

# EMN BULLETIN

NOVEMBER 2019

The EMN Bulletin provides policymakers and other practitioners with updates on recent migration and international protection policy developments at EU and national level. The 28<sup>th</sup> Edition provides information from July 2019 to September 2019, including the (latest) relevant published statistics.

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

[1. General policy developments](#) [2. Implementation of the common European Asylum System;](#) [3. Unaccompanied minors and vulnerable groups;](#) [4. Legal migration and integration](#) [5. Integration](#) [6. Management of the EU external borders](#) [7. Irregular migration and return](#) [8. Actions addressing trafficking in human beings;](#) [9. External Dimension;](#) [Annex: EU & complementary statistics, additional information, other EMN outputs and upcoming events](#)

## SPECIAL NOTE

The study 'Attracting and Retaining International Students in the EU' was published on 4 September 2019 by the European Migration Network (EMN). It explores the national policies and practices in Member States to attract and retain students from third countries and provides a concise overview of recent trends, challenges and good practices from 25 Member States. It addresses several research questions: what concrete policies and practices have Member States put in place to attract international students? Are there any special incentives to retain them following graduation? What are the main challenges? What bilateral and multilateral cooperation agreements with third countries have been adopted by Member States covering international students? Find out more by having a look at the study package, available [here](#).



## 1. GENERAL POLICY DEVELOPMENTS

### EU DEVELOPMENTS AND UPDATES

- ★ On 30 July, the European Commission [opened](#) a call under the Asylum, Migration and Integration Fund (AMIF) 2019. It consists of a list of seven calls for proposals and the deadline to apply is 30 January 2020. According to the work programme for 2019 for Union actions under the the AMIF, more than € 58 million will be made available for projects that either strengthen and develop the Common European Asylum System and enhancing solidarity and responsibility-sharing between Member States or support legal migration to the Union, promoting the effective integration of third-country nationals and enhancing fair and effective return strategies.

### NATIONAL DEVELOPMENTS

- ★ **France:** The French government announced that it will annually organise a parliamentary debate on the guidelines of the asylum and immigration policy. On 7 and 9 October, there was a governmental declaration on the French and European migration policy in the French National Assembly and the Senate. In order to launch a debate and discuss the possibility to implement new migration measures, this declaration included six guidelines for discussion related in particular to the public development aid ; Europe's border protection ;

the fight against secondary movements ; return of irregular staying migrants and reduction of asylum application processing ; an improved integration through employment and attracting talents.

- ★ **The Netherlands:** On 17 September, the Dutch government presented its [proposal](#) for the 2020 budget. Next year, efforts will be made in the field of migration and asylum policy to reduce irregular stay and accelerate returns, to reduce asylum application processing times and reducing the backlog of asylum applications by processing repeated applications faster and handling them earlier. To make this possible, the government will allocate an additional 134 million euros to asylum and migration in 2020 and an additional 65 million euros will be structurally invested.
- ★ **Poland:** On 4 September, Błażej Poboży became the new Undersecretary of State in the Ministry of the Interior and Administration. Deputy Minister Błażej Poboży will supervise the Department of Analysis and Migration Policy, the Department of European Funds and the Department of Social Communication.

On 14 August, Mariusz Kamiński took charge as a new Minister of Interior and Administration, replacing the former minister.

On 1 August, the Prime Minister Mateusz Morawiecki, at the request of the former Minister of Interior and Administration, appointed Jarosław Szajner as the head of the Office for Foreigners.

### Judgment of the European Court of Justice Case C-369/17

On 13 September, the Court of Justice found that a person deemed to have 'committed a serious crime' cannot be excluded from eligibility of subsidiary protection on the basis of the sole criterion of the penalty provided for under the law of the Member State concerned. Instead, a full investigation into the factual circumstances that constitute a serious crime should always be carried out in the context of the Qualification Directive (2011/95/EC). The case concerned an Afghan national whose refugee status had been withdrawn by the Hungarian authorities, after he requested that the consulate of Afghanistan be informed of criminal proceedings brought against him. With this judgment, the ECJ confirmed its ruling in [joined cases C-57/09 and C-101/09](#), namely that any decision on the exclusion from international protection cannot be automatic, but should involve a thorough assessment of each case.



## 2. IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM

### EU DEVELOPMENTS AND UPDATES

*No new developments.*

### LATEST RELEVANT STATISTICS

- ★ On 16 September, Eurostat [published](#) statistics on asylum seekers for the second quarter of 2019. The number of first-time asylum applicants in the EU-28 climbed to 149 000, which is an increase of 4 % compared with the same quarter of 2018, but a decrease of 5 % compared with the first quarter of 2019. The top 3 nationalities were Syrians, Venezuelans and Afghans, lodging 16 200, 10 700 and 10 200 applications respectively. Colombians (an increase of 4 100 in applicants when compared with the second quarter of 2018) contributed most to the overall increase in first-time asylum applicants in absolute terms. The highest number of first-time asylum applicants in the second quarter of 2019 was registered in Germany (with 33 200 first-time applicants, or 22 % of all first-time applicants in the EU Member States), followed by France (28 600, or 19 %), Spain (28 200, or 19 %) and Greece (13 300, or 9 %).

### NATIONAL DEVELOPMENTS

- ★ **Belgium:** Due to an increase in the number of asylum applications, and lengthy asylum procedures, the federal reception agency Fedasil has created additional reception places. This was *inter alia* done by opening new temporary reception centres and increasing the capacity of the existing ones. In September, Fedasil and its partners had available a capacity of 23 800 places, which marks an increase of 2 700 places compared to January 2019. The lack of available reception places has meant that the resettlement commitment of 280 persons has been postponed.
- ★ **Croatia:** The project "Reconstruction and Adaptation of the Reception Centre for Asylum Seekers in Zagreb" which restored the accommodation capacities in Zagreb was completed. The project was of a total value of € 1 720 026.38 and co-financed by the Asylum, Migration and Integration Fund.
- ★ **Cyprus:** On 19 September 2019 in Nicosia, Cyprus, the Executive Director of the European Asylum Support Office (EASO), Nina Gregori and the Minister of Interior of Cyprus, Constantinos Petrides, signed a Hosting

Agreement. The Agreement gives legal clarity to the status of EASO in the country, including that of its staff and its personnel, thus allowing EASO to be better able to support the asylum authorities of Cyprus.

As of 31 August, the top five countries of origin of applicants in Cyprus were (1) Syria (2) Georgia (3) India (4) Pakistan (5) Bangladesh, with the total of new applicants registered by the same date, being 8 663. Cyprus remains per capita the number one country for applications for international protection in Europe. The great majority of applicants arrived at the Illegal “airport” in Tymbou (so called “ERCAN”) in the occupied part of the island. For the management of the increased flows, EASO continued to provide support in the framework of the Operating Plan to Cyprus, in areas such as, backlog management, registration of applications, reception etc. At the same time, the Asylum Service of the Ministry of Interior, has recruited new staff, mainly case workers, towards the effective handling of new applications.

- ★ **Czech Republic:** On 31 July 2019, an amendment to the Act on the Residence of Foreign Nationals in the Territory of the Czech Republic came into force, increasing the time limit for the accelerated procedure for international protection from 30 to 90 days. The main reason for increasing the timeframe relates to an earlier extension of the list of safe countries of origin.
- ★ **Estonia:** In July, a report on [Access to Legal Aid for Asylum-Seekers in Estonia](#) developed by UNHCR in partnership with the Estonian Human Rights Centre was published.
- ★ **Finland:** This autumn, the Finnish Immigration Service is launching a [project](#) for further development of its reporting practices concerning the country of origin (COI) information required for asylum decisions. As current COI is needed for an increasing number of countries, the goal of the project is to make the reporting even more flexible than before.

In its budget session on 17 September 2019, the Government decided that the [annual number of quota refugees](#) will be raised from the current 750 to 850 in 2020 in line with the [Government Programme](#). The Finnish authorities select the quota refugees to be admitted to Finland on the basis of a submission by the United Nations High Commissioner for Refugees (UNHCR).

- ★ **France:** On 31 August 2019, 8 528 people [arrived](#) in France as part of the protection procedure for the most vulnerable. These new arrivals fell under the commitment made by the French President in October 2017 to the office of the UNHCR to welcome 10 000 resettled refugees between 2018 and 2019.
- ★ **Hungary:** On 1 July 2019, the Immigration and Asylum Office of Hungary was transformed into the National Directorate-General for Aliens Policing and became a law enforcement body. The transformation reacts to intensifying trends of irregular migration. Although the reformed body in general follows an aliens policing approach, this does not affect the Hungarian asylum framework.
- ★ **Ireland:** In August, the Department of Justice and Equality published [“National Standards for accommodation offered to people in the protection process”](#), which seeks to improve quality of care and ensure consistency across accommodation centres for persons seeking international protection.
- ★ On 23 September, **Finland** (which holds the Presidency of the Council), **France, Germany, Italy, Malta** met in Malta to negotiate an agreement on relocating migrants rescued at sea and reaching Italian and Maltese shores. The five Ministers of the Interior drafted a proposal that will be submitted to other EU Member States by the Finnish Presidency of the Council on the occasion of the next Council of the EU, to be held in Luxembourg early October 2019. The proposal foresees the implementation of a burden-sharing mechanism aimed at relocating migrants rescued at sea within four weeks after arrival, thus providing an alternative to the Dublin Regulation.

### Judgment of the European Court of Justice – [Case C-556/17](#)

On 29 July, the Court of Justice ruled that in accordance with the right to an effective remedy, judicial courts have the power to overturn administrative decisions in the granting of international protection. The ECJ held that under the Asylum Procedures Directive (2013/32/EU), Member States are required to ensure that the processing of appeals includes a ‘full and ex nunc examination’ of the international protection needs of the applicant. The case concerned a Russian national, against whom several sets of criminal proceedings were brought against him in Russia. The Immigration and Asylum Office (IAO) of Hungary rejected his application for international protection twice, and both times, on appeal, the Administrative and Labour Court, annulled these decisions for separate reasons. In the second annulment, the court advised that the third application for international protection be granted. The IAO subsequently refused the third application, disregarding the judicial guidance of the court. The applicant sought a third judicial review. The court stayed proceedings and submitted a preliminary reference to the ECJ to determine whether the court can derive power from EU law to alter an administrative decision

- ★ **Italy:** On 7 September 2019, the Ministry of the Interior's Decree of 5 August 2019 identifying border and transit areas for the application of accelerated asylum determination procedures, in accordance with EU law, entered into force. The areas concerned are located: along the Slovene border; along the Ionian sea coast; in Apulia; in Sicily; and in Sardinia. Procedures are to be implemented by the Territorial Commissions for the determination of international protection. The decree also reinforces these Commissions by the creation of two new sections in Apulia and Sicily.
- ★ **Italy:** On 25 September 2019, the Humanitarian Corridors put in place by Italian civil society in collaboration with the Ministry of the Interior and Ministry of Foreign Affairs and International Cooperation won the 2019 UNHCR Nansen Refugee Award for the region Europe. Over the past trimester (July-September 2019), 286 persons in need of international protection were flown to Italy in a safe and legal manner, in the framework of the following schemes implemented by the Italian government: 91 foreign nationals (Syrians and Palestinians) arrived from Lebanon, through the humanitarian corridors; 97 foreign nationals (Syrians and Palestinians) arrived from Lebanon and Turkey within the framework of the Italian Resettlement Programme; 98 foreign nationals (Eritreans, Ethiopians, Somalis, Sudanese), of which 52 unaccompanied minors, arrived from Libya through the humanitarian evacuation initiative.
- ★ **The Netherlands:** As of 1 July 2019, the [procedure for filing repeated asylum applications](#) has changed. If the Immigration and Naturalisation Service (IND) rejected an earlier asylum application, an asylum seeker was able to file a repeat application by post and ask a lawyer to assist them. From 1 July 2019, the asylum seeker must go to the IND application centre in Ter Apel to file the application in person. If the asylum seeker is also filing an application for family members, s/he must also come to Ter Apel. The basis for this change was a ruling from the Council of State of 28 June 2018.

#### **Relocation and Resettlement**

- ★ **Croatia:** In the period July - September 2019, Croatia continued with the resettlement of Syrian nationals from Turkey. During this reporting period, a group of 41 Syrian nationals (8 families) arrived on 21 August 2019 and 7 Syrian nationals (2 families) arrived on 30 August. As a result, Croatia has fulfilled its pledge within EU resettlement scheme to effectively resettle 250 Syrian refugees from Turkey, according to the Decisions on Relocation and Resettlement of Third-country Nationals or Stateless Persons Eligible for International Protection from 2015 (150 persons) and 2017 (100 persons).
- ★ **Spain:** The relocation and resettlement processes continued to be carried out from June to September 2019, leading to a total of 735 resettlements to Spain as of 10 September 2019.



### **3. UNACCOMPANIED MINORS AND VULNERABLE GROUPS**

#### **EU DEVELOPMENTS AND UPDATES**

*No new developments.*

#### **NATIONAL DEVELOPMENTS**

- ★ **Greece:** During the reporting period, the Ministry of Labour and Social Affairs issued two ministerial decisions, according to the provisions in the Guardianship Law 4554/2018: Firstly, decision FEK 2725/2019 B' regarding the Registry of Professional Guardians, which regulates the storage of data of persons hired by the National Centre of Social Solidarity as professional guardians, aiming at the overall control and monitoring regarding their contracting responsibilities. Secondly, the Operating Regulation of the Supervisory Board for the Guardianship of unaccompanied minors (FEK 2890/2019 B') includes the procedures for the assessment and determination of the best interest of the child. The Supervisory Board is a body responsible for the guardianship of unaccompanied minors and particularly for the monitoring of the work of the guardian and the individual specific responsibilities as foreseen in the legal framework, such as determining the best interest of the child.

In addition, the tripartite agreement between the Ministry of Labour and Social Affairs, UNHCR and the NGO METAdrasi was extended for fourth months (until the end of 2019). This transition programme on Greek Guardianship System for Unaccompanied Children has been implemented since January 2019 and aims at operationalising the Greek competent authorities, i.e. EKKA - National Centre of Social Solidarity, through METAdrasi's expert staff with the underlying objective that the implementation of the new Guardianship law will be fully undertaken by state authorities (EKKA) as of 1 March 2020 under the National Programme and funding (AMIF). The transition programme provides for the protection and safeguarding of unaccompanied

and separated minors residing across Greece, including homeless children, through the deployment of authorised minors' representatives/guardians as per pertinent Law 4554/ 2018.

Following the increase of migration flows to Greece, the Ministry of Labour and Social Affairs in cooperation with the competent authorities worked on the update/ revision of the strategy submitted to the Commission regarding the exit from the hotel scheme accommodation for unaccompanied minors. The output will be an action plan for UAM Accommodation and Care for 2019-2020 that was submitted to the Commission at the end of September.

- ★ **Italy:** On 25 July 2019, the Ministry of the Interior signed a decree to finance 20 new projects for the reception of unaccompanied minors within the Italian reception system. Financed through the national fund for asylum policies, these projects will result in 728 additional reception places for foreign unaccompanied minors.

On 19 July 2019, the Red Code law entered into force, modifying the penal law in matters concerning the protection of victims of domestic violence. The law aims to protect people from forced marriages, a practice that exists in some third countries but also in migrant communities residing in Italy. The new law provides for jail penalties up to seven years where an individual is forced into marriage using violence, threats, the abuse of influence or authority, and through taking advantage of a condition of weakness. The law also applies if the felony was committed abroad.

- ★ **Finland:** To date, with a view to providing more support to asylum-seeking families and children in reception centres, the [Let's Talk about Children method](#) has been introduced in 22 reception centres. The method helps support the everyday lives of children, families and young people. The Let's Talk about Children method consists of discussion and consultation.

- ★ **The Netherlands:** On 6 September 2019, the Minister of Migration gave a [formal response](#) to the Dutch Scientific Research and Documentation Center (WODC), report published earlier this year. The WODC conducted a [study](#) on assessing credibility in lesbian, gay, bisexual, transgender, and intersex (LGBTI) and conversion motivated asylum applications. The international comparison included in the study was partially based on the 2017 EMN Ad-Hoc Query on this topic. The study showed that the Netherlands appears to be at the international forefront when it comes to letting go of pre-defined models and ideas referring to how sexual and religious identities are being assessed. The findings of the WODC will not lead directly to a policy change, but to a further evaluation of recent policy measures that the Immigration and Naturalisation Service (IND) has made.



## 4. LEGAL MIGRATION AND INTEGRATION

### EU DEVELOPMENTS AND UPDATES

*No new developments.*

### NATIONAL DEVELOPMENTS

- ★ **Austria:** On 4 September 2019, Statistics Austria published the ["Statistical Yearbook on Migration & Integration 2019"](#). Of note is the increase in the population with a migration background. The data shows that in 2018, some 2.02 million people with a migration background lived in Austria (23 % of the total population), an increase of about 400 000 (or 2.5%) since 2013 (1.62 million). Of these, 1 227 400 people (61 %) come from a third country, while 794 800 persons (39 %) originate from another EU or EFTA Member State.

On 30 August 2019, the [Regulation Governing the Employment of Foreign Nationals](#) was adapted by the Federal Minister of Labour, Social Affairs, Health and Consumer Protection. With this regulation the already existing exemptions of the Act Governing the Employment of Foreign Nationals were expanded. For example, the number of international schools in Austria where teaching staff no longer fall under the mentioned Act has increased.

- ★ **Croatia:** On 12 July, a Decision on increasing the annual quota of employment permits for foreigners for the calendar year 2019 in the area of tourism and hospitality industry has been published. The quota in this sector was increased by 500 permits. The increase was done in relation to the established annual quota of permits for the new hiring of foreigners from 10 811 to 10 911 licenses and for seasonal workers from 6 800 to 7 200 licenses.

On 18 July, the Act on nationals of the Member States of the European Economic Area (EEA) and their family members came into force. The Act lays down the conditions of entry, movement, residence and operation of nationals of the EEA and their family members.

On 2 August 2019, a Decision on increasing the annual quota of employment permits for foreigners for the calendar year 2019 in the area of construction work, tourism and hospitality industry has been published. The quota for foreigners in the construction industry is now set at a total of 19 800 permits for new employment. Annual quota for foreigners in tourism and hospitality industries is now set to a total of 11 091 permits for new employment and at 7 520 permits for seasonal work.

- ★ **Czech Republic:** On 1 September 2019, the Czech Republic introduced annual quotas for the intake of applications for Employee Cards (Single Permits) and long-term business visas at selected Czech Embassies in third countries. The aim of the new quota system is to improve and strengthen economic migration management. Three new government labour migration programmes, which were simultaneously launched, are used as instruments for the transparent selection of qualified migrants and Czech employers who will be provided preferential treatment under the quota system. Separate sub-quotas were reserved for qualified third-country nationals recruited by Czech employers admitted in these programmes. Admission criteria include salary thresholds and favour employers who positively contribute to the national economy and labour market development and fulfil their duties towards the state.

On 31 July 2019, an amendment to the Act on the Residence of Foreign Nationals in the Territory of the Czech Republic came into effect. Among other changes, foreign nationals with a long-term or a permanent residence permit for various purposes (e.g. work or study) can now also apply for voluntary return if their stay was cancelled/not extended by the Czech Authorities. The following conditions apply: a foreigner is staying in the Czech Republic on the basis of an exit order, serving a custodial sentence, or was issued a return decision. The request for assistance can be submitted by e-mail sent to the Ministry of the Interior.

- ★ **Estonia:** As of 1 September 2019, according to the Police and Border Guard Board (PBGB), the number of short-term employment registration applications amounted to 24 513, compared to 13 643 applications submitted at same time last year. In order to facilitate the application process for employers and also with regard to processing times for short-term employment registration applications changes were made.

In July, the PBGB expanded the possibilities of the 'self-service environment' simplifying the registration process for employers wishing to hire short-term foreign employees. It is now possible to submit the application for short-term employment registration in the [self-service environment](#). Moreover, once the employer receives the confirmation from the PBGB, the personal identification code of the third-country nationals is received simultaneously. Additionally, as of 02.09 the processing time for short-term employment registration applications is 15 working days.

- ★ **France:** In July 2019, the French Office for Immigration and Integration (OFII) published its [2018 Activity Report](#). The Report presents a consolidation of reforms carried out since 2015, the trials of innovative practices implemented in 2018 and the efforts made to implement the new reforms introduced by the latest Law on Immigration of 10 September 2018.

- ★ **Ireland:** On 19 August, the Department of Justice and Equality [launched a new streamlined pre-clearance process to make it easier for de facto partners of Irish citizens](#), who are not from the European Economic Area, to live and work in Ireland. Under the new process de facto partners of Irish citizens can apply for permission to reside in the country before they travel to Ireland.

- ★ **Italy:** In August, the Ministry of the Interior increased the resources dedicated to tackle irregular work and exploitation in the agriculture sector. Financed through the Asylum, Migration and Integration Fund (AMIF), under its Integration macro-objective, about € 16 million were added, thus reaching a total of around € 31 million for this objective.

- ★ **Latvia:** On 1 July 2019, [amendments to the Immigration Law](#) entered into force, which provides for the possibility for employers to hire third-country nationals on the basis of a long-term visa. Since the Latvian Administrative Violations Code has become obsolete, these amendments also complement the Immigration Law with administrative penalties applicable to foreigners for certain offences. The amendments also extend the period during which a third-country start-up founder has to submit information regarding the received early-stage venture capital investment from six to a maximum of 12 months after the issuance of a temporary residence permit.

- ★ **Lithuania:** As of 1 September 2019, the [amendment](#) to the Law on the Legal Status of Aliens regarding the change of employer or job function was adopted. The requirement to inform about the change of employer no later than three months before starting the new position was waived.

Also on 1 September 2019, [amendments](#) came in to force providing a simplified procedure to obtain residence permits for citizens of Australia, Japan, USA, Canada, New Zealand and South Korea, who wish to engage in economic or other activities (business) in Lithuania. The simplified procedure also applies to their family members.

As of July 2019, foreign startups wishing to relocate their innovative businesses to Lithuania will be able to obtain, in the framework of the [Startup Visa programme](#), a longer-term temporary residence permit for the duration of up to three years. So far, temporary residence permits in Lithuania were issued to foreign start-ups for the duration of up to two years.

On 1 July 2019, a [faster process](#) for the issuance of temporary residence permits for start-ups was introduced. The time-frame for decisions on whether a third-country national's planned activities meet the requirements for a start-up was shortened from 30 calendar days to 15 working days, and from 30 calendar days to 5 working days for start-ups invited to venture capital and private equity funds.

- ★ **Luxembourg:** On 16 July 2019, the Law of 12 July 2019 amending the amended law of 12 September 2003 regarding people with disabilities and the amended law of 28 July 2018 on social inclusion income was published. The changes introduced by this law affect the income amounts received by beneficiaries of international protection and legally residing third-country nationals.

On 3 July, Luxembourg and Canada signed a [memorandum of understanding](#) on work and travel visas (*Programme Vacances et Travail*), facilitating the mobility of young people between the two countries.

[Bill n°7461](#) introduced by the Government on 26 July 2019 to Parliament approving the agreement between the Grand-Duchy of Luxembourg and the United Kingdom of Great Britain and Northern Ireland, regarding the participation to certain national elections of nationals of the signing States residing in the other's territory. On 25 September 2019, it received the opinion of the Council of State in which it questioned the pertinence of this agreement. The agreement aims to provide clarity and lower uncertainty on the topic of political participation in local elections of legal residents in each other's territories after the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the EU.

- ★ **The Netherlands:** In July 2019, the Minister of Foreign Affairs informed the House of Representatives that the Netherlands received a rejection from the European Commission with regard to a [request for the temporary reintroduction of visa requirements for Albanian migrants](#). The Dutch Cabinet had sent this request to the European Commission based on perceptions of high levels of criminal offending amongst Albanian migrants, as well as the high number of rejected Albanian asylum claims in the Netherlands. However, the Commission argued that there had not been substantial increase in crime-rates amongst Albanians in the Netherlands nor in the number of rejected Albanian asylum claims, and stressed that cooperation with the Albanian authorities regarding these matters functioned well. At the same time, the Commission emphasised that Albania would need to continue to meet overall the conditions for visa liberalisation and elaborate its efforts on these matters in the future, and that Albania's progress would continue to be monitored and reported.

On 1 July 2019, the Dutch Cabinet announced that it would create a [residence scheme for essential start-up staff](#) coming into effect in summer 2020 in the form of a three-year pilot. The scheme is intended for young, innovative companies not yet able to pay highly-skilled migrant salaries and for whom the inability to deploy available talent from outside the EU is an obstacle to further growth. Both Dutch and foreign start-ups that have settled in the Netherlands can make use of the scheme. To be eligible, the start-up may consist of no more than 15 employees and a maximum of five international employees may be hired under this scheme. The Netherlands Enterprise Agency (RVO) will assess all start-ups who want to make use of the scheme on the basis of an assessment framework.

On 30 June 2019, the Minister of Migration [informed](#) the House of Representatives that [third-country national children who are monitored by the Dutch Child Care and Protection Board](#) (RvdK) can under certain conditions be eligible for a temporary residence permit on humanitarian grounds. It concerns children whom the Dutch Court has placed under the supervision of a family supervisor at the request of the RvdK. The residence status expires as soon as the child protection measure is lifted. Previously these children could be

granted a residence permit through the discretionary power of the Minister of Migration. However, this power was abolished on 1 May 2019.

On 30 June 2019, the Minister of Migration [informed](#) the House of Representatives that third-country nationals who are at risk due to their cooperation with the police or the judicial authorities are eligible for a temporary residence permit on humanitarian grounds. The reason for the decision is the abolition of the discretionary power on 1 May 2019. Third-country nationals who have cooperated with the police or the judiciary and are therefore at risk, are protected for the duration of the threat.

- ★ **Portugal:** On 1 August 2019, Resolution of the Council of Ministers no. 141/2019 approved the National Plan for Implementation of the Global Migration Pact.
- ★ **Spain:** In the reporting period, the first selection phase of the pilot project for the granting of 500 to 1 500 visas for the search for employment for children and grandchildren in 2019 of Spanish nationals, who reside in Argentina and who do not have Spanish nationality, was concluded. The main sectors among which these professionals have been selected are computer, science, marketing and finance. This project was launched by the Secretariat of State for Migrations.
- ★ **United Kingdom:** The Home Secretary [has asked the Migration Advisory Committee \(MAC\) to conduct a review of the Australian immigration system](#) and similar systems to advise on what best practice can be used to strengthen the UK labour market and attract the best and brightest from around the world.

A [pilot to encourage refugee entrepreneur programmes](#) across the UK has been launched with the Centre for Entrepreneurs (CFE) with funding from the Home Office and the National Lottery Community Fund. The one-year pilot will identify established local business support organisations to deliver tailored start-up programmes that will take refugees from idea stage to business launch. The centre is working with academic partners to conduct a comprehensive evaluation of the pilot so that, if successful, it can be implemented more widely in the future.

#### HIGHLY-SKILLED MIGRANTS

- ★ **Lithuania:** As of 1 September 2019, highly-skilled workers with an EU Blue Card are no longer required to [submit documents confirming their qualification](#). The employer will be required to specify the third-country national's qualification in the mediation letter and to make sure that s/he is in possession of the documentation.
- ★ **United Kingdom:** The [shortage of occupation lists has been expanded](#) to include a range of skilled occupations, following changes to the Immigration Rules. The changes mean that occupations such as veterinarians, architects and web designers will be added to the shortage occupation list (SOL), giving people coming to the UK to work in these industries priority in securing a Tier 2 work visa, over occupations not on the list. It also means that employers can advertise job vacancies for the occupations included to all nationalities as soon as they become available, making it easier for employers to access the international talent they need.

The Prime Minister has instructed the Home Office and the Department for Business, Energy and Industrial Strategy to work with the scientific community to develop a [new fast-track visa route](#) for the 'brightest and best', with a view to launching it later this year. The fast-track immigration route will be designed to attract prominent researchers and specialists in science, engineering and technology, from International Mathematical Olympiads (IMOs) at the very start of their careers to the winners of internationally recognised prizes and fellowships.

#### STUDENTS AND RESEARCHERS

- ★ **Cyprus:** The decision of the Council of Ministers dated 30/05/2019 (implemented as of 1 July) removed deadlines for the submission of applications by third-country nationals for an entry permit in order to study in a university in Cyprus. The existing deadlines (31/07 for the Fall semester, 30/11 for the Spring semester and 10/04 for the Summer semester) are still in place for third-country nationals who wish to study in any HEI, which is not officially recognised as a university. Moreover, a fast track for the examination of the applications for studying at a university has been established. This measure, in line with several others taken by the Council of Ministers (such as tax deductions, scholarships to non-Cypriots students, funding research etc.) aims to support access to higher education in Cyprus.



- ★ **Ireland:** On 26 August, a [new online immigration registration renewal system for non-EU 3<sup>rd</sup> level students residing in the greater Dublin area](#) was introduced. Initially the system will be limited to students who live in Dublin.
- ★ **Luxembourg:** On 12 August 2019, the government introduced to Parliament Bill n° 7469 in order to further amend the amended law of 24 July 2014 on financial aid given by the State for higher education. Even though this is a general law, every third-country national legally residing in the territory who fulfils the criteria can benefit from the financial aid.
- ★ **Spain:** The pilot project “Young People as Agents of Change” concluded its first phase, with the selection of 100 Moroccan postgraduate students that will study a master’s degree in Spain. The second phase was initiated with the arrival of selected participants in September-October 2019. The project will entail a short-term mobility plan between Spain and Morocco for study purposes, allowing Moroccan participants to improve and strengthen their skills and knowledge through studying a master’s degree in Spain in key socioeconomic sectors for Morocco. Participants must also design a studies-related project and implement this in Morocco after completion of the master’s degree.
- ★ **United Kingdom:** The UK Government [announced a new two-year post-study work visa](#), transforming how talented international students are able build successful careers in the UK. The new ‘Graduate’ immigration route will be open to all international students – including those from China – who have valid UK immigration status as a student and have successfully completed a course of study at undergraduate level or above, at an approved UK Higher Education Provider. The visa will allow eligible students to work, or look for work, at any skill level or subject, giving them valuable work experience at the start of their careers.



## 5. INTEGRATION

### EU DEVELOPMENTS AND UPDATES

*No new developments.*

### NATIONAL DEVELOPMENTS

- ★ **Austria:** On 4 September 2019, the Federal Ministry for Europe, Integration and Foreign Affairs and the Expert Council for Integration presented the annual [“Integration Report 2019”](#). This year’s report presents information and data on several topics, namely gender roles, integration of youth, family reunification and marriage, migration as well as religious diversity. Furthermore, in the framework of integration monitoring, data on immigration and asylum, education and training, labour market and social issues was presented and contextualised.
- ★ **Estonia:** In August 2019, [Tartu Welcome Centre](#) for international newcomers opened its doors. A team of local advisers provides information and guidance in settling to Estonia, face to face as well as phone or email consultation and is available at any time during office hours.
- ★ **Finland:** The Ministry for Economic Affairs and Employment is proposing a general [increase](#) of € 3 million in the budget for immigrant integration and work permit procedures in 2020. The additional funds aim to boost the resources of Employment and Economic Development Offices for identifying the skills of immigrants, and the role of municipal centres of expertise and organisations in integrating immigrants.
- ★ **Germany:** On 1 August, the Aliens Employment Promotion Act entered into force. The law provides for asylum-seekers with good prospects of being granted asylum receiving assistance at an earlier stage and being more rapidly integrated into the labour market. It will be easier for migrants who are expected to be in Germany for a longer period to access integration courses and vocationally relevant German courses as well as receiving training assistance.
- ★ **Ireland:** In July 2019, the Department of Justice and Equality issued a [progress report on Migrant Integration Strategy](#) and announced that the Government will establish a new [Anti-Racism Committee](#) to help in the fight against racial discrimination in Ireland later in 2019.
- ★ **Italy:** In August, Italy decided to allocate € 20 million, through the AMIF, to finance projects aimed at facilitating the integration of beneficiaries of international protection once they leave the national reception facilities. These projects intend to provide services to increase beneficiaries’ socio-economic autonomy.

- ★ **Latvia:** From August 2019 to December 2020, the society “[Cooperation Platform](#)”, in cooperation with the society “Shelter “Safe House”, is implementing the project “Integration ABC - 3”. The aim is to promote the inclusion of legally resident third-country nationals in Latvian society.
  - ★ **The Netherland:** In August 2019, [civic integration pilots](#) were launched in 57 municipalities to provide inputs for the new system for civic integration that will come into effect on 1 January 2021. The Ministry of Social Affairs and Employment (SZW) supports municipalities in preparing for the new law, *inter alia* by organising pilot programmes based on ideas received from the municipalities. The aim is to take lessons and experience from practice into account when developing the new system of civic integration. This first round involves pilots around the themes of dual trajectories (combining the learning of the Dutch language and work), integration of female migrants of asylum permit holders who came to the Netherlands for family reunification and the use of a Personal Civic Integration and Participation Plan (PIP).
  - ★ **Poland:** On 21 August, a meeting of employees of public institutions was held in Krakow. The meeting was organised as part of the Małopolska project Friendly to foreigners – support in the integration and adaptation of third-country nationals, and was co-financed from the National Asylum, Migration and Integration Fund. Among the issues raised included current migration trends and the situation of foreigners in the region; as well as practical aspects of cooperation between public institutions in helping third-country nationals. The meeting was attended by representatives of the Regional Labour Office in Krakow, the Regional Labour Inspectorate in Krakow, selected social assistance and crisis intervention centers, the Karpacki Border Guard Department in Nowy Sącz, non-governmental organisations and the employment agency ATERIMA.
- On 3 September 2019, an Information and Advisory Center for foreigners was launched under the project “Support for the integration of foreigners in the Śląskie Voivodeship”, which is implemented under the Asylum, Migration and Integration Fund. Services will be provided free of charge. The point will operate until 30 May 2022.



## 6. MANAGEMENT OF THE EU EXTERNAL BORDERS

### EU DEVELOPMENTS AND UPDATES

*No new developments.*

### NATIONAL DEVELOPMENTS

- ★ **Croatia:** The project “Equipping border police, technical devices and equipment for external border control of the EU” was implemented with funding from the Internal Security Fund. Moreover, a training of 45 police officers for the operation of the thermal imaging camera IR516B was carried out in the premises of the Police Academy.

Under the Project EMAS – Emergency Assistance “Strengthening border control activities on the Croatian part of the external border due to increased migratory pressure” funded by the European Union, activities in police administrations currently exposed to the biggest migratory pressures were carried out, mainly education and supervision of existing procedures.

A regional training organised by the US Embassy on preparations and procedures for transshipment to vessels under the Export Control and Border Security (EXBS) programme was held in Opatija from 23 to 27 September 2019. As part of the training, on 24 September, a joint regional exercise was held involving police and customs instructors from Croatia, Serbia and Bosnia and Herzegovina.

- ★ **Cyprus:** A grant agreement was signed between the European Funds Unit of the Ministry of Interior, as the Managing Authority, and Cyprus Police, as the final beneficiary, for the purchase of three boats for the needs of Port and Marine Police. The project has a total budget of approximately € 9.7 million and is co-funded by AMIF and the Republic of Cyprus. Four other grant agreements for AMIF co-funded projects were signed between the Managing Authority and various national authorities. The projects have a total budget of approximately €4.5m and concern the management of the external borders. Actions include: the expansion of the system for coastal surveillance; the installation of Border Xpress Kiosks in Larnaca and Paphos Airports; and the relocation of Cyprus’ Search and Rescue Coordination Centre.

### Judgment of the European Court of Justice [Case C-380/18](#)

On 11 July 2019, the Court of Justice (ECJ) ruled that Member States should be afforded a wide margin of discretion when interpreting the definition of a threat to public order in the decision to revoke a short-term visa. The ECJ held that although a threat to public order is not defined in the Schengen Border Code or the Schengen Convention, the interpretation of the phrase should take into account the general context and objective of these legislative acts. Furthermore, it held that, in principle, a threat to public order can result from the existence of a serious suspicion of committing a crime. Nonetheless, authorities are obliged to base their decision on concrete facts and to respect the principle of proportionality.

- ★ **Finland:** Effective migration management is one of the [key themes of Finland's Presidency of the Council of the European Union](#). It is important to encourage cooperation with non-EU countries and promote measures at EU external borders and in Member States. These measures include real-time monitoring of migration routes and developing of the EU's common migration and return policy in sustainable ways.
- ★ **Hungary:** In August, Hungary accepted its [new Integrated Border Management Strategy](#) for the period 2019-2021. The main objective of the strategy is to lay down the objectives, tasks and structure of national integrated border management and its main components, ensuing consistency between the national and EU border management objectives.
- ★ **Lithuania:** On 19 July 2019, during the informal meeting of the EU Justice and Home Affairs Ministers in Helsinki, Lithuanian and Latvian Ministers of the Interior signed an [agreement](#) regarding the Lithuanian and Latvian State border surveillance.
- ★ **Poland:** From 30 August to 2 September, a new group of Polish Border Guard officers supported the Police of Macedonia in activities related to counteracting the migration crisis. This was the eighth mission this year carried out on the Macedonian-Greek border. Tasks performed by Border Guard officers outside the Republic of Poland include preventing illegal crossing of the border outside border crossing points, registering applications for international protection and verifying the authenticity of documents.

in August, the PROTECT research project, financed by the EU Horizon 2020 program, which began in September 2016, ended. The project involved representatives of the Border Guard (KGSG Border Board, KGSG Finance Office, SG Training Center in Kętrzyn, Nadwiślański SG Department) who shared their knowledge on the functioning of border crossings. For the end of the project, the Border Guard Training Center presented a biometric corridor that can provide biometric identification of people in motion in the future. The presentation was watched by representatives of the European Commission, the International Organization for Immigration (IOM), European border services (Great Britain, Ukraine) and companies involved in the development of border protection technology.



## 7. IRREGULAR MIGRATION AND RETURN

### EU DEVELOPMENTS AND UPDATES

*No new developments*

### NATIONAL DEVELOPMENTS

- ★ **Czech Republic:** On 31 July 2019, following the amendment to the Act on the Residence of Foreign Nationals in the Territory of the Czech Republic, fundamental changes in eligibility of voluntary return assistance applicants were put in place. Foreign nationals eligible to apply for voluntary return are especially those who were issued with administrative expulsion decision or decision on the obligation to leave the territory and the territory of the EU if they have been given time to leave for voluntary departure, and foreign nationals detained for the purpose of their administrative expulsion.
  - ★ **Estonia:** On 1 July 2019, a new amendment to the Obligation to Leave and Prohibition on Entry Act came into force. The new provisions enable the signing of an agreement with the suspect, accused or a sentenced third-country national to expel him or her to a receiving country. At the request of the Prosecutor's office or prison, the Police and Border Guard Board shall give an assessment concerning the possibility to return a third-country national wishing to leave the Republic of Estonia to the receiving third country. Three main conditions have to be met: The third-country national 1) holds a valid travel document which allows him or her to return to the receiving state; 2) has submitted an application to the Police and Border Guard Board for revocation of the residence permit issued in Estonia; 3) has granted written consent to the obligation to leave Estonia together with an entry ban for five to ten years.
- A new ground for risk of absconding was added, according to which risk of absconding also applied when the obligation to leave was confirmed by a court judgment.
- ★ **France:** A decree of 6 September 2019 modifying a decree of 27 April 2018 related to the [assistance for return and reintegration](#) has increased the maximum amount for voluntary return assistance for applications filed by 31 December 2019: irregular migrants applying for assistance for voluntary return can thus receive up to € 1 850 euros per person.

On 22 July 2019, an internal circular was published regarding the measures implemented for the management of the fight against irregular migration at internal borders with Spain and Italy and in particular the appointment of a coordinator for controls on the land borders.

- ★ **Malta:** During the reporting period, Malta continued facing an influx of irregular migration from North Africa. Against this background, the Maltese Government in conjunction with the International Organization for Migration launched a Voluntary Relocations Scheme co-financed from the EU Emergency Mechanism (90 %) and Maltese National Budget (10%) with the aim of relocating irregular migrants to other EU Member States.
- ★ **United Kingdom:** The Home Secretary and her French counterpart agreed to [intensify joint action to tackle small boat crossings in the Channel](#). The issue of more resources to intercept and stop crossings along the French coast was discussed and they agreed to immediately draw-up an enhanced action plan to deliver this. The Ministers also agreed that UK teams will work with their French colleagues to increase intelligence gathering in the fight against the organised people-smuggling gangs responsible for driving illegal crossings. Since January 2019, the UK has returned over 65 migrants who arrived illegally in small boats to countries across Europe.

On 23 July 2019, the [Immigration Minister gave an update](#) on the improvements and continuing reforms being made to immigration detention. The reforms include promoting and encouraging voluntary return and introducing a pilot to support vulnerable women outside detention while their cases are resolved. Practical changes have also been made to Immigration Removal Centres, such as reducing the number of beds and rolling out the use of Skype. The reforms have meant that there is a higher ratio of staff to detainees in removal centres and there has been a more than 30 % reduction in the number of people in detention.



## 8. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

### EU DEVELOPMENTS AND UPDATES

*No new developments.*

### NATIONAL DEVELOPMENTS

- ★ **Bulgaria:** During the reporting period, the Chief Directorate for Combating Organised Crime, which is part of the Ministry of Interior of the Republic of Bulgaria, implemented several specialised police operations, connected with the fight against trafficking in human beings in Bulgaria and abroad.
 

In connection with the activities of Joint Investigation Teams between Bulgaria and France, the Chief Directorate for Combating Organised Crime and the Criminal Police in the city of Lyon established an organised crime group trafficking in human beings for the purpose of labour exploitation.

At the Bulgarian-Serbian border, 34 persons with a risk profile were checked and a preventive campaign was conducted to counteract trafficking in human beings.
- ★ **Croatia:** On 17 September 2019, a meeting was held in Zagreb between the Council of Europe expert group on combating trafficking in human beings (GRETA) and the President of the National Anti-Trafficking Committee on the occasion of the third evaluation visit concerning the implementation of the Convention on the fight against trafficking in human beings.
- ★ **Greece:** On 1 July 2019, the revised Greek Penal Code took effect, bringing about significant changes to the legislation regarding trafficking in human beings (THB). Firstly, new forms of exploitation, including slavery and similar practices, servitude, and exploitation of criminal activities, were added to the existing forms of exploitation resulting from human trafficking. Second, stricter measures against the use of services of THB victims were implemented; anyone who knowingly accepts the services of a trafficked person shall be punished by a term of imprisonment for at least three years and a fine. Thirdly, trafficking in children is now a punishable offence, even if none of the means set forth in the definition of trafficking in human beings has been used.
- ★ **Finland:** By the end of June, 115 new clients were admitted to the [Assistance System for Victims of Human Trafficking](#). This number is more than half higher than at the same time last year, when 76 new clients were admitted to the system. It was estimated that slightly less than one-third of the new clients had become victims of exploitation indicative of human trafficking in Finland. Furthermore, forced begging and forced marriages were also uncovered in Finland, whereas an alarmingly low number of victims of human trafficking related to sexual exploitation were identified.

- ★ **Hungary:** With the aim of bringing Hungarian practice closer to that of other Member States, a reclassification of pending cases which include exploitation is in progress based on the instruction of the Office of the Prosecutor General issued at the end of 2018. In the transition period, law enforcement and judicial bodies may face increased workload stemming from the new practice, which eventually aims to lead to more reliable statistics reflecting the reality of this crime.
- ★ **Malta:** Several initiatives were carried out during the reporting period, in the framework of implementation of the fourth *National Action Plan on Combating Trafficking in Persons*, which is set to be implemented by the end of 2019. These include measures addressing victim assistance services, training of government officials and raising public awareness.

The Ministry for Home Affairs and National Security coordinated and organised the provision of training to officials within the Ministry itself, as well as in other Departments. A special emphasis was given to human trafficking in the context of the recruitment of police officials. One of the training components for new recruits is precisely human trafficking. Recruits were informed about techniques relating to securing intelligence, the elements that make up a human trafficking case, as well as the law applicable to child victims.

- ★ **Portugal:** Opening of a new Shelter for the protection and assistance to Male Victims of Trafficking in Human Beings (THB).

Opening a “Transit Residence” in the North of Portugal with the aim of promoting and supporting the empowerment of THB victims after leaving the specialised shelter.

During the reporting period, 85 professionals were trained on human trafficking, with a focus on the legislative framework and on the National Referral Mechanism and Indicators for the identification of THB victims.

## 9. EXTERNAL DIMENSION

### EU DEVELOPMENTS AND UPDATES

- ★ On 6 August, the European Commission [announced](#) an additional support of € 127 million to the Emergency Social Safety Net (ESSN) programme via the EU Facility for Refugees in Turkey. The ESSN programme is implemented by EU humanitarian partners, in close collaboration with the Turkish authorities. The additional funding brings the total EU contribution to the programme to € 1.125 billion. Furthermore, together with an update on the progress made under the European Agenda on Migration, on 16 October, the Commission reported that over 12.3 billion euros [has been made available](#) (since 2015) to our international partners in order to better manage migration.

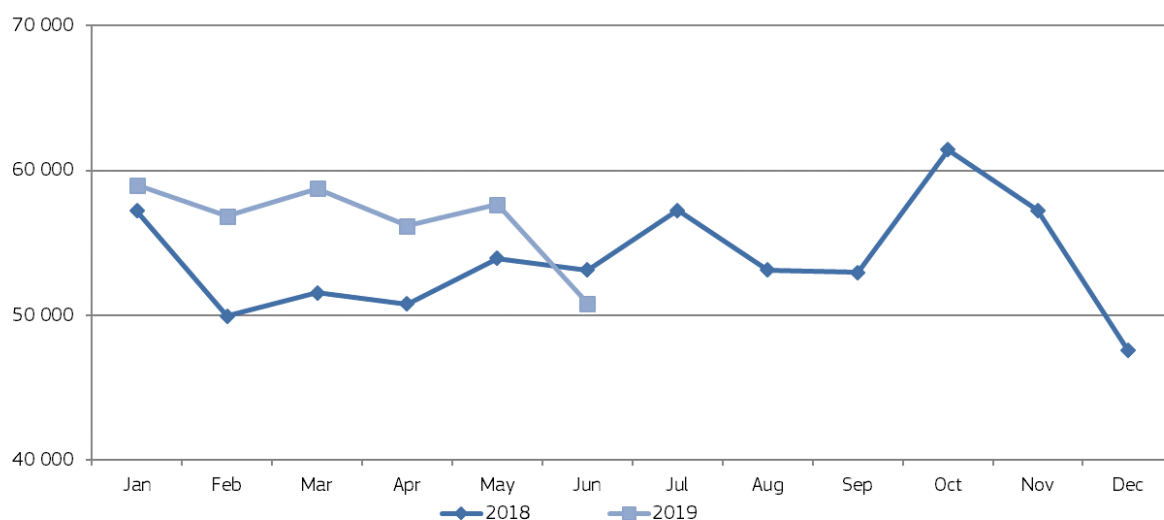
### NATIONAL DEVELOPMENTS

- ★ **Czech Republic:** In July and August 2019, the Czech Ministry of the Interior supported various external actions through its Aid in Place Programme. For example, financial support amounting to € 1 million was granted to UNICEF to provide protection to children on the move in Mali. In Jordan, UNHCR received financial contribution amounting to € 1 million to support healthcare and special education of Syrian refugees and a further € 1 million to support stabilisation of refugees in Libya and their evacuation out of the country.

During the reporting period, the MEDEVAC Programme continued to provide medical support to foreign countries. In September 2019, two Czech medical teams were deployed to Jordan to provide medical care to Syrian refugees and poor local people. Additionally, the MEDEVAC Programme deployed two medical teams abroad to train foreign medical staff. Furthermore, the MEDEVAC Programme supported two external projects to reinforce health infrastructure in Burkina Faso and Mauritania. The first project, implemented by Light for the World, is aimed to provide ophthalmic treatment to people in the Hauts Bassins region in Burkina Faso. In Mauritania, the MEDEVAC Programme supports the Lutheran World Federation’s project aimed to provide equipment and basic facilities to health centres that care for refugees from the Mbera refugee camp and other people in need.

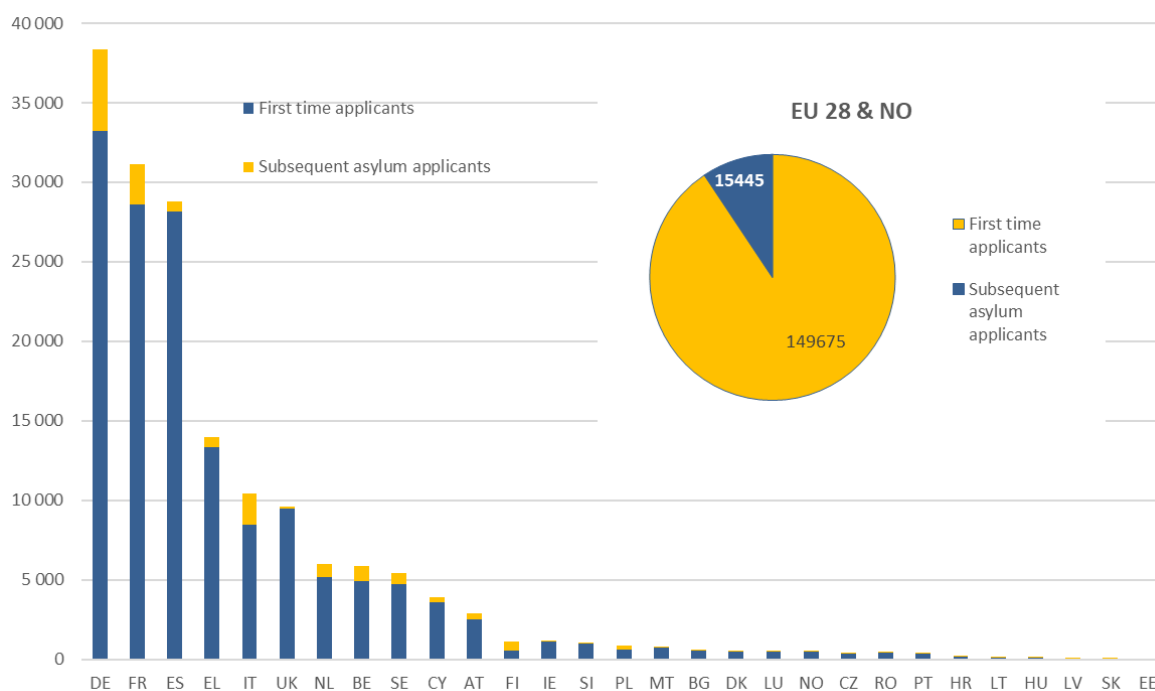
## ANNEX: EU & COMPLEMENTARY STATISTICS, ADDITIONAL INFORMATION, OTHER EMN OUTPUTS AND UPCOMING EVENTS

**Figure 1a: Asylum applications in the EU-28, January 2018 – June 2019.**

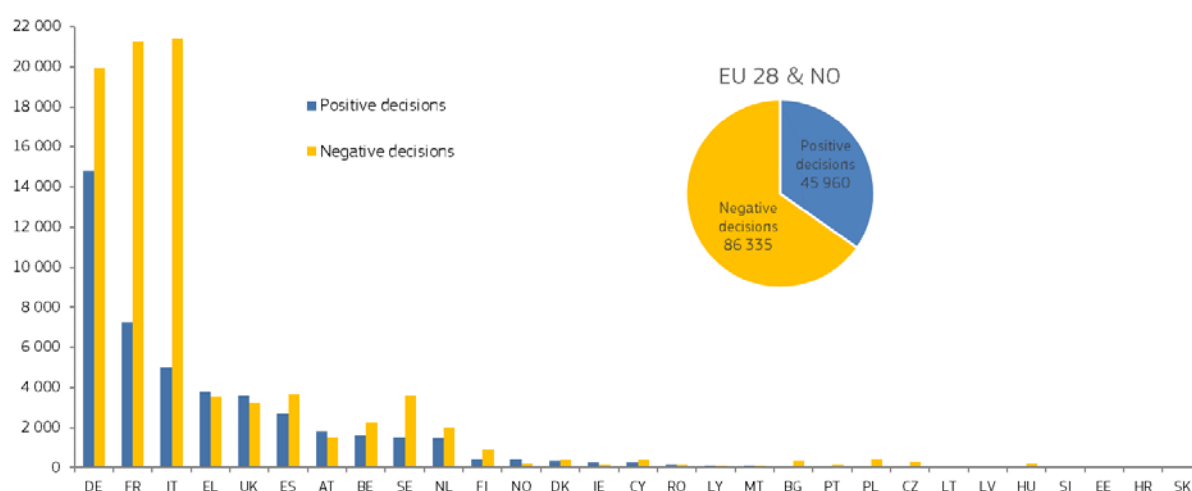


Source: Eurostat [[migr\\_asyappctzm](#)], total asylum applicants, extracted on 7 October 2019.

**Figure 1b: First time asylum applicants and subsequent applicants (together, total asylum applicants) in the EU-28 and Norway, Q2 2019 (quarterly data)**



Source: Eurostat [[migr\\_asyappctzm](#)], accessed on 7 October 2019.

**Figure 2: First instance asylum decisions in EU-28 and Norway for non-EU citizens, Q2 2019**

Source: Eurostat [[migr\\_asydcfstq](#)], accessed on 7 October 2019.

### Updates on EU legislation transposition

- ★ **Belgium:** On 1 September 2019, the single permit procedure entered into force for highly-qualified workers and seasonal workers, transposing Directives 2009/50/EC and 2014/36/EU. Highly-qualified foreign workers can now apply for a single permit for a period of up to three years in the Flemish, Walloon and Brussels Capital Regions.
- ★ **Czech Republic:** On 31 July 2019, an amendment to the Act on the Residence of Foreign Nationals in the Territory of the Czech Republic came into effect, inter alia transposing Directive (EU)2016/801 of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purpose of research and study.

### Other EMN outputs and past/upcoming events (see also the EMN website)

- ★ **Portugal:** On 18 September 2019, EMN NCP Portugal held its national conference in Lisbon. The theme was “Migration, Asylum and Statistics with representatives from the European Commission, EUROSTAT, EASO, Frontex, Portuguese Immigration and Borders Service, Academics, Data Protection and statistics authorities.
- ★ **Slovak Republic:** On 20 - 22 August 2019, EMN NCP Slovakia organised the 7<sup>th</sup> EMN Educational Seminar on Migration entitled “Impacts and Opportunities of International Migration” in Bratislava. The seminar welcomed 15 experts from international organisations, non-governmental sector, research institutions and academia. Lecturers discussed politics and migration, how and why people decide to migrate, good governance as a way forward in migration and migration in an urbanising world. More information including podcasts and other outputs can be found on [seminar webpage](#).