggled persons, the CZ granted 1 residence permit and PT granted 15 residence permits respectively.

Table 9: Number of smugglers arrested as suspects and smugglers convicted 2013

	Arrested / otherwise involved in a criminal proceeding	***Convicted***
BG	294	132
CZ	138	120
EE	11	16
EL	843	n/a
ES	746	n/a
FR	5,665[a]	n/a
HR	116	n/a
IT	434	n/a
CY	12	n/a
LV	1	1
LT	8	n/a
LU	0	0
MT	2	0
PL	26	100
SK	91	22
FI	72	n/a
NO	40	10

Source: European Migration Network National Contact Points
Statistics Analysis: Summary

Notes
NB: The table includes statistics only for those Member States, which provided statistics on smugglers arrested and convicted.

"n/a" means that data is not available

a: Data as available on 7 April 2014. The method of calculation applied is in line with index 70 of the Etat 4001, a statistical tool common to the national police and gendarmerie who identifies with a nomenclature of 107 indexes the facts found (crimes and offences) subject to legal proceedings transmitted to Prosecution service.

1.3. Unaccompanied minors and other vulnerable groups

Table 10: Persons recognised as unaccompanied minors 2013

	Persons recognised as Unaccompanied minors 2013			
	Number of recognised unaccompanied minors **not applying** for asylum			Number of recognised unaccompanied minors **applying** for asylum
	Total	Female	Male	Total
BE	1,682	n/a	n/a	470
BG	n/a	n/a	n/a	185
CZ	n/a	n/a	n/a	0
DK	n/a	n/a	n/a	350
DE	n/a	n/a	n/a	2,485
EE	2	0	2	5
IE	n/a	n/a	n/a	20
EL	n/a	n/a	n/a	325
ES	2,165[a]	n/a	n/a	10
FR	n/a	n/a	n/a	365
HR	302[b]	n/a	n/a	55
IT	8,461	553	7,908	805
CY	57	23	34	55
LV	0	0	0	5
LT	8	n/a	n/a	0
LU	n/a	n/a	n/a	45
HU	14	8	6	380
MT	n/a	n/a	n/a	335
NL	n/a	n/a	n/a	310
AT	n/a	n/a	n/a	935
PL	4	0	4	26[c]
PT	n/a	n/a	n/a	55
RO	5	n/a	n/a	15
SI	n/a	n/a	n/a	30
SK	70	n/a	n/a	5
FI	n/a	n/a	n/a	160
SE	0	0	0	3,850
UK	0	0	0	1,175
NO	n/a	n/a	n/a	115

Source: Eurostat for number of recognised unaccompanied minors applying for asylum [migr_asyunaa] and European Migration Network National Contact Points for number of recognised unaccompanied minors not applying for asylum.

Statistics from Eurostat on number of recognised unaccompanied minors applying for asylum not available for Poland. Instead, source of statistics presented for Poland is European Migration Network National Contact Point for Poland.

Notes:
"n/a" means that data is not available
a: Preliminary data
b: Statistical data on unaccompanied minors cannot be disaggregated by those who have applied for asylum
c: Source: European Migration Network National Contact Points

1.4. Actions addressing trafficking in human beings

Table 11: Total number of third country nationals 'identified' and "presumed" (shown in brackets) to be victims of trafficking in human beings, 2013

	Total number of TCNs 'identified' as ('presumed to be' shown in brackets) victims of trafficking in human beings in 2013			Age						Forms of exploitation									Top 3 citizenship [a]
				Over 18 years of age			Under 18 years of age			Sexual exploitation			Labour exploitation			Other forms			
	Total	F	M	Total	F	M	Total	F	M	Total	F	M	Total	F	M	Total	F	M	
BE	88 (94)	29 (31)	59 (63)	85 (89)	29	56 (61)	3(5)	0(3)	3	n/a (23)	n/a (22)	n/a (1)	n/a (58)	n/a (7)	n/a (51)	n/a (13[b])	n/a (2[b])	n/a (11[b])	Morocco (19) China (10) Nigeria (7)
CZ	0 (1)	0	0 (1)	0 (1)	0	0 (1)	0	0	0	0	0	0	0 (1)	0	0 (1)	0	0	0	(Vietnam)
EE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	n/a
EL	74	53	21	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
FR[c]	436	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Nigeria 133 Chine 108
HR	8	2	6	1	1	0	7	1	6	2	2	0	6	0	6	n/a	n/a	n/a	1. Bosnia and Hercegovina 2. Romania 3. Serbia
CY	n/a (30)	n/a (22)	n/a (8)	17	9	8	n/a (30)	n/a (22)	n/a (8)	6 (16)	6 (16)	n/a(10)	11	3	8	n/a(4)	n/a (4)	n/a	n/a
IT	382	n/a	n/a	380	n/a	n/a	2	n/a	n/a	361	n/a	n/a	20	n/a	n/a	1	n/a	n/a	1.Nigeria 2.Albania 3.Egypt
CY	n/a (30)	n/a (22)	n/a (8)	17	9	8	n/a (30)	n/a (22)	n/a (8)	6 (16)	6 (16)	n/a(10)	11	3	8	n/a(4*)	n/a (4*)	n/a	n/a
LV	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	n/a

LU	n/a	n/a	n/a	2[d] (6)	n/a (6)	n/a	0	n/a	n/a	2[d] (6)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1. Brazil 2. Morocco 3. Cameroon
MT	4	4	0	4	4	0	0	0	0	4	4	0	0	0	0	0	0	0	n/a
PL	n/a (222)	n/a (161)	n/a (61)	42 (191)	12	30	8 (31)	3	5	4 (105)	4	n/a	27 (53)	n/a	27	begging (1)	beggin g (1)	0	North Korea (26)
PT	(299)	n/a	n/a	(250)	n/a	n/a	49	n/a	n/a	57	n/a	n/a	188	n/a	beggin g (1)	begging (19) other (32)	n/a	n/a	n/a
RO[e]	419	n/a	n/a	218	n/a	n/a	201	n/a	n/a	275	n/a	n/a	100	n/a	n/a	44	n/a	n/a	n/a
SI	48	47	1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
SK	2	2	0	2	2	0	0	0	0	1	1	0	1	1	0	0	0	0	n/a
FI	(13)	(7)	(6)	(13)	(7)	(6)	(0)	(0)	(0)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
SE	(62[f])	n/a	n/a	0	0	0	0	0	0	0 (41[f])	0	0	0 (21[f])	0	0	0	0	0	n/a
UK[g]	183(518)	153(377)	30(141)	142 (350)	125 (294)	17 (56)	41 (168)	28 (83)	13 (85)	106 (245)	105 (236)	1 (9)	36 (113)	10 (26)	26 (87)	domestic servitude 32(92) unknown 9(86)	domes tic servitude 32(80) unkno wn 6(35)	domes tic servitude 0 (12) unkno wn 3(33)	Albania 47 (117) Nigeria 33(76) Vietnam 25(96)
NO	215	175	40	190	160	30	25	15	10	170	n/a	n/a	45	n/a	n/a	n/a	n/a	n/a	Nigeria

Source: European Migration Network National Contact Points

Notes:

NB: The table includes statistics only for Member States, which provided statistics on third-country nationals identified and presumed to be victims of trafficking.

"n/a" means that data is not available

For some MS the top 3 nationalities of the victims have not been indicated for data protection concerns. More than one form of exploitation may be associated with each victim, therefore the statistics presented in this section may not necessarily agree with the overall totals entered above.

b: aggregated form of smuggling*CY: trafficking for the purpose of forced marriage
c: The OCRTEH (Central Directorate of the Judicial Police (DCPJ)) only provides statistics in terms of identified victims in court proceedings established by the police and gendarmerie for procuring and/or trafficking in human beings for the purpose of sexual exploitation.
d: 2 victims of trafficking in human beings have been identified, while for further 4 identification is on-going
e: The figures refer to persons trafficked and identified during 2013, irrespective of their citizenship
f: figures for labour exploitation include also presumed trafficking for other purposes; figures include EU nationals and TCNs
g: Figures used are from the National Referral Mechanism (NRM) data with a cut off date of 12/03/2014. Some of the cases have yet to be concluded by the Competent Authorities and decisions on their trafficking status made. The NRM is a 'living' process and data should be considered as provisional until all cases are concluded. Some values may differ in future reports, or from previous reports, as additional information comes to light throughout the duration of the cases and the records are amended accordingly. The NRM does not have records of individuals who have chosen not to enter the NRM process. Information on multiple forms of exploitation is not available via the NRM; hence, the types of exploitation recorded shown in the table should be read as “primary exploitation type”. The age shown is the age of the individual at the time of exploitation, not the time of referral.

Table 12: Total number of reflection periods granted to victim of trafficking in human beings, 2013

	According to Directive 2004/81/EC*			National provisions		
	Total	F	M	Total	F	M
BE	97	34	63	n/a	n/a	n/a
CZ	1	0	1	22	9	13
EE	0	0	0	0	0	0
IE	n/a	n/a	n/a	*2*	*2*	0
ES	71	n/a	n/a	n/a	n/a	n/a
HR	2	1	1	n/a	n/a	n/a
CY	6	6	0	n/a	n/a	n/a
LV	0	0	0	0	0	0
LT	0	0	0	0	0	0
LU	0	0	0	0	0	0
MT	0	0	0	0	0	0
PL	0	0	0	0	0	0
RO	0	0	0	0	0	0
SK	1	1	0	0	0	0
FI	3	n/a	n/a	n/a	n/a	n/a
NO	n/a	n/a	n/a	30	25	5

Source: European Migration Network National Contact Points Statistics Analysis: Summary

Notes:
NB: The table includes statistics only for Member States, which provided statistics on total number of reflection periods granted in 2013.

"n/a" means that data is not available

* In accordance with Article 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on the European Union and the Treaty establishing the European Community, Denmark, Ireland and United Kingdom does not take part in the adoption of this Directive and is not bound by it or subject to its application.

Table 13: Total number of residence permits granted to victims of trafficking in human beings, 2013

	Total number of residence permits granted 2013			According to Directive 2004/81/EC[a]			National provisions		
	Total	**F**	**M**	**Total**	**F**	**M**	**Total**	**F**	**M**
BE	88	29	59	86	28	58	2	1	1
BG	0	0	0	0	0	0	0	0	0
CZ	0	0	0	0[b]	0	0	0	0	0
DE	38	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
EE	0	0	0	0	0	0	0	0	0
IE	n/a	n/a	n/a	n/a	n/a	n/a	2	2	0
EL	74	53	21	n/a	n/a	n/a	n/a	n/a	n/a
ES	71	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
FR	n/a	n/a	n/a	186	157	29	n/a	n/a	n/a
HR	n/a	n/a	n/a	n/a	n/a	n/a	3	3	0
IT	n/a	n/a	n/a	n/a	n/a	n/a	382	n/a	n/a
CY	n/a	n/a	n/a	30	22	8	n/a	n/a	n/a
LV	0	0	0	0	0	0	0	0	0
LT	0	0	0	0	0	0	0	0	0
LU	0	0	0	0	0	0	0	0	0
MT	0	0	0	0	0	0	0	0	0
PL	n/a	n/a	n/a	1	1	0	1	1	0
RO	0	0	0	0	0	0	0	0	0
SI	n/a	n/a	n/a	7	n/a[c]	n/a[c]	n/a	n/a	n/a
SK	2	2	0	0	0	0	2	2	0
FI	n/a	n/a	n/a	13	7	6	n/a	n/a	n/a
SE[d]	48	14	34	n/a	n/a	n/a	n/a	n/a	n/a
NO	n/a	n/a	n/a	n/a	n/a	n/a	35	25	10

Source: European Migration Network National Contact Points
Statistics Analysis: Summary

Notes
NB: The table includes statistics only for Member States, which provided statistics on residence permits granted to trafficking in human beings.

"n/a" means that data is not available
a: In accordance with Article 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on the European Union and the Treaty establishing the European Community, Denmark, Ireland and United Kingdom does not take part in the adoption of this Directive and is not bound by it or subject to its application.
b: All "presumed" victims included in the national programme during the year 2013 had a legal residence permit
c: According to EUROSTAT Regulation, statistical population is too small for further disaggregation consequently it is not allowed.
d: Includes include 39 third-country nationals and 9 persons with unknown nationality.

Table 14: Traffickers arrested as suspects and traffickers convicted

Traffickers arrested as suspects and traffickers convicted		
	Arrested / otherwise involved in a criminal proceeding	***Convicted***
BG	n/a	106
CZ	0	8
EE	42[a]	23 [a]
HR	42	n/a
CY	31	3
LV	18	10
LU	12[b]	n/a
MT	4	0
AT	77	n/a
PL	1	24[c]
RO[d]	291	n/a
SI	17	n/a
SK	6	4
FI	*27*[e]	2[f]
SE	0	0
NO	70	10

Source: European Migration Network National Contact Points
Statistics Analysis: Summary

Notes
NB: The table includes statistics only for Member States, which provided statistics on traffickers arrested and traffickers convicted.

"n/a" means that data is not available

a: total numbers (including MS nationals and TCNs)
b: 12 persons have been arrested, but criminal proceedings is on-going in the case of 4 persons
c: 23 traffickers convicted for preparations of THB and 1 person convicted as trafficker. Statistics include MS nationals and TCNs
d: The statistics include MS nationals
e: source: Police
f: Source: European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI); Approximate number of convictions (cases not persons) based on trafficking for forced labour in 2013. Finnish statistics on convictions become available later in the year (October-November), therefore no exact numbers are yet available.

1.5. Legal migration

Table 15: First residence permits, by reason, 2013 (provisional statistics)

	First permits (all)			Family reasons			Education reasons			Remunerated activities			Other reasons		
	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male
BG	6,416	2,978	3,438	2,233	1,183	1,050	935	342	593	334	68	266	2,914	1,385	1,529
DK	32,135	*n/a*	*n/a*	5,230	*n/a*	*n/a*	11,585	*n/a*	*n/a*	11,435	*n/a*	*n/a*	3,885	*n/a*	*n/a*
EE	2,287	989	1,298	1,099	686	413	348	134	214	560	103	457	280	66	214
EL	16,194	9,394	6,800	9,095	5,746	3,349	1,075	613	462	1,175	518	657	4,849	2,517	2,332
FR	206,330	108,649	97,681	94,457	54,403	40,054	62,984	33,601	29,383	17,813	5,561	12,252	13,322	7,204	6,118
HR	3089	1676	1413	2023	1271	752	180	93	87	558	146	412	328	166	162
IT	244,688	119,862	124,826	108,358	66,548	41,810	27,203	16,020	11,183	81,340	26,230	55,110	27,787	11,064	16,723
CY	12,718	7,411	5,307	1,910	1,145	765	871	219	652	7,705	4,730	2,975	2,232	1,317	915
LV	6,609	2,988	3,621	3,129	1,800	1,329	900	323	577	737	120	617	1,843	745	1,098
LT	6,068	*n/a*	*n/a*	1,163	*n/a*	*n/a*	765	*n/a*	*n/a*	4,101	*n/a*	*n/a*	39	*n/a*	*n/a*
LU	4,169	2,131	2,038	2,153	1,341	812	404	223	181	1,272	409	863	340	158	182
HU	24,140	10,435	13,705	3,395	2,095	1,300	8,595	3,675	4,920	6,910	1,950	4,960	5,240	2,715	2,525
MT	7,517	3,393	4,124	1,250	704	546	2,463	1,193	1,270	1,188	499	689	758	449	309
PT	27,456	14,176	13,280	12,011	7,002	5,009	4,732	2,381	2,351	6,323	2,404	3,919	4,390	2,389	2,001
RO	11,265	*n/a*	*n/a*	4,161	*n/a*	*n/a*	3,764	*n/a*	*n/a*	1,550	*n/a*	*n/a*	1,790	*n/a*	*n/a*
SI	9,145	3,341	5,804	3,222	2,214	1,008	711	377	334	3,513	369	3,144	1,699	381	1,318
SK	4,475	1,830	2,645	1,378	*n/a*	*n/a*	850	*n/a*	*n/a*	1,616	*n/a*	*n/a*	631	*n/a*	*n/a*
FI	19,514	9,743	9,771	8,521	5,069	3,452	5,421	2,927	2,494	4,984	1,405	3,579	588	342	246
SE	116,640	53,932	62,780	28,995	16,142	12,853	8,503	4,219	4,284	28,917	9,949	18,968	50,225	23,622	26,603
NO	33,880	17,105	16,775	11,910	7,705	4,205	6,745	4,320	2,425	8,330	2,400	5,930	6,895	2,680	4,215

Source: European Migration Network National Contact Points
Statistics Analysis: Summary
Notes
NB: The table includes statistics only for Member States, which provided statistics
"n/a" means that statistics are not available as of 6th May 2014

Table 16: Number of visas issued, by type, 2013

	Total visa	(Schengen) short stay Visas (Total A and C visas issued, including multiple A visas, multiple-entry C visas and LTVs	National Visas (so called D visas)	
			Issued to third country nationals coming directly from a third country	*Issued to third country nationals resident in another EU Member State*
BE	215,599	191,424	24,175*	
BG	9,471	n/a	9,196	275
CZ	640,078	629,168	9,027[a]	1,883[a]
DK	n/a	92,668	n/a	n/a
DE	2,084,213	1,887,051	177,703	
EE	198,518	197,352	1,166*	
IE	n/a	n/a	n/a	n/a
EL	n/a	1,513,462	7,719	84
ES	1,990,565	1,898,745	91,820*	
FR	n/a	2,308,248	169,643	4,635
IT	2,134,049	1,964,994	169,055*	
CY	70,761	n/a	70,761	
LV	206,680	203,467	2,671	542
LT	471,130	465,282	5,848*	
LU	12,065	11,138	819	108
HR	104,864	n/a	103,874	990
HU	353,358	343,765	9,457	136
MT	81,450	71,505	9,945*	
NL	n/a	418,827	n/a	n/a
AT	320,100	297,365	21,650	1,085
PL	1,396,935	1,105,272	290,559	1,104
PT	147,962	147,305	657*	
RO	153,351	n/a	153,351*	
SI	n/a	37,080	n/a	n/a
SK	130128	128,945	1,138	45
FI[b]	1,552,887	1,552,887	n/a	n/a
SE	171,493	167,504	3,989*	
UK[c]	2,497,165	n/a	n/a	n/a
NO	184,920	184,715	205	

Source: European Migration Network National Contact Points for statistics on national visas and DG Home Affairs statistics for Schengen visas, available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm
Statistics Analysis: Summary

Notes:
Airport transit visas (A): "A" visas can be issued for a single airport transit or for multiple airport transits (Multiple A).

Short stay visas (C): Uniform short stay visas entitle the holder to stay in the territories of all Member States for a period of maximum 90 days/180 days. Such visas may be issued for the purpose of a single ("C") or multiple entries ("MEV C Visas"). A short stay visa with limited territorial validity ("LTV") entitles the holder to stay only in the Member State(s) for which the visa is valid.

Long-stay visas (D): Visas for stays exceeding three months are national visas issued in accordance with Member States' national legislation. (Source; DG Home Affairs http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/index_en.htm)

"n/a" means that statistics are not available as of 6 May 2014

* no disaggregated data available for BE, EE, ES, IT, LT, MT, PT, RO and SE

a: The figures include also visas applied for in Croatia during the year 2013.

b: Finland does not issue D-visas

c: Total UK visas issued (including dependants and visitor & transit visas)

Table 17: Schengen C visas applied for at Schengen consulates around the world in 2012 and 2013

Schengen C visas applied for at Schengen consulates		
	2012	2013
BE	233,490	233,273
CZ	603,484	649,470
DK	100,402	105,119
DE	1,844,704	2,062,979
EE	175,360	201,056
EL	1,001,341	1,531,384
ES	1,836,868	2,080,175
FR	2,321,534	2,551,196
IT	1,706,536	2,036,829
LV	182,496	205,230
LT	416,851	471,838
LU	10,555	11,222
HU	322,646	356,869
MT	53,777	79,559
NL	440,056	458,824
AT	304,798	313,579
PL	1,091,395	1,126,150
PT	148,489	159,421
SI	42,127	38,885
SK	75,720	131,194
FI	1,392,048	1,569,961
SE	215,763	200,543
CH	464,512	475,171
IS	1,088	2,821
NO	130,933	197,826
Total Schengen	15,116,973	17,204,391

Source: DG HOME compilation of Member States data

1.6. Integration

Table 18: Unemployment rate of third-country nationals and total unemployment rate by Member State (age 15-64), Annual rate, 2013

	Total unemployment rate 2013			TCNs' unemployment rate 2013			Total unemployment rate 2012	TCNs' unemployment rate 2012
	Total	Female	Male	Total	Female	Male		
EU-28	11.0	10.9	11.0	22.0	22.3	21.8	10.6	21.3
BE	8.5	8.2	8.7	29.9	28.9	30.5	7.6	30.7
BG	13.0	11.9	14.1	:	:	:	12.4	:
CZ	7.0	8.4	6.0	6.2	7.0	5.7	7.0	5.1
DK	7.2	7.4	6.9	14.3	15.5	12.9	7.7	18.7
DE	5.4	5.0	5.7	12.5	11.6	13.1	5.6	12.9
EE	8.9	8.5	9.2	14.8	15.4	14.3	10.4	18.6
IE	13.3	10.8	15.4	16.9	15.9	17.8	15.0	17.6
EL	27.5	31.5	24.5	39.2	41.5	37.7	24.5	35.3
ES	26.5	27.2	25.9	40.5	38.3	42.6	25.2	38.6
FR	9.9	9.8	10.1	25.1	26.0	24.5	9.9	24.9
HR	17.6	16.9	18.1	:	:	:	16.3	:
IT	12.4	13.2	11.7	18.1	19.4	17.2	10.8	14.5
CY	16.1	15.3	16.8	9.6	7.4	16.2	12.1	8.0
LV	12.1	11.4	12.8	17.7	15.9	19.1	15.3	23.1
LT	12.0	10.6	13.4	:	:	:	13.6	:
LU	5.9	6.4	5.5	14.0	15.8	12.3	5.2	15.1
HU	10.3	10.3	10.3	:	:	:	11.0	:
MT	6.6	6.4	6.7	8.8	:	:	6.5	:
NL	6.7	6.3	7.1	18.7	18.2	19.0	5.3	15.0
AT	5.0	5.0	5.0	11.6	11.1	11.9	4.4	10.7
PL	10.5	11.2	9.8	:	:	:	10.2	:
PT	17.0	17.0	17.0	30.6	28.4	32.6	16.4	29.0
RO	7.6	6.9	8.1	:	:	:	7.3	:
SI	10.3	11.1	9.6	24.6	45.6	13.9	9.0	15.7
SK	14.3	14.6	14.0	:	:	:	14.0	:
FI	8.3	7.6	9.0	20.9	24.3	18.6	7.8	21.8
SE	8.2	8.0	8.4	29.8	31.2	28.7	8.1	30.6
UK	7.7	7.2	8.1	11.5	12.2	10.9	8.0	11.3
NO	3.5	3.3	3.7	12.1	12.7	11.6	3.2	11.8

Source: Eurostat (lfsa_urgan)

Notes:":"means not available

10. ABBREVIATIONS USED

ABC System	Automated Border Crossing System (UK)
ACP	Africa, the Caribean and the Pacific
ACT	Authority of Working Conditions (PT)
ADA	Austrian Development Agency (AT)
AFIC	Africa-FRONTEX Intelligence Community
AFIS	Automated Fingerprint Identification System
AFM	Armed Forces of Malta (MT)
AMIF	Asylum, Migration, Integration Fund
API	Advanced Passenger Information (CZ)
AVR	Assisted Voluntary Return
AVRR	Assisted Voluntary Return and Reintegration
BBAP PFP	Border Police Service and Aliens Police Service (SK)
BIO	Belgian Investment Company for Developing Countries (BE)
BMP Project	"Building of Migration Partnership" Project
BSTC	Border Security Training Centre (NL)
CABSI	Central Asia Border Security Initiative
CCV	Common Visa Centre
CDE	Centre for Development of Enterprise (BE)
CEAS	Common European Asylum System
Ce-CLAD	International Operatonal Centre for Investigation and Coordination in the Anti-Drug Effort in the Mediterranean (French acronym - Centre opérationnel international d'enquêtes et de coordination de lutte anti-drogue dénommé en Méditerranée
CEOP	Child Exploitation and Online Protection (UK)
CGAP	Independent policy and research centre
CGI	Common Ground Initiative
CGRS	Office for the Commissioner General for Refugees and Stateless Persons (BE)
CIA	Common Integration Agenda
CIRAM	Common Integrated Risk Analysis Model (PL)
CIREFI	Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration
CJEU	Court of Justice of the European Union
COI	Country of Origin Information
CSO	Civil Society Organisation
CTA	Common Travel Area
DAPS	Ministry of the Interior, Directorate of Alien Police Service (CZ)
DFID	Department for International development (UK)
DGDC	Directorate General for Development Cooperation

DSR	Daily Statistics Reports (SK)
EAC	European Asylum Curriculum
EASO	European Asylum Support Office
EAW	European Arrest Warrant
ECHR	European Court of Human Rights
ECOWAS	Economic Community Of West African States
EDF-FRAN	European Document Fraud Risk Analysis Network
EEAS	European External Action Service
EFCA	European Fisheries Control Agency
eGate	Automated border control system 'Easy GO' (CZ)
EIF	European Fund for the Integration of third-country nationals
EMN	European Migration Network
EMN NCP	European Migration Network National Contact Point
EMPACT	European Multidisciplinary Platform against Criminal Threats
EMSA	European Maritime Safety Agency
ENARO	European Network of Asylum Reception Organisations
EPN	European Patrol Network
ERF	European Refugee Fund
ERPUM	European Returns Platform for Unaccompanied Minors
ESA	European Space Agency
ESF	European Social Fund
Eu-LISA	European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice.
EURASIL	European Union Network for Asylum Practitioners
EUREMA	EU Relocation Malta
EUROSUR	European External Border Surveillance System
FOO	Frontex Operational Office
FRA	The EU Agency for Fundamental Rights
FRAN	Frontex Risk Analysis Network
FREEMO	Family reunification and on the free movement of persons
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
FYROM	Former Yugoslav Republic of Macdedonia
GAMM	Global Approach to Migration and Mobility
GASIM	Joint Centre for Illegal Migration Analysis and Policy (DE)
GDISC	General Directors' Immigration Services Conference
IBIS	Irish Border Information System (IE)
IBM	Integrated Border Management (AT)
ICMC	International Catholic Migration Commission
ICMPD	International Centre for Migration Policy Development
ICONet	Web-based Information and Coordination Network for Member States' Migration Management Services
ICPN	International Child Protection Network

iFADO	EU False and Authentic Documents online tool
IFAD	International Fund for Agricultural Development
IGC	Intergovernmental Consultations on Migration, Asylum and Refugees
ILOs	Immigration Liaison Officers
IMDi	Directorate of Integration and Diversity (NO)
IND	Migration Authority (NL)
INIS	The Irish Naturalisation and Immigration Service
INPS	National Institute for Social Pensions (IT)
IOM	International Organization for Migration
JHA	Justice and Home Affairs
JIT	Joint Investigation Team (Frontex)
JRC	Joint Readmission Committee
JRO	Joint Return Operations
JSG	NGO Joint Strategic Group (UK)
JUPO	Finnish Ontology for Public Administration Services (FI)
KIM	Contact Committee for Immigrants and the Authorities (NO)
LGBT	Lesbian, Gay, Bisexual, Transgender
MAC	Migration Advisory Committee (UK)
MELITA	Maltese project within Frontex to assist in repatriation initiatives (MT)
MIDA	Migration for Development in Africa
MIDWEB	Migration for Development in the Western Balkans
MIEUX	Migration EU Expertise
MIM	Mutual Information Mechanism
MP	Mobility Partnerships
MSR	Monthly Statistics Reports (SK)
MTM i-MAP	Interactive Map on Migration
MTV	Mobile Security Monitoring
NAATP	Romanian National Agency against Trafficking in Persons
NAPTIP	Nigerian National Agency for Prohibition of Trafficking in Persons
NCC	National Coordination Centre (NO)
NCIS	National Crime Investigation Service (NO)
NDFU	National Document Fraud Unit (UK)
NFI	Netherlands Forensic Institute (NL)
NIRVA	Italian Networking for the Assisted Voluntary Return (IT)
NQF	National Qualifications Framework
NSHF	Nordic Cooperation in Migration and Asylum
NVIS	National Visa Systems
OECD	Organisation for Economic Co-operation and Development
OFPRA	Office Français de Protection des Réfugiés et Apatrides (FR)
OPMI	Office for the Promotion of Migrant Integration (IE)
PBS	Points Based System (UK)
PNR	Passengers Name Record
PRADO	Public Register of Authentic Documents Online

PRIO	Norwegian Peace Research Institute (NO)
RABIT exercise	Rapid Border Intervention Team exercise
RAPID	Automatic Recognition System for Passengers Identified by Documents (PT)
RDW	Government Road Transport Agency (NL)
RF	European Return Fund
RESTART II	IOM Assisted Voluntary Return project in Malta
RPPs	Regional Protection Programmes
RTP	Registered Traveller Programme
SAT	Swift Action Teams (i.e. pilot project proposed by NL)
SCIBM Project	Support to Integrated Border Management System in the South Caucasus (LV)
SCIFA	Strategic Committee on Immigration, Frontier and Asylum
SEF	Immigration and Borders Service (PT)
SIS	Schengen Information System
SOCA	Serious Organised Crime Agency (UK)
TAIEX	Technical Assistance and Information Exchange
TCNs	Third-Country Nationals
TFM	Task Force Mediterranean
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
UAM	Unaccompanied minor
UDI	NO's Directorate of Immigration (NO)
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNIFEM	United Nations Entity for Gender Equality and the Empowerment of Women
UKBF	UK Border Force
VAC	Canadian Visa Application Centres
VARRE	Voluntary Assisted Return and Reintegration in Estonia (EE)
VGM	Innovation of Border Management (NL)
VIS	Visa Information System
VREN	Voluntary Return European Network