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# Annual Report on Migration and Asylum 2022

European Migration  
Network

July 2023

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## Explanatory note

This EMN Annual Report on Migration and Asylum 2022 was prepared on the basis of annual National Reports on Migration and Asylum from 29 EMN NCPs (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Slovak Republic, Slovenia, Spain, Sweden, Norway, Georgia, Republic of Moldova, and Armenia ) according to a common template developed by the EMN and completed by EMN NCPs to ensure, to the extent possible, comparability. More detailed information on the topics addressed in this EMN Annual Report on Migration and Asylum 2022 may be found in the available annual National Reports on Migration and Asylum for 2022, and it is strongly recommended that these are consulted as well.

The annual National Reports on Migration and Asylum provided by EMN NCPs describe the migration and international protection situation and developments in their respective countries specifically for the year 2022. National Reports were largely based on desk analysis of existing legislation and policy documents, reports, academic literature, internet resources and reports and information from national authorities and practitioners. Statistics were sourced from Eurostat, national authorities and other (national) databases.

EU level updates were based on desk analysis and reviewed by the relevant units of DG Migration and Home Affairs of the European Commission. The European Union Agency for Asylum (EUAA) and European Border and Coast Guard Agency (Frontex) were also consulted in the development of the Annual Report.

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# CONTENTS

|   |           |
|---|-----------|
| <b>1. OVERVIEW OF KEY DEVELOPMENTS IN MIGRATION AND ASYLUM IN EMN MEMBER AND OBSERVER COUNTRIES IN 2022</b>                             | <b>5</b>  |
| 1.1. Key points   | 5         |
| 1.2. Introduction   | 6         |
| 1.3. Aims and structure of the annual report  | 7         |
| 1.4. Response to the war in Ukraine   | 8         |
| 1.5. Moving on from the Covid-19 pandemic   | 10        |
| 1.6. Managing migration pressures at external borders and in reception systems  | 11        |
| 1.7. Solidarity and cooperation at EU level   | 11        |
| 1.8. Attracting skills and talent to address labour shortages   | 12        |
| 1.9. Protection of vulnerable groups, including children  | 12        |
| <b>2. RESPONSE TO THE INFLUX OF PERSONS FLEEING THE WAR IN UKRAINE</b>  | <b>14</b> |
| 2.1. EU developments  | 16        |
| 2.2. Temporary protection for persons fleeing the war in Ukraine  | 17        |
| 2.3. Measures in addition to those included in the TPD  | 23        |
| <b>3. LEGAL MIGRATION TO THE EMN MEMBER AND OBSERVER COUNTRIES</b>  | <b>26</b> |
| 3.1. EU developments  | 26        |
| 3.2. Overarching strategic legal or policy changes in legal migration   | 26        |
| 3.3. Work-related migration   | 28        |
| 3.4. Students and researchers   | 31        |
| 3.5. Family reunification including family formation  | 31        |
| 3.6. Information on routes and conditions of legal migration  | 32        |
| 3.7. Other measures on legal migration  | 32        |
| <b>4. INTERNATIONAL PROTECTION</b>  | <b>33</b> |
| 4.1. EU developments  | 34        |
| 4.2. Legislative and policy developments in relation to international protection  | 35        |
| 4.3. Relocation and resettlement  | 41        |
| <b>5. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS</b>  | <b>43</b> |
| 5.1. EU developments  | 45        |
| 5.2. Identification, registration, reception of unaccompanied minors  | 45        |
| 5.3. Access to status determination procedures and procedural safeguards for unaccompanied minors                                       | 46        |
| 5.4. Integration of unaccompanied minors  | 47        |
| 5.5. Return of unaccompanied minors   | 48        |
| 5.6. Other vulnerable groups  | 48        |
| <b>6. INTEGRATION AND INCLUSION OF MIGRANTS</b>   | <b>50</b> |
| 6.1. EU developments  | 50        |
| 6.2. National integration strategy  | 51        |
| 6.3. Collaboration with multiple stakeholders including NGOs  | 51        |
| 6.4. Pre-departure/arrival programmes   | 52        |
| 6.5. Education and training   | 52        |
| 6.6. Labour market and skills   | 53        |
| 6.7. Basic services   | 54        |
| 6.8. Active participation of migrants and receiving societies in integration  | 54        |
| 6.9. Fighting racism and discrimination   | 55        |
| <b>7. CITIZENSHIP AND STATELESSNESS</b>   | <b>56</b> |
| 7.1. Acquisition of citizenship   | 56        |
| 7.2. Statelessness  | 57        |
| <b>8. SCHENGEN AREA</b>   | <b>58</b> |
| 8.1. EU developments  | 59        |
| 8.2. Schengen   | 59        |
| <b>9. IRREGULAR MIGRATION, INCLUDING MIGRANT SMUGGLING</b>  | <b>63</b> |
| 9.1. EU developments  | 65        |
| 9.2. Preventing and tackling irregular migration in legal migration channels  | 65        |
| 9.3. Preventing facilitation of irregular migration ('smuggling') and preventing irregular stay   | 66        |
| 9.4. Access to services and legal solutions for irregularly staying migrants  | 68        |
| 9.5. Other measures on irregular migration  | 68        |
| <b>10. TRAFFICKING IN HUMAN BEINGS</b>  | <b>70</b> |
| 10.1. EU developments   | 70        |
| 10.2. National strategic policy development   | 72        |
| 10.3. Improving detection, identification and provision of information to third-country national victims of trafficking in human beings | 73        |
| <b>11. RETURN AND READMISSION</b>   | <b>77</b> |
| 11.1. EU developments   | 77        |
| 11.2. Main national developments in return  | 78        |
| 11.3. Cooperation with third countries of origin and transit and implementation of EU readmission agreements                            | 81        |
| <b>12. MIGRATION AND DEVELOPMENT</b>  | <b>82</b> |
| 12.1. National strategies   | 82        |



# 1. OVERVIEW OF KEY DEVELOPMENTS IN MIGRATION AND ASYLUM IN EMN MEMBER AND OBSERVER COUNTRIES IN 2022



## 1.1. KEY POINTS

- Following the invasion of Ukraine by Russia on 24 February 2022, the European Migration Network (EMN) Member and Observer Countries focused their responses on providing safe shelter to people from Ukraine fleeing the war. European Union (EU) Member States implemented the Temporary Protection Directive (TPD) (2001/55/EC),<sup>1</sup> which was activated on 4 March 2022 for the first time since its adoption in 2001. Norway activated a national framework – temporary collective protection from 11 March 2022, while Moldova and Georgia each implemented national measures to support people fleeing the war. In 2022, a total of 4 331 200 temporary protection statuses were granted by EU Member States. On 31 December 2022, 3 826 600 non-EU citizens benefited from temporary protection in the EU.<sup>2</sup>
- 2022 was the first ‘post-COVID-19 year’, as the spread of the virus was less severe compared to 2020 and 2021. This resulted in the lifting of restrictions at borders, as well as for return operations. Extensions of stay on EU Member States’ territory due to travel restrictions were also phased out during the year. The improved epidemiological situation allowed health measures in reception and detention centres to be relaxed, freeing capacity.
- In 2022, several EMN Member and Observer Countries saw overarching strategic developments in migration and asylum. Changes in government in Sweden prompted new approaches to migration management, whilst in Latvia it was due to crises at the border with Belarus. Belgium audited its asylum and migration services. Georgia adopted a comprehensive policy document ‘Vision 2030 – Development Strategy of Georgia’, including measures to facilitate labour migration and strengthen the Georgian diaspora abroad.
- Pressures at external borders from the Mediterranean, Western Balkan and Eastern routes continued to impact on the migration and asylum systems of EMN Member Countries in 2022. The number of irregular border crossings increased noticeably from 2021 by 64%,<sup>3</sup> and the resulting security risks prompted several EU Member States to reintroduce internal border controls.
- The rise in asylum applications (first-time asylum applications were up by 65% compared with 2021)<sup>4</sup> put pressure on the asylum systems of Member States and Norway. This was the first increase since 2019, as applications had dipped during the COVID-19 pandemic period. Syria and Afghanistan were once again the top nationalities of asylum applicants in the 27 EU Member States (EU-27) and Norway, as had been the case since 2018. The activation of the TPD ensured that asylum systems across EU Member States would not be overwhelmed with protection requests. Nevertheless, Ukrainian nationals were still the eleventh largest group to apply for international protection during 2022 (25 460).<sup>5</sup>
- Some EU Member States reported that the large inflows of people fleeing the war in Ukraine put additional strain on migration management (e.g. leading to processing delays) and on reception systems.
- 2022 saw a number of developments in solidarity and cooperation measures on migration in the EU. Key developments included the adoption of a joint roadmap<sup>6</sup> between the European Parliament and five rotating Presidencies of the Council of the EU to work

1 Council Directive 2001/55/EC of 20 July 2001 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, OJ L 212, pp. 12-23; in accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not participating in the adoption of this Directive and is therefore not bound by it nor subject to its application.

2 Eurostat, News Articles, 23 March 2023: <https://ec.europa.eu/eurostat/product?code=DDN-20230323-2>, last accessed on 5 June 2023.

3 Frontex, EU’s external borders in 2022: Number of irregular border crossings highest since 2016, <https://frontex.europa.eu/media-centre/news/news-release/eu-s-external-borders-in-2022-number-of-irregular-border-crossings-highest-since-2016-YsAZ29>, last accessed on 9 June 2023.

4 Idem.

5 Eurostat (migr\_asyappctza), extracted on 8 June 2023.

6 Co-legislators’ roadmap, 2022, <https://www.europarl.europa.eu/resources/library/media/20220907RES39903/20220907RES39903.pdf>, last accessed on 21 April 2023.



together to adopt the reform of the EU migration and asylum legislative framework before the 2024 EU elections and a Declaration on Solidarity establishing a Voluntary Solidarity Mechanism (VSM),<sup>7</sup> endorsed by 23 European countries to support cooperation with the EU Member States most affected by migratory flows in the Mediterranean. Croatia acceded to the Schengen area, with full application of the *acquis* and removal of internal border controls.

- Attracting and retaining talent, including qualified workers to meet labour market needs, and addressing demographic change continued to be a significant priority at EU and national level. In April 2022, the European Commission adopted an ambitious policy for legal migration, the 'Skills and Talents Package' to attract talent and facilitate the EU's transition to a green and digital economy. In response to increasing labour shortages, several EU Member States introduced major reforms to attract qualified workers. While a Talent

Pool Pilot for Ukraine was launched on the European Employment Services Network (EURES) platform in October 2022, plans to establish a fully-fledged 'EU Talent Pool' for facilitating job-matching began in 2022. Talent Partnerships, as a tool for cooperation on legal migration between EU Member States and partner countries, as well as strategic engagement on migration management, were also announced in 2022. At national level, Skills Mobility Partnerships promoting a sustainable approach to skilled migration and mobility were carried out by several EU Member States.

- The protection of migrants and asylum seekers, including minors and other vulnerable groups, remained an important area of legislative and policy development. At national level, measures to protect vulnerable groups in reception centres were strengthened, including the opening of new dedicated centres for vulnerable groups and/or the creation of special places in mainstream reception centres.

## 1.2. INTRODUCTION

2022 saw new developments and continued challenges and opportunities in migration and asylum. It was marked most starkly by the inflow of large numbers of displaced people from Ukraine and the activation of the Temporary Protection Directive (TPD) (2001/55/EC) for the first time, over 20 years after its adoption. The European Union (EU)'s unified and immediate response ensured that people fleeing the war in Ukraine were provided with accommodation, healthcare, and access to other services to meet their needs.

In 2022, the spread of the COVID-19 virus was much less severe than in the previous two years, which allowed travel restrictions to be lifted and migration-related activities and processes to be resumed.

There were continued and increased pressures on external borders, for the Mediterranean countries (Med5),<sup>8</sup> along the Western Balkan route, and at the EU's external borders with Belarus. The security implications of increased migratory flows and the conflict in Ukraine, combined with the accompanying risks of migrant smuggling and cross-border crime more generally, prompted many EU Member States to enhance their border control measures.

A continued priority from previous years was attracting and retaining qualified workers across the EU. The COVID-19 pandemic had significant impacts on many national labour markets, which intensified ongoing labour shortages and bottlenecks. Several EU Member States introduced major reforms to respond to labour shortages and attract qualified workers.

In 2022, several European Migration Network (EMN) Member and Observer Countries saw overarching strategic and organisational developments in migration and asylum. Changes in government in Latvia and Sweden prompted new approaches to migration management. In Latvia, a key focus of the government declaration was

implementing an effective strategy to prevent the risks of irregular immigration and cross-border organised crime at the external border. A shift in Swedish migration policy was noted as the new government took office on 18 October 2022, with stricter conditions for obtaining family reunification and citizenship. In the Netherlands, the coalition that took office on 10 January 2022 reiterated its commitment to a just, humane and effective asylum and migration policy, with an emphasis on well-managed migration. In Belgium an audit of Asylum and Migration Services was presented to the parliament on 4 October 2022. It recommended organisational changes, including merging the three asylum and migration agencies<sup>9</sup> into one single, target-oriented and efficient organisation. On 3 November 2022, Georgia adopted a comprehensive policy document 'Vision 2030 – Development Strategy of Georgia'. Along with major policy directions, the Strategy includes goals related to the 2021–2030 Migration Strategy that contribute to the country's development, such as the facilitation of labour migration and the strengthening the Georgian diaspora abroad. Armenia introduced a major institutional reform, leading to the creation of the Migration and Citizenship Service, comprising the staff of the Migration Service and Visa and Passport Department of the Police. All migration-related structures will be consolidated, with the centralisation expected to increase the efficiency of migration management.

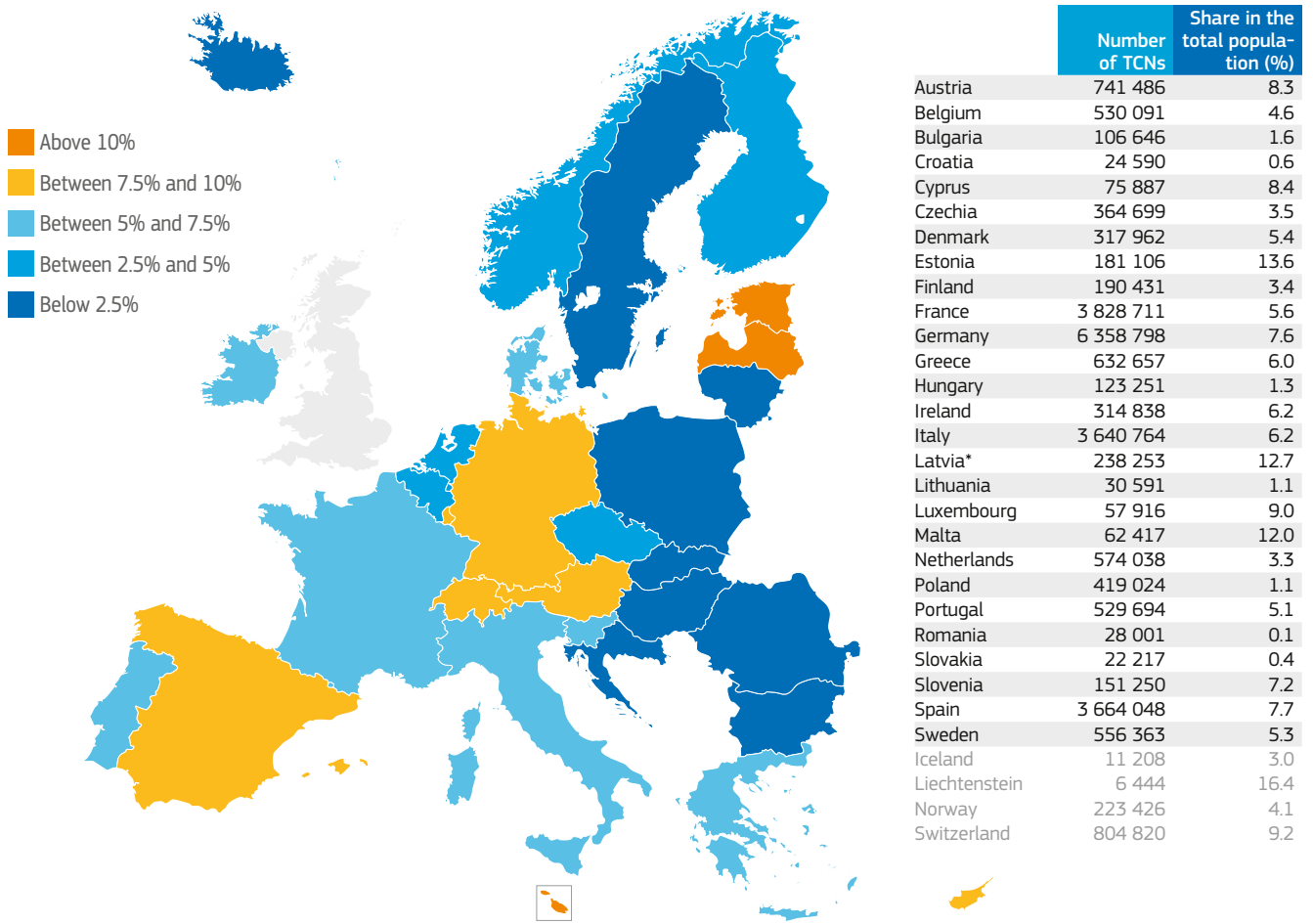
Figure 1 presents an overview of the total number of third-country nationals currently residing in the EU and Norway, and their share of the total population on 1 January 2022. As of 1 January 2022, third-country nationals represent 5.3% of the total population in the EU Member States and Norway, on average. Figure 2 shows that the share of third-country nationals of the total population in the EU has remained relatively stable over the last four years.

7 Declaration on Solidarity, 2022, [https://home-affairs.ec.europa.eu/system/files/2023-05/Declaration%20on%20solidarity\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2023-05/Declaration%20on%20solidarity_en.pdf), last accessed on 5 June 2023.

8 Med5 – Five Member States of the Mediterranean Basin (Greece, Malta, Cyprus, Italy, Spain).

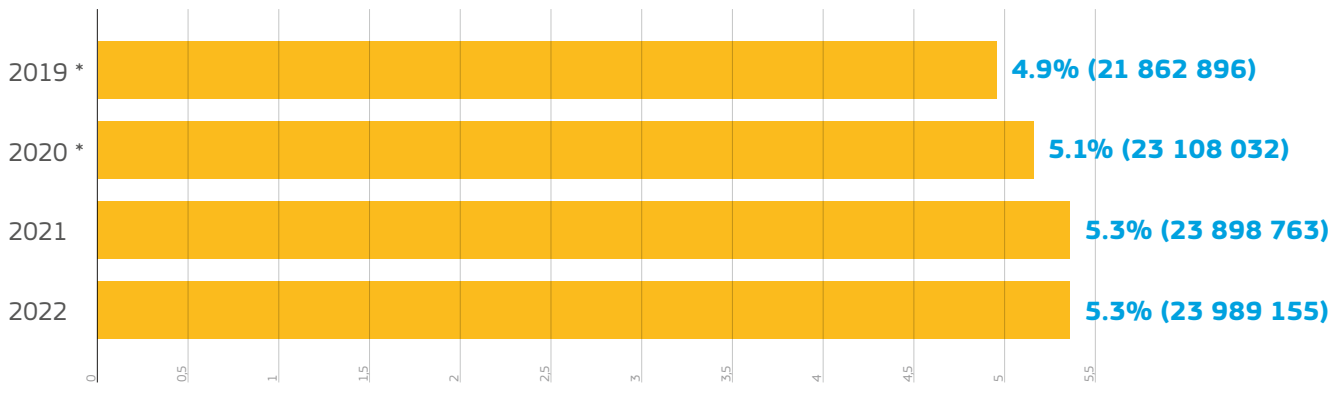
9 Federal Agency for the reception of asylum seekers (Fedasil), Immigration Office and the Commissioner General for Refugees and Stateless Persons (CGRS).

**Figure 1: Share of third-country nationals in the total population, 1 January 2022**



\* Includes recognised non-citizens  
 Source: Eurostat ([migr\\_pop1ctz](#)), extracted on 8 May.

**Figure 2: Share of third-country nationals in the total population, 2019-2022**



\* Excluding Cyprus and Malta for which data are not available.  
 Source: Eurostat ([migr\\_pop1ctz](#)), extracted on 8 May.

### 1.3. AIMS AND STRUCTURE OF THE ANNUAL REPORT

This annual report summarises the most important legal and policy developments in migration and asylum in the responding EU Member States, Norway, Georgia, Moldova and Armenia in 2022. It focuses on new

legislative and policy measures introduced in 2022, as reported by the EMN National Contact Points (EMN NCPs) via national contributions (national reports are available on the EMN website). Section 1 gives an overall narrative

for 2022, providing an overview of the main legal and policy developments across all areas of migration and asylum and identifying cross-cutting themes among EU-level and national actions. Section 2 comprises 11 thematic chapters, which provide a more detailed summary of the main legislative and policy developments, as well as statistics, on:

- Responses to the influx of people fleeing the war in Ukraine;
- Legal migration to the EMN Member and Observer Countries;
- International protection;
- Unaccompanied minors and other vulnerable groups;
- Integration and inclusion of migrants;
- Citizenship and statelessness;
- Schengen area;
- Irregular migration, including migrant smuggling;
- Trafficking in human beings;
- Return and readmission;
- Migration and development.



## 1.4. RESPONSE TO THE WAR IN UKRAINE

The most significant development in 2022 was the Russian invasion of Ukraine on 24 February 2022, which was strongly condemned by the EU as an unprovoked and unjustified military aggression.<sup>10</sup> The response to the Russian military invasion was twofold, focusing on protecting and supporting those fleeing the war in Ukraine, and sanctioning Russia, including restricting Russian (and sometimes Belarusian) nationals' access to visas or to preferential visa/residence schemes. The European Commission presented updated guidelines on visa procedures for nationals of the Russian Federation and called on EU Member States to boost border controls.<sup>11</sup>

The TPD was activated for the first time in 2022, over 20 years since its adoption in 2001. This was a key component of the EU's unified response. On 4 March 2022, Council Implementing Decision 2022/382<sup>12</sup> established temporary protection for those fleeing the war in Ukraine,<sup>13</sup> providing EU Member States with a common framework to assist people fleeing Ukraine. The right to temporary protection was established not only for Ukrainian nationals residing in Ukraine on or before 24 February 2022 and their family members, but also to stateless persons and nationals of third countries who had benefitted

from international or equivalent national protection in Ukraine, and their family members. EU Member States also extended temporary protection to Ukrainian nationals who were already legally in their country before 24 February 2022 or who fled shortly before 24 February 2022. Norway activated a national framework, temporary collective protection – from 11 March 2022, and Moldova and Georgia each implemented national measures to support those fleeing the war.

The war caused large flows of people to move towards the border areas of Ukraine in search of safety, with border crossings reaching a peak of 800 000 entries from Ukraine and Moldova into the EU during the early months of the war.<sup>14</sup> From April onwards, the number of border crossings subsided to around 240 000 per week.<sup>15</sup> Figure 3 shows that as of end of March 2023, close to four million third-country nationals who fled Ukraine had benefitted from temporary protection in the EU,<sup>16</sup> more than three million of whom were in the first half of 2022 (see also Figure 4 further below for a monthly overview). From June 2022, the number of registrations for temporary protection declined steadily, albeit with some fluctuations.<sup>17</sup>

10 Council of the European Union, <https://www.consilium.europa.eu/en/policies/eu-response-ukraine-invasion/>, last accessed on 5 April 2023.

11 Communication from the Commission updating guidelines on general visa issuance in relation to Russian applicants following Council Decision (EU) 2022/1500 of 9 September 2022 on the suspension in whole of the application of the Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation and providing guidelines on controls of Russian citizens at the external borders, [https://ec.europa.eu/transparency/documents-register/detail?ref=C\(2022\)7111&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=C(2022)7111&lang=en), last accessed on 11 March 2023.

12 Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, 4 March 2022: OJ L 71, pp. 1-6.

13 Temporary protection is an exceptional measure to provide immediate and temporary protection in the event of a mass influx or imminent mass influx of displaced persons from non-EU countries who are unable to return to their country of origin.

14 Communication from the Commission on temporary protection for those fleeing Russia's war of aggression against Ukraine: one year on, <https://home-affairs.ec.europa.eu/system/files/2023-03/Temporary%20protection%20for%20those%20fleeing%20Russia%E2%80%99s%20war%20of%20aggression%20against%20Ukraine%20one%20year%20on.pdf>, last accessed on 13 March 2023.

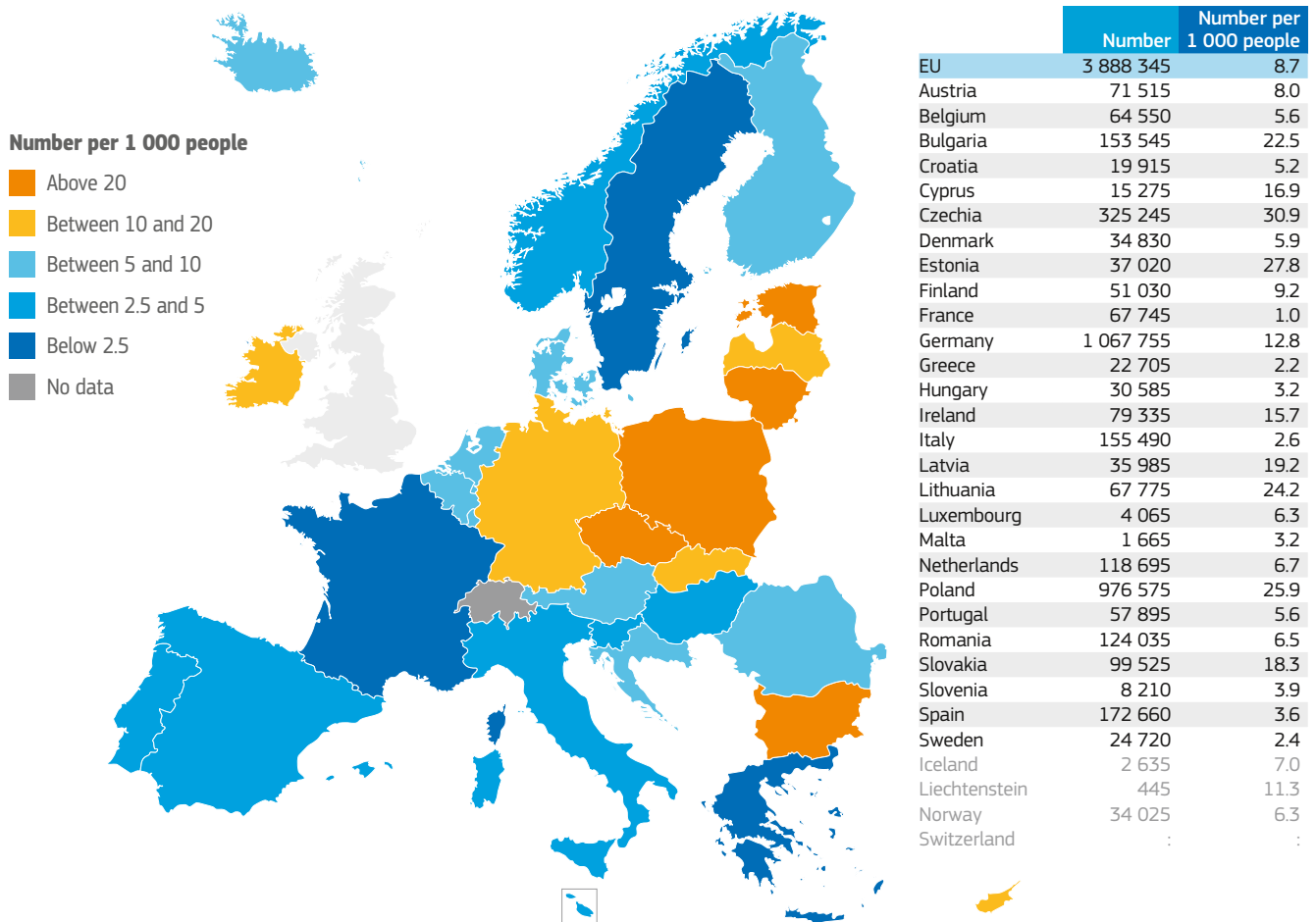
15 Ibid.

16 Eurostat, Beneficiaries of temporary protection at the end of the month by citizenship, age and sex – monthly data, [https://ec.europa.eu/eurostat/databrowser/view/MIGR\\_ASYTPSM/default/table?lang=en&category=migr.migr\\_asy\\_migr\\_asytp](https://ec.europa.eu/eurostat/databrowser/view/MIGR_ASYTPSM/default/table?lang=en&category=migr.migr_asy_migr_asytp), last accessed on 28 May 2023.

17 Communication from the Commission on temporary protection for those fleeing Russia's war of aggression against Ukraine: one year on, <https://home-affairs.ec.europa.eu/system/files/2023-03/Temporary%20protection%20for%20those%20fleeing%20Russia%E2%80%99s%20war%20of%20aggression%20against%20Ukraine%20one%20year%20on.pdf>, last accessed on 13 March 2023.



**Figure 3: Third-country nationals who fled Ukraine and were granted temporary protection, 31 March 2023**



Source: Eurostat ([migr\\_asytpsm](#) and [migr\\_pop1ctz](#)), extracted on 8 June.

The EU Member States bordering Ukraine and Moldova were the first to respond to the crisis. In Poland, from 24 February 2022, all border crossing points at the Ukrainian-Polish border were opened for foot traffic, and all persons crossing the border were checked in the border guard information technology (IT) systems. Border crossing was enabled for the persons without travel documents, authorising them to cross the border for a limited period of time for humanitarian reasons. To facilitate entry, EU Member States, Norway, Georgia, and Moldova introduced visa waivers or other simplified entry procedures in the absence of biometric passports or valid travel documents.

Initial registration for temporary protection generally took place in specially designated areas at border crossing points, in airports, registration centres and regional offices. Police, border guards and/or immigration authorities were primarily responsible for registering people arriving from Ukraine. These initial registration structures subsequently transformed, in some countries developing into more established one-stop-shop service points, where various authorities provided a range of services, such as information, emergency healthcare, and assistance with

accommodation.<sup>18</sup> In some cases, digital procedures were introduced to facilitate the registration process.<sup>19</sup>

Following registration, providing suitable accommodation and housing assistance to millions of beneficiaries of temporary protection was a key priority. In the initial stages of emergency reception, temporary accommodation was provided in reception centres, hotels, and other available housing. Private individuals also offered space in their homes to host people fleeing the war in Ukraine, which alleviated the burden on reception systems across the EU. This included private housing initiatives, organised in some cases in cooperation with NGOs.<sup>20</sup> Under the 'Safe Homes' initiative, the European Commission issued guidance to assist EU Member States, regional and local authorities, and civil society in organising private housing initiatives.<sup>21</sup> Building on this guidance, in November 2022, the European Commission awarded €5.5 million to a project managed by the International Federation of Red Cross and Red Crescent Societies (IFRC) to support private housing initiatives in several EU Member States.

More permanent solutions were offered through national authorities and municipalities, as well as private sponsors and the housing market. In Belgium, reception and

18 CZ, FI, FR, IE, LT, LU, LV, SK.

19 BE, CY, EE, EL, FI, HR, LT, LV, SK.

20 AT, BE, CZ, ES, FR, IE, LT, LU, NL, PL, SE, SK.

21 Safe Homes initiative, [https://home-affairs.ec.europa.eu/news/safe-and-suitable-homes-people-fleeing-war-ukraine-2022-07-06\\_en](https://home-affairs.ec.europa.eu/news/safe-and-suitable-homes-people-fleeing-war-ukraine-2022-07-06_en), last accessed on 5 April 2023.

housing for beneficiaries of temporary protection was organised into two phases: emergency reception was offered in the initial stages of arrival, with longer-term accommodation to be coordinated through the regions. Norway, Georgia and Moldova reported similar measures to host people fleeing Ukraine in safe and suitable accommodation.

The Solidarity Platform 'Ukraine' was launched on 23 March 2022 to ensure coordination and cooperation among EU Member States and Schengen Associated Countries, European institutions and EU agencies, international organisations, as well as Ukrainian and Moldovan authorities. It provides a framework for regular exchanges and ensures coherence between existing fora at EU level. The Solidarity Platform's dedicated sub-groups (e.g. on the transfers of displaced persons from Moldova and on the Temporary Protection Registration Platform<sup>22</sup>) played a crucial role in strengthening cooperation and meeting continuously arising challenges. The Temporary Protection Registration Platform allows EU Member States to exchange information on beneficiaries of temporary protection and adequate protection under national law, while limiting abuse.<sup>23</sup>

The TPD provides for rights that include access to employment and self-employment activities, vocational training, education, medical care, social welfare and means of subsistence, and access to the education system for those under 18 years old. EU Member States implemented measures to ensure swift access to such rights. In many cases, access to social services was enabled through the one-stop-shop service points. Recognising the risk of mental trauma among those fleeing the war, most EU

Member States<sup>24</sup> reported that beneficiaries of temporary protection had access to mental healthcare and psychological assistance. Similarly, Norway, Georgia and Moldova provided access to public services to people fleeing the war in Ukraine.

The EU guidance on 'Helping people fleeing Russian aggression to access the labour market, vocational education and training (VET) and adult learning' called on EU Member States to provide targeted upskilling and reskilling opportunities, VET or practical workplace experience, including language training.<sup>25</sup>

EU Member States provided a range of measures to facilitate beneficiaries of temporary protection accessing the national labour market. This included career counselling,<sup>26</sup> job-matching,<sup>27</sup> subsidised employment and financial incentives for employers,<sup>28</sup> language classes,<sup>29</sup> orientation courses,<sup>30</sup> vocational training,<sup>31</sup> facilitation of recognition of qualifications,<sup>32</sup> and childcare.<sup>33</sup> France reported that as beneficiaries of temporary protection mainly comprised women and children, children up to three years old were welcome in local nurseries free of charge up to 31 December 2022. As of November 2022, almost 500 children under three had been welcomed as part of this initiative. At EU level, the European Commission launched the pilot of the Talent Pool initiative on the EURES platform in October 2022<sup>34</sup> to facilitate access to the labour market, including setting up an online job search tool for beneficiaries of temporary protection looking for a job in the EU. Jobseekers can upload their CVs to the portal and connect with employers across the EU. Seven EU Member States<sup>35</sup> participated in the pilot initiative in 2022, although all EU Member States participate in principle.



## 1.5. MOVING ON FROM THE COVID-19 PANDEMIC

In 2022, the spread of the COVID-19 virus was much less severe, and this was reflected in migration management. Several restrictions were lifted, contingency measures phased out, and activities resumed.<sup>36</sup>

Where previously EU Member States had allowed for extensions of stay due to COVID-19 travel restrictions, such extensions expired or were lifted during the year.

The improved epidemiological situation allowed health measures in reception and detention centres to be relaxed, improving capacity. EU Member States continued

to offer voluntary vaccination to third-country nationals, including those fleeing the war in Ukraine.

As part of the gradual standing-down of COVID-19 measures, some EU Member States<sup>37</sup> took steps to increase their return operations and resume related activities. Belgium reported that COVID-19 measures in third countries, which had made forced returns particularly challenging, were gradually lifted and Ireland resumed issuing deportation orders, following a period where they had only been issued in limited circumstances.

22 European Commission, Temporary Protection Registration Platform, [https://neighbourhood-enlargement.ec.europa.eu/news/solidarity-ukraine-commission-launch-es-eu-platform-registration-people-enjoying-temporary-protection-2022-05-31\\_en](https://neighbourhood-enlargement.ec.europa.eu/news/solidarity-ukraine-commission-launch-es-eu-platform-registration-people-enjoying-temporary-protection-2022-05-31_en), last accessed on 27 April 2023.

23 Communication from the Commission on temporary protection for those fleeing Russia's war of aggression against Ukraine: one year on, <https://home-affairs.ec.europa.eu/system/files/2023-03/Temporary%20protection%20for%20those%20fleeing%20Russia%2E%80%99s%20war%20of%20aggression%20against%20Ukraine%20one%20year%20on.pdf>, last accessed on 13 March 2023.

24 AT, BE, CZ, EE, EL, ES, FI, FR, IE, IT, LT, LU, LV, NL, PL, SE, SK.

25 Communication from the Commission on Guidance for access to the labour market, vocational education and training and adult learning of people fleeing Russia's war of aggression against Ukraine, [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022XC0616\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022XC0616(01)), last accessed on 08 June 2023.

26 AT, BE (regional competence), BG, CZ, DE, EE, EL, FI, FR, HR, IE, IT, LT, LU, LV, NL, SI, SK.

27 AT, BE (regional competence), BG, CY, CZ, EE, EL, FI, FR, HR, IE, IT, LT, LV, NL, SK.

28 BE (regional competence), BG, CZ, FI, LT, LU, LV, SE, SK.

29 AT, BE, BG, CY, CZ, DE, EE, EL, FI, FR, IE, IT, LT, LU, LV, NL, SE, SI, SK.

30 AT, BE (regional competence), BG, DE, EE, EL, FI, FR, IT, LV.

31 BE (regional competence), DE, CY, EL, FI, FR, HR, IE, IT, LT, LU, LV, NL, SI, SK.

32 AT, BE, CZ, FR, HR, IE, IT, LT, LV, NL, SK.

33 BG, DE, FI, FR, IE, IT, LT, LU, LV, NL, SE, SK.

34 Talent Pool pilot, [https://eures.ec.europa.eu/eu-talent-pool-pilot\\_en](https://eures.ec.europa.eu/eu-talent-pool-pilot_en), last accessed on 21 April 2023.

35 CY, ES, FI, HR, LT, PL, SK.

36 BE, CY, CZ, EE, ES, FI, IE, LU.

37 BE, CY, FI, IE.



## 1.6. MANAGING MIGRATION PRESSURES AT EXTERNAL BORDERS AND IN RECEPTION SYSTEMS

With COVID-19 measures gradually lifting, the migratory pressures on the Mediterranean countries (Med5), along the Western Balkan route, and at the EU's external borders with Belarus, returned with full force in 2022, impacting the migration and asylum systems of EU Member States. Throughout 2022, some 330 000 irregular border crossings were detected at the external borders of the EU, the highest number since 2016,<sup>38</sup> with the Western Balkan and Central Mediterranean routes alone accounting for 75% of detections.<sup>39</sup> Despite a 25% decrease compared to 2021, 6 127 illegal border crossings were detected at the Eastern land border route in 2022.<sup>40</sup>

The security implications of increased migratory flows and the movement caused by the conflict in Ukraine, combined with the accompanying risks of migrant smuggling and cross-border crime more generally, prompted many EU Member States to enhance their border control measures, amend their visa regimes, and reintroduce internal border controls.<sup>41</sup>

Developments reported by Estonia, Latvia, and Lithuania were partly an extension of measures introduced following the 2021 border crisis, which saw Belarus instrumentalise<sup>42</sup> migration. Latvia, for example, declared an emergency situation to reinforce control of its borders in a number of areas adjoining the Russian Federation, but

also extended the state of emergency declared in 2021 to counter the surge in irregular border crossings at the border with Belarus.<sup>43</sup> Estonia, Latvia and Lithuania each continued the installation of a physical barrier on their external borders, with Lithuania's completed in August 2022.

EU Member States experienced pressures in their asylum and migration management systems, with first-time asylum applications increasing by 65%, from 538 950 in 2021 to 889 280 in 2022.<sup>44</sup> While the TPD provided displaced persons fleeing Ukraine with protection so as to reduce pressure on the national asylum systems of the EU Member States, Ukrainian nationals were nevertheless the eleventh-largest group applying for international protection in the EU (25 460 applications).

The large inflows of people fleeing the war in Ukraine put additional strain on migration management systems and national authorities. In Poland, the time limits for the authorities to respond to applications for residence permits were temporarily suspended to alleviate the administrative burden.

Some countries, such as Belgium, reported extreme pressure on their reception networks due to an increased influx of applicants for international protection, coupled with reduced outflows.



## 1.7. SOLIDARITY AND COOPERATION AT EU LEVEL

In 2022, the implementation of the New Pact on Migration and Asylum remained a key priority for policy makers at EU and national level, providing the basis for several reforms of national asylum and migration systems in Europe. On 7 September 2022, political agreement was reached on a joint roadmap<sup>45</sup> between the European Parliament and five rotating Presidencies of the Council of the EU. The roadmap laid the ground for an increased dialogue on the New Pact and aimed to provide an impetus for the conclusion of negotiations by February 2024 on all pending legislative files related to asylum and migration management.<sup>46</sup>

In order to support the EU Member States most affected by migratory challenges in the Mediterranean, a Voluntary Solidarity Mechanism (VSM) was established when the Declaration on Solidarity was endorsed by 23 European

countries in June 2022.<sup>47</sup> The VSM aims to provide a concrete response to the migratory difficulties of the Mediterranean EU Member States through the voluntary relocation of persons, or through financial contributions. The European Commission coordinates the relocation processes under the VSM in close collaboration with participant countries and with the operational support of the EU Agency for Asylum (EUAA) and the International Organization for Migration (IOM). A significant number of pledges were made available, especially by Germany and France. Relocation transfers under the VSM started in August 2022.

One of the milestones of 2022 was the appointment of an EU Return Coordinator, Mari Juritsch, a function created under the New Pact on Migration and Asylum, as part of establishing an effective European return system.

38 Frontex, 'EU's external borders in 2022: Number of irregular border crossings highest since 2016', 31 January 2023, <https://frontex.europa.eu/media-centre/news/news-release/eu-s-external-borders-in-2022-number-of-irregular-border-crossings-highest-since-2016-YsAZ29>, last accessed on 8 March 2023.

39 Ibid.

40 Ibid.

41 AT, CZ, DE, EE, ES, FR, LT, SE.

42 Instrumentalisation: extraordinary circumstances of migrants being used for political purposes, see Factsheet: New Pact Migration and Asylum, 20 April 2023: [https://ec.europa.eu/commission/presscorner/detail/en/fs\\_23\\_1850](https://ec.europa.eu/commission/presscorner/detail/en/fs_23_1850). For a discussion of the impact of instrumentalisation by Belarus see EMN Annual Report on Migration and Asylum 2021, section 1.3.

43 Cabinet Order No. 518 'Regarding Proclamation of the Emergency Situation', adopted on 10 August 2021. – *Latvijas Vēstnesis* No.152A, 10.08.2021, entered into force on 10 August 2021.

44 Eurostat ([migr\\_asyappctza](https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&plugin=1)), extracted on 8 June 2023.

45 Co-legislators' roadmap, 2022, <https://www.europarl.europa.eu/resources/library/media/20220907RES39903/20220907RES39903.pdf>, last accessed on 10 March 2023.

46 Migration and Asylum: Roadmap on way forward agreed between European Parliament and rotating Presidencies covers the following legislative proposals: Regulation for Asylum and Migration Management, Regulation for Crisis and Force majeure, Screening Regulation and proposal amending several regulations to facilitate the Screening, Qualification Regulation, Reception Conditions Directive (recast), Amended Asylum Procedures regulation, Return Directive (recast), Amended EURODAC Regulation, Union Resettlement Framework Regulation, <https://www.europarl.europa.eu/news/en/press-room/20220905IPR39714/migration-and-asylum-roadmap-on-way-forward-agreed>, last accessed on 10 March 2023.

47 European Commission, Migration and Home Affairs, Voluntary Solidarity Mechanism (VSM), [https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/relocation-eu-solidarity-practice\\_en](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/relocation-eu-solidarity-practice_en), last accessed on 10 March 2023.

Reintegration measures post-return were high on the agenda in a number of EU Member States,<sup>48</sup> including through the Joint Reintegration Services (JRS) project implemented by the European Border and Coast Guard Agency (Frontex).

Finally, the Schengen area was expanded when Croatia acceded, with full application of the *acquis* and removal of internal border controls.



## 1.8. ATTRACTING SKILLS AND TALENT TO ADDRESS LABOUR SHORTAGES

The COVID-19 pandemic had significant impacts on many national labour markets, intensifying ongoing labour shortages and bottlenecks. Against this backdrop, attracting and retaining qualified workers continued to be a key priority across the EU.

In April 2022, the Commission adopted the 'Skills and Talent Package',<sup>49</sup> which recognises that sustainable EU legal migration would help to attract talent and facilitate the EU's transition to a green and digital economy, with many sectors requiring additional labour and new skills.

As part of the Package, the Commission proposed revising the Directive on Long-Term Residents<sup>50</sup> and the Single Permit Directive.<sup>51</sup> Another building block of the Skills and Talent Package is the proposal to establish the first EU-wide platform and matching tool, the EU Talent Pool, to make the EU more attractive to non-EU nationals looking for opportunities and to help employers find the talent they need. A pilot Talent Pool initiative was launched in October 2022 on the EURES platform.<sup>52</sup>

At national level, several EU Member States introduced reforms to respond to labour shortages and attract qualified workers and international talent.<sup>53</sup> Given its ageing population, Finland implemented new actions under

the Talent Boost Programme, with the goal of doubling work-based immigration and tripling the number of new foreign students by 2030. In Sweden, an inquiry into labour immigration resulted in a number of legislative changes entering into force to counteract the exploitation of workers and to attract and retain international talent. A new residence permit was also introduced for highly skilled third-country nationals wishing to come to Sweden to look for employment.

Skills Mobility Partnerships (SMPs) and related initiatives were implemented in some EU Member States<sup>54</sup> and third countries to boost mutually beneficial international mobility based on better matching of labour market needs and skills between the EU and partner countries. The Belgian Development Agency, Enabel, launched a new Circular Mobility Scheme between Belgium and the Ivory Coast to provide mobility opportunities to 120 talented Ivorian entrepreneurs and support local SMEs. In the second half of 2022, discussions were launched with Morocco, Tunisia, Egypt, Bangladesh and Pakistan on establishing Talent Partnerships. The Commission also started to assess the feasibility of launching Talent Partnerships with Nigeria and Senegal, as one of the key component of reinforced migration management cooperation with these countries.



## 1.9. PROTECTION OF VULNERABLE GROUPS, INCLUDING CHILDREN

The protection of migrants and asylum seekers, including minors and other vulnerable groups, remained an important area of legislative and policy development at EU and national level in 2022. The number of unaccompanied minors applying for asylum increased by almost 60% in 2022 and represented 4.5% of total asylum applications, including a high share from Afghanistan, as in the previous year.<sup>55</sup> Significant increases were observed in the number of unaccompanied minors arriving in Austria, Belgium, Germany, the Netherlands, and Spain.

2022 saw several EU-level developments to protect children generally, including unaccompanied minors. As part of the EU Strategy on the Rights of the Child,<sup>56</sup> adopted in 2021, the European Commission launched the EU Network for Children's Rights on 31 March 2022.<sup>57</sup> A new Proposal for a Regulation to prevent and combat child sexual abuse<sup>58</sup> was put forward, while a new Strategy for a Better Internet for Kids (BIK+) was adopted on 11 May 2022, seeking to ensure that children are protected,

48 BE, BG, CY, CZ, IT, PL, SE, SI.

49 European Commission, 'Attracting skills and talent to the EU', COM(2022) 657 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A657%3AFIN&qid=1651223944578>, last accessed on 10 March 2023.

50 Proposal for a Directive of the European Parliament and of the Council concerning the status of third-country nationals who are long-term residents (recast), COM/2022/650 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A650%3AFIN&qid=1651218479366>, last accessed on 24 April 2023.

51 Proposal for a Directive of the European Parliament and of the Council on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (recast), COM/2022/655 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A655%3AFIN&qid=1651221925581>, last accessed on 24 April 2023.

52 EU Talent Pool Pilot, [https://eures.ec.europa.eu/eu-talent-pool-pilot\\_en](https://eures.ec.europa.eu/eu-talent-pool-pilot_en), last accessed on 17 March 2023.

53 AT, BE, ES, FI, HU, IE, IT, LT, LU, SK, SE.

54 BE, DE, FR, LT.

55 Eurostat (migr\_asyunaa and migr\_asyappctza), see also Figure 4: Unaccompanied minors applying for asylum, EU and Norway, 2019–2022, date of extraction: 8 June 2023.

56 EU Strategy on the Rights of the Child, 2021, [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en), last accessed on 10 March 2023.

57 European Commission, 'EU Network for Children's Rights', [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-network-childrens-rights\\_en#:~:text=Documents,-,The%20Network%20%E2%80%93%20what%20is%20it%3F,2022%20by%20Vice%20President%20%20C5%20A0uica](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-network-childrens-rights_en#:~:text=Documents,-,The%20Network%20%E2%80%93%20what%20is%20it%3F,2022%20by%20Vice%20President%20%20C5%20A0uica), last accessed on 10 March 2023.

58 Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse, COM/2022/209 final.



respected and empowered online, in line with the European Digital Principles.<sup>59</sup>

The Anti-Trafficking Directive (2011/36/EU) was evaluated in 2022.<sup>60</sup> Originally adopted in 2011, the evaluation resulted in the Commission putting forward a proposal for an amending directive,<sup>61</sup> alongside the accompanying impact assessment<sup>62</sup> and full evaluation.<sup>63</sup>

At national level, measures were strengthened to protect vulnerable groups in reception centres, including opening new reception centres for vulnerable groups or providing special places.<sup>64</sup> In Italy, as part of the Reception and Integration System project network, 803 places were financed in 2022 for people with disabilities and/or suffering from

mental or psychological disorders and/or with a need for specialised or longer-term health, social and home care. Actions to support individuals with vulnerabilities due to gender identity<sup>65</sup> and sexual orientation<sup>66</sup> were highlighted in several countries. Germany introduced measures to strengthen the protection of lesbian, gay, bisexual trans, intersex and queer (LGBTIQ) applicants for international protection. An Action Plan of the Federal Government for the Acceptance and Protection of Sexual and Gender Diversity was published on 18 November 2022 and contains recommendations for measures in six areas of action, including legal recognition, participation, security, health, the strengthening of advisory and community structures, and international affairs.

59 European Commission, 'A European Strategy for a Better Internet for Kids (BIK+)', <https://digital-strategy.ec.europa.eu/en/policies/strategy-better-internet-kids#:~:text=The%20new%20strategy%20for%20a,with%20the%20European%20Digital%20Principles>, last accessed on 21 April 2023.

60 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, <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32011L0036>, last accessed on 17 March 2023.

61 European Commission, Proposal for a Directive of the European Parliament and of the Council amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules_en), last accessed on 17 March 2023.

62 European Commission, Impact Assessment Report accompanying the Proposal for a Directive of the European Parliament and of the Council amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules_en), last accessed on 17 March 2023.

63 European Commission, Evaluation of the Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules_en), last accessed on 17 March 2023.

64 CY (creation of 'safe zone' in Pournara First Reception Centre: one zone for vulnerable women and single mothers with minors up to 12 years old, and one zone for minor girls. This measure safeguards the provision of special procedural and reception needs of vulnerable persons in Pournara First Reception Centre) DE ('BeSafe', which identifies special reception needs of vulnerable groups), ES (Protocol of action on violence of gender in the reception system, was developed together with the United Nations Refugee Agency (UNHCR)).

65 DE, ES, IE, LU implemented measures on domestic, sexual and gender-based violence.

66 Several initiatives were undertaken by DE.



## 2. RESPONSE TO THE INFLUX OF PERSONS FLEEING THE WAR IN UKRAINE

Since 24 February 2022, Russia's military invasion of Ukraine has given rise to the mass displacement of people from Ukraine to the EU, Norway and other countries surrounding Ukraine, including Georgia and Moldova. Following the call of Ministers for Home Affairs<sup>67</sup> on 3 March 2022, the European Commission proposed to activate the TPD (2001/55/EC).<sup>68</sup> On 4 March 2022, the Council adopted an Implementing Decision<sup>69</sup> establishing temporary protection for displaced persons from Ukraine. On 6 October 2022, the European Commission announced that it would allow for the temporary protection to be extended until 4 March 2024.

The TPD provides for access to a harmonised set of rights for beneficiaries of temporary protection, including medical care (at least emergency care and essential treatment of illness), access to suitable accommodation or the means to obtain housing, when necessary, access to social welfare or the means of subsistence, and access to education for those under 18 years in the state education system. Beneficiaries of temporary protection can also access employment and self-employment, subject to national rules applicable to any particular profession, to national labour market policies, and general conditions of employment.

On 11 March 2022, Norway introduced a temporary collective protection scheme for persons displaced from Ukraine, with similar provisions to the TPD, while Georgia and Moldova also adopted legislation to respond to the emergency situation.

This section covers both developments in EU Member States throughout 2022 on the implementation of the TPD, and developments outside the framework of the Directive. This includes actions undertaken prior to the entry into force of Council Decision 2022/382, developments in EU Member States to support persons fleeing Ukraine that do not fall within the scope of the Directive, and information on developments in EMN Observer Countries, provided by Norway, Georgia and Moldova.

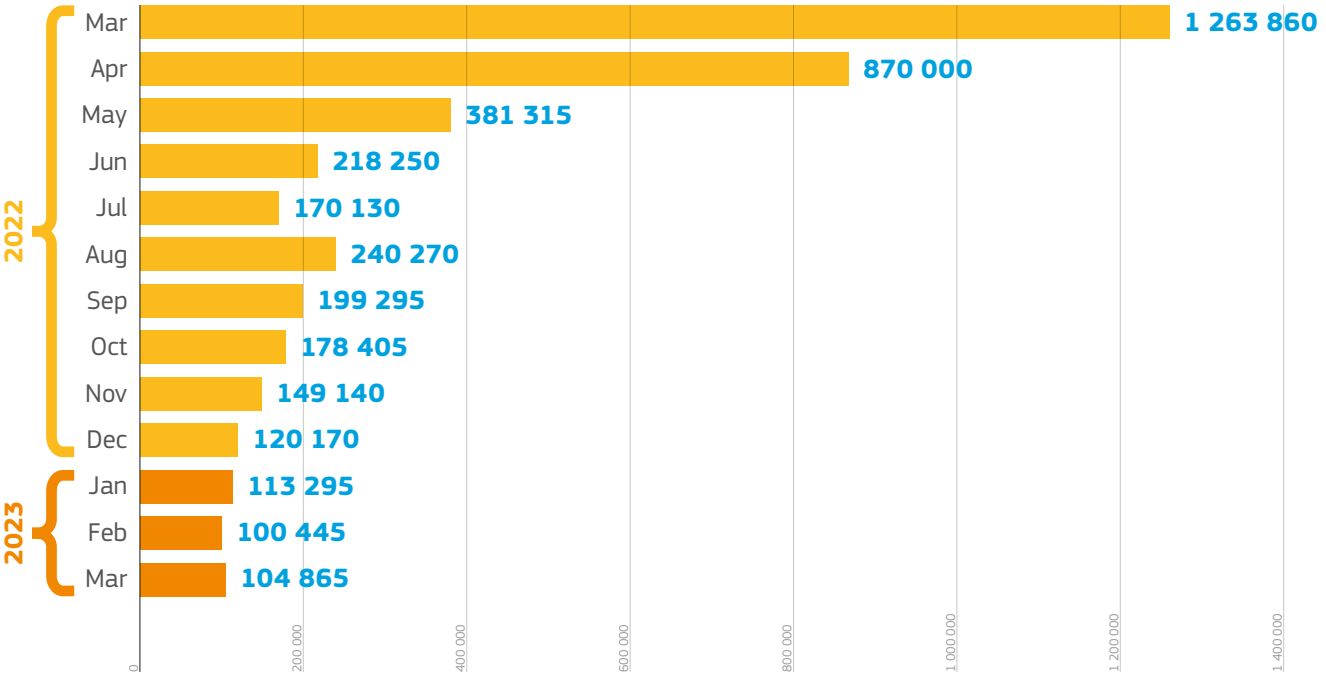
Figure 4 presents an overview of the number of decisions granting temporary protection to third-country nationals displaced from Ukraine between March 2022 and March 2023. It shows that the highest number of temporary protection statuses were granted in the first two months after the start of the war. Figure 5 presents the distribution by age and sex of decisions granting temporary protection, indicating that 70% or more per month of those fleeing the war in Ukraine were women and children.

<sup>67</sup> Justice and Home Affairs (JHA) Council, 3-4 March 2022, <https://www.consilium.europa.eu/en/meetings/jha/2022/03/03-04/>, last accessed on 24 April 2023.

<sup>68</sup> Council Directive 2001/55/EC of 20 July 2001 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: OJ L 212, pp. 12-23; In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not participating in the adoption of this Directive and is therefore not bound by it nor subject to its application.

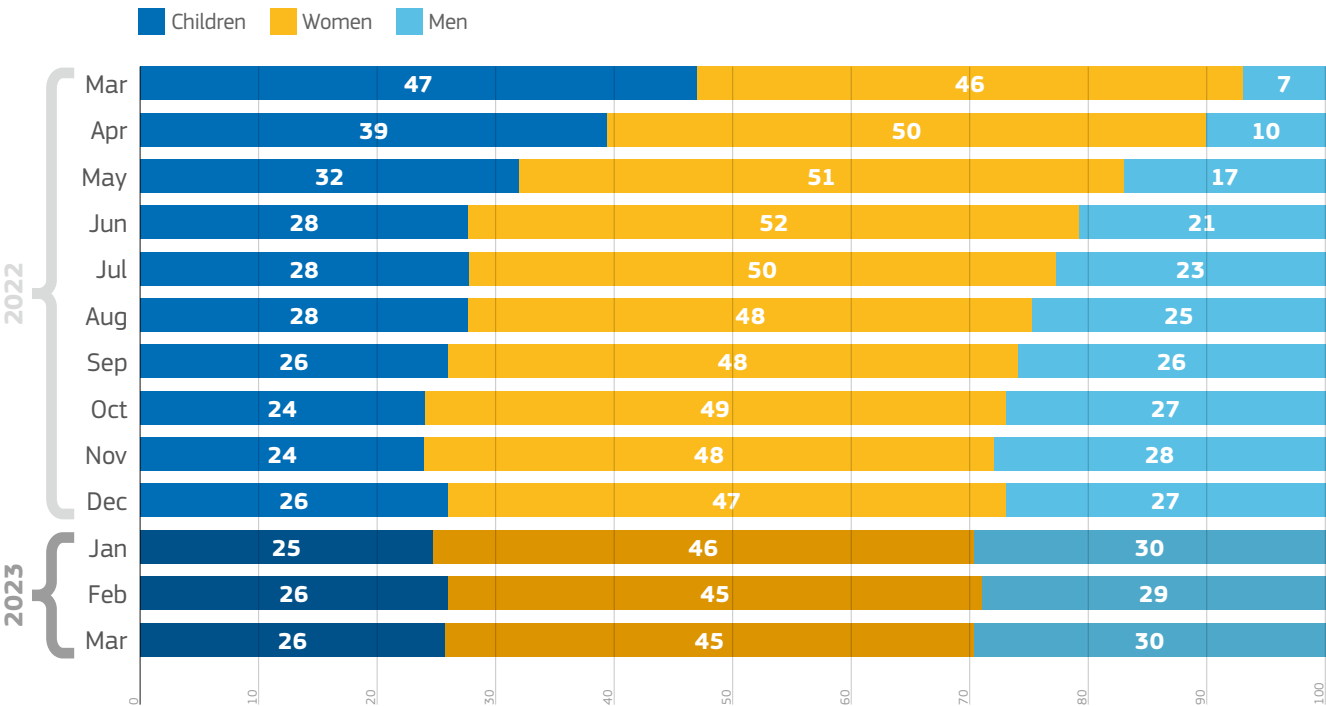
<sup>69</sup> Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, 4 March 2022: OJ L 71, pp. 1-6.

**Figure 4: Number of decisions granting temporary protection to third-country nationals displaced from Ukraine due to Russia’s invasion, EU and Norway, March 2022–March 2023**



Source: Eurostat ([migr\\_asytpfm](#)), extracted on 8 June 2023.

**Figure 5: Decisions granting temporary protection, by age and sex, EU and Norway, March 2022 – March 2023**



Source: Eurostat ([migr\\_asytpfm](#)), extracted on 8 June 2023.



## 2.1. EU DEVELOPMENTS

Following the adoption of the Council Decision, the European Commission published Operational Guidelines on the implementation of Council Decision 2022/382 on 21 March 2022.<sup>70</sup> The guidelines aimed to assist the EU Member States in applying the Council Decision and other applicable EU law. The guidelines focused on areas where implementation issues had been detected or where Member States had questions, including scope, unaccompanied minors, and freedom of movement of beneficiaries of temporary protection. The guidelines were intended as a living document, to be updated as the situation on the ground evolved. On 28 March, the European Commission presented a 10-point plan that aimed to ensure stronger European coordination on welcoming people fleeing the war against Ukraine.<sup>71</sup>

Another major EU-level development was the launch of the Solidarity Platform 'Ukraine', on 23 March 2022, to ensure coordination and cooperation among EU Member States, Schengen Associated Countries and European institutions, as well as the Ukrainian and Moldovan authorities and international organisations. The aim of the Solidarity Platform is to facilitate the mobilisation of relevant EU instruments and coordinate the matching of offers of solidarity with the needs identified. The Platform provided a framework for regular exchanges to collect information relevant for the coordination of support and to ensure coherence between existing fora at EU level. It consisted of several dedicated sub-groups, for instance on the transfer of displaced persons from Moldova and on the Temporary Protection Registration Platform. The Solidarity Platform also supported the coordination of the transfer of unaccompanied children to family and community-based care as needed.<sup>72</sup> The Platform helped to increase overall preparedness at EU level by developing contingency measures in case of increased arrivals from Ukraine, as well as on security aspects and the prevention of trafficking in human beings. It also engaged regularly with local and regional authorities, and civil society organisations.

At EU level, specific initiatives were launched to facilitate access to certain rights under the TPD. To facilitate the labour market activation of beneficiaries of temporary protection, the European Commission set up an EMN Working Group on the EU Talent Pool Pilot for Ukraine in March 2022. The EU Talent Pool Pilot was launched in October 2022<sup>73</sup> as a job-searching online tool on the

EURES portal, intended for beneficiaries of temporary protection looking for a job in the EU.<sup>74</sup> The Talent Pool Pilot allows jobseekers to register in EURES, publish their CVs and access over four million vacancies advertised by over 5 000 employers across the EU. Seven EU Member States<sup>75</sup> joined the pilot initiative in 2022.

To support the hosting of the large number of persons fleeing Ukraine, the European Commission launched the 'Safe Homes' initiative in March 2022. The goal was to support Member States, local and regional authorities, civil society and all those, including Europeans, involved in private accommodation schemes hosting those fleeing the war. The Commission mobilised dedicated EU funds and instruments for initial housing solutions and for long-term accommodation. In July 2022, the Commission published the 'Safe Homes' guidance,<sup>76</sup> endorsed by the Solidarity Platform, advising EU countries how to provide safe and suitable accommodation for people fleeing the war in Ukraine. It outlined the key principles for supporting hosts, as well as matching and ensuring safe and suitable housing for those in need. Building on this guidance, in November 2022, the Commission awarded €5.5 million to a project managed by the International Federation of Red Cross and Red Crescent Societies (IFRC) to support hosts, hosted people, and all those involved in providing accommodation in private homes to displaced people from Ukraine in several Member States.

To complement the mental health and/or psychosocial support offered in the majority of Member States, the Commission provided additional funding for first psychological aid through different channels, including the IFRC and NGOs. With €20 million support from the Commission, the IFRC is providing direct trauma support on the ground in all EU Member States and in Ukraine. Support includes psychological first aid, assessment, and longer-term mental health and psychological support to refugees in their own languages. The project initially focused on five Member States (Czech Republic, Hungary, Poland, Romania, Slovakia) and Ukraine, and was then scaled up to the rest of the EU. Under the EU4Health Programme, the Commission launched an €2 million call for proposals for NGOs to implement promising best practices to mitigate the negative impact of the war and improve mental health and psychosocial well-being for migrant and refugee populations fleeing the war.

70 Communication from the Commission on operational guidelines for the implementation of Council implementing Decision 2022/382 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC and having the effect of introducing temporary protection: OJ C 1261, pp. 1-16.

71 European Commission, The 10-Point Plan For stronger European coordination on welcoming people fleeing the war from Ukraine, available at: [https://home-affairs.ec.europa.eu/system/files/2022-03/The%2010-Point%20Plan-For%20stronger%20European%20coordination%20on%20welcoming%20people%20fleeing%20the%20war%20from%20Ukraine\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2022-03/The%2010-Point%20Plan-For%20stronger%20European%20coordination%20on%20welcoming%20people%20fleeing%20the%20war%20from%20Ukraine_en.pdf), last accessed on 5 June 2023.

72 Communication from the Commission on temporary protection for those fleeing Russia's war of aggression against Ukraine: one year on, <https://home-affairs.ec.europa.eu/system/files/2023-03/Temporary%20protection%20for%20those%20fleeing%20Russia%E2%80%99s%20war%20of%20aggression%20against%20Ukraine%20one%20year%20on.pdf>, last accessed on 13 March 2023.

73 EU Talent Pool Pilot, [https://eures.ec.europa.eu/eu-talent-pool-pilot\\_en](https://eures.ec.europa.eu/eu-talent-pool-pilot_en), last accessed on 17 March 2023; see also [https://ec.europa.eu/migrant-integration/news/europe-an-commission-launches-eu-talent-pool-pilot-initiative\\_en](https://ec.europa.eu/migrant-integration/news/europe-an-commission-launches-eu-talent-pool-pilot-initiative_en), last accessed on 24 April 2023.

74 The Talent Pool is discussed in the broader context of the Commission's Skills and Talent Package in chapter 3.

75 CY, ES, FI, HR, LT, PL, SK.

76 European Commission, 'Safe Homes guidance', [https://home-affairs.ec.europa.eu/safe-homes-guidance\\_en](https://home-affairs.ec.europa.eu/safe-homes-guidance_en), last accessed on 25 April 2023.



## 2.2. TEMPORARY PROTECTION FOR PERSONS FLEEING THE WAR IN UKRAINE

This section provides an overview of EU Member States' implementation of key provisions of the TPD, including provisions on registration and issuance of residence permits or equivalent documents, and measures to facilitate labour market access and access to key public services.

### 2.2.1. Categories of persons entitled to temporary protection

Pursuant to Article 2(1) of Council Decision 2022/382, EU Member States granted temporary protection to three categories of persons: (i) Ukrainian nationals residing in Ukraine on or before 24 February 2022; (ii) stateless persons and nationals of third countries other than Ukraine, who benefitted from international protection or equivalent national protection in Ukraine before 24 February 2022; and (iii) family members of the above-mentioned groups. As per Article 2(2) of the Council Decision, EU Member States also provided temporary or adequate protection under their national law to stateless persons and third-country nationals legally residing in Ukraine before 24 February 2022, on the basis of a valid permanent residence permit issued in accordance with Ukrainian law, and who were unable to return in safe and durable conditions to their country or region of origin. Article 2(3) gives Member States the option to apply temporary protection to other persons, including to stateless persons and to nationals of third countries other than Ukraine, who were residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin. In this context, Luxembourg decided on 18 March 2022 to extend temporary protection to other people unable to return to their country of origin in safe and sustainable conditions, including stateless persons and nationals of third-countries other than Ukraine, who were lawfully residing in Ukraine, i.e. without requiring them to have a permanent residence permit.<sup>77</sup> Finland decided to extend temporary protection to third-country nationals and stateless persons who resided legally (including on a short-term basis) in Ukraine and cannot return to their home countries.

Several EU Member States offered temporary protection to Ukrainian nationals who were already legally staying in their country before 24 February 2022, under a variety of conditions, including residence permit holders or persons in the Member State on short stays.<sup>78</sup> In Poland, Ukrainian nationals who were already legally in Poland before 24 February 2022 were allowed to stay legally until 24 August 2023, not under temporary protection but with an extended legal stay. In Belgium, Ukrainian citizens legally residing in Belgium for a limited period of time and no longer meeting the requirements for renewal of their

residence card, could obtain an extension of their authorised stay up to a maximum of 180 days, or could register for temporary protection. Luxembourg also considered those whose residence permit was about to expire or who stayed in Luxembourg on a short-term permit (limited to 90 days) as eligible for temporary protection.<sup>79</sup> Finland did not attach conditions relating to the status of the Ukrainian citizen already in Finland, simply stating that temporary protection would be granted to Ukrainian citizens and family members already in Finland on 24 February 2022. Spain reported that nationals of Ukraine who were in an irregular situation before 24 February 2022 and who, as a result of the armed conflict, could not return to Ukraine, could also register for temporary protection.

Five EU Member States reported legislative changes to the personal scope of temporary protection during 2022.<sup>80</sup> In Estonia and Lithuania, these changes aimed to clarify legislative provisions, especially regarding Ukrainian citizens already present in those EU Member States prior to 24 February 2022. In Poland, due to the high number of arrivals by transit (through the Republic of Moldova, Romania, Hungary, the Slovak Republic), legal amendments from 25 March 2022 lifted the conditions of direct entry from Ukraine to Poland to provide a wider scope of protection. Initially, in order to benefit from temporary protection, it was required to directly enter Poland via the Polish-Ukrainian border. However, the legal amendments lifted this condition and indirect arrivals to Poland were also eligible for protection. In the Netherlands, although temporary protection initially applied to non-Ukrainian citizens who were in possession of a temporary residence permit in Ukraine, legislative changes introduced on 18 July 2022 specified that third-country nationals who had a temporary rather than a permanent residence permit in Ukraine would be excluded from temporary protection if they were not registered in the Municipal Personal Records Database.

### 2.2.2. Registration of displaced persons fleeing Ukraine since 4 March 2022

To register displaced persons from Ukraine, most EU Member States<sup>81</sup> established specially designated points, registration centres and regional offices run by police, border guards and/or immigration authorities. In March 2022, the Czech Republic registered 17 000 displaced persons per day, who were assisted in accessing the necessary services (accommodation, health insurance, bank account, etc.) in one place during one visit, in the one-stop-shop point established for this purpose. In Italy, displaced persons coming from Ukraine were registered

77 Reply to Parliamentary Question 5841, *Personnes fuyant le conflit armé en Ukraine*, 1 April 2022, <https://wdocs-pub.chd.lu/docs/exped/0128/193/257930.pdf>, last accessed on 6 June 2023.

78 AT, BE, CY, CZ, ES, FI, FR, IE, LT, LU, LV, NL, SE, SK. In CZ, temporary protection was only granted to Ukrainians with Schengen visas (not permanent residence); in LT, temporary protection was granted only to those who had temporarily left Ukraine after 24 January 2022 and were legally staying in the EU or a third country; in SE, this applies to those who travelled to and stayed in Sweden between 30 October 2021 and 23 February 2022 in SK, temporary protection was opened also for persons legally staying in the Slovak Republic, however if such Ukrainian citizens were interested in being granted temporary protection, they first had to renounce (in writing) the granted residence, which subsequently expired. Persons who had applied for asylum and then decided to apply for temporary protection instead had to first withdraw their asylum application.

79 Ministry of Home Affairs, 'Reception of Ukrainian refugees fleeing the war in their country', Circulaire 4114, 4 March 2022, <https://mint.gouvernement.lu/dam-assets/circulaires/2022/janvier-juin/4114.pdf>, last accessed on 9 June 2023.

80 EE, LT, NL, PL, SK.

81 AT, BE, BG, CY, CZ, EE, EL, FI, FR, IE, LT, LU, LV, PL, SK.

at the territorial or municipal police authorities where the person had established residence. Within eight days of their entry into Italy, the person had to submit a declaration of presence at the Police Headquarters-Immigration Office.

As the situation evolved, some EU Member States<sup>82</sup> had to adjust where and how they registered beneficiaries of temporary protection. In Belgium, the initial registration centre 'Bordet' was moved on 14 March 2022 to the larger location 'Brussels Expo' and was then moved to a more permanent location at the Eurostation on 24 October 2022.

Registration centres in some EU Member States provided one-stop-shop solutions, including a range of services, such as information, emergency healthcare and assistance with accommodation.<sup>83</sup> In Luxembourg, a one-stop-shop '*Guichet unique – enregistrement Ukraine*' was established on 30 March 2022 in the centre of Luxembourg City, which aimed to complete all the necessary administrative steps in one place within a day.

Some EU Member States reported the gradual digitalisation of (parts of) the registration process.<sup>84</sup> In Estonia, to better manage the volume of applications for the extension of temporary protection, the Police and Border Guard Board (PBGB) opened a self-service portal in December 2022 for those with temporary protection who wished to apply for an extension of their status. In Sweden, an electronic service was launched in April 2022, where beneficiaries of temporary protection and their family members could apply for a residence permit.

For information on registrations prior to the activation of the TPD, see Section 2.

### 2.2.3. Type of residence permits or other documents granting the right to reside to beneficiaries of temporary protection

While some EU Member States reported issuing a residence permit for temporary protection, including an electronic or a biometric card,<sup>85</sup> others opted for a different status solution.<sup>86</sup> Austria issues an ID card that is recognised throughout the Schengen area and accepted as an identity document, travel document and document for access to the labour market. The card is protected with numerous security features and has a chip that stores biometric data. In the Czech Republic, a passport sticker certifies temporary protection, while Latvia has a visa sticker in the passport. In the Netherlands, a beneficiary receives a document certifying temporary protection. This could be in the form of a passport sticker or a document (card). The extension date of the passport stickers has been extended by letter. In Ireland, Luxembourg, Spain and the Slovak Republic, residence permits/temporary protection documents are issued either in the form of a letter, certificate or document. In Spain, for example, authorisations are provided on an A4 two-sided paper sheet,

signed electronically with a barcode and Secure Verification Code and it contains the file number, Foreigner ID number (NIE), nationality and full name of the person. In Luxembourg, the temporary protection certificate allows the holder to remain on Luxembourg territory, but it does not confer a right to residence in accordance with the legislation on the entry and residence of foreigners. In practical terms, this means that if they stay for five years under this scheme, they cannot apply for nationality, nor can they participate in municipal elections.

### 2.2.4. Labour market access for beneficiaries of temporary protection

All EU Member States grant access to the labour market to beneficiaries of temporary protection. Although Article 12 of the TPD allows EU Member States to give priority to EU and European Economic Area (EEA) citizens and legally residing third-country nationals receiving unemployment benefits, most EU Member States allowed beneficiaries of temporary protection free access to the labour market.

Some EU Member States<sup>87</sup> applied special provisions for beneficiaries of temporary protection. In Estonia, to simplify entry to the labour market, the minimum salary requirement was lowered to 0.8 of the average gross annual salary in the relevant field of activity, and regulations for registering short-term employment were dropped. This was implemented for both beneficiaries of temporary protection and for Ukrainian citizens who had a legal ground to enter and stay in Estonia or who were already staying in Estonia before 24 February 2022. In Latvia, the requirements for employers of third-country nationals to register a vacancy in the State Employment Agency and to ensure that the salary offered does not exceed the average gross salary in Latvia in the previous year, is not applicable to Ukrainian civilians.

Article 12 of the TPD provides for Member States to allow beneficiaries of temporary protection to engage in self-employment activities. EU Member States<sup>88</sup> also granted access to the right to self-employment to beneficiaries. From August 2022, Belgium lifted the requirement for beneficiaries of temporary protection to apply for a professional card in order to work as a self-employed person. In the Netherlands, beneficiaries of temporary protection only have the right to self-employment if they have an employment permit for entrepreneurs, or if the contracting party has an employment permit.

### 2.2.5. Measures to facilitate access to the labour market

Measures to help beneficiaries of temporary protection access the national labour markets covered included career counselling, job-matching, language classes and vocational training, as well as subsidised employment and financial incentives for employers.

82 BE, CZ, IE, LT, LU, PL, SK.

83 CZ, FI, FR, IE, LT, LU, LV, SK.

84 BE, CY, EE, EL, HR, LV, SE, SI.

85 AT, BE, BG, CY, DE, EE, EL, FI, FR, HR, HU, IT, LT, LV, MT, PL, PT, SE, SI.

86 CZ, ES, IE, LU, NL, SK.

87 AT, BE, CZ, EE, HR.

88 AT, BE, CY, EL, FR, IE, IT, LU, LV, LT, PL, SE. In NL, beneficiaries of temporary protection only have the right to self-employment if they have an employment permit for entrepreneurs or if the contracting party has an employment permit.



Career counselling was offered by the Public Employment Services (PES) in many Member States. In Austria, the Austrian Integration Fund offered numerous counselling and information initiatives where lawyers and community representatives answered questions about residence status, opportunities to learn German, and entering the labour market. Language classes, orientation courses and vocational training opportunities were widely offered. Job-matching and mediation was made available in several EU Member States.

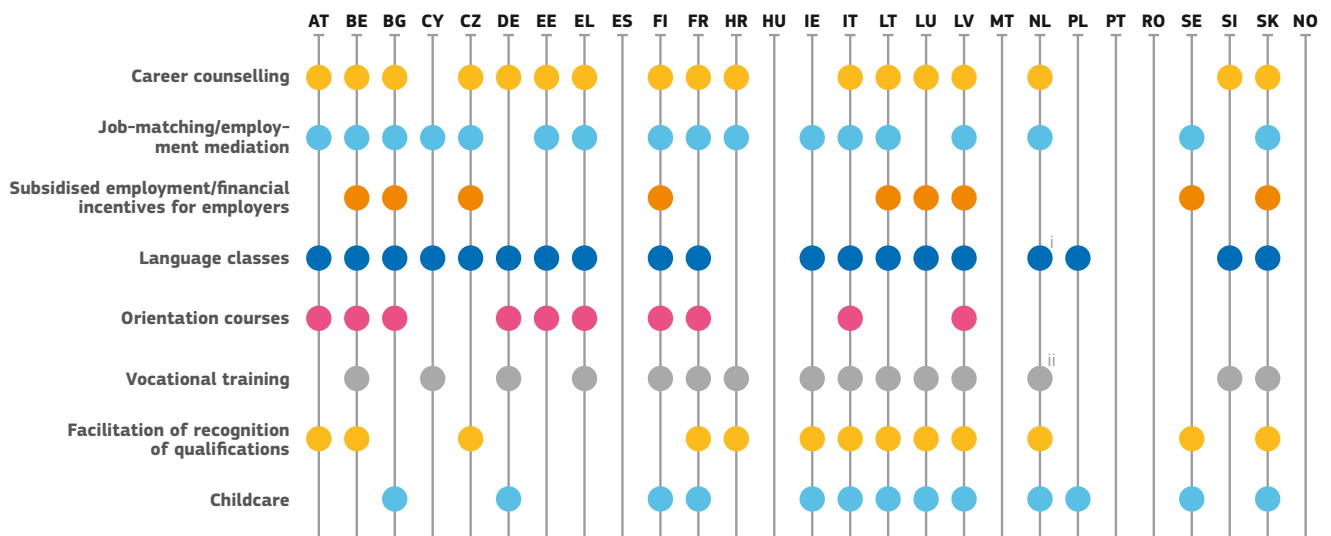
Subsidised employment and financial incentives for employers were provided as a labour market activation measure in some EU Member States. In Lithuania, employers were eligible for up to 75% reimbursement of wages (up to 1.5 minimum wages) for up to 36 months, as well as 20% of the amount spent on training a new employee.

Ireland and Lithuania introduced a tailored registration process to support the registration of teachers qualified in Ukraine who are beneficiaries of temporary protection. In Lithuania, a simplified and shortened procedure was

introduced to recognise the qualifications of teachers from Ukraine. Italy provided for a derogation from the regulations on the recognition of professional qualifications for Ukrainian doctors, nurses and social health assistants who lived in Ukraine before 24 February 2022. In Latvia, healthcare professionals have a facilitated procedure for the recognition of qualifications.

Some Member States offered support with childcare as a labour market measure. France reported that as beneficiaries of temporary protection mainly comprised women and children, children up to three years old were welcome in a local nursery free of charge up to 31 December 2022. As of November 2022, almost 500 children under three had been welcomed within this framework. Beneficiaries of temporary protection in Luxembourg were eligible for childcare vouchers issued by the Ministry of Education, Children and Youth, if they met certain criteria (e.g. number of children, level of income).<sup>89</sup> In Ireland, the Childcare Support Act 2018 was amended to allow beneficiaries of temporary protection to access the Affordable Childcare Scheme.

**Figure 6: Main measures in place across EU Member States to support access to employment of beneficiaries of temporary protection, 2022**



i In NL, some municipalities offer language courses for displaced persons from Ukraine, for example in the context of the Education and Vocational Training Act (*Wet educatie en beroepsopleiding*, WEB).

ii In NL, some municipalities offer vocational training for displaced persons from Ukraine, for example in the context of the Education and Vocational Training Act (*Wet educatie en beroepsopleiding*, WEB).

### 2.2.6. Access to accommodation or means to obtain housing

Providing suitable accommodation, or the means to obtain housing when necessary, to beneficiaries of temporary protection was a key priority across the EU Member States. A wide range of measures was put in place not only to provide emergency accommodation on immediate arrival of the displaced people from Ukraine, but to ensure more durable and longer-term accommodation. In France, short-term temporary emergency

accommodation (1-2 nights) was offered close to the places of arrival (Paris, Strasbourg, Nice, Lyon). Based on their individual situations, beneficiaries were then offered longer-term housing for three to six months in the region of arrival or as part of orientation to another region.

The majority of EU Member States<sup>90</sup> used several housing and accommodation solutions in parallel, primarily emergency and temporary accommodation. Some EU Member States also made use of existing reception facilities for asylum seekers/beneficiaries of international protection.<sup>91</sup>

89 Ministry of Home Affairs, 'Clarifications concerning the establishment of contracts of adhesion to the service voucher scheme reception (CSA) of refugee children who have fled Ukraine', Circulaire 4139, 4 May 2022, <https://mint.gouvernement.lu/dam-assets/circulaires/2022/janvier-juin/4139.pdf>, last accessed on 5 June 2023.

90 AT, BE, CY, CZ, DE, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, NL, PL, SE, SK.

91 AT (separated from other accommodated people), DE, EL, ES, FI, PL, SE, SI, SK.

Poland reported that, although accommodation in reception centres was offered to persons holding a certificate from the Office for Foreigners<sup>92</sup> confirming they are beneficiaries of temporary protection, in practice, the majority of beneficiaries opted to stay in private accommodation.

In Finland, beneficiaries of temporary protection are initially provided accommodation in a similar way to applicants of international protection. The reception sector is in charge of arranging the accommodation and services for beneficiaries for the first year. Accommodation in the reception sector is largely apartment-based. After one year, beneficiaries can apply for a municipality of residence in Finland. In Italy, an additional 3 000 places were authorised in the Reception and Integration System (SAI) on 5 April 2022. Italy also set out provisions to strengthen reception capacity for an additional 15 000 people fleeing the war in Ukraine with the cooperation of local authorities and the third sector.

Different approaches were taken to source the necessary accommodation capacity, such as progressing plans for rapid-build housing, looking at how existing premises could be used, or regional distribution.<sup>93</sup> In Sweden, the government tasked the county administrative boards with inventorying existing premises that could be used as temporary housing for beneficiaries of temporary protection. That inventory identified about 74 000 housing places, both short-term evacuation sites and longer-term forms of accommodation. Pressure on accommodation capacity caused Ireland to alter some accommodation policies for beneficiaries of temporary protection, following a government decision in October 2022.<sup>94</sup> Beneficiaries would receive one offer of State-provided accommodation only, while it was also announced that those in serviced accommodation would need to make a financial contribution towards meals.<sup>95</sup> An appeal from local authorities to the public to offer unoccupied standalone properties which could be used to accommodate BoTPs was launched in November 2022.

In July 2022, Sweden introduced a new law to create an equal distribution of people fleeing from Ukraine throughout Sweden. It required municipalities to take over responsibility for arranging housing for people under the TPD (previously the remit of the Swedish Migration Agency). The new law seeks to ensure that Sweden's municipalities share the responsibility of arranging housing, schooling and care for beneficiaries of temporary protection.

### Organisation of housing in Belgium

Reception and housing for beneficiaries of temporary protection was organised in two phases.

**Phase 1 Crisis reception:** crisis accommodation was coordinated through the National Crisis Centre, in collaboration with regional and local level authorities. Host families and municipal collective initiatives were mobilised, following the federal government's call to help persons arriving from Ukraine under

#plekvrij (free space). At later stages, the procedure was replaced by an online tool, where accommodation offers were uploaded after being verified by the municipal coordinator. Where required, Fedasil, in collaboration with the Red Cross, provided emergency accommodation in a shelter, pending the transfer to crisis or long-term accommodation.

**Phase 2 Long-term accommodation:** Long-term accommodation is a competence of the three Regions, Brussels-Capital, Wallonia and Flanders. Long-term accommodation is available for at least three months and must offer sufficient quality of life (e.g. guarantee of privacy, family life).

### 2.2.7. Private accommodation initiatives

Across the EU, private citizens made their homes available to people fleeing the war in Ukraine. Some EU Member States<sup>96</sup> made efforts to coordinate and centralise these housing offers, in cooperation with non-governmental organisations (NGOs). In some cases, financial support was offered to householders, such as the Accommodation Recognition Payment in Ireland, which was payable from 26 July 2022. In Spain, the TECHO platform coordinated offers of housing by individuals and organisations in an orderly manner. In the Netherlands, private initiatives were coordinated and facilitated by a consortium of NGOs under the name RefugeeHomeNL, supported financially by the Ministry of Justice and Security. In Lithuania, the initiative 'Strong Together' helped Ukrainian refugees to find temporary accommodation with Lithuanian host families for up to three months.

### 2.2.8. Access to medical care, including mental healthcare

The right to medical care under the TPD includes at least emergency care and essential treatment of illness. Reflecting the Commission guidance, a first report<sup>97</sup> concluded that the majority of Member States provided inclusive access to national healthcare systems for beneficiaries of temporary protection, on a par with, or closely mirroring, that of their own citizens.

EU Member States provided emergency medical care on arrival for people fleeing the war in Ukraine. Estonia organised free health checks for people arriving from Ukraine, providing free vaccinations (including COVID-19 vaccinations) and if necessary, planning further treatment. In Ireland, a dedicated facility to receive arrivals from Ukraine was in place at Dublin Airport from 9 March 2022, which provided immediate medical assessment, management of minor ailments and first aid requirements, and identification of immediate complex health issues that required referral to secondary acute or community services. In Greece, before receiving a temporary protection status and on presentation of their passport or the relevant service note from the Greek Police received

92 Foreigners not covered by the Act on assistance to Ukrainian citizens in connection with the armed conflict on the territory of that state, but who belong to the category of displaced persons mentioned in Article 2(1)b, c and (2) of the Council Implementing Decision stating the existence of a mass influx of displaced persons from Ukraine.

93 IE, SE.

94 Irish Government, Department of the Taoiseach, Statement following Government Meeting on 28 October 2022, <https://www.gov.ie/en/press-release/70d06-statement-following-government-meeting-on-28th-october-2022/>, last accessed 7 June 2023.

95 This entered into operation from 3 January 2023

96 AT, BE, CZ, ES, FR, IE, LU, NL, PL.

97 Report on access to health care in EU Member States – Implementation of Temporary Protection Directive (2001/55/EC) and Council Implementing Decision (EU) 2022/382, [https://health.ec.europa.eu/system/files/2022-08/soc-det\\_tpd-rr-report\\_en.pdf](https://health.ec.europa.eu/system/files/2022-08/soc-det_tpd-rr-report_en.pdf), last accessed on 5 June 2023.

on arrival, Ukrainian nationals could access medical and nursing care in all public hospitals, nursing homes, municipal clinics, primary healthcare facilities, and rehabilitation and social care units for prescribing medicine, therapeutic operations and diagnostic examinations. In Luxembourg, several urgent care facilities were available to people arriving from Ukraine who had not yet obtained their temporary protection.<sup>98</sup>

EU Member States provided information on how to access health services.<sup>99</sup> An introduction to the Irish Health Service was made available on the Health Service Executive (HSE) website, translated into Ukrainian and Russian. In France, information and support to access healthcare for displaced persons were provided by the Directorate-General of Health (DGS) and its partners. Such resources, often available in multiple languages, provided answers both to displaced Ukrainians, as well as to other actors, such as health professionals. A telephone line was activated from 24 February 2022 to help people living in France support and assist people fleeing Ukraine with medical-psychological care.

Several EU Member States reported that beneficiaries of temporary protection could enjoy full medical coverage in the public healthcare system, on equal terms with nationals of the state.<sup>100</sup> In France, the health insurance scheme (*Assurance Maladie*) gives full access to medical care and covers the cost of all urgent healthcare carried out in a health institution. In Poland, beneficiaries were granted access to healthcare on equal terms with persons covered under the general health insurance scheme for a period of 18 months, with some small exceptions, and limited to in-country healthcare. In Lithuania and the Slovak Republic,<sup>101</sup> full access to public healthcare was made available for employed beneficiaries of temporary protection (as well as pensioners, unaccompanied minors, or disabled persons in Lithuania). If the beneficiary was unemployed, they could only access emergency medical services.

Most EU Member States<sup>102</sup> reported that beneficiaries of temporary protection were granted access to mental healthcare and psychological assistance. Free telephone helplines providing psychological support were available for beneficiaries in some EU Member States.<sup>103</sup>

### 2.2.9. Access to assistance: social welfare and means of subsistence

EU Member States<sup>104</sup> provided financial allowances to beneficiaries of temporary protection in different forms and subject to varying conditions. Beneficiaries of temporary protection were eligible for financial allowances, income support and/or social benefits in line with the eligibility criteria applicable in the Member State. In Lithuania, low-income beneficiaries were entitled to social

allowance and reimbursement of living costs, as well as child benefits. Family or child support allowances were also available in some countries.<sup>105</sup>

Several EU Member States provided one-time lump sums for settling in and finding accommodation.<sup>106</sup> In Belgium, an 'installation bonus' was made available for homeless beneficiaries to find a home serving as the main residence for the duration of the temporary protection. In Finland, beneficiaries were entitled to a reception allowance similar to that available to applicants for international protection. In Poland, a one-time cash benefit of PLN 300 (€63) per person was provided by municipalities to beneficiaries covered by the Act of 12 March 2022, which covers Ukrainian citizens, their spouses and immediate family members of the Ukrainian Pole's Card holders. This allowance was intended to cover expenses for food, clothing, footwear, personal hygiene products and housing fees (although it was not specifically for housing, it could be used to cover housing expenses).

### 2.2.10. Access to education for minors (including educational support)

On 30 June 2022, the European Commission, in consultation with the UNHCR, the United Nations Children's Fund (UNICEF), and representatives of Ministries of Education and other stakeholder organisations adopted a document outlining key principles and practices for the inclusion of displaced children from Ukraine in national education systems within the EU for the school year 2022-2023.<sup>107</sup>

In all EU Member States, children benefiting from temporary protection who were within the age boundaries for compulsory education could register in public schools.

Several EU Member States<sup>108</sup> earmarked additional funding for the education system for schooling children from Ukraine. In the Netherlands, a maximum of €704 million was reserved to cover the costs for extra infrastructure and hardware necessary to provide education for the over 20 000 minor beneficiaries of temporary protection. Municipalities received funding for the period of March 2022 until December 2023, based on their needs.

To support integration, many EU Member States offered supplementary language classes in their national language(s) to children from Ukraine.<sup>109</sup> Several Member States introduced a fast-track process to recognise qualified Ukrainian teachers to increase capacity in schools. This was part of the Recommendation of 5 April on the recognition of qualifications for people fleeing Russia's invasion of Ukraine.<sup>110</sup> In Poland, additional classes in Polish were conducted for not less than six hours per week for children attending classes in the Polish schooling

98 Reply to Parliamentary Question 6009, Housing situation of Ukrainian refugees, (*Situation de logement des réfugiés ukrainiens*), 2 May 2022, <https://wdocs-pub.chd.lu/docs/exped/0129/130/259300.pdf>, last accessed on 5 May 2023.

99 BE, CY, CZ, FI, FR, IE, LU (at the one-stop-shop when applicants register for temporary protection).

100 AT, BE, BG, EL, ES, FI, FR, HR, IE, IT, LT, LV, PL, PT, SK.

101 In the Slovak Republic, full access to public healthcare is made available to those temporary protection holders who are employed and earning at least a minimum wage.

102 AT, BE, CZ, EE, EL, ES, FI, FR, IE, IT, LT, LU, LV, NL, PL, SE, SK.

103 BE, EE, EL, FR, LV, SK.

104 AT, BE, BG, CY, CZ, DE, EE, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, SE, SK.

105 AT, BE, CY, IE, LV, PL, SK.

106 BE, BG, CZ, HR, LV, PL.

107 See <https://ec.europa.eu/migrant-integration/system/files/2022-06/SWD-2022-185-inclusion-displaced-children-Ukraine-in-education.pdf>, last accessed on 5 June 2023.

108 BE, FI, LV, LT, NL, PL, SK.

109 AT, BE, CY, CZ, EE, ES, FI, FR, HR, IE, IT, LT, LV, PL, SK.

110 Recommendation of 5 April on the recognition of qualifications for people fleeing Russia's invasion of Ukraine, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32022H0554>, last accessed on 5 June 2023.



system. In Luxembourg, native Ukrainian speakers were recruited in municipal schools (suitable qualifications not limited to pedagogical backgrounds) to support Ukrainian children and bridge initial language gaps.<sup>111</sup> In Finland, pre-primary education is arranged for the year preceding the start of compulsory education, and children below school age could participate in early childhood education and care (ECEC).

Summer languages courses were offered in some countries.<sup>112</sup> In Italy, for example, Italian courses were offered as part of the 2022 Summer School Plan to prepare for the start of the next school year. In Austria, the City of Vienna announced in June 2022 that free German courses would be offered over the summer to the 900+ pupils who had attended a Viennese school in the 2021/22 academic year. In Luxembourg, Ukrainian pupils attending secondary schools could participate in organised activities over the summer vacation, which combined sport, art, and English language acquisition.

EU Member States provided information on access to education and educational support for minors. In Poland, immediately after the outbreak of the war, the Ministry of Education and Science launched an information campaign, including a chatbot, a helpline and an email inbox to provide information to parents and guardians of children from Ukraine regarding admission to schools. Information on the Polish education system and procedures for Ukrainians' enrolment was published on the website of the Ministry of Education and Science and websites of local governments.

### 2.2.11. Access to education for adults

Language courses for beneficiaries of temporary protection were organised in several EU Member States, particularly to facilitate labour market integration.<sup>113</sup> In April 2022, Estonia announced that it would offer free adaption training and language lessons to 10 000 Ukrainian beneficiaries of temporary protection for up to 100 academic hours. In France, a decision of 3 May 2022 envisaged language training for 15 000 beneficiaries of temporary protection for up to 200 hours at level A1 and up to 100 hours at levels A2 and B1 (Common European Framework of Reference for Languages (CEFR)). In Luxembourg, young adults from Ukraine registered at the University of Luxembourg had the opportunity to take part in intensive courses in English and French during summer, which were organised by the National Language Institute.<sup>114</sup>

Access to higher education was facilitated in several EU Member States through financial supports and/or fee exemptions, flexibility with admission criteria or administrative supports.<sup>115</sup> In Austria, on 10 March 2022, Ukrainian students were exempted from university fees in the 2022 summer semester, which was then extended to the 2022/23 winter semester. To allow Ukrainian students to continue their education, Polish universities were allowed

to admit students who were enrolled at a university on 24 February 2022, even if they could not present documents confirming the period of education completed so far. The University of Cyprus granted 10 full scholarships to beneficiaries of temporary protection (five for graduate programmes and five for postgraduate programmes), along with Greek language classes, and covering both university fees and monthly living expenses. The Cyprus University of Technology (TEPAK) also offered 10 undergraduate scholarships for studies starting in September 2022, covering all years of study, including one year of Greek language classes and the opportunity for employment at the University.

Targeted information on access to education and vocational training was provided to beneficiaries in several EU Member States.<sup>116</sup> In the Czech Republic, the Ministry of Education, Youth and Sports supported the [Studyin.cz](https://www.studyin.cz) website, which has a special section dedicated to Ukrainians, offering information about prospective studies and scholarships, employment opportunities and social support.

### 2.2.12. Family reunification for beneficiaries of temporary protection

Family members of beneficiaries of temporary protection have the right to temporary protection, pursuant to Article 2(1) of the Council Decision, and EU Member States granted access to such rights accordingly. Different definitions of eligible family members were used across EU Member States. In Austria, family members include spouses and registered partners, minor single children and other close relatives who lived with the beneficiary in a common household before the displacement and were completely or largely dependent on them.

In Spain, immigration offices were urged to expedite family reunification due to the force majeure situation.

### 2.2.13. Protection of unaccompanied minors and separated children granted temporary protection

In line with the best interest of the child, EU Member States<sup>117</sup> adopted measures to host and provide specialised care for unaccompanied minors and separated children from Ukraine, with extra dedicated funding or tailored procedures in some cases. In Belgium, the Guardianship Service of the Justice Federal Public Service received extra funding to help unaccompanied and separated children coming from Ukraine. Several initiatives were taken to facilitate the reception of minors from Ukraine, assign them to guardians and integrate them into foster homes. Similarly, in the Czech Republic, social workers were present at the 'Regional Centres for Help and Assistance to Ukraine' to verify the status of any minor without parents and take appropriate steps, depending on

111 Ministry of Education, Children and Youth, 'The national education system welcomes Ukrainian pupils', Press release, 18 March 2022, [https://gouvernement.lu/en/actualites/toutes\\_actualites/communiqués/2022/03-mars/18-accueil-eleves-ukrainiens.html](https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2022/03-mars/18-accueil-eleves-ukrainiens.html), last accessed on 5 June 2023..

112 AT, BE, IT, LT, LU, PL.

113 AT, BE, CY, CZ, DE, EE, EL, FI, FR, IE, IT, LT, LU, LV, PL, SK.

114 Ministry of Education, Children and Youth, *Scolarisation des élèves ukrainiens au Luxembourg: Claude Meisch rend visite à des classes au Lënster Lycée International School*, Press release, 14 June 2022, [https://gouvernement.lu/fr/actualites/toutes\\_actualites/communiqués/2022/06-juin/14-meisch-eleves-ukrainiens.html](https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/06-juin/14-meisch-eleves-ukrainiens.html), last accessed on 5 June 2023..

115 AT, BE, CY, CZ, ES, FI, FR, IE, LU, LV, PL, SE, SK.

116 BE, CY, CZ, EE, FI, FR, HR, IE, IT, PL, SK.

117 BE, CY, CZ, DE, EE, EL, ES, FI, FR, HU, IE, IT, LT, LU, LV, NL, PL, PT, SE, SI, SK.

the situation of the child (appointing a relative or suitable person as a guardian).

In France, an inter-ministerial circular of 7 April 2022 set up tailored applicable procedures for different cases, including (i) a minor arriving alone, without an escort; (ii) a minor separated from their parents, but accompanied by a trusted adult; (iii) a minor accompanied by a Ukrainian institution or ad hoc support structure; and (iv) an unaccompanied minor travelling to a parent that resided in another EU Member State.

In Italy, an Unaccompanied Minors Plan and an Addendum were introduced, which aimed to provide guidelines for the reception of unaccompanied foreign minors from Ukraine. The Plan included the obligation to register all unaccompanied foreign minors in the National Information System for Unaccompanied Minors (SIM), with children from Ukraine a priority target for specific actions to meet their needs, including granting volunteer guardians.

In April 2022, Sweden's Ombudsman for children was tasked with conducting an ongoing dialogue with relevant actors within civil society to exchange knowledge about the current situation for children and young people from Ukraine and to reach out with accurate and child-friendly information about the rights of children in different parts of Swedish society.

### 2.2.14. Persons granted temporary protection who wished to go back to Ukraine

EU Member States reported that going back to Ukraine for short periods, for example, for family visits, did not lead to loss of temporary protection. In the Netherlands, beneficiaries were allowed to temporarily return to Ukraine without loss of temporary protection status provided the temporary departure did not last more than 28 days and was reported beforehand. In Belgium, if beneficiaries went back home to Ukraine for up to three

months and came back to Belgium, they did not lose their temporary protection or the right of residence in Belgium. If beneficiaries left Belgium for more than three months, they had to notify the municipality of their residence and ensure that their residence card was still valid on coming back to the EU. Hungary reported that many beneficiaries went back to Ukraine for a short period of time and did not lose their temporary protection – this was lost only if they renounced it. In Finland, while beneficiaries of temporary protection could leave and go back to Ukraine temporarily, if the Finnish Immigration Service discovered that the person had left Finland permanently, the residence permit was revoked. In Luxembourg, beneficiaries of temporary protection could make short-term trips back to Ukraine without the revocation of temporary protection (e.g. family visit).<sup>118</sup>

Some EU Member States provided assistance to beneficiaries of temporary protection who decided to go back home to Ukraine. In Belgium, Fedasil organised a bus trip to several cities in Ukraine and provided financial support (adult €50/child €25) for people leaving permanently for Ukraine. Local partners in Ukraine were sometimes able to provide limited reintegration support for people with certain vulnerabilities. France provided free train tickets to Ukrainians benefiting from temporary protection to travel to the countries bordering France (notably Germany). In total, over 42 000 free travel tickets were granted by the national train company SNCF since the policy was implemented in France. In the Netherlands, the Repatriation and Departure Service provided assistance to persons wishing to voluntarily and permanently return to Ukraine, including counselling, obtaining relevant documents and assisting with arranging transport. Greece reported that when beneficiaries of temporary protection applied to voluntarily go back to Ukraine, they were thoroughly informed of the situation in Ukraine and the consequences or potential dangers.



## 2.3. MEASURES IN ADDITION TO THOSE INCLUDED IN THE TPD

This section explores the major legal or policy developments undertaken by EU Member States in relation to protection of persons fleeing the war in Ukraine in the eight days prior to activation of the TPD, other major developments not specifically linked to rights under the TPD, and measures undertaken by EMN Observer Countries, Norway, Georgia and Moldova.

### 2.3.1. Developments prior to activation of the TPD

EU Member States took immediate and decisive measures and mobilised their efforts to ensure the entry and safe reception of displaced persons arriving from Ukraine. Several EU Member States<sup>119</sup> adopted measures to facilitate entry and residence of persons arriving from Ukraine, including abolishing or relaxing admission

conditions for visas and residence permits. In Poland, from 24 February 2022, all border crossing points at the Ukrainian-Polish border were opened for foot traffic, and all persons crossing the border were checked in the border guard information technology (IT) systems. Border crossing was enabled for the persons without travel documents, authorising them to cross the border for a limited period of time for humanitarian reasons.

In the Czech Republic, before the activation of the TPD, displaced persons from Ukraine were issued with a 'special tolerated stay visa' (a pre-existing type of visa) that enabled them to remain in the Czech Republic. This allowed the ordinary asylum/migration system to remain fully operational, while also allowing incoming persons from Ukraine to be duly registered. After the TPD activation, the 'special tolerated stay visas' were converted into temporary protection.

<sup>118</sup> Ministry of Foreign and European Affairs, 'Arrivals in Luxembourg – Ukraine FAQs', 23 February 2023, <https://maee.gouvernement.lu/en/services-aux-citoyens/accueil-de-personnes-ukraine/FAQ.html>, last accessed on 25 May 2023.

<sup>119</sup> AT, CZ, HU, IE, IT, LV, LT, PL, SK.



Several EU Member States<sup>120</sup> established emergency reception/registration centres for displaced persons from Ukraine. In the Czech Republic, several days before TPD activation, 'Regional Centres for Help and Assistance to Ukraine' were set up, providing a one-stop-shop solution and allowing displaced persons to register for a tolerance visa and access related services, including information, accommodation and healthcare. On 27 February 2022, Lithuania established a registration centre in Alytus, for foreigners fleeing Ukraine, which provided services including temporary accommodation, meals and other humanitarian aid, healthcare, registration, identification and initial vulnerability assessment procedures.

### 2.3.2. Legal or policy developments in the prevention of and/or fight against trafficking in human beings

EU Member States<sup>121</sup> undertook a range of specific proactive measures to prevent and fight trafficking in human beings for people fleeing the war in Ukraine. Information and awareness-raising campaigns were widely launched in several countries.<sup>122</sup> Leaflets with information on the risks of trafficking in human beings, as well as information on the assistance available, were disseminated in some EU Member States.<sup>123</sup> Poland printed 500 000 leaflets with information on security issues in Ukrainian and English, including information on the risks of trafficking in human beings and missing persons. Latvia distributed information booklets with information on warning signs, suspicious situations, and where to find help at border control points and support centres. Other countries, such as Belgium, Finland and Germany, shared information online. In Germany, the webpage 'Germany4Ukraine', together with an app available on Russian and Ukrainian, had over one million visitors and around 57 000 downloads.<sup>124</sup> Helplines were also available to assist (potential) victims of trafficking in human beings.<sup>125</sup>

Nine EU Member States<sup>126</sup> organised training, notably on detecting and identifying potential victims of trafficking in human beings, for their national authorities and services in response to the influx of people fleeing the war in Ukraine. Several countries intensified their cooperation with various national and international actors.<sup>127</sup>

In Poland, due to the influx of displaced persons from Ukraine and the high risk of trafficking in human beings, in March 2022 the Polish authorities increased penalties for trafficking in human beings to deter potential offenders.

#### Task Force Ukraine against trafficking in human beings in Austria and the European Multidisciplinary Platform Against Criminal Threats (EMPACT)

Task Force Ukraine against trafficking in human beings was founded on 21 April 2022. It was coordinated via the Federal Criminal Intelligence Service, by a Joint Operational Office in Vienna, in close

coordination with Europol. Meetings were held at regular intervals. Participants included the European Commission, Europol, Germany, Hungary, the Republic of Moldova, the Slovak Republic, Romania, the Czech Republic and Poland. The United Nations Office on Drugs and Crime (UNODC) participated at a strategic level. The cooperation led to the investigation of many cases of trafficking in human beings concerning persons who had fled Ukraine.

During June and September 2022, two EU-wide joint EMPACT action days, so-called 'Hackatons' were carried out, led by Europol. Several Member States participated in the action days to identify human traffickers searching for victims online, including Ukrainian nationals. Many arrests were made and trafficking in human beings victims identified.

From 6–13 June 2022, focused campaigns took place across Europe to combat child trafficking. Police units from 22 countries, Frontex, Europol and Eurojust, plus Interpol, combined forces. The Austrian police also played an active part in the operation. These joint action days were coordinated internationally and aimed to identify, as early as possible, child trafficking, trafficked persons and criminal organisations acting nationally and internationally.

### 2.3.3. Measures undertaken by EMN Observer Countries

EMN Observer Countries Norway, Moldova and Georgia adopted immediate measures to assist persons fleeing the war in Ukraine:

- On 11 March 2022, Norway activated an existing provision of Article 34 of the Immigration Act on the introduction of temporary collective protection for persons displaced from Ukraine;
- Georgia adopted a Decree on 2 March 2022 to provide immediate support to persons fleeing from Ukraine;
- Moldova declared a state of emergency on 24 February 2022 in response to the security situation in the region. A special regime for the entry of people fleeing Ukraine was established, including authorising facilitated crossings of the state border.

EMN Observer Countries also undertook a range of measures to provide assistance to persons fleeing Ukraine and help them to access basic services, including housing, education and medical assistance, as well as to support their social and economic integration.

Access to accommodation and suitable housing for persons fleeing Ukraine was provided by EMN Observer Countries. In Norway, persons with temporary protection were guaranteed the same basic rights as refugees with legal residence, including assisted settlement in municipalities in all parts of Norway and the provision of suitable, long-term housing. Georgia provided temporary housing

120 CZ, EE, LT, LV, PL.

121 AT, BE, CZ, DE, EE, EL, ES, FI, FR, HU, LT, LV, MT, NL, PL, PT, SE, SK.

122 AT, BE, CZ, DE, EL, FR, FI, LU, LV, PL, SK.

123 EE, EL, LT, LU, PL, SK.

124 For more details, please see: [https://www.onlinezugangsgesetz.de/SharedDocs/kurzmeldungen/Webs/OZG/DE/2022/12\\_germany-4ukraine-erfolgsmodell.html](https://www.onlinezugangsgesetz.de/SharedDocs/kurzmeldungen/Webs/OZG/DE/2022/12_germany-4ukraine-erfolgsmodell.html), last accessed on 25 May 2023.

125 EL, FI, PL.

126 AT, CY, CZ, EE, EL, IE, PL, SI, SK.

127 AT, BE, DE, ES, FI, FR, LT, LV, NL, PL, PT, SK.

to the citizens of Ukraine immediately after the start of the war. From mid-2022, they also were provided with rent and monthly financial assistance, at the same rate as assistance received by internally displaced persons from the occupied territories of Georgia. Moldova established two temporary centres for the reception of people fleeing Ukraine, located in the localities of Palanca (Stefan Voda district) and Calarasovca (Ocnita district).

With regard to healthcare, including mental health, in Norway, persons with temporary protection were given access to healthcare services in the same way as permanent residents in Norway. In Georgia, Ukrainian citizens benefited from the universal healthcare service from the first day of arrival, with the same access as Georgian citizens. In Moldova, community social workers were appointed to provide services for displaced persons from Ukraine at the temporary centres.

Social welfare and other means of subsistence were also provided to people fleeing Ukraine. In Norway, persons with temporary protection were ensured the same access to social welfare and means of subsistence as other refugees settled in the municipalities. Participants in the introduction programme received a monthly introduction benefit, in addition to certain other types of support if they have children. In Georgia, as per a grant agreement signed in 2022 with UNICEF, from 2023, Georgia provided one-time financial assistance to children displaced from Ukraine, with more than 3 000 families of Ukrainian children receiving assistance to cope with winter difficulties. Moldova disseminated food products and non-food items from state reserves to Ukrainian citizens.

On access to education for Ukrainian children, Georgia sought to provide continuity of general education for the displaced children from Ukraine by launching Ukrainian-speaking sectors in Tbilisi and Batumi public schools, where children from Ukraine were educated in their native language. Most of the teachers employed were also displaced persons from Ukraine. School students were provided with psychosocial services and involvement in non-formal education. In 2022, 2 345 children from Ukraine were enrolled in schools.

Moldova set up projects to protect unaccompanied minors and children at risk, while, on 14 April 2022, the Emergency Commission of the Republic of Moldova launched an intersectoral cooperation mechanism for the identification, assistance, and monitoring of children at risk from Ukraine.

#### **2.3.4. Other developments not specifically linked to the TPD**

Due to the significant challenges faced by Moldova, some EU Member States relocated displaced persons from Ukraine in Moldova to their territory. More than 2300 individuals had been transferred as of 31 December 2022, including people transferred on a bilateral basis outside the scope of the air transfer programme.

Luxembourg is funding an emergency aid project from Caritas Luxembourg and an emergency aid project from Handicap International Luxembourg to help people fleeing Ukraine in Moldova.

# 3. LEGAL MIGRATION TO THE EMN MEMBER AND OBSERVER COUNTRIES

Legislative and policy developments in legal migration in EU Member States, Norway, Georgia, Moldova and Armenia in 2022 were primarily driven by the need to attract qualified workers in response to labour market needs and demographic changes. Digitalisation and the simplification

of application processes continued to be key objectives of legal migration developments. Measures to regulate entry and residence conditions to allow for greater flexibility of admission of specific categories of third-country nationals were also widely reported.



## 3.1. EU DEVELOPMENTS

The Skills and Talents Package was adopted on 27 April 2022.<sup>128</sup> It recognised that an ambitious and sustainable EU legal migration policy would help to attract talent and create safe channels to reach Europe, support the EU's green and digital transition, while contributing to making European societies more cohesive and resilient.<sup>129</sup>

As part of the Package, the European Commission presented proposals for the revised Long-Term Residents Directive<sup>130</sup> and for the Single Permit Directive.<sup>131</sup> The main objectives of the proposals are to make procedures faster

and more efficient, strengthen mobility within the EU of non-EU nationals already residing and working in the EU, further integration, and prevent labour exploitation.

Another building block of the Skills and Talent Package is the proposal to establish the first EU-wide platform and matching tool, the EU Talent Pool, to make the EU more attractive for non-EU nationals looking for job opportunities and help employers find the talent they need. The EU Talent Pool Pilot initiative, focussed on arrivals from Ukraine, was launched in October 2022.<sup>132</sup>



## 3.2. OVERARCHING STRATEGIC LEGAL OR POLICY CHANGES IN LEGAL MIGRATION

A majority of EU Member States, Georgia and Armenia reported overarching legislative and policy changes in legal migration in 2022.<sup>133</sup> The key objectives of these changes were: (i) to increase the attractiveness of immigration policies to foreign talent and respond to labour shortages caused by demographic change and economic trends; (ii) to digitalise and simplify application processes; and (iii) to regulate the entry and residence of third-country nationals.

### 3.2.1. Attracting foreign talent and third-country workers in response to labour market needs

Developments at strategic level in several EU Member States were focused on addressing labour shortages and attracting international talent.<sup>134</sup>

Austria, Finland, Italy, Spain and Sweden reported major reforms aimed at attracting labour migration, including qualified workers. To counter the significant labour shortages across various sectors, due to its ageing population, Finland made efforts to streamline its entry procedures, with the goal to double work-based immigration and triple the number of new foreign students by 2030, as

128 Communication on attracting skills and talent to the EU, COM(2022) 657 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A657%3AFIN&qid=1651223944578>, last accessed on 10 March 2023.

129 Ibid.

130 Proposal for a Directive of the European Parliament and of the Council concerning the status of third-country nationals who are long-term residents (recast), COM/2022/650 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A650%3AFIN&qid=1651218479366>, last accessed on 24 April 2023.

131 Proposal for a Directive of the European Parliament and of the Council on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (recast), COM/2022/655 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A655%3AFIN&qid=1651221925581>, last accessed on 24 April 2023.

132 EU Talent Pool Pilot, [https://eures.ec.europa.eu/eu-talent-pool-pilot\\_en](https://eures.ec.europa.eu/eu-talent-pool-pilot_en), last accessed on 17 March 2023; see also [https://ec.europa.eu/migrant-integration/news/europe-an-commission-launches-eu-talent-pool-pilot-initiative\\_en](https://ec.europa.eu/migrant-integration/news/europe-an-commission-launches-eu-talent-pool-pilot-initiative_en), last accessed on 24 April 2023.

133 AT, BE, BG, CZ, EE, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, NL, PL, SE, SK and GE.

134 AT, BE, ES, FI, HU, IE, IT, LT, LU, SE, SK.

stated in the Government Roadmap 2035.<sup>135</sup> This overarching development was implemented through a number of specific actions, including the introduction of a long-term visa (D visa) in 2022, which is expected to facilitate entry for third-country nationals to start work, studies or research.

Spain approved a reform of the Spanish migration system, recognising that the system lacked the agility to respond to evolving labour market challenges and facilitated the development of informal economy practices that had high human, economic, social and management costs. The reform aims to facilitate the entry of entrepreneurs, regulate circular migration, strengthen the routes of regular migration, and improve the migration management system.

In Sweden, following an inquiry into labour immigration, a number of legislative changes entered into force to counteract the exploitation of workers and to attract and retain international talent. For example, more control measures are now in place after a work permit is granted, especially in sectors where abuse of migration routes is more prevalent. A new residence permit was introduced for highly skilled third-country nationals who wish to come to Sweden to look for employment.

### Reform of the Red-White-Red Card<sup>136</sup> in Austria

In Austria, several legislative amendments came into force in 2022, driven by a need for skilled workers and exacerbated by demographic changes. The reform aimed to bring the Red-White-Red Card in line with the modern labour market, simplify labour market access for qualified persons from third countries as part of a controlled immigration strategy, and improve efficiency of the application process. Key features of the reform included:

- Simplifications for seasonal workers;
- Minimum wage requirement for other key workers reduced;
- Validity of language diplomas and course certificates demonstrating German and English proficiency extended from one to five years;
- Austrian Business Agency 'Work in Austria' unit expanded into a service centre for the Red-White-Red Card and EU Blue Card;
- Red-White-Red Card aligned with the EU Blue Card, for example by making it easier for applicants to meet the requirements;
- Employers were allowed to apply for the employee's family members at the same time;

Points allocation was relaxed in terms of professional experience, English proficiency, VET in shortage occupations, and age.

The Slovak Republic adopted legislation simplifying the entry conditions of third-country nationals to the Slovak labour market, with the aim of attracting a qualified labour force in shortage professions.

In Luxembourg, the Work-in-Luxembourg<sup>137</sup> platform was launched to directly attract talent in sectors experiencing severe labour shortages. Jobseekers and employers can post their profiles and provide feedback on applications. The Government Council also approved a roadmap for the development of a national strategy for the attraction, development and retention of talents, 'Luxembourg Talents Hub'.<sup>138</sup>

### 3.2.2. Digitalisation and simplification of application processes

The need to further digitalise and simplify administrative processes were key policy drivers again in several EU Member States in 2022.<sup>139</sup> As part of the reform of the Spanish migration system, Spain's digitalisation of admission procedures aimed to reduce face-to-face applications and make all processes digital.

In terms of simplification,<sup>140</sup> Belgium allowed more categories of people already present on the Belgian territory to apply for a single permit. Similarly, Austria amended the Settlement and Residence Act so that third-country nationals could apply for their first Red-White-Red Card<sup>141</sup> after they had legally entered the country and while they were legally resident in Austria. In Ireland, with a view to improving the customer experience and enhancing Ireland's competitiveness in attracting skilled migrant workers, the government agreed in principle that a single application procedure should be developed for employment permits and immigration permissions.

In Italy, a 'Simplification Decree'<sup>142</sup> came into force, which aimed to accelerate procedures for the entry and recruitment of foreign workers and make them more transparent. For example, it simplified the verification of the requirements on compliance with collective labour agreements. To implement the Decree, a Memorandum of Understanding (MoU) was signed between the Ministry of Labour and Social Policies and a number of employers' organisations.

On 1 January 2022, Armenia introduced the 'Work Permit Electronic System', which utilises advanced software to allow employers to submit online requests to grant temporary residence status to foreigners based on employment. In 2022, 10 909 applications were received through the Work Permit Electronic System.

135 Finnish Government, Roadmap for Education-based and Work-based Immigration 2035, <https://julkaisut.valtioneuvosto.fi/handle/10024/163576>, last accessed 7 June 2023.

136 The Red-White-Red Card is a combination of residence permit and employment permit. It is valid for two years and entitles you as the holder to settlement and employment with a specific employer. For more information please see <https://www.migration.gv.at/en/>, last accessed on 5 June 2023.

137 Work in Luxembourg, <https://work-in-luxembourg.lu/products/about-this-platform>, last accessed on 17 March 2023.

138 Government Council, 'Résumé des travaux du 8 juillet 2022', Press release, 8 July 2022, [https://gouvernement.lu/fr/actualites/toutes\\_actualites/communiqués/2022/07-juillet/08-conseil-gouvernement.html](https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/07-juillet/08-conseil-gouvernement.html), last accessed on 5 June 2023.

139 BE, CZ, EL, ES, FR, IE, PL, SE, SK.

140 AT, BE, IE, IT, SK.

141 The Red-White-Red Card is a combination of residence permit and employment permit. It is valid for two years and entitles the holder to settlement and employment with a specific employer. For more information please see <https://www.migration.gv.at/en/>, last accessed on 5 June 2023.

142 See <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2022;73>, last accessed on 26 April 2023.



### 3.2.3. Regulating entry and residence of third-country nationals

Some EU Member States reported changes to their admission quotas and greater flexibility, while others adapted time limits and procedures.<sup>143</sup> In Austria, annual quotas were adopted, specifying the maximum number of residence permits to be issued. A key change is that the maximum number of seasonal and harvest workers is no longer governed by the Settlement Regulation but solely via quota regulations issued by the Federal Minister for Labour and Economy. In Italy, the annual admission quotas for seasonal and non-seasonal employment and self-employment were set at a maximum number of 69 700 for 2022.

In Croatia, following the adoption of a new Aliens Act 2020, a new Ordinance on the residence of third-country nationals was adopted in February 2022, which aligned,

detailed and further clarified the procedures and conditions for residence and work.

In Poland, due to the war in Ukraine, the time limits to respond to applications for residence permits were temporarily suspended to alleviate the burden on the authorities. Austria and Ireland extended or phased-out regulations that had been put in place to mitigate the effects of the COVID-19 pandemic on migration. In Austria, the amendment extended the restriction on face-to-face interactions with the authorities to prevent the spread of COVID-19 (e.g. applications can be submitted by post or electronically, the authority does not need to take fingerprints or see original documents and certificates when applications are for extension). In Ireland, the final temporary extension of immigration permissions ended in May 2022 before resumption of normal working arrangements.



## 3.3. WORK-RELATED MIGRATION

### 3.3.1. 2.2.1 Highly qualified workers

Attracting highly skilled and qualified workers remained a priority among EU Member States and EMN Observer countries,<sup>144</sup> with several EU Member States and Norway introducing relevant legal and policy measures. In four EU Member States,<sup>145</sup> these concerned legislative changes to transpose the new EU Blue Card Directive (EU) 2021/1883.<sup>146</sup> Estonia and Luxembourg reported changes to the average gross annual salary thresholds for third-country nationals to be admitted as highly qualified workers. In Estonia, due to shortages of top specialists, the salary requirement was lowered from twice the Estonian average salary to 1.5 times the average salary.

Changes also focused on better services and conditions for highly skilled workers. Finland started a fast-track service for highly qualified workers, enabling specialists, start-up entrepreneurs and their family members to obtain a residence permit within 14 days. To make Ireland a more attractive place to work and to address a skills shortage, measures were introduced in March 2022 to facilitate transfer under the General Employment Permit for employments in public medical facilities, and quicker access to an immigration permission, which provides access to the labour market without an employment permit, for non-consultant hospital doctors. The time period required for the doctor to hold the General Employment Permit was reduced from five years to two years to bring it in line with the eligibility criteria for doctors holding a Critical Skills Employment Permit.

### 3.3.2. Low-skilled and medium-skilled workers

Several EU Member States<sup>147</sup> adopted measures to attract and admit low-skilled and medium-skilled

workers more easily. Labour needs were particularly evident in the transport sector, domestic work and care workers.

In Belgium, the Flemish Economic Migration Service required employers to classify middle-skilled workers as 'skilled workers', improving working conditions for these categories of workers in bottleneck professions<sup>148</sup> and making Belgium more attractive to foreign workers. Estonia introduced a new type of temporary residence permit for short-term employment that will allow those who have already worked in Estonia on a short-term basis (for at least nine months) to apply for a residence permit that is valid for up to two years (also called the 1+2 scheme) to ease labour shortages.

The Czech Republic increased quotas on applications for single permits for citizens of Armenia, Georgia and North Macedonia, due to labour shortages. Similarly, the Slovak Republic amended rules for granting national visas to nationals of Belarus, Serbia, Ukraine, North Macedonia, Bosnia and Herzegovina, Montenegro, Georgia, Armenia and Moldova for bus and lorry drivers. In Cyprus, a revision of the criteria and related fees came into force to facilitate the employment of domestic workers. In Ireland, several changes were made to the Ineligible Occupations List (IOL) throughout 2022 to meet skills and labour demand for low-skilled and medium-skilled workers in specific sectors, including increases in quota levels for agri-food and new quotas for home care and transport. The quota for home care workers was introduced in line with a specific recommendation from a published review of the sector. Finland made efforts to develop a faster, smoother, and more transparent residence permit process, aiming to process all employment-based residence permit applications in 30 days (apart from fast-trackers, whose process was sped up to 14 days).

<sup>143</sup> AT, BE, EL, FI, FR, HR, IE, IT, PL.

<sup>144</sup> AT, BG, CZ, DE, EE, FI, FR, IE, IT, LT, LU, SE, SK and NO.

<sup>145</sup> AT, BG, CZ, IT.

<sup>146</sup> Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC, <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32021L1883>, last accessed on 17 March 2023.

<sup>147</sup> BE, CY, CZ, EE, EL, FI, IE, LT, SK.

<sup>148</sup> Bottleneck professions are those for which there is a significant labour shortage. Each regional PES establishes a list of bottleneck professions for their region on the basis of a number of criteria. Across the country, the main sectors concerned are: construction, manufacturing, healthcare, IT, and restaurants.

### 3.3.3. Seasonal workers

A number of EU Member States<sup>149</sup> introduced measures targeting seasonal workers, including a legislative proposal to introduce a seasonal employment permit, the creation of pathways for seasonal workers outside the quota system, and the simplification of application procedures. In Austria, to simplify the requirements for the temporary employment of seasonal and harvest workers, seasonal workers in tourism, agriculture and forestry who had been temporarily employed under quotas for at least three months in at least three years in the same industry could obtain work permits outside the quota system and without a labour market test. Croatia introduced an online application for seasonal workers to ease the submission of applications for residence and work permits. In Ireland, a legislative proposal to introduce a Seasonal Employment Permit to cater for short-term and recurrent employment situations in appropriate sectors was included in the Employment Permits Bill 2022. This arose from a review of economic migration policy from 2018, which recommended a review of legislation in the area, including consideration of a seasonal permit.

### 3.3.4. Entrepreneurs, start-ups, and investors

Several EU Member States<sup>150</sup> reported developments designed to attract entrepreneurs, innovative start-ups, and investors, in an effort to boost the knowledge economy and develop human capital.

In Austria, legislative changes reduced the minimum initial capital required for admission of start-up founders from €50 000 to €30 000. Belgium introduced a new economic migration policy for foreign self-employed persons in the Flemish Region, taking effect on 1 January 2022. Its admission requirements were tailored to the professional activities of self-employed individuals, while introducing a simplified and digital application procedure. The Netherlands extended the duration of the residence permit under the start-up visa scheme from one to two years. Finally, Belgium reported a measure targeting third-country national entrepreneurs – the Flemish Decree on professional activities performed in a self-employed capacity, which took effect on 1 January 2022. The purpose of this regulatory framework is to attract start-ups and inventive entrepreneurial talent.

#### White Card for digital nomads in Hungary

In 2022, Hungary introduced a residence permit for digital nomads, the 'White Card', which is issued to a third-country national:

(a) who is engaged, as verified, under contract for some form of employment in a country other than Hungary, and who works from Hungary using advanced digital technology, or holds a share in a company with a verified profit in a country other than Hungary, and performs their work or manages their company from Hungary using advanced digital technology;

(b) who is able to meet the general conditions for residing in Hungary, and who is not subject to the grounds for exclusion under law;

(c) who is not engaged in any gainful activity in Hungary and does not hold a share in a Hungarian company.

The White Card is valid for one year and can be renewed for another year. The White Card does not provide a basis for family reunification and does not count for permanent residency.

### 3.3.5. Intra-corporate transferees

Several EU Member States<sup>151</sup> reported specific measures to facilitate admission and entry for intra-corporate transferees. In Latvia, intra-corporate transferees are no longer required to submit a document confirming their qualifications, except when they are employed in a regulated profession. In the Slovak Republic, a new regulation stipulates that a national visa is to be granted to relocated third-country nationals for the duration of employment, for a maximum of one year, and to their family members for the duration of the validity of the national visa of their relocated employed family member. Family members can work and study while the national visa is valid.

### 3.3.6. Trainees, au pairs and volunteers

Three EU Member States<sup>152</sup> reported specific developments for trainees, au pairs, and volunteers. In transposing the Students and Researchers Directive (2016/801), Belgium made several legislative changes meaning that from 1 January 2023, volunteers working on European volunteer projects can receive a single permit work permit. In Italy, the Ministry of Labour and Social Policies drew up guidelines to inform the relevant administrative bodies about the procedure to activate traineeships for foreign citizens. In the Netherlands, the au pair regulation was changed by adding one additional requirement for third-country nationals who want to work as an au pair in the Netherlands, namely that they need to be unmarried and without any (foster) children. The age requirement was also amended: the au-pair should not be older than 25 (it was previously 30) when the residence request is filed.

### 3.3.7. Other remunerated workers

Five EU Member States<sup>153</sup> reported specific developments for other remunerated workers. In Estonia, employers of temporary agency workers are required to have funds amounting to one month's salary. The amendments aimed to avoid schemes where no taxes are paid on temporary agency workers. In Ireland, changes were announced to the Atypical Working Scheme (AWS), effective from 1 January 2023, including a revised salary threshold of €30 000, in line with that for a General

149 AT, BE, EL, FI, FR, HR, IE, LT, SK.

150 AT, BE, BG, EE, ES, FI, HU, LT, LV, NL.

151 FI, LT, LV, SK.

152 BE, IT, NL.

153 EE, IE, LT, PL, SK.

Employment Permit to avoid any distorting effect on the labour market.<sup>154</sup>

### 3.3.8. Satisfying and anticipating labour market needs

Many EU Member States<sup>155</sup> reported measures and specific tools to satisfy and/or forecast and map labour market needs and shortage occupations. Business Finland piloted a specific tool for forecasting the supply and demand of international labour,<sup>156</sup> while the 'Labour market roadmap' project created a new mapping tool for labour market needs.<sup>157</sup> The mapping tool uses different datasets and identifies sectors with the potential for international recruitment. In Belgium, the Walloon Region published updated lists of bottleneck professions.<sup>158</sup> In Georgia, the Ministry of Economy and Sustainable Development conducted an 'Establishment Skills Survey' to examine employment structures and assess workforce occupational skills, vacancies and demand.

### 3.3.9. 'Social dumping' and labour exploitation

Preventing social dumping and labour exploitation was high on policy agendas across the EU, with several EU Member States,<sup>159</sup> Norway and Georgia introducing strategies, action plans and legislation, and monitoring labour conditions. Several EU Member States<sup>160</sup> and Norway launched action plans and strategies to prevent and combat social dumping and labour exploitation. In Belgium, a new Action Plan for the fight against social fraud and dumping included actions such as the establishment of a common information campaign, improving the focus of investigations and controls, strengthening European and international collaborations, and adapting the sanctioning of social dumping and fraud. In Finland, a cross-sectoral strategy against the exploitation of foreign workers was developed, aiming to bring together actors and measures across sectors to counter the exploitation of workers. In France, the Inter-ministerial Anti-Fraud Committee presented the social partners with an overview of the National Plan to Fight Illegal Work. The Plan aims to tackle sectors at risk, improve data availability between services, mobilise social partners, and improve synergies with the European Labour Authority (ELA) to develop joint inspections and reinforce cross-border cooperation. In Norway, the government launched a new Action Plan to Combat Social Dumping and Work-Related Crime. The Plan includes 35 measures to strengthen employees' rights and industrial relations, prevent the exploitation of employees, introduce national requirements for practices

in all public procurement, and increase inspections through inter-agency cooperation. That general Plan was followed up by a separate Action Plan for the Transport Sector. In line with its existing action plan, the Slovak Republic set up a working group to draft a legal provision differentiating between trafficking in human beings for the purpose of forced labour and poor working conditions.

In Georgia, a legislative package was initiated in the parliament, with several legal acts regulating labour exploitation and social dumping amended as part of a unified system of labour legislation.

EU Member States<sup>161</sup> also reported the launch of important reports and publications. In Italy, the report 'The housing conditions of migrants working in the agri-food sector' was published as part of the three-year plan to combat labour exploitation in agriculture and *caporalato* (illegal recruitment).<sup>162</sup> The report presented the results of a survey of Italian municipalities on flows and characteristics of migrant farm workers and accommodation arrangements.

In the Netherlands, a monitoring report on labour exploitation with information on vulnerable sectors was published. In Ireland, to address long-standing concerns about the working conditions of third-country national crews in the Irish fishing fleet, the Review of Atypical Working Scheme for non-EEA Crew in the Irish Fishing Fleet recommended that the employment of third-country national fishing crew should be covered under the Employment Permits System rather than the AWS. The AWS subsequently closed for new applications for third-country national fishing crew in December 2022 to allow for the transition of this category of worker to the Employment Permits System. The transition is to be overseen by a cross-departmental working group, with an approximate implementation time of 12 months.

### 3.3.10. Bilateral labour migration agreements<sup>163</sup>

Several EU Member States signed bilateral agreements to manage labour migration and facilitate the admission of third-country workers.<sup>164</sup> Austria's Council of Ministers agreed to negotiate a comprehensive migration and mobility partnership agreement with India. The intention is to strengthen cooperation and information-sharing on opportunities for regular migration of skilled workers, students and researchers, as well as their family members and school pupils. Finland similarly intensified its cooperation with India, including signing a Declaration of Intent on labour migration. It also identified

154 These changes are applicable only to the general category of AWS permission, including in the entertainment industry, biotech, pharmaceutical, and technology sector. They do not impact medical personnel or other categories entering the State under the AWS.

155 AT, BE, CY, FI, HR, IT, LT, PL, SE, SI.

156 Talent Boost Supply & Demand – Intro, <https://www.businessfinland.fi/en/for-finnish-customers/services/programs/talent-boost-finland/private-sector-services2>, last accessed on 17 May 2023.

157 Report on supply, shortage and matching of labour sums the results of the Labour Market Roadmap project, <https://valtioneuvosto.fi/en/-/1410877/report-on-supply-shortage-and-matching-of-labour-sums-the-results-of-the-labour-market-roadmap-project>, last accessed on 17 March 2023.

158 A profession can be qualified as 'bottleneck' when there is a problem with the quality or quantity of applicants, or when the profession has unfavourable working conditions. The qualification as a bottleneck profession simplifies the admissibility conditions (no labour market test for certain categories of third-country nationals).

159 BE, CY, HR, FI, FR, IE, IT, LT, LV, NL, SK and GE, NO.

160 BE, FI, FR, NL, SK.

161 IE, IT, NL.

162 Ministry of Labour and Social Policies and of the National Association of Italian Municipalities, 'The housing conditions of migrants working in the agri-food sector', <https://www.helpdeskanticaporalato.org/published-the-report-the-housing-conditions-of-migrants-working-in-the-agri-food-sector-of-the-ministry-of-labor-and-social-policies-and-of-the-national-association-of-italian-municipalities/>, last accessed on 17 March 2023.

163 According to the IOM, bilateral labour migration agreements are 'formal mechanisms concluded between States, which agreements are essentially legally binding commitments concerned with inter-state cooperation on labour migration. The term is also used to describe less formal arrangements regulating the movement of workers between countries entered into by States as well as a range of other actors, including individual ministries, employer organisations, etc.' (<https://publications.iom.int/books/international-migration-law-ndeg34-glossary-migration>), last accessed on DD Month YYYY).

164 DE, EL, FI, FR, IT, SK.

other key countries for cooperation – Vietnam, Brazil and Türkiye, with further measures planned for 2023. In Germany, on 10 May 2022, the Federal Employment Agency (*Bundesagentur für Arbeit*) signed a mediation agreement with Jordan on the placement of future nursing professionals. The Federal Employment Agency negotiates the placement agreements independently and is in constant contact with the Federal Ministry of Labour and Social Affairs. Germany also signed a bilateral comprehensive migration and mobility partnership agreement with the Republic of India (see Chapter 10).

Three EU Member States<sup>165</sup> reported youth mobility schemes with third countries. In France, the agreement on the Vacation Work Programme between France and Ecuador entered into force, with a planned quota of 300 beneficiaries per country. A bilateral agreement between Italy and Canada on youth mobility came into force for

young Italians and Canadians aged between 18 and 35, with a planned quota of 2 000 per country. Based on the Agreement Between Canada and the Slovak Republic on Youth Mobility, a reciprocal annual quota was set at 350 participants for applications submitted in 2023 (the same as in 2022).

### 3.3.11. Circular migration

Belgium, Lithuania and Spain reported measures to boost circular migration. In Spain, the Ministry of Inclusion, Social Security and Migration approved the annual procedure for the collective management of hiring workers at origin, which allows for the development of circular migration projects with third countries and in sectors where there is a demand for workers (see Section 12 for SMPs and other mobility initiatives).

## 3.4. STUDENTS AND RESEARCHERS

Several EU Member States and Georgia reported measures to attract and retain international students and researchers,<sup>166</sup> including boosting the internationalisation of their higher education systems and simplifying admission and enrolment processes for students from third countries.

Four EU Member States<sup>167</sup> adopted strategic measures for the internationalisation of higher education. In view of Finland's goal to triple the number of international students by 2030, a number of changes to facilitate immigration for students entered into force, notably changes from a temporary permit to a 'continuous' permit for students and their family members, increasing students' right to work during their studies (from 25 to 30 hours per week), and extending the jobseeker permit following completion of studies from one to two years. Ireland announced in November 2022 that the International Education Mark (IEM) would be launched in 2023 as a quality mark awarded to higher education and English language education providers that demonstrably meet national standards to ensure a high-quality experience for international students, from enrolment to completion of their programme.

The simplification of admission processes and facilitating enrolment for international students was a priority in several EU Member States<sup>168</sup> and Georgia. With a view to facilitating the enrolment of foreign students in its higher education institutions (HEIs), Georgia amended the rules and procedures of granting the right to study to foreign citizens to make the process more rapid, simple and flexible. Croatia and Italy reported facilitation measures specifically for the recognition of qualifications of international students. In Slovenia, legislative changes expanded the sources that can be presented to prove that a student meets the condition of sufficient means of subsistence.

Measures targeting international researchers were reported by four EU Member States, including changes to residence permit rules and post-research pathways.<sup>169</sup> As part of its overall objective to make the country more attractive to international researchers, Finland plans legislative changes such as longer permits and simplified rules on sufficient income. France introduced a 'research stay' permit, targeted at doctoral fellows and foreign government researchers.

## 3.5. FAMILY REUNIFICATION INCLUDING FAMILY FORMATION

Several EU Member States<sup>170</sup> adopted measures to enhance access to family reunification for third-country nationals to help meet labour market needs or to align with EU case-law. Cyprus and Finland adopted measures to facilitate family reunification for highly skilled employees. In Cyprus, the New Strategy for Attracting Business and Talent encourages family reunification by granting spouses free and direct access to paid employment, without having to undergo a market test. In Finland, the

fast-track process for the issuance of residence permits for specialists and start-up entrepreneurs was extended to family members of these groups. A third-country national granted temporary residence for the purpose of family reunification can be employed in the Slovak Republic after nine (previously 12) months of continuous residence there.

Belgium, Finland, Germany and the Netherlands aligned their national legislation or practices on family

165 FR, IT, SK.

166 AT (Austrian schools abroad), BE, ES, FI, FR, HR, IE, IT, LT, SI, SK and GE.

167 ES, FI, IE, SK.

168 ES, FI, FR, HR, IT, LT, SI, SK and GE.

169 BE, FI, FR, LT.

170 BE, CY, DE, ES, FI, FR, LT, NL, SK.



reunification with Court of Justice of the European Union (CJEU) rulings.<sup>171</sup> In Belgium, the Immigration Office brought its practice in line with CJEU case-law, including clarifying that the reference point for determining minority in an application for family reunification of a minor child with an adult beneficiary of international protection, is the moment when the beneficiary applies for international protection. Previously, applications were refused when minors, who had become adults during the procedure, applied for family reunification with their adult

parents. In the Netherlands, legislative changes allowed foster children who were already part of the foster family in the country of origin to move to the Netherlands together with their foster parents, under certain conditions. In France, as of 2022, applicants for family reunification are required to provide (i) a sworn statement that they are not living polygamously in France, if the applicant is married and is a national of a State that authorises polygamy, and (ii) a signed statement that they will comply with the values of the French Republic.



### 3.6. INFORMATION ON ROUTES AND CONDITIONS OF LEGAL MIGRATION

Several EU Member States<sup>172</sup> and Georgia implemented new measures to provide information on legal migration pathways and the conditions for admission, including campaigns and online information services.

Six EU Member States<sup>173</sup> carried out information campaigns and awareness-raising projects. In Bulgaria, in cooperation with IOM, a campaign was launched to inform potential labour migrants from Armenia, Georgia and Moldova about the possibilities for legal stay and work. In addition to an extensive online campaign, four information sessions were held locally in Tbilisi, Georgia, and Yerevan, Armenia. Some 6 000 citizens from these three countries received information through the online campaign. In Finland, the 'Future is made in Finland' campaign and webinar series targeted students, researchers, specialists and start-up entrepreneurs, especially in India and Vietnam. Another information campaign in Finland was 'Find your Finnish Future', in cooperation with companies

and cities, to attract tech talent to Finland by highlighting work-life balance, family-friendliness, nature, and career opportunities. In Latvia, an informative video guide for Latvian entrepreneurs was launched, giving information on the relevant admission procedures.

Spain launched the 'Migrasafe Africa' project to support safe, orderly and regular migration through the promotion of legal pathways to the EU, by strengthening the capacities of the different actors involved in legal migration to the EU in eight African countries (Morocco, Senegal, Cape Verde, Tunisia, Egypt, Ghana, Nigeria, Ethiopia).

Information portals and websites were launched in some EU Member States and Georgia.<sup>174</sup> In the Czech Republic, a new information portal for foreign nationals<sup>175</sup> was launched, bringing all important information together in one unified and user-friendly area.



### 3.7. OTHER MEASURES ON LEGAL MIGRATION

Several EU Member States reported limiting or suspending applications on certain visas and residence permits for citizens of the Russian Federation and Belarus, due to the war in Ukraine (see Section 7.3). Estonian universities decided to halt cooperation with HEIs and research organisations in the Russian Federation and Belarus and to restrict the admission of Russian and

Belarussian students for the academic year 2022/2023.<sup>176</sup> In Ireland, the Minister for Justice instructed that no further applications from Russian and Belarussian citizens would be accepted into the Immigrant Investor (IIP) Programme or Start-Up Entrepreneur (STEP) programme. Poland restricted access to the simplified procedure to take up employment for citizens of the Russian Federation.

171 C-273/20, C-355/20 concerning family reunification with a minor refugee; C-279/20 concerning a minor reuniting with his refugee parent; FI aligned national legislation on family reunification with rulings of the CJEU cases C-133/19, C-136/19 and C-137/19, 16 July 2022.

172 BE, BG, CZ, ES, FI, FR, LV, SI, SK and GE.

173 BE, BG, ES, FI, FR, LV.

174 CZ, FI, SK and GE.

175 See <https://prod.frs.gov.cz>, last accessed on 25 May 2023.

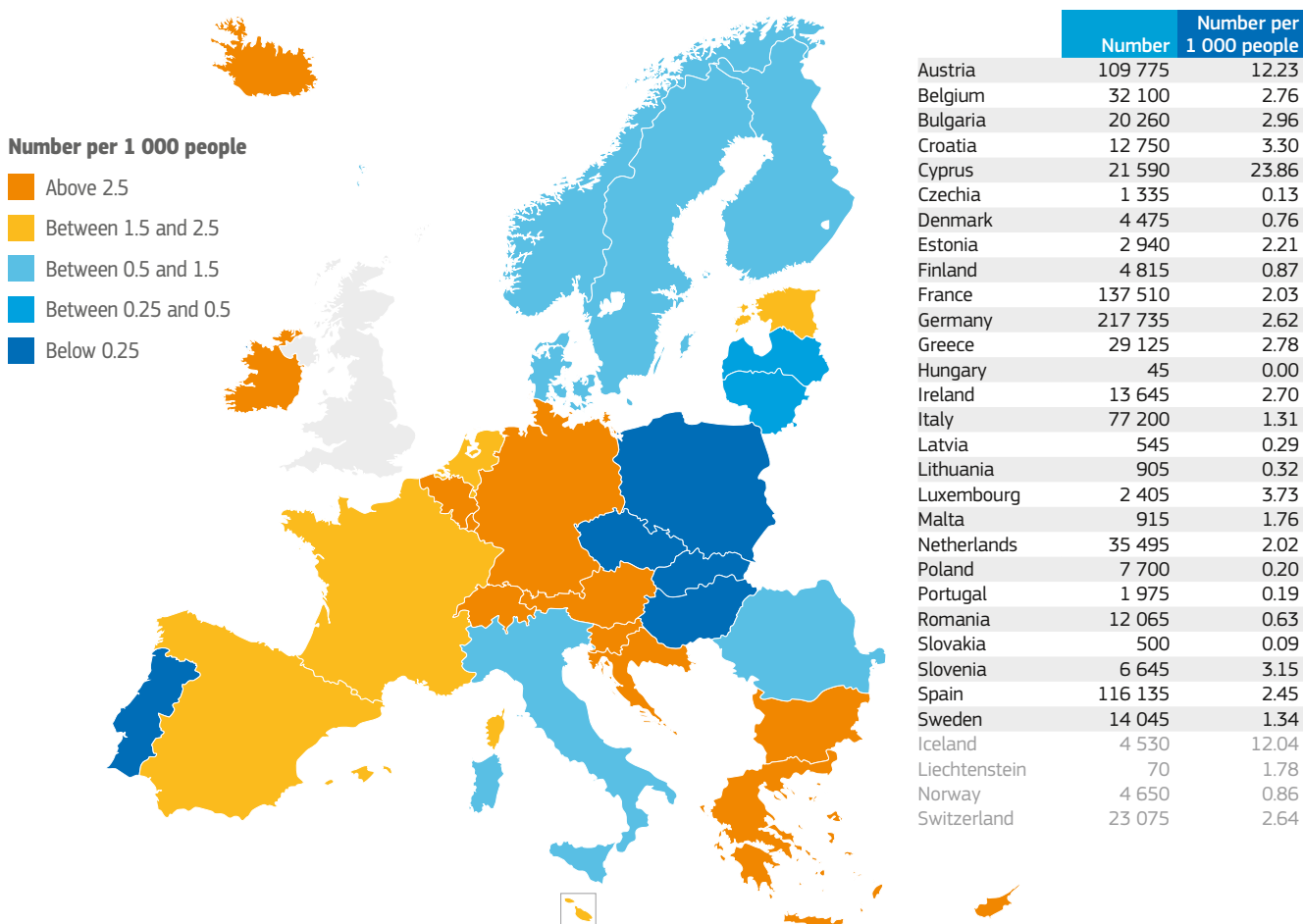
176 See <https://ut.ee/en/content/estonian-universities-halting-cooperation-russian-and-belarusian-higher-education>, last accessed on 25 May 2023.

# 4. INTERNATIONAL PROTECTION

While COVID-19 measures affected international protection policies somewhat less than in previous years, migratory pressure on the Mediterranean countries (Med5), along the Western Balkan route, and at the EU's external borders with Belarus,<sup>177</sup> continued to impact the migration and asylum systems of EMN Member and Observer Countries.

Large numbers of displaced people from Ukraine and the activation of the TPD<sup>178</sup> added to existing pressures on some EU Member States' reception systems for international protection applicants,<sup>179</sup> alongside a significant increase (65% compared to 2021) of first-time applications for international protection, going up from nearly 540 000 in 2021 to almost 890 000 in 2022 in the EU and Norway.

**Figure 7: First-time asylum applicants (third-country nationals), EU and EFTA, 2022**



Source: Eurostat ([migr\\_asyappctza](#) and [migr\\_pop1ctz](#)), extracted on 8 June 2023.

177 Council of the European Union, 'EU migration and asylum policy', <https://www.consilium.europa.eu/en/policies/eu-migration-policy/#ukraine>, last accessed on 10 March 2023.

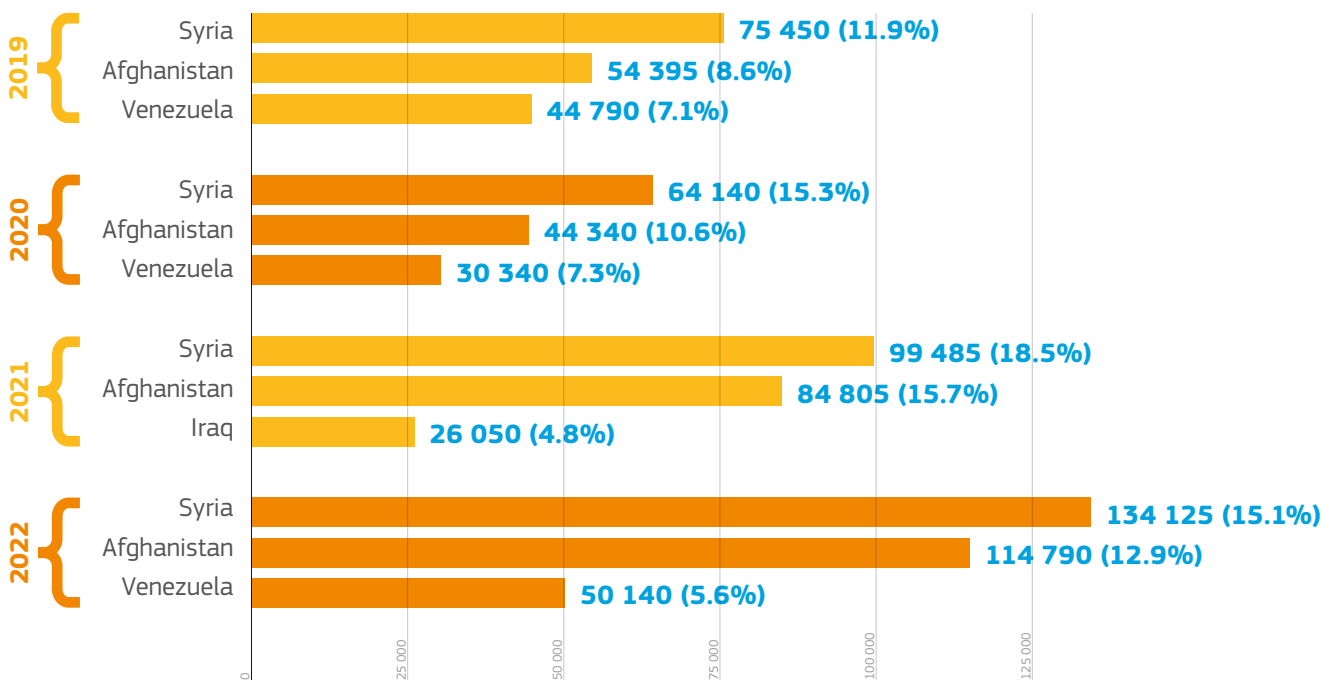
178 Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, <https://eur-lex.europa.eu/legal-content/en/TX/?uri=celex:32001L0055>, last accessed on 10 March 2023.

179 BE, DE, IE, IT, NL.

As in 2021, most came from Syria (representing 15.1% of all applications) and Afghanistan (12.9% of all applications). The largest numbers of first-time applicants for international protection were recorded in Germany,

followed by France, Spain and Austria. The number of applicants relative to the size of the population also went up somewhat, from 2.0 per 1 000 people to 2.2 per 1 000.<sup>180</sup>

**Figure 8: Top 3 countries of citizenship – first-time asylum applicants, EU and Norway, 2019–2022**



Source: Eurostat ([migr\\_asyappctza](#)), extracted on 8 June.

Many EU Member States<sup>181</sup> introduced policy, legislative, institutional and operational changes in international protection in 2022. The need to strengthen reception

systems and improve the efficiency and responsiveness of asylum procedures were some of the main drivers behind these changes.

## 4.1. EU DEVELOPMENTS

In 2022, the New Pact on Asylum and Migration remained important for EU and national level policy-makers keen to reform asylum and migration systems to meet and manage new challenges. On 7 September 2022, a joint roadmap<sup>182</sup> was agreed between the European Parliament and five rotating Presidencies of the Council of the EU. The roadmap laid the ground for increased dialogue on the New Pact and prompted the conclusion of negotiations on all pending legislative files related to asylum and migration management.<sup>183</sup>

At the JHA Council on 9-10 June 2022,<sup>184</sup> 18 EU Member States,<sup>185</sup> Norway, Switzerland, and Liechtenstein endorsed a Solidarity Declaration,<sup>186</sup> which provides for a time-limited VSM.<sup>187</sup> The VSM seeks to alleviate migratory pressure in the EU Mediterranean states (Greece, Malta, Cyprus, Italy, Spain). Relocations primarily benefit Member States dealing with disembarkations following search-and-rescue (SAR) operations in the Mediterranean and Western Atlantic routes, but could also apply to other Member States under pressure by offering relocations, financial contributions and other measures of support.

180 Data and calculations from Eurostat, [migr\\_asyappctza](#) and [migr\\_pop1ctz](#)

181 BE, CY, CZ, DE, EL, ES, FR, HR, HU, IE, IT, LT, LU, NL, PL, SI, SK.

182 Co-legislators' roadmap, 2022, <https://www.europarl.europa.eu/resources/library/media/20220907RES39903/20220907RES39903.pdf>, last accessed on 10 March 2023.

183 Migration and Asylum: Roadmap on way forward agreed between European Parliament and rotating Presidencies covers the following legislative proposals: Regulation for Asylum and Migration Management, Regulation for Crisis and Force Majeure, Screening Regulation and proposal amending several regulations to facilitate the Screening, Qualification Regulation, Reception Conditions Directive (recast), Amended Asylum Procedures regulation, Return Directive (recast), Amended Eurodac Regulation, Union Resettlement Framework Regulation, <https://www.europarl.europa.eu/news/en/press-room/20220905IPR39714/migration-and-asylum-roadmap-on-way-forward-agreed>, last accessed on 10 March 2023.

184 JHA Council, 9-10 June 2022, <https://www.europeansources.info/record/justice-and-home-affairs-council-9-10-june-2022/>, last accessed on 10 March 2023.

185 BE, BG, CY, CZ, DE, EL, ES, FI, FR, HR, IE, IT, LT, LU, MT, NL, PT, RO.

186 Solidarity Declaration, 22 June 2022, [https://home-affairs.ec.europa.eu/system/files/2023-05/Declaration%20on%20solidarity\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2023-05/Declaration%20on%20solidarity_en.pdf), last accessed on 5 June 2023.

187 VSM, [https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/relocation-eu-solidarity-practice\\_en](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/relocation-eu-solidarity-practice_en), last accessed on 10 March 2023.

The co-legislators continued to discuss the New Pact's legislative files, with the JHA Council approving negotiating mandates on the Eurodac<sup>188</sup> and Screening<sup>189</sup> Regulations in June 2022.<sup>190</sup> Negotiations between co-legislators were finalised for the Reception Conditions Directive recast<sup>191</sup> and Qualification Regulation.<sup>192</sup> These files now await adoption once other Pact files are finalised.

On 19 January 2022, the Regulation on the establishment of a European Union Agency for Asylum (EU 2021/2303)<sup>193</sup> entered into force and the European Asylum Support Office (EASO) became a fully-fledged

EU agency. With its new mandate, the European Union Agency for Asylum (EUAA) was able to offer EU Member States more operational and technical support, better monitor the functioning of asylum and reception systems, and contribute to capacity-building in non-EU countries, as well as supporting EU+ countries with resettlement schemes. The number of countries benefiting from EUAA operational support rose significantly, to 13 EU Member States in 2022,<sup>194</sup> with over 1 500 deployed personnel. The Agency also provided support in Moldova.<sup>195</sup>



## 4.2. LEGISLATIVE AND POLICY DEVELOPMENTS IN RELATION TO INTERNATIONAL PROTECTION

### 4.2.1. Overarching strategic legal or policy developments in international protection

Many EU Member States, Georgia, Moldova, and Armenia<sup>196</sup> revised their legislation and implemented policies to improve national asylum systems and procedures. Luxembourg enshrined the right to asylum in its revised Constitution.<sup>197</sup> Many of these developments were driven by an increase in international protection applications and were aimed to allow for exceptional measures to handle a potential mass influx of international protection applicants, with several Member States adopting specific measures in these areas.<sup>198</sup> The increase in new arrivals following the invasion of Ukraine exerted additional pressure on reception systems, as some EU Member States had to use existing reception facilities or emergency accommodation for temporary protection applicants (see Chapter 1). Italy reported the need to strengthen the reception system as a major strategic development, driven by an influx of refugees fleeing Afghanistan and Ukraine.

Greece consolidated all relevant rules into one new Code of Laws that included provisions for reception, international protection, and temporary protection. In Ireland, the government approved participation in the

EUAA Regulation 2021/2023 on 18 October 2022, to be followed by the necessary parliamentary approvals to complete the opt-in process.<sup>199</sup> Once that participation was finalised, Ireland would be able to benefit from EUAA support and resources. In Georgia, the Law on International Protection was amended to improve asylum procedures and assist authorities to implement a unified interpretation of procedural outcomes of asylum cases. The amendments also introduced new *modus operandi* for communication with asylum-seekers during the administrative procedure.

### 4.2.2. Asylum procedure

The rise in the number of applications for international protection prompted many Member States to introduce legislative and operational changes to their respective asylum procedures. Figures 8 and 9 below provide an overview of asylum applications in EU Member States and Norway in 2022.

188 Proposal for a Regulation of the European Parliament and of the Council 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], for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (recast), COM/2016/0272 final – 2016/0132 (COD), <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2016:272:FIN>, last accessed on 10 March 2023.

189 Proposal for a Regulation of the European Parliament and of the Council introducing a screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817, COM/2020/612 final, <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2020:612:FIN>, last accessed on 10 March 2023.

190 Council of the European Union, 'Asylum and migration: the Council approves negotiating mandates on the Eurodac and screening regulations and 21 States adopt a declaration on solidarity', Press release, 22 June 2022, <https://www.consilium.europa.eu/en/press/press-releases/2022/06/22/migration-and-asylum-pact-council-adopts-negotiating-mandates-on-the-eurodac-and-screening-regulations/>, last accessed on 10 March 2023.

191 Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast), COM/2016/0465 final – 2016/0222 (COD), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016PC0465>, last accessed on 5 June 2023.

192 Proposal for a Regulation of the European Parliament and of the Council 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 and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, COM/2016/0466 final – 2016/0223 (COD), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016PC0466>, last accessed on 5 June 2023.

193 Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021R2303>, last accessed on 3 April 2023.

194 AT, BE, BG, CY, CZ, EL, ES, IT, MT, NL, LT, RO, SI.

195 EUAA, 'Almost 1 million asylum applications in the EU+ in 2022', 22 February 2023, <https://euaa.europa.eu/news-events/almost-1-million-asylum-applications-eu-2022>, last accessed on 3 April 2023.

196 BE, CY, EE, ES, FI, HR, HU, IE, IT, LT, LU, LV, NL, PL, SI, SK, and GE, MD AM.

197 Constitution of the Grand Duchy of Luxembourg (entry into force 1 July 2023), Chapter II, Section III, Article 32, *Version consolidée de la Constitution du Grand-Duché de Luxembourg*, Published in Mémorial A 23 of 19 January 2023, <https://legilux.public.lu/eli/etat/leg/constitution/1868/10/17/n1/consolide/20230701>, last accessed on 5 May 2023.

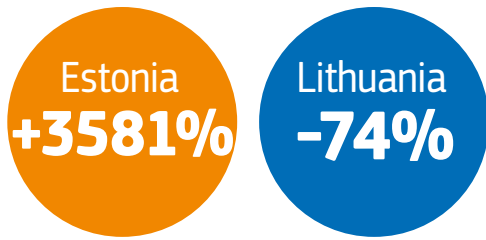
198 FI, LT, LU, LV (regarding Temporary Protection), PL.

199 Ireland does not participate in measures adopted under Title V of the Treaty on the Functioning of the European Union (TFEU). Under Protocol 21 to the Treaty on European Union (TEU) and TFEU, Ireland may exercise the option to participate in a measure either within three months of the proposal being published (Article 3) or after the proposal has been adopted by the EU (Article 4). Government approval and approval of both houses of parliament (Oireachtas approval) is required to participate in a measure.

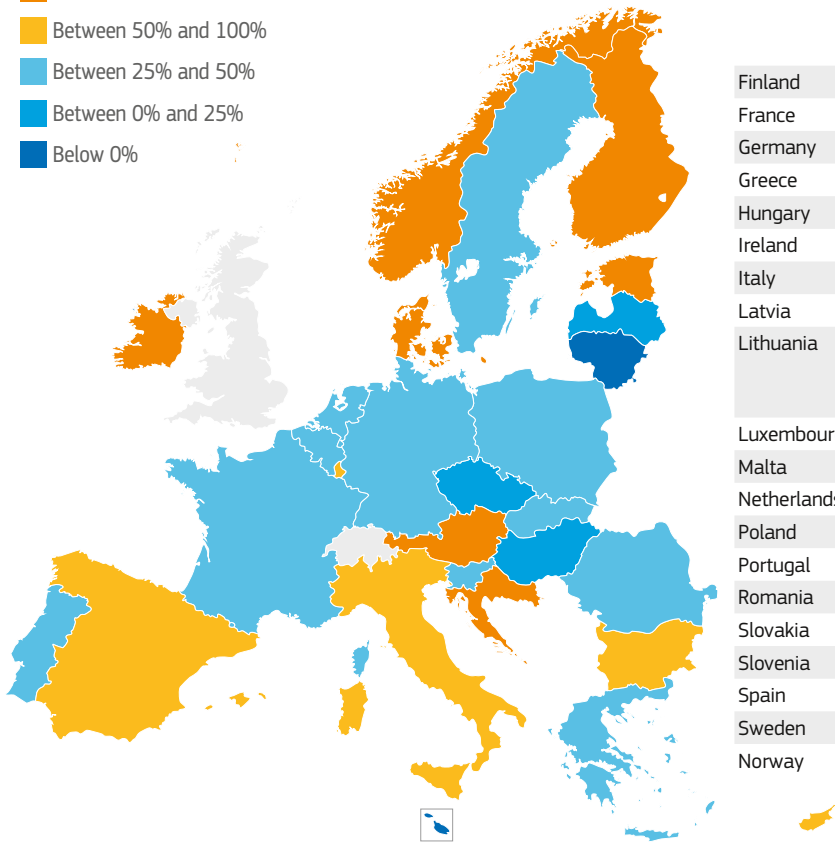


## Figure 9: Overview of asylum applications from third-country nationals in Member States and Norway

### Variation of asylum applications in 2022 compared to 2021



- Above 100%
- Between 50% and 100%
- Between 25% and 50%
- Between 0% and 25%
- Below 0%



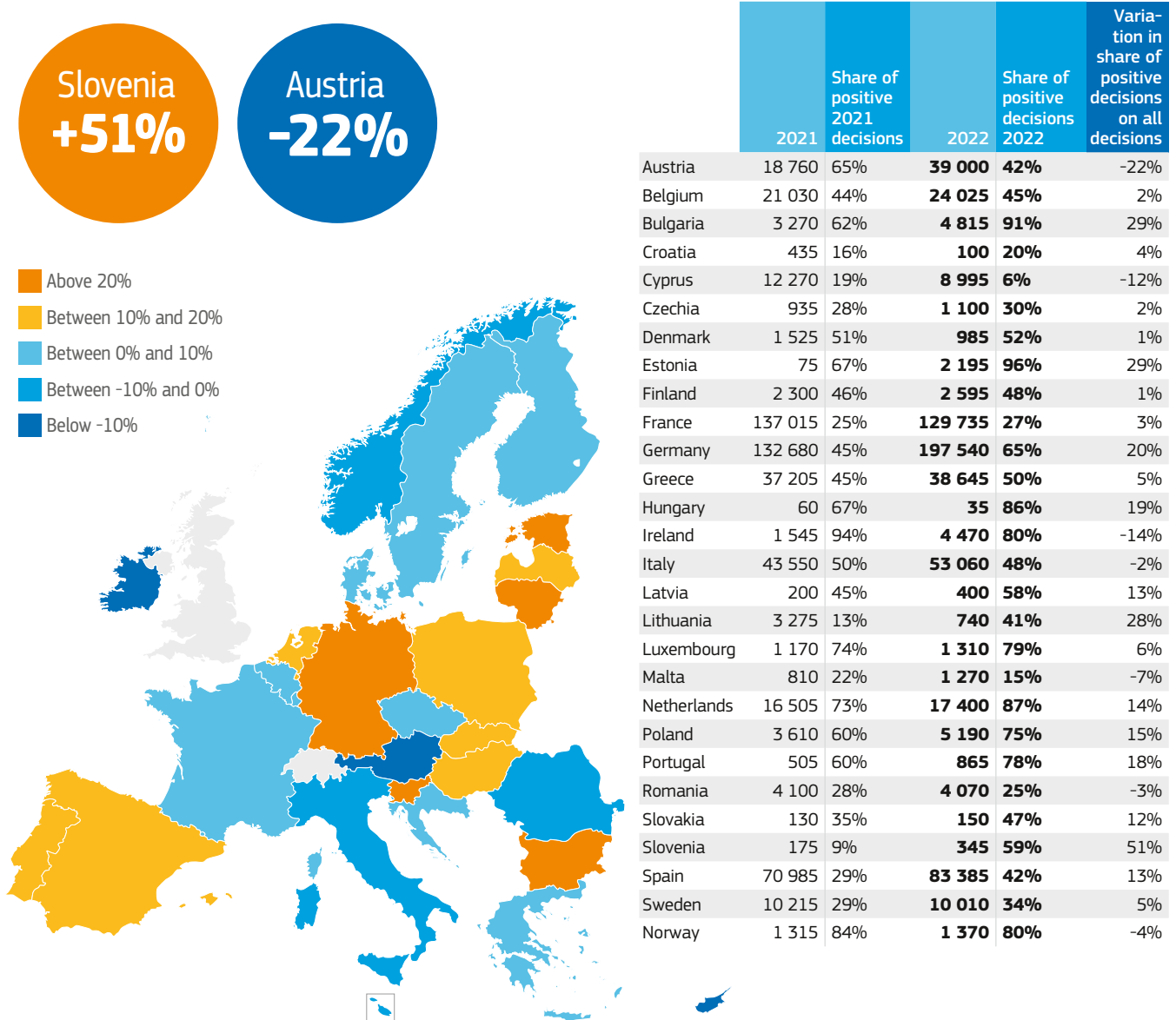
### Number of asylum applications

|             | 2019    | 2020    | 2021    | 2022           | 2021-2022 variation |
|-------------|---------|---------|---------|----------------|---------------------|
| Austria     | 12 860  | 14 760  | 39 900  | <b>112 245</b> | 181%                |
| Belgium     | 27 460  | 16 710  | 24 970  | <b>36 740</b>  | 47%                 |
| Bulgaria    | 2 150   | 3 525   | 11 000  | <b>20 390</b>  | 85%                 |
| Croatia     | 1 400   | 1 605   | 2 930   | <b>12 870</b>  | 339%                |
| Cyprus      | 13 650  | 7 495   | 13 670  | <b>22 190</b>  | 62%                 |
| Czechia     | 1 915   | 1 160   | 1 405   | <b>1 685</b>   | 20%                 |
| Denmark     | 2 700   | 1 475   | 2 080   | <b>4 565</b>   | 119%                |
| Estonia     | 105     | 50      | 80      | <b>2 945</b>   | 3581%               |
| Finland     | 4 520   | 3 190   | 2 525   | <b>5 780</b>   | 129%                |
| France      | 151 070 | 93 200  | 120 685 | <b>156 455</b> | 30%                 |
| Germany     | 165 615 | 121 955 | 190 545 | <b>243 835</b> | 28%                 |
| Greece      | 77 275  | 40 560  | 28 355  | <b>37 375</b>  | 32%                 |
| Hungary     | 500     | 115     | 40      | <b>45</b>      | 13%                 |
| Ireland     | 4 780   | 1 565   | 2 650   | <b>13 660</b>  | 415%                |
| Italy       | 43 770  | 26 940  | 53 610  | <b>84 290</b>  | 57%                 |
| Latvia      | 195     | 180     | 615     | <b>620</b>     | 1%                  |
| Lithuania   | 645     | 315     | 3 940   | <b>1 025</b>   | -74%                |
| Luxembourg  | 2 270   | 1 345   | 1 415   | <b>2 460</b>   | 74%                 |
| Malta       | 4 090   | 2 480   | 1 595   | <b>1 320</b>   | -17%                |
| Netherlands | 25 200  | 15 255  | 26 520  | <b>37 020</b>  | 40%                 |
| Poland      | 4 070   | 2 785   | 7 795   | <b>9 810</b>   | 26%                 |
| Portugal    | 1 820   | 1 000   | 1 540   | <b>2 115</b>   | 37%                 |
| Romania     | 2 590   | 6 155   | 9 585   | <b>12 355</b>  | 29%                 |
| Slovakia    | 230     | 280     | 370     | <b>545</b>     | 47%                 |
| Slovenia    | 3 820   | 3 550   | 5 300   | <b>6 785</b>   | 28%                 |
| Spain       | 117 800 | 88 530  | 65 295  | <b>117 945</b> | 81%                 |
| Sweden      | 26 255  | 16 225  | 13 990  | <b>18 605</b>  | 33%                 |
| Norway      | 2 265   | 1 375   | 1 635   | <b>4 840</b>   | 196%                |

Source: Eurostat ([migr\\_asyappctza](#)), extracted on 9 June 2023.

**Figure 10: Total first instance and first instance positive decisions, EU and Norway**

Variation in share of positive decisions on all decisions



Source: Eurostat ([migr\\_asydcfst](https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&plugin=1)), extracted on 9 June 2023.

### Access to the asylum procedure

Three EU Member States<sup>200</sup> reported specific developments in access to asylum procedures.<sup>201</sup> Belgium decided to split the registration and reception processes to improve efficiency and avoid large crowds (due to large numbers of applicants) at the Arrival Centre ('Petit-Château'/'Klein Kasteeltje') in Brussels. From 29 August 2022, applicants had to first register at the Immigration Office before presenting themselves at the Arrival Centre to receive reception services. At the Arrival Centre, priority was given to minors, families with children, and

particularly vulnerable applicants. In Greece, according to the new Circular, from 31 August 2022<sup>202</sup> third-country nationals and stateless persons can self-register electronically on the special platform on the website of the Ministry of Migration and Asylum (MMA)<sup>203</sup> and receive an appointment to register their application for international protection either in the Thessaloniki-Diabata facility or in the Attica-Malakasa facility (both on mainland Greece). Previously, they could only apply for international protection in one of the Regional Asylum Offices within the Reception and Identification Centres (RIC) and the Closed

<sup>200</sup> BE, EL, FR.

<sup>201</sup> As per the Asylum Procedures Directive 2013/32/EU: Making an application: during this phase the person expresses the intention to apply for international protection; registering an application: the applicant's intention to seek protection is registered; lodging an application: the asylum application is formally lodged at the competent authority for the asylum procedure.

<sup>202</sup> Circular (5049/2022), <https://www.nomotelia.gr/photos/File/504912-22.pdf>, last accessed on 10 March 2023.

<sup>203</sup> See platform at [https://apps.migration.gov.gr/internationalprotectionregistration/registration\\_appointment](https://apps.migration.gov.gr/internationalprotectionregistration/registration_appointment), last accessed on 5 May 2023.

Controlled Access Centres (CCAC) of Lesbos, Chios, Samos, Kos and Leros and Fylakio.

Several EU Member States<sup>204</sup> introduced special legislative provisions enabling them to act pre-emptively and respond effectively to exceptional circumstances, such as a mass influx of migrants. Estonia amended its Act on Granting International Protection to Aliens (AGIPA)<sup>205</sup> to empower the PBGB to determine locations where applications for international protection have to be submitted in case of emergency. It also amended its State Border Act to include the possibility to refuse applications for international protection in cases of mass influx and illegal entry.<sup>206</sup> Finland introduced legislative changes in exceptional situations and by government decision to allow for the reception of asylum applications to be centralised at separately designated border crossings, and directing applicants of international protection to a location where the authorities can best manage the situation. Lithuania made major adjustments to its legal framework for lodging asylum applications to overcome some practical issues, such as a lack of equipment to carry out certain procedures (e.g. Eurodac fingerprint facilities) and insufficient human resources in consular posts.

### Operational aspects of the procedure

Driven by the need to support access to administrative and legal assistance for international protection applicants (particularly vulnerable applicants), some EU Member States took measures to improve access to information and legal counselling in the asylum process,<sup>207</sup> as well as interpretation.<sup>208</sup> Bulgaria worked with the IOM to provide legal advice and interpretation for those seeking international protection. While the Czech Republic revised conditions so that legal counselling can only be provided by lawyers, Germany sought to improve the provision of legal advice for LGBTQI+ and other vulnerable asylum seekers. Lithuania introduced an obligation to inform asylum applicants about the provision of state-guaranteed legal aid.

Several EU Member States and Georgia<sup>209</sup> introduced digital technologies to improve the operational aspects of their asylum procedure, including creating digital spaces for applicants to be notified about their asylum cases (France, Georgia) and an updated database platform (Greece) to enable Asylum Service Officers to work remotely using interview and decision templates. Sweden expanded its digital solutions for handling appeals to the Migration Court, as well as providing digital solutions for booking and invoicing interpreters. The main drivers for the digitalisation of procedures were streamlining administrative duties, shortening times for processing cases, and cost-efficiency.

### Digitalisation of procedures in Belgium

Belgium made considerable progress in digitalising its asylum procedures.

The digitalisation strategy 'e-migration' was translated into a comprehensive enterprise architecture encompassing the Immigration Office, the CGRS, and the Council for Alien Law Litigation (CALL).

The CGRS continued to develop a full electronic case management system. The application 'J-Box' (launched in March 2022) now allows the digital introduction of documents to CALL and allows CALL to send procedural documents to the parties concerned.

Cyprus published a new Procedural Regulation on the Operation of the Administrative Court of International Protection to address delays in procedures resulting from the overwhelming number of appeals being dealt with by a limited number of judges. France, Germany, Greece and Ireland introduced measures to improve timeframes and case-handling. Germany is dealing with a backlog of over 38 000 previously deferred asylum applications from applicants already granted international protection by the Greek authorities. France improved its timeframes for processing asylum applications once reinforcements were allocated to the OFPRA. The average time taken to examine asylum applications is now 148 days, compared to 487.6 days in 2021 and 447 days in 2020. The 2023 target set by the French President is 60 days.

Ireland<sup>210</sup> increased its budget allocation for the International Protection Office (IPO) for 2023, in addition to the new accelerated procedures and related operational changes. These new procedures apply to all applicants but were particularly driven by the rise in applications from applicants from safe countries of origin. All applicants are now required to complete the international protection questionnaire on the same day as registering and lodging their application with the IPO, and applicants from safe countries of origin receive a substantive interview date on the day.

### Type of procedure

Several countries reported new policy and legal developments in the standard asylum procedure,<sup>211</sup> to improve procedures and for clear legislation to respond effectively to particular circumstances. In Belgium, two Royal Decrees codified remote interviews for applicants for international protection.

Four countries<sup>212</sup> reported legal and policy changes in border procedures. Finland submitted a legislative proposal to the parliament that introduced a border procedure to manage migration flows if an exceptionally large number of people were to arrive in Finland over a short period of time. The new border procedure would allow the immediate processing of potentially unfounded asylum applications at or near the border. In Greece, the exceptional

204 EE, FI, LT, LV.

205 Act on Granting International Protection to Aliens (AGIPA), <https://www.riigiteataja.ee/en/eli/530082022008/consolidate>, last accessed on 5 May 2023.

206 Bill on Amendments to the State Borders Act and Amendments to Other Associated Acts, <https://www.riigikogu.ee/pressiteated/muu-pressiteade-et/menetlusse-voeti-eel-nou-riigipiiri-seaduse-muutmiseks-3/>, last accessed on 5 May 2023.

207 BG, CZ, DE, LT, MT.

208 BG, LV.

209 BE, CZ, EE, EL, FR, LV, MT, SE and GE.

210 IPO, European Communities (International Protection Procedures) Regulations 2022 and the International Protection Act 2015 (Procedures and Periods for Appeals) (Amendment) Regulations 2022, Information note, 8 November 2022, [www.ipo.gov.ie](http://www.ipo.gov.ie), last accessed on 5 May 2023.

211 BE, CZ, EE, FI, FR (new OFPRA satellite opened in Mayotte for registration) PL, SK.

212 EE, EL, FI, LT.

border procedure restricting the freedom of movement of third-country nationals and stateless people from Türkiye arriving to the Islands of Lesbos, Chios, Samos, Kos and Leros ceased at the end of 2021, due to the decrease in the number of arrivals. Since the beginning of 2022, the border procedure only applied to applicants for international protection living in RICs or in CCAC on the islands.

Following the Russian invasion of Ukraine, several countries updated their list of safe countries of origin and removed Ukraine from this list, or are in the process of doing so.<sup>213</sup> Driven by an increase in protection applications in 2022, Ireland introduced new regulations to provide for an accelerated procedure for certain applicants for international protection, including applicants from countries designated as safe countries of origin. These regulations give further effect in Irish law to Directive 2005/85/EC.

Six countries<sup>214</sup> reported legal and policy changes related to the Dublin procedure. Belgium opened a new reception facility (the Dublin Centre) to facilitate Dublin transfers by keeping the procedure as short as possible through an on-site procedure and reducing pressure on reception facilities by addressing the outflow. Luxembourg passed a law<sup>215</sup> to provide clarity on assessing the risk of absconding and on return decisions affecting applicants and beneficiaries of international protection in the context of the Dublin Regulation.

### 4.2.3. Reception of applicants for international protection

Similar to 2021,<sup>216</sup> the increase or adaptation of reception facilities for asylum applicants emerged as a key operational trend for several EU Member States in 2022.<sup>217</sup> This included the establishment of new<sup>218</sup> and/or emergency reception facilities,<sup>219</sup> and the adaptation of existing facilities by increasing the number of available places or staff in reception centres,<sup>220</sup> or renovating those centres.<sup>221</sup> The main drivers were increased pressure on reception systems and the wish to improve reception infrastructure and the living conditions of residents, including ensuring the best interests of children. In Austria, a child protection officer was appointed at all federal reception centres in which children were housed. Estonia reopened and adapted an accommodation centre for asylum seekers for families. Germany ran a pilot project with Save the Children to provide (accompanied) refugee children and their families in initial reception facilities with better access to the child and youth welfare system.

Luxembourg continuously sought to improve the living conditions of children and families in reception centres.

Some countries increased basic benefit allowances for applicants for international protection to reflect increases in prices for food items and costs of living<sup>222</sup> or to tackle other challenges in basic care.<sup>223</sup>

The need to address shortages in reception capacity was a strong theme in 2022.<sup>224</sup> Belgium opened 14 new reception centres and two short-term emergency reception centres, which addressed some gaps. The Netherlands announced a legislative proposal that creates a legal obligation for municipalities to provide reception capacity for applicants of international protection. Italy allocated more funding to increase reception capacity, while Sweden increased funding for early integration measures for asylum seekers.

Croatia reported the completion of the Asylum and Migration Integration Fund (AMIF)-funded renovation of the reception centre for international protection seekers in Kutina as a major development in improving accommodation conditions of applicants and working conditions for staff. Greece undertook major efforts to improve the reception system and simplify registration. CCAC on the islands of Samos, Kos, and Leros were established as regional units of the Reception and Identification Service. The new centres increased the capacity of the RICs and have modern technical and functional infrastructure, with upgraded living conditions and improved working facilities for staff.

#### Reception in France

Within the framework of the 2021-2023 National Reception Plan for Asylum Seekers and the Integration of Refugees,<sup>225</sup> France continued to strengthen the accommodation capacity of its national reception system. Better distribution of asylum-seekers across the national territory enabled the creation of additional places. In April 2022, the national reception system included 113 832 authorised places. France recorded an increase in the share of asylum seekers accommodated free of charge from 45% in 2017 to 73% in 2022. The regional orientation mechanism introduced in 2018 enabled almost 14 000 asylum seekers to be redirected to regions of France other than Île-de-France in the first nine months of 2022. The main objective was to relieve Île-de-France, which had received almost 45% of asylum applicants.

213 AT, CZ, EE, EL, LU.

214 BE, EE, FI, LU, NL, SE, SK.

215 Law of 21 April 2023 amending the amended Law of 29 August 2008 on the free movement of persons and immigration, Memorial A228 of 8 May 2023, <https://legilux.public.lu/eli/etat/leg/loi/2023/04/21/a228/jo>, last accessed on 27 June 2023.

216 EMN, 'Annual report on migration and asylum', 2021, [https://ec.europa.eu/migrant-integration/system/files/2022-06/EMN\\_Annual-report\\_Migration\\_report\\_final.pdf](https://ec.europa.eu/migrant-integration/system/files/2022-06/EMN_Annual-report_Migration_report_final.pdf), last accessed on 5 May 2023.

217 BE, CY, EL, FI, FR, HR, IT, LU, NL.

218 BE, EL, FI, LU, NL.

219 BE, IE, NL.

220 BE, FI, FR, IT, NL.

221 HR, LU.

222 NL, PL.

223 AT: it was the first increase in maximum costs since 2016 and affects both asylum seekers and people displaced from Ukraine.

224 BE, EL, FR, IE, IT, NL, SE.

225 Ministry of the Interior, 'Schema national d'accueil des demandeurs d'asile et d'intégration des réfugiés', 18 December 2020, (in French) <https://bit.ly/3piiY10>, last accessed on 10 March 2023.



#### 4.2.4. Integration measures for international protection applicants

Most of the legal and policy developments in integration of asylum applicants aimed to provide support services for labour, housing,<sup>226</sup> education, including additional supports for access to school places,<sup>227</sup> non-formal education,<sup>228</sup> and socio-cultural integration.<sup>229</sup> These changes were largely driven by the need to foster the socio-economic autonomy of applicants.

Four EU Member States<sup>230</sup> introduced changes to facilitate access to the labour market. Lithuania<sup>231</sup> and the Slovak Republic shortened the waiting period<sup>232</sup> between asylum seekers lodging their application for international protection and their right to work, from nine months to six months.<sup>233</sup>

Ireland launched the International Protection Integration Fund, providing funding for community-based projects on the integration of protection applicants across a number of areas, including employability and language exchange. The Fund is a key deliverable of the government's White Paper to end direct provision and to establish a new international protection support service, which includes 'integration from day one' as one of the key guiding principles.

The Slovak Republic amended its Act on Asylum to enshrine the provision of counselling (psychosocial and other) and cultural orientation courses for asylum-seekers, as well as for beneficiaries of international protection, based on their individual needs.

Some EU Member States<sup>234</sup> introduced measures to facilitate access to healthcare for international protection seekers. Belgium introduced an online system to enable requests for medical care by applicants not living in reception centres. Italy started the Integration and Community Care for Asylum and Refugees in Emergency (ICARE 2) project, funded by AMIF,<sup>235</sup> to improve access to local health services for holders/applicants for international protection.

Belgium reported restricting the Flemish civic integration programme to those with a permanent right of residence in Belgium. Applicants for international protection are still allowed to access Dutch as a second language (NT2) courses.

#### 4.2.5. Detention of asylum applicants

Lithuania and Sweden were among five EU Member States<sup>236</sup> reporting developments in the detention

of international protection applicants in 2022. Lithuania regulated<sup>237</sup> the detention of asylum applicants in the event of the introduction of martial law, a state of emergency or declaration of an emergency due to a mass influx of foreigners. In April 2022, the Swedish Migration Agency presented a plan to increase detention places, together with an analysis of the need for detention places over time. Efforts to increase the number of detention places continued throughout the year (the opening of a new detention centre in Mölndal).

#### 4.2.6. Maintaining family unity for adult applicants and beneficiaries of international protection

Five Member States<sup>238</sup> reported developments in maintaining family unity for adult beneficiaries of international protection. Cyprus set up a procedure to assess the protection needs of family members of beneficiaries of international protection. Where family members do not fall under the scope of international protection (e.g. spouses), they receive a special permit based on humanitarian grounds. This special permit provides the right to remain, the right to work (with the approval of the Department of Labour), and the right to free medical care in public medical institutions. There are no additional criteria, such as family income or private health insurance. In Greece, in order to maintain family unity, new legislation<sup>239</sup> allows spouses of a beneficiary of international protection to qualify for such protection.

#### 4.2.7. Withdrawal of international protection

The Czech Republic added some provisions to the Asylum Act, on the termination of international protection (asylum and subsidiary protection). International protection can be terminated as a result of international sanctions (i.e. the beneficiary of international protection is a sanctioned individual). Driven by an increase in asylum applications, Lithuania amended the Description of the Procedure for Granting and Withdrawing Asylum<sup>240</sup> to introduce criteria to establish whether there are grounds for withdrawal of international protection through the standard asylum procedure, rather than through a discretionary procedure.

#### 4.2.8. Other developments

Ireland included a protection strand under its Regularisation of Long-Term Undocumented Migrants' Scheme (see Chapter 9). To help address the legacy cases

226 MD

227 IE, LU.

228 IE, LT.

229 ES, IE, SK and GE.

230 FI, IT, LT, SK.

231 Law No XIV-1277 amending the Law on the Legal Status of Foreigners.

232 EU Directive 2013/33 on Asylum Reception Conditions provides for a nine-month lapse between asylum seekers lodging their application for international protection and their right to work.

233 Act No 480/2002 Coll. on Asylum and on changes and amendments to some acts, as subsequently amended, effective as of 1 June 2022, <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2002/480/20220601.html>, last accessed on 5 May 2023.

234 BE, HR, IT, SK.

235 ICARE project, <http://www.progettoicare.it/home>, last accessed on 28 March 2023.

236 EE, LT, NL, PL, SE.

237 Amendments to the Law on the Legal Status of Foreigners, in force as of 1 January 2022, <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/c67c9f5266e611ecb2fe-9975f8a9e52e?fwid=-16yo4bv3by>, last accessed on 10 March 2023.

238 CY, EL, FR, LT, LU (in April 2022, an additional step to check the existence of family relations was added to the process of family unifications for persons from Eritrea (Reply to Parliamentary Question 6349, *Rapatriement familial*, 13 July 2022, <https://wdocs-pub.chd.lu/docs/exped/0131/172/263724.pdf>, last accessed on DD Month YYYY).

239 Article 23 Law 4636/2019, as replaced by Article 22 Law 4939/2022 (transposing Article 23 Directive 2011/95/EU).

240 Order No 1V-819 amending the Description of the Procedure for Granting and Withdrawing Asylum in the Republic of Lithuania, which entered into force on 29 December 2022.

that were in the protection system for the longest time, and ultimately reduce processing times, it was decided that the scheme would include a parallel process through which those who had an outstanding application for international protection and who had been in the asylum process for a minimum of two years on the date of opening of the parallel scheme could apply for regularisation.

The International Protection Regularisation Scheme opened for applications on 7 February 2022 for a period of six months.

Poland<sup>241</sup> reported that minor issues in the legal processing of Eurodac and fingerprint-related data were resolved by the Border Guard in 2022.



## 4.3. RELOCATION AND RESETTLEMENT

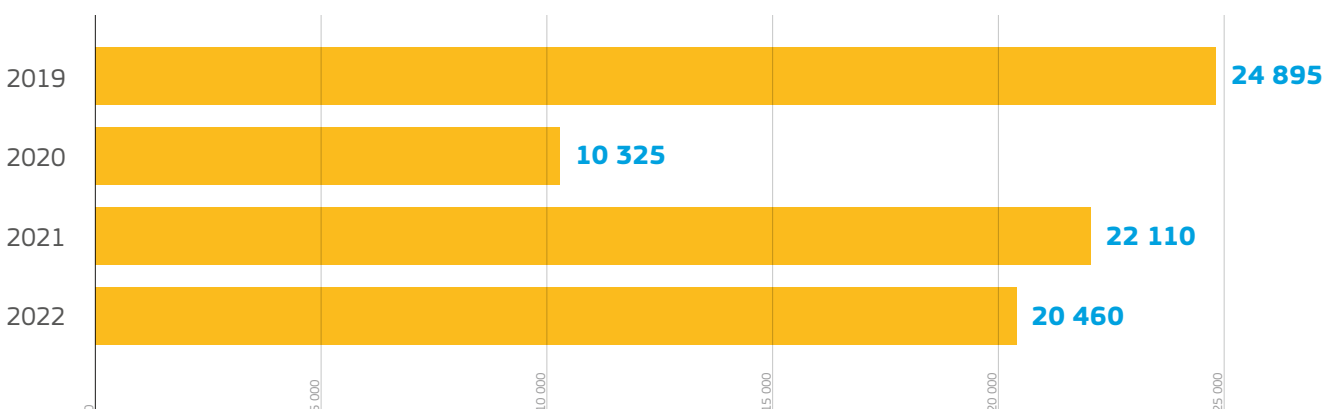
### 4.3.1. Relocation

Thirteen EU Member States and Schengen Associated Countries pledged to relocate more than 8 000 protection applicants from Cyprus, Greece, Italy, Malta and Spain under the VSM adopted in June 2022. By the end of 2022, around 255 relocation transfers had taken place, with many more planned for 2023.

### 4.3.2. Resettlement and humanitarian admission programmes

Several EU Member States<sup>242</sup> reported legal or policy changes in relation to their resettlement and humanitarian admission programmes. While many EU Member States increased their quotas or managed to fully/partially fulfil existing resettlement commitments, others had to decrease<sup>243</sup> their commitments in line with reception capacity. The figure below shows that compared to 2021, fewer persons were resettled in the EU and Norway. Sweden welcomed most resettled third-country nationals (5 010), followed by Germany (4 775), France (3 200), Norway (3 125) and the Netherlands (1 110).

**Figure 11: Number of resettled third-country nationals, EU and Norway, 2019–2022**



Source: Eurostat ([migr\\_asyresa](#)), extracted on 8 June 2023.

Finland increased its refugee quota from an initial 1 050 to 1 500 for 2022, in response to the situation in Afghanistan. Germany also increased its resettlement quota to 6 000 places and admitted more than 19 000 Afghans under existing resettlement programmes in 2022. It also began a federal admission programme for Afghans in October 2022 which foresees the approval of admission for up to 1 000 Afghans (including family members) per month (number of actual entries depending on the individual case and conditions on the ground). Ireland pledged to offer 800 places for 2023 under the UNHCR Resettlement Programme, as well as accepting 100 beneficiaries under the Afghan Humanitarian Programme.

Since May 2021, and following the Taliban's seizure of power in Afghanistan, France has participated in the evacuation of nationals from Afghanistan via the so-called Operation APAGAN.<sup>244</sup> As of 22 April 2022, 4 517 people had benefitted from evacuation operations, with an additional 2 580 Afghan nationals obtaining long-stay visas (mainly family reunification, family regrouping and asylum). Since spring 2021, 7 097 nationals were brought to France. As of 30 September 2022, 3 390 asylum requests had been filed by Afghans evacuated during Operation APAGAN.

241 Amendment of the Act on granting protection to foreigners in the territory of the Republic of Poland (legislation adopted in 2022 and entered into force on 1 July 2022).

242 BE, DE, ES, FI, FR, IE, IT, LT, NL, SE, SI.

243 BE, FR, NL.

244 Opération APAGAN: accueillir les réfugiés menacés par les Talibans Diar, <https://accueil-integration-refugies.fr/operation-apagan-accueillir-les-refugies-menaces-par-les-talibans/>, last accessed on 10 March 2023.

### Ireland - Afghan Admission Programme

The Afghan Admission Programme<sup>245</sup> is an immigration programme offering temporary Irish residence to people whose freedom or safety is at risk, whether resident in Afghanistan or certain neighbouring countries, having fled Afghanistan since 1 August 2021, and who have close family members in Ireland. Alongside family reunification and joint family visa applications, the Programme is an additional avenue for family members of Afghan nationals to come to Ireland. A total of 528 applications were received for the Programme between 16 December 2021 and 11 March 2022. Approvals issued in respect of 81 beneficiaries under the Programme up to 31 December 2022.

In Italy, a new protocol for humanitarian corridors from Ethiopia, Jordan and Niger was agreed with the Ministry of Foreign Affairs, the Italian Bishops' Conference and the Community of *Sant'Egidio*. It will see the entry of 600 people over two years. Italy also reiterated its commitment to resettle 500 and admit 850 individuals through the humanitarian channel during 2023. Evacuation operations from countries neighbouring Afghanistan allowed 725 Afghan nationals to be transferred to Italy in 2022.

Sixty Afghan nationals were admitted to Luxembourg between August 2021 and October 2022 under the EU Resettlement and Humanitarian Admission Programme. For 2023-2024, Luxembourg has pledged to resettle 15 and admit 15 individuals on humanitarian grounds.<sup>246</sup> The Netherlands pledged to resettle 1 915 refugees in 2022 under the EU Resettlement and Humanitarian Admission Programme 2021-2022.<sup>247</sup> It also fulfilled its pledge of humanitarian admission<sup>248</sup> for 3 159 Afghans. The commitment under the 2021 Spanish National Resettlement Programme of resettling 1 200 people was fulfilled to 93%, with 1 112 people resettled in Spain in 2022.

Belgium, France and the Netherlands all revised their resettlement commitments downwards to take into consideration their country's reception capacity. Belgium was compelled to delay the transfer of refugees selected for resettlement, with only 71 transfers in 2022. It did not engage in selection missions in 2022 and the 2023 pledge was reduced to 500 people. France also revised its initial target from 5 000 refugees to 3 000 in 2022, with an eventual 3 047 refugees welcomed under its resettlement programme. The Netherlands temporarily halted resettlement selections in the framework of the EU-Türkiye Statement, as accommodation could not be guaranteed.

<sup>245</sup> Department of Justice, Afghan Admission Programme Information Page, <https://www.irishimmigration.ie/the-afghan-admission-programme-information-page/>, last accessed on 16 May 2023.

<sup>246</sup> Information obtained from the Directorate of Immigration on 14 November 2022 and 4 January 2023.

<sup>247</sup> Information provided by the Ministry of Justice and Security on 31 January 2023.

<sup>248</sup> These transfers are not considered humanitarian admission schemes at national level but are operated in such a way that they fall within the definition of 'humanitarian admission' under the EU 2021-2022 Resettlement and Humanitarian Admission Programme.

# 5. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

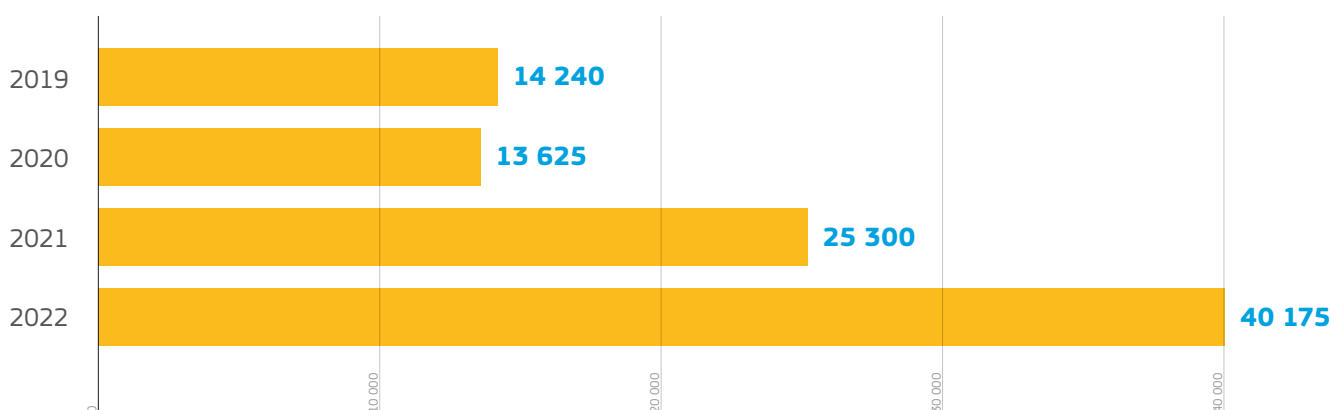
The number of unaccompanied minors registered in the EU remained high throughout 2022. According to Eurostat, EU Member States and Norway received 40 175 asylum applications from unaccompanied minors in 2022, a significant increase from 2021.<sup>249</sup> At national level, Austria<sup>250</sup>, Belgium<sup>251</sup>, Germany, the Netherlands, Luxembourg and Spain, amongst others, saw considerable increases in the number of unaccompanied minors arriving.

EU Member States, Georgia and Norway largely focused on strengthening the protection, care, and aftercare of unaccompanied minors in 2022, while several also revised their identification and registration processes for

third-country nationals claiming to be unaccompanied minors. Many EU Member States took measures to increase reception capacity or address various shortcomings in the assistance and care for minors. Several countries undertook independent monitoring of reception conditions in order to ensure high standards of care.

Several EU Member States took measures to identify and safeguard vulnerable groups<sup>252</sup>, such as victims of violence, particularly gender-based violence. This included the introduction of new guidelines and the establishment of new accommodation centres for LGBTIQ\* applicants for international protection in Germany.

**Figure 12: Unaccompanied minors applying for asylum, EU and Norway, 2019–2022**



Source: Eurostat ([migr\\_asyunaa](#) and [migr\\_asyappctza](#)), extracted on 8 June 2023.

<sup>249</sup> Source: Eurostat ([migr\\_asyunaa](#) and [migr\\_asyappctza](#)), see Figure 4, Unaccompanied minors (third-country nationals) applying for asylum, EU and Norway, 2019–2022.

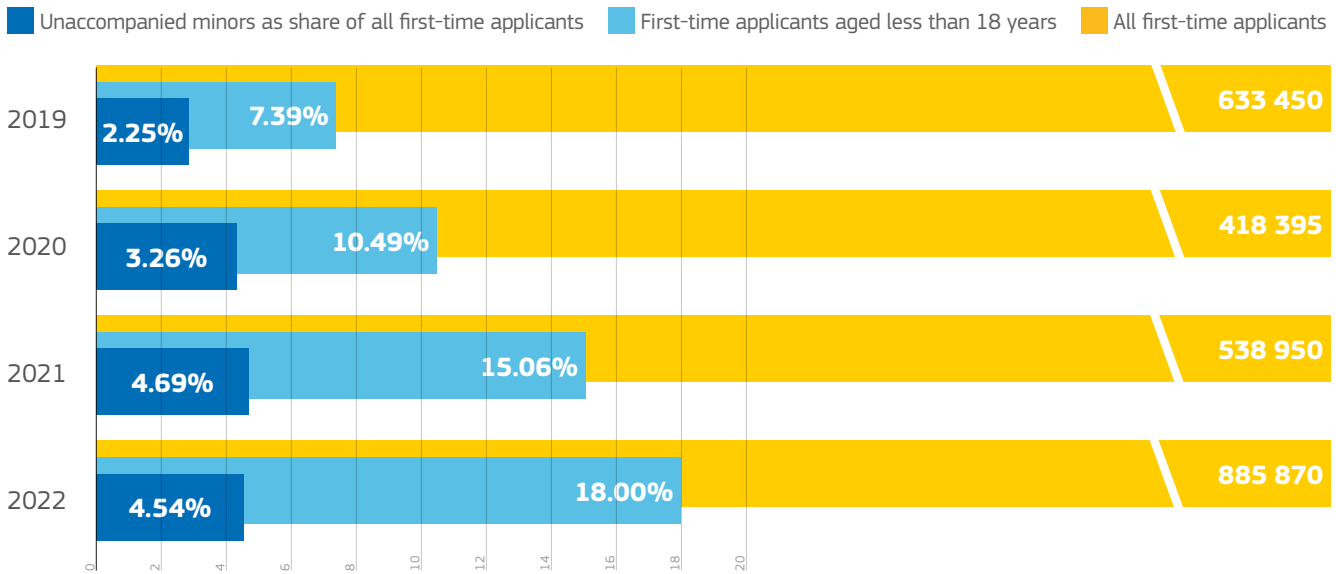
<sup>250</sup> Eurostat, [migr\\_asyunaa](#), [https://ec.europa.eu/eurostat/databrowser/view/MIGR\\_ASYUNAA\\_\\_custom\\_2722724/bookmark/table?lang=en&bookmarkId=7d2bb-8cf-f480-4f26-9cf8-26b742d8f76a](https://ec.europa.eu/eurostat/databrowser/view/MIGR_ASYUNAA__custom_2722724/bookmark/table?lang=en&bookmarkId=7d2bb-8cf-f480-4f26-9cf8-26b742d8f76a), last accessed on 28 April 2023; Eurostat, [migr\\_asyappctza](#), [https://ec.europa.eu/eurostat/databrowser/view/MIGR\\_ASYAPPCTZA\\_\\_custom\\_5678886/bookmark/table?lang=en&bookmarkId=52e0c9e4-efe4-4a52-9c0e-2682321db47f](https://ec.europa.eu/eurostat/databrowser/view/MIGR_ASYAPPCTZA__custom_5678886/bookmark/table?lang=en&bookmarkId=52e0c9e4-efe4-4a52-9c0e-2682321db47f), last accessed on 20 March 2023.

<sup>251</sup> Ibid.

<sup>252</sup> BE, DE, EL, ES, HR, IE, IT, LT, LU, NL.

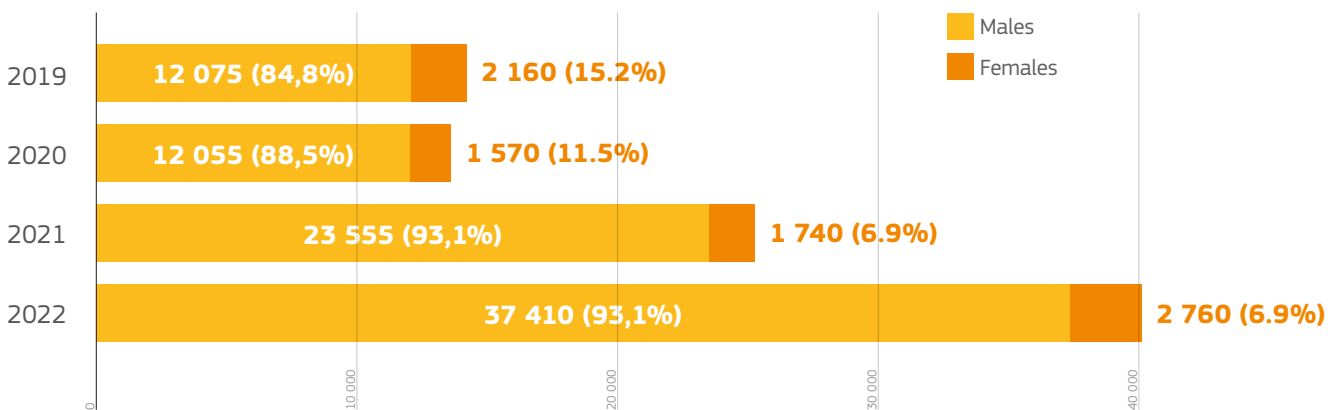


**Figure 13: Unaccompanied minors as share of all first-time applicants for asylum (%), EU and Norway, 2019-2022**



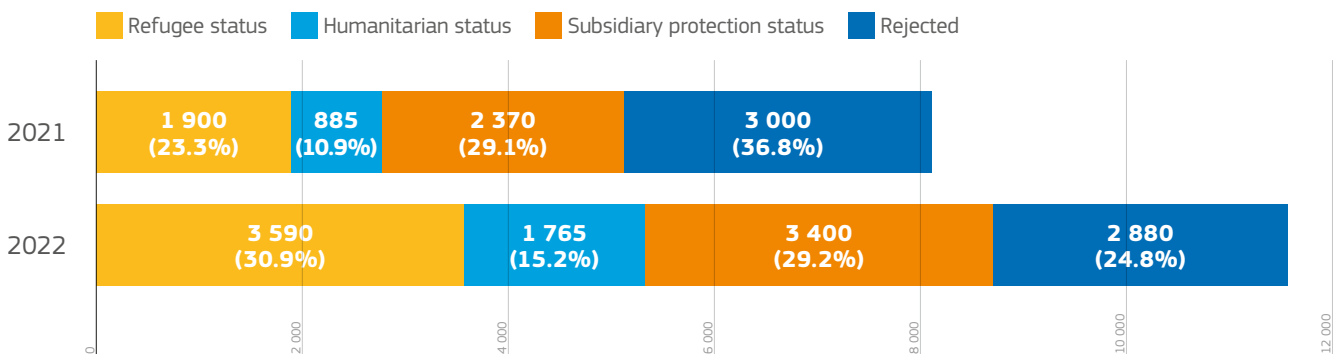
Source: Eurostat ([migr\\_asyunaa](#) and [migr\\_asyappctza](#)), extracted on 8 June.

**Figure 14: Number of unaccompanied minors, by sex, EU and Norway, 2019-2022**



Source: Eurostat ([migr\\_asyunaa](#)), extracted on 8 June.

**Figure 15: Number of first instance asylum decisions on applications lodged by unaccompanied minors, by outcome, EU and Norway, 2021 and 2022**



Source: Eurostat ([migr\\_asyumdcfq](#)), extracted on 8 June.



## 5.1. EU DEVELOPMENTS

In 2022 the European Union Agency for Fundamental Rights (FRA) published a report on the development of guardianship systems since 2014,<sup>253</sup> as well as an update to its Handbook on European law relating to the rights of the child.<sup>254</sup>

2022 also saw several EU-level developments to protect children generally, including unaccompanied minors. The European Commission published a new Proposal for a Regulation to prevent and combat child sexual abuse,<sup>255</sup> including online, highlighting the importance of providers using technologies to detect, report and remove online

child sexual abuse material. The European Child Safety Online Conference in June 2022 gathered policymakers and experts to discuss these and related issues.<sup>256</sup>

As part of the EU Strategy on the Rights of the Child,<sup>257</sup> adopted in 2021, the European Commission established the EU Network for Children's Rights in 2022. The Network was officially launched on 31 March and aims to promote the exchange of good practices and mutual learning among EU Member States, the Commission, and others working on the rights of the child.<sup>258</sup>



## 5.2. IDENTIFICATION, REGISTRATION, RECEPTION OF UNACCOMPANIED MINORS

### 5.2.1. Identification and registration

Several EU Member States implemented measures to improve the identification and registration of unaccompanied minors in 2022, including implementing changes in legislation or changing identification and registration processes, often due to increasing migratory pressure on reception places or to better safeguard the rights of the child, such as in Belgium.

Belgium and France changed their identification and registration processes on arrival. In Belgium, since the end of August 2022, the registration of the asylum application and the request for reception have no longer taken place at the same location. This had an important impact on both the minors and the social team at the Arrival Centre, as unaccompanied minors often arrived in the late afternoon, giving less time to screen for vulnerabilities before their transfer to a specific reception centre. Bulgaria introduced important systemic changes under a national Interinstitutional and Coordination Mechanism in 2022. Child protection authorities at central, regional, and local level, as well as other responsible institutions and organisations, are now specifically tasked to identify unaccompanied minors and children separated from their families and guarantee their rights, ensuring appropriate standards of living, access to healthcare, education, social support and adaptation.

### 5.2.2. Missing unaccompanied children

Three EU Member States<sup>259</sup> reported developments on missing unaccompanied minors in 2022, including measures ranging from guidelines to staffing and research.

Due to the large number of unaccompanied minors going missing on its territory, the Belgian government developed new guidelines for guardians on responding to the disappearance of an unaccompanied minor, followed by training and a workshop. In Greece, the NRM emergency response hotline<sup>260</sup> provided guidance for unaccompanied minors who were homeless or living in precarious conditions and referred them for immediate housing in a safe environment. The Swedish government tasked the National Board of Health and Welfare, the Swedish Migration Agency, and the Swedish Police Agency with carrying out a three-year research project on the problem of unaccompanied children who disappear.

### 5.2.3. Reception facilities for unaccompanied minors

As a result of migratory pressures, the majority of the EU Member States<sup>261</sup> and Norway sought to improve the reception of unaccompanied minors in 2022, typically by increasing quantity and quality (i.e. appropriateness) of reception places.<sup>262</sup> Others worked to improve access to services in reception facilities or monitored the quality of the reception places provided.

In Belgium, Fedasil significantly increased its reception capacity for unaccompanied minors in 2022, with an additional 536 places, effectively doubling capacity compared to January 2020. Other measures were also adopted, such as additional staff. Nevertheless, on 11 October 2022, Fedasil failed (for the first time) to accommodate all unaccompanied minors who had registered at the Immigration Office and NGOs were asked to offer alternative accommodation solutions. These issues were ongoing in 2022. In the Netherlands, similar pressures meant that

253 FRA, 'Guardianship systems for unaccompanied children in the European Union: developments since 2014', 2022, <https://fra.europa.eu/en/publication/2022/guardianship-systems-children-update#publication-tab-0>, last accessed on 10 March 2023.

254 FRA, 'Handbook on European law relating to the rights of the child', 2022, <https://fra.europa.eu/en/publication/2022/handbook-european-law-child-rights>, last accessed on 10 March 2022.

255 Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse, COM/2022/209 final.

256 European Child Safety Conference, Brussels and online, June 2022, <https://childsafety-online.eu/>, last accessed on 13 March 2023.

257 EU Strategy on the Rights of the Child, 2021, [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en), last accessed on 10 March 2023.

258 European Commission, 'EU Network for Children's Rights', 2022, [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-network-childrens-rights\\_en#:~:text=Documents-,The%20Network%20%E2%80%93%20what%20is%20it%3F,2022%20by%20Vice%20President%20%20C%20A%20Uica,](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-network-childrens-rights_en#:~:text=Documents-,The%20Network%20%E2%80%93%20what%20is%20it%3F,2022%20by%20Vice%20President%20%20C%20A%20Uica,) last accessed on 10 March 2023.

259 BE, EL, SE.

260 The hotline's legal basis is Law 4960/2022 (A' 145).

261 BE, BG, CY, DE, EE, EL, FI, FR, HR, IT, LU, LV, NL, SI, SK and NO.

262 BE, CY, EE, EL, FI, LU, NL, SI.

temporary measures were introduced to transfer unaccompanied minors to adult facilities three months before they reached 18. Problems continued in 2022.

Other countries adapted or opened reception facilities.<sup>263</sup> Slovenia extended the use of a student dormitory in the secondary school for forestry and wood technology to accommodate unaccompanied minors. In Greece, emergency accommodation facilities offered services (best interest assessment, psychosocial and legal assistance) and carried out procedures for the transition of unaccompanied minors to long-term shelters. EU Member States provided additional support for reception services through training for staff,<sup>264</sup> changes to internal regulations,<sup>265</sup> and funding.<sup>266</sup> In Italy, the contribution to local authorities for

the reception of unaccompanied minors increased from €45 to €100 per capita per day from the national fund for the reception of unaccompanied foreign minors.

Several countries reported monitoring reception conditions for unaccompanied minors, with a child protection officer in reception centres<sup>267</sup> or an independent supervision mechanism.<sup>268</sup> France changed the distribution key for allocating unaccompanied minors to different departments to take into account the socioeconomic situation of the departments, as well as their support to unaccompanied minors after they turned 18. This decision was previously based on geographical and demographic factors. This new process aims to share the effort between different departments and encourage support for young adults.



## 5.3. ACCESS TO STATUS DETERMINATION PROCEDURES AND PROCEDURAL SAFEGUARDS FOR UNACCOMPANIED MINORS

### 5.3.1. Guardianship

Developments in 2022 included changes to improve the organisation and quality of guardianship through legislation, working in partnership with civil society, and speeding-up the processes for allocating guardians.

New legislation was introduced to strengthen guardianship in Germany, Greece and Lithuania. In Germany, the legislative reform aims to strengthen the responsibility of the guardian for the personal welfare of the unaccompanied minor and improves the legal status of these minors by explicitly granting them specific rights. In Greece, the new legislation aims to make the guardianship system functional and flexible, with the State responsible for supervising and implementing the system, while non-profit organisations specialising in child protection provide guardianship services for unaccompanied minors, after being appointed by the competent prosecutor. Luxembourg added a representative of civil society to the Advisory Commission on the Evaluation of the best interest of Unaccompanied Minors to ensure that civil society is represented in the Commission and to provide an additional safeguard for the protection of children.<sup>269</sup>

Measures in Belgium and Lithuania aimed to decrease waiting times for the appointment of guardians. Similarly, in Malta, new legislation aimed to speed up the allocation of guardians to minors, which included allowing for the appointment of interim legal guardians and accelerating the process of recognising individuals as minors so that they can access appropriate care.

Italy published its Regulation on reimbursement procedures and actions in favour of volunteer guardians of unaccompanied foreign minors. It regulates the reimbursement procedure for employers for the hours of absence of the volunteer guardian, for expenses incurred by the volunteer guardians, and for compensation that the volunteer guardian may request from the Juvenile Court in particularly complex and onerous guardianship cases.

### 5.3.2. Procedural safeguards in the asylum procedure for unaccompanied minors

Ensuring the best interests of the child was a key driver in developments in procedural safeguards in asylum procedures for unaccompanied minors in 2022. In Belgium, for example, additional staff were trained on interviewing unaccompanied minors.

Procedural safeguards were strengthened for unaccompanied minors in several countries.<sup>270</sup> In Finland this concerned safeguards in the Dublin procedure. In Malta, this was done through the prioritisation of unaccompanied minors with special procedural needs, while in France, unaccompanied minors were exempt from receiving only paperless communications that was introduced for other applicants. The invitation to the personal interview, decisions and other communications related to the processing of their asylum application by OFPRA continue to be sent by post to their legal representative (tutor, parental authority delegate or ad hoc administrator) with a copy also sent to the unaccompanied minor themselves.

263 EL, FI, SI.

264 IT, SK.

265 BG, HR.

266 IT.

267 AT.

268 NO.

269 Ministry of Foreign and European Affairs, 'Bilan de l'année 2021 en matière d'asile, d'immigration et d'accueil', 7 February 2022, pp. 7, 114, <https://gouvernement.lu/dam-assets/documents/actualites/2022/02-fevrier/07-asselborn-bilan-2021/Bilan-2021-Immigration,-Asile-et-Accueil.pdf>, last accessed on 5 May 2023; Grand-Ducal Regulation of 12 August 2022 amending the Grand-Ducal Regulation of 4 November 2020 relating to the composition and functioning of the advisory commission for the assessment of the best interests of unaccompanied minors provided for in Article 103 of the amended Law of 29 August 2008 on the free movement of persons and immigration, Mémorial A464 of 23 August 2022, <https://legilux.public.lu/eli/etat/leg/rgd/2022/08/12/a464/jo>, last accessed on 5 May 2023.

270 FI, FR, MT.

### 5.3.3. Age assessment

In 2022, several countries updated their age assessment procedures and amended related legislation.<sup>271</sup> This was intended to improve the management of age assessment procedures and better reflect the best interests of the child.

Italy published a report on the implementation of the protocol for determining the age of unaccompanied foreign minors.<sup>272</sup> The Protocol provided a multidisciplinary social health approach for determining the age of unaccompanied minors.

Both Cyprus and Malta updated their age assessment procedures and tools with the guidance of EUAA, while Sweden updated the method description for the National Board of Forensic Medicine's medical age assessments, providing a more detailed and transparent description of factors affecting the statistical model and minimising risk.

France amended its legislation on age assessment<sup>273</sup> to improve the management of the age assessment procedure through a new mandatory procedure to be used by the authorities carrying out the assessments. It also prohibits a department from undertaking a second age assessment if one has already been done. In the Netherlands, as of 1 October 2022, if a medical age assessment concludes that an individual is not a minor, this is now understood as the person being at least 18 years old (previously they were understood to be at least 20 years old).

In Belgium, in October 2022, the Guardianship Service temporarily decided not to conduct age tests on young people whose self-declared minority was questioned by the Immigration Office and who were therefore refused reception support. This was to ensure that the benefit of doubt was given to unaccompanied minors, that they had time to rest and receive medical care before undergoing age tests, and that delays due to capacity issues did not slow access to reception places for young people.

### 5.3.4. Maintaining family unity, family tracing and family reunification for unaccompanied minors

There were very few new developments on maintaining family unity in 2022. In Finland, it is now sufficient for a child to be under 18 when they submit an application for family reunification (rather than having to be under 18 when the decision on the application is taken), to bring Finnish legislation in line with the case-law of the CJEU.<sup>274</sup> In the Netherlands, as a result of national case law, the Immigration and Naturalisation Service (*Immigratie en Naturalisatiedienst*, IND) no longer considers personal circumstances that occurred after the application for family reunification was submitted (e.g. increased independence or autonomy) if the IND has exceeded the decision term. This means that when the application for family reunification is not dealt with within the statutory decision term, the IND can only consider the situation of the minor at the time the application was submitted. This reinforces the priority and urgency for dealing with unaccompanied minors as a particularly vulnerable group.



## 5.4. INTEGRATION OF UNACCOMPANIED MINORS

Many EMN Member Countries improved access to services (particularly education and health) for unaccompanied minors in 2022 in order to enhance their integration.<sup>275</sup> Reported measures mainly targeted all minors (see Chapter 6 on the Integration and Inclusion of Migrants for more information). Some of these measures also impact unaccompanied minors transitioning to adulthood.<sup>276</sup>

In France, a new Law of 7 February 2022 aimed to improve the transition of unaccompanied minors to adulthood by offering additional support and anticipating the issue of legal stay when they become adults. An interview takes place one year before the child turns 18, at which point unaccompanied minors are now informed that they can receive support to obtain a residence permit or apply for asylum. The law also makes it compulsory to support young people until they reach the age of 21. Greece took part in study visits to help develop an action plan for the transition of unaccompanied minors to adulthood. In Italy, a three-year MoU was published to promote the social and labour integration of unaccompanied foreign minors in transition to adulthood and former unaccompanied foreign minors, other than applicants and beneficiaries of

international protection and other foreign nationals under vulnerable conditions. Recipients will be included in training courses and are eligible for internships in companies.

### 5.4.1. Access to the asylum procedure

There were very few new developments reported in this area for unaccompanied minors in 2022. Training and awareness-raising activities were undertaken in France for childcare professionals and staff from prefectures. In Malta, the EUAA continued to provide support, information and assistance with the registration of unaccompanied minor applications, following legislative changes in 2021 to improve the appointment of representatives. From 2022, all alleged unaccompanied minors referred to the Agency for the Welfare of Asylum Seekers (AWAS) are then referred to the child protection agency within 72 hours of disembarkation so they can be issued a provisional care order and a representative from AWAS.

### 5.4.2. Relocation

Greece reported on the implementation of the 2020 voluntary relocation programme for unaccompanied minors residing in Greece to other European countries,

271 CY, FR, IT, MT, NL, SE.

272 National Institute for Health, Migration and Poverty, 'First national report on the implementation of the protocol for the determination of the age of unaccompanied foreign minors', September 2022, [https://www.inmp.it/pubblicazioni/Primo\\_rapporto\\_MSNA\\_2022.pdf](https://www.inmp.it/pubblicazioni/Primo_rapporto_MSNA_2022.pdf), last accessed on 31 May 2023.

273 Article 40 of Law No 2022-140 of 7 February 2022 on childhood protection.

274 C-133/19, C-136/19 and C-137/19 from 16 July 2022.

275 BE, CY, CZ, EE, EL, FR, IE, IT, LT, LU, MT, PT, SE.

276 IE.



with 113 successfully transferred in 2022. This brought the total of unaccompanied minors transferred to other European countries to 1 313 since the beginning of the programme.

Within the voluntary relocation mechanism, Italy relocated 21 accompanied minors (14 to Germany, four to France, three to Luxembourg) in 2022.



## 5.5. RETURN OF UNACCOMPANIED MINORS

The main changes in the area of voluntary and forced returns in 2022 for unaccompanied minors were driven by case-law or changes in demand for return services.

### The Netherlands' response to case-law on adequate reception and care in the country of return for unaccompanied minors

Following a CJEU ruling,<sup>277</sup> the Netherlands amended the Aliens Act Implementation Guidelines<sup>278</sup> to provide unaccompanied minors whose asylum application had been denied – but for whom it had not been ascertained that they had access to adequate reception and care in the country of return – with a legal right to stay in the Netherlands for the period in which adequate reception and care was investigated.

Three options were introduced, based on its investigation:

- The IND could conclude that adequate reception was available and decide both to reject the asylum application and issue a return decision;
- The IND could conclude that there was no adequate reception and issue a residence permit;
- The IND could conclude that further investigation was required, take a decision on the asylum application and transfer the file to the Repatriation and Departure Service (DT&V), which would complete the investigation into adequate reception within a reasonable period of time.

Throughout the investigation, unaccompanied minors have lawful residence.

No updates on detention and alternatives to detention for unaccompanied minors were reported in 2022.



## 5.6. OTHER VULNERABLE GROUPS

### 5.6.1. Vulnerable groups in the asylum procedure

In 2022, several Member States strengthened their measures to protect vulnerable groups in reception centres,<sup>279</sup> while others renovated reception centres for vulnerable groups<sup>280</sup> or provided special places in existing centres.<sup>281</sup> In Italy, within the framework of the Reception and Integration System project network, 803 places were financed in 2022 for people with disabilities and/or suffering from mental or psychological disorders and/or with a need for specialised and/or longer-term health, social and home care.

Staff working in the asylum procedure<sup>282</sup> and in reception centres<sup>283</sup> were provided with training on vulnerable people. Actions to support individuals with vulnerabilities due to gender<sup>284</sup> and sexuality<sup>285</sup> were highlighted in several countries, including Germany (see Box 9).

### Germany strengthens protection of LGBTIQ\* applicants for international protection

Germany introduced several measures to strengthen the protection of LGBTIQ\* applicants for international protection. The federal government's Action Plan for the Acceptance and Protection of Sexual and Gender Diversity was published on 18 November 2022.<sup>286</sup> It contains recommendations for measures in six areas (legal recognition, participation, security, health, strengthening of advisory and community structures, international affairs), including measures to protect LGBTIQ\* refugees against violence. There will also be a review of asylum procedures for this group to ensure equal rights, alongside training for reception staff, funding for reception centres and research into LGBTIQ\* issues. Germany considers LGBTIQ\* refugees at equal risk of persecution in their countries of origin, whether or not they openly express their sexual orientation and gender identity. A new instruction makes it explicitly clear that LGBTIQ\* refugees may under no circumstances be referred to a discreet life in their country of origin.

277 According to C-2021:9, the Member State must carry out this investigation before the return decision can be issued and not merely before the actual execution of the return decision. However, this would mean that unaccompanied minors whose asylum application was denied but who were waiting for an investigation into whether or not they were provided with adequate reception and care in the country of return do not have a legal ground to stay in the Netherlands during this investigation.

278 Vreemdelingenverordening – Vc 2000.

279 DE ('BeSafe' identifies special reception needs of vulnerable groups), ES (Protocol of action on violence of gender in the reception system, developed together with the UNHCR).

280 HR.

281 CY, IT, LT.

282 BE, DE, LU (female genital mutilation (FGM) + caring for victims of trafficking in human beings).

283 EL.

284 DE, ES, IE, LU implemented measures on domestic, sexual and gender-based violence.

285 Several initiatives were undertaken by Germany.

286 German Federal Government, Queer life - Federal government Action Plan for the Acceptance and Protection of Sexual and Gender Diversity, 18 November 2022, <https://www.bmfsfj.de/resource/blob/205126/d0c60a1f27451686aaef487a4250ac2a/aktionsplan-queer-leben-data.pdf>, last accessed 8 June 2023.

In Ireland, the government published the Third National Strategy on Domestic, Sexual and Gender-Based Violence in June 2022.<sup>287</sup> It identifies groups that may require additional inclusion measures to address these forms of violence, including migrants, undocumented migrants, refugees and international protection applicants.<sup>288</sup> In Greece, a handbook on disabled women and girls was published for frontline staff in asylum services.

### 5.6.2. Vulnerable groups outside the asylum procedure

Several EMN Member Countries addressed gender as a vulnerability issue for individuals outside the asylum procedure, for example through a review of the alignment of guidelines with the Istanbul Convention,<sup>289</sup> and measures against domestic violence.<sup>290</sup> The medical health of persons following return was addressed in the Netherlands (see Box 10).

#### **The Netherlands changed its guidelines on people to be returned who may have medical issues**

The Netherlands introduced two specific changes to the Aliens Act Implementation guidelines, following case-law on people to be returned who had medical issues. In legal migration procedures, when an applicant invokes medical issues to prevent expulsion and their identity is deemed trustworthy, the IND must consider the information provided by the applicant on their access to necessary medical care in the country of return, even when they are unable to provide original identification documents. Previously, their identity had to be confirmed with official identification documents before that access could be investigated.

Changes were also linked to the information that foreign nationals must provide when seeking to prove that care is not accessible in their country of origin. For the assessment, it is crucial that the foreign national provides insight into the costs of treatment locally, their financial situation, the possibility of taking out health insurance, wage expectations and the extent to which family members can contribute to the cost of care. The frequency of travel to the healthcare facility and the time involved are also considered relevant. The response time for the supporting documents was extended from two to four weeks because the information must be requested in the country of origin.

<sup>287</sup> Government of Ireland, 'Third National Strategy on Domestic, Sexual and Gender-Based Violence 2022-2026', 31 March 2022, <https://www.gov.ie/en/policy-information/9e169-dsgbv-strategies/#:~:text=The%20Third%20National%20Strategy%20adopts,care%2C%20regardless%20of%20their%20background>, last accessed on 2 May 2023.

<sup>288</sup> Ibid, Executive Summary, p. 20.

<sup>289</sup> DE.

<sup>290</sup> IE.

# 6. INTEGRATION AND INCLUSION OF MIGRANTS

Driven by an increasing need to attract international talent, and to enhance language acquisition and labour market integration of third-country nationals, nearly all EMN Member and Observer Countries<sup>291</sup> worked on policies and measures on migrant integration and inclusion in 2022 (see Chapter 4 for measures specific to unaccompanied minors or transition to adulthood). The new Eurobarometer<sup>292</sup> survey highlighted public opinion on migrant integration, showing that over 70% of Europeans believe it to be a two-way process in which both migrants and receiving societies have an important role. At the same time, while 50% of Europeans felt that the integration of migrants has been successful in their city or local area, 47% felt the integration of migrants in their country has

been unsuccessful. Over half of Europeans believe their national government is doing enough to promote migrant integration, while almost 70% agree that investing in migrant integration is necessary for their country.

EMN Member and Observer Countries adopted integration strategies or policy updates through multiannual action plans and the redistribution of responsibilities among authorities. Pre-departure and arrival programmes provided orientation on various integration aspects. Integration was promoted through language skills, labour market integration support, access to housing, and migrant participation in society.



## 6.1. EU DEVELOPMENTS

In 2022, the EU continued implementing the Action Plan on Integration and Inclusion, covering the main key sectors of education, labour market inclusion, housing and healthcare.

It organised two plenary meetings of the European Integration Network,<sup>293</sup> covering an overview of the key sectors for migrant integration policies, while also addressing integration issues for displaced persons from Ukraine. One of the focus areas of the other plenary meeting of the Network was recognition of academic qualifications, in cooperation with the Network of Information Centres on Recognition of Qualifications (ENIC-NARIC).<sup>294</sup> Within the European Integration Network, the Commission set up and funded mutual assistance programmes. These are organised at the initiative of Member States and provide mutual learning opportunities. For example, Greece recently undertook study visits to Austria and Italy to improve coordination between central governments and local and regional authorities.

On 19 December 2022, the European Commission and five European social and economic partners recommitted

to integrating refugees and other migrants into the EU labour market more effectively under the European Partnership for Integration.<sup>295</sup> As part of the 2023 European Year of Skills,<sup>296</sup> the EU aims to simplify skills and qualification assessment, recognition, and validation and promote equal opportunities.

In February 2022, the Commission released a synthesis report of its 2021 Mutual Learning Conference on the integration of migrants, which focused on innovative approaches to skills intelligence, sustainable housing, employment opportunities for migrant women, new skills through the Europass portal, and education for migrant children and their families.<sup>297</sup> It also launched a call for proposals under AMIF to co-finance transnational projects that support the integration of third-country national victims of trafficking in human beings.<sup>298</sup>

The Commission continued its work on the implementation of a multi-stakeholder approach. Cooperation with local authorities remained a priority, for example through the implementation of the Urban Agenda on inclusion, with events organised on mental healthcare and on

291 AT, BE, BG, CY, CZ, DE, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, SE, SI, SK, and NO, GE, MD.

292 European Commission, 'What do Europeans think about migrant integration: new Eurobarometer survey', [https://home-affairs.ec.europa.eu/news/what-do-europeans-think-about-migrant-integration-new-eurobarometer-survey-2022-06-20\\_en](https://home-affairs.ec.europa.eu/news/what-do-europeans-think-about-migrant-integration-new-eurobarometer-survey-2022-06-20_en), last accessed on 20 March 2023.

293 <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupId=602&fromMeetings=true&meetingId=45650>

294 See <https://www.enic-naric.net/>, last accessed on 27 June 2023.

295 European Commission, 'European Partnership for Integration', [https://home-affairs.ec.europa.eu/policies/migration-and-asylum/legal-migration-and-integration/cooperation-economic-and-social-partners/european-partnership-integration\\_en](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/legal-migration-and-integration/cooperation-economic-and-social-partners/european-partnership-integration_en), last accessed on 20 March 2023.

296 European Commission, 'European Year of Skills 2023', [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age/european-year-skills-2023\\_en](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age/european-year-skills-2023_en), last accessed on 15 March 2023.

297 European Commission, 'Integration of migrants: Spotlight on skills intelligence and learning, housing, women and children', [https://ec.europa.eu/migrant-integration/news/integration-migrants-spotlight-skills-intelligence-and-learning-housing-women-and-children\\_en](https://ec.europa.eu/migrant-integration/news/integration-migrants-spotlight-skills-intelligence-and-learning-housing-women-and-children_en), last accessed on 20 March 2023.

298 European Commission, 'AMIF project grants: Assistance, support and integration of third-country national victims of trafficking in human beings', [https://ec.europa.eu/migrant-integration/news/amif-project-grants-assistance-support-and-integration-third-country-national-victims\\_en](https://ec.europa.eu/migrant-integration/news/amif-project-grants-assistance-support-and-integration-third-country-national-victims_en), last accessed on 20 March 2023.

support to displaced persons from Ukraine. The current Partnership ended at the end of 2022 and the Commission has decided to relaunch it for the period 2023-2027. In November 2022, the Commission, together with the European Committee of the Regions and the Council of Europe Development Bank, organised a conference on access of third-country nationals to health in the EU<sup>299</sup> as part of the Partnership with the Committee of the Regions in integration.<sup>300</sup> The Commission organised a session on migrant inclusion in rural areas during on the EU Week of Regions and Cities in October 2022.

The Expert Group on the views of migrants also met twice to discuss the implementation of the Action Plan on Integration and Inclusion, including the effect of Russia's war against Ukraine.

The seventh edition of the European Migration Forum<sup>301</sup> took place as part of the regular consultation and dialogue with civil society and diaspora organisations and focused on youth inclusion as a key to successful migrant integration.



## 6.2. NATIONAL INTEGRATION STRATEGY

The majority of EMN Member and Observer Countries<sup>302</sup> updated their integration policies for third-country nationals in 2022, often driven by the aim to foster integration at regional and local level and to increase migrant participation. Others adapted their integration strategies following evaluations, to ensure the financing of relevant programmes, or to reflect changes in the practical implementation of their strategy. The updates ranged from adopting new plans and programmes to the redistribution of responsibilities. Ireland finalised legal procedures to participate in the Regulation 2021/1147 (AMIF Regulation) and the Commission confirmed its participation as of 7 February 2022.<sup>303</sup> In Finland, a new Integration Act was proposed.

The integration of beneficiaries of international protection was a specific focus of six EMN Member Countries.<sup>304</sup> Austria extended the length of mandatory orientation and values courses (from one to three days) for individuals granted asylum and beneficiaries of subsidiary protection status.

Six EU Member States<sup>305</sup> and Moldova adopted multiannual action plans and others<sup>306</sup> redistributed certain responsibilities for integration policy between national, regional, and local authorities. Belgium launched the 'Plan Living Together' to support local governments in promoting diversity and Estonia approved the Coherence Plan 2022-2023 to foster cohesion and reduce tensions after the increase in displaced persons from Ukraine.



## 6.3. COLLABORATION WITH MULTIPLE STAKEHOLDERS INCLUDING NGOS

Building on lessons from previous years, including the importance of grass-roots, bottom-up involvement of stakeholders and ensuring strong coordination mechanisms, several EMN Member and Observer Countries<sup>307</sup> focused on promoting cooperation with multiple integration stakeholders. This included measures to enhance collaboration between national public agencies and civil society, improving joint support services, and organising joint seminars and courses to prevent violence against women and girls. In Belgium, the non-profit organisation 'LEVL vzw' was appointed as the main participation organisation for the Flemish integration and civic integration policy for 2022-2026.

Multiannual projects financed by AMIF, Eurocities, Erasmus+ and national funding were set up to involve

stakeholders in the promotion of integration.<sup>308</sup> In Croatia, the City of Zagreb adopted an action plan for integrating applicants for international protection and persons granted international protection as part of Eurocities' CONNECTION project. In 2022, Ireland's Communities Integration Fund financed 124 projects for community integration, providing individual grants of up to €5 000. Italy's LGNetEA 2 project, financed by AMIF, aims to promote inclusion services in disadvantaged urban areas. In 2022, 12 additional Luxembourg municipalities signed the 'Pact of Living Together' and committed to a multiannual integration process. Moldova proposed the IN2PREV project to prevent radicalisation and ensure the inclusion of refugees.

299 See <https://cor.europa.eu/en/events/Pages/migrant-access-to-healthcare.aspx>, last accessed on 27 June 2023.

300 Committee of the Regions partnership, <https://cor.europa.eu/en/our-work/Pages/cities-and-regions-for-integration.aspx>, last accessed on 27 June 2023.

301 European Commission, 'European Migration Forum – 7th meeting', <https://www.eesc.europa.eu/en/agenda/our-events/events/european-migration-forum-7th-meeting>, last accessed on 20 March 2023.

302 AT, BE, CY, CZ, DE, EE, FI, FR, IT, LT, LV, MT, NL, SE, SK and NO, MD.

303 Commission Decision (EU) 2022/507 of 29 March 2022 confirming the participation of Ireland in Regulation (EU) 2021/1147 of the European Parliament and of the Council establishing the Asylum, Migration and Integration Fund, Official Journal of the European Union, L102/33 of 30.3.2022, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022D0507>, last accessed on 27 June 2023.

304 AT, BE, DE, FR, IT, LV.

305 BE, DE, EE, FR, IT, SK.

306 BE, CY, EE, FR, NL, SE and MD.

307 AT, BE, CY, CZ, EE, HR, FR, IE, IT, LU, MT, SK and MD, NO.

308 HR, IE, IT, LU and MD, NO.





## 6.4. PRE-DEPARTURE/ARRIVAL PROGRAMMES

Several measures related to pre-departure and arrival programmes aimed to promote the successful integration of refugees and foreign nationals in receiving societies.<sup>309</sup> In Belgium, Fedasil collaborated with *Sant'Egidio*, a Catholic charity association, to provide pre-departure orientation for refugees using humanitarian corridors. Italy extended the training activities for third-country nationals entering Italy for reasons of family

reunification, work, and internships until September 2023. From 1 January 2022, Turkish citizens in the Netherlands who apply for a residence permit for family reunification are no longer exempt, on the basis of the EU-Turkey Association Agreement, from the obligation to pass the basic Integration Examination Abroad, in response to the introduction of a new civic integration law. New case law enabled the end of the exemption. .



## 6.5. EDUCATION AND TRAINING

Education and training measures<sup>310</sup> included expanding language courses<sup>311</sup> and launching digital tools for language learning.<sup>312</sup> These were primarily driven by the need to increase the effectiveness of language provision through easy-to-use tools. Portuguese Host Language courses were expanded. Luxembourg approved a bill to create the National Institute of Languages Luxembourg and invested in the development of Luxembourgish language policies, including an e-learning platform for Luxembourgish, to facilitate migrants' integration by providing access to the necessary language skills.<sup>313</sup>

There were also measures to assist migrant children access education.<sup>314</sup> Good practice guides were provided for education professionals, including intercultural education and research into language literacy support.<sup>315</sup> In Luxembourg, a bill was introduced for a new School Integration and Reception Service (*Service de l'intégration et de l'accueil scolaires, SIA*) to improve reception and guidance services for all foreign pupils, including unaccompanied minors.

Another focus was on enabling language acquisition, as well as raising or adapting language requirements,<sup>316</sup> such as the Netherlands increasing the level from A2 to B1 (including for Turkish nationals, who were previously exempt from the language requirement) and Finland

proposing a new Act of Immigrant Integration that would include language proficiency testing after integration training. Lithuania allows both unemployed and employed adults to learn the national language if their residence permit is valid for at least one year.

For migrant children, the focus on language training in pre-school, primary and/or secondary education continued.<sup>317</sup> Georgia developed the 'State Language Programme' for people over 14 years old, including migrants, covering A1 to B2 levels. Greece cooperated with universities to promote language education.

Some EU Member States<sup>318</sup> provided language courses that catered to better labour market integration. For example, in Austria, the focus was on specific job sectors like tourism, hospitality, and food retail, while in Sweden, the government proposed that municipalities take responsibility for providing education to match the labour market's needs.

Other developments included publishing new educational or vocational action plans, programmes or modules,<sup>319</sup> driven by the need to attract international talent and to facilitate labour market integration and independence.

Figure 15 below outlines the main integration indicators, focusing on education, labour market and social inclusion.

309 BE, IT, NL.

310 AT, BE, DE, EL, FI, FR, IT, LT, LU, MT, NL, PT, SE, SK and GE.

311 AT, DE, FR, IT, LU, PT, SK.

312 BE, LU, PT.

313 Published as the Law of 8 March 2023 on the creation of the National Institute of Languages Luxembourg, Memorial A-156 of 21 March 2023, <https://legilux.public.lu/eli/etat/leg/loi/2023/03/08/a156/jo>, last accessed on 27 June 2023.

314 CZ, IE, LU, LV.

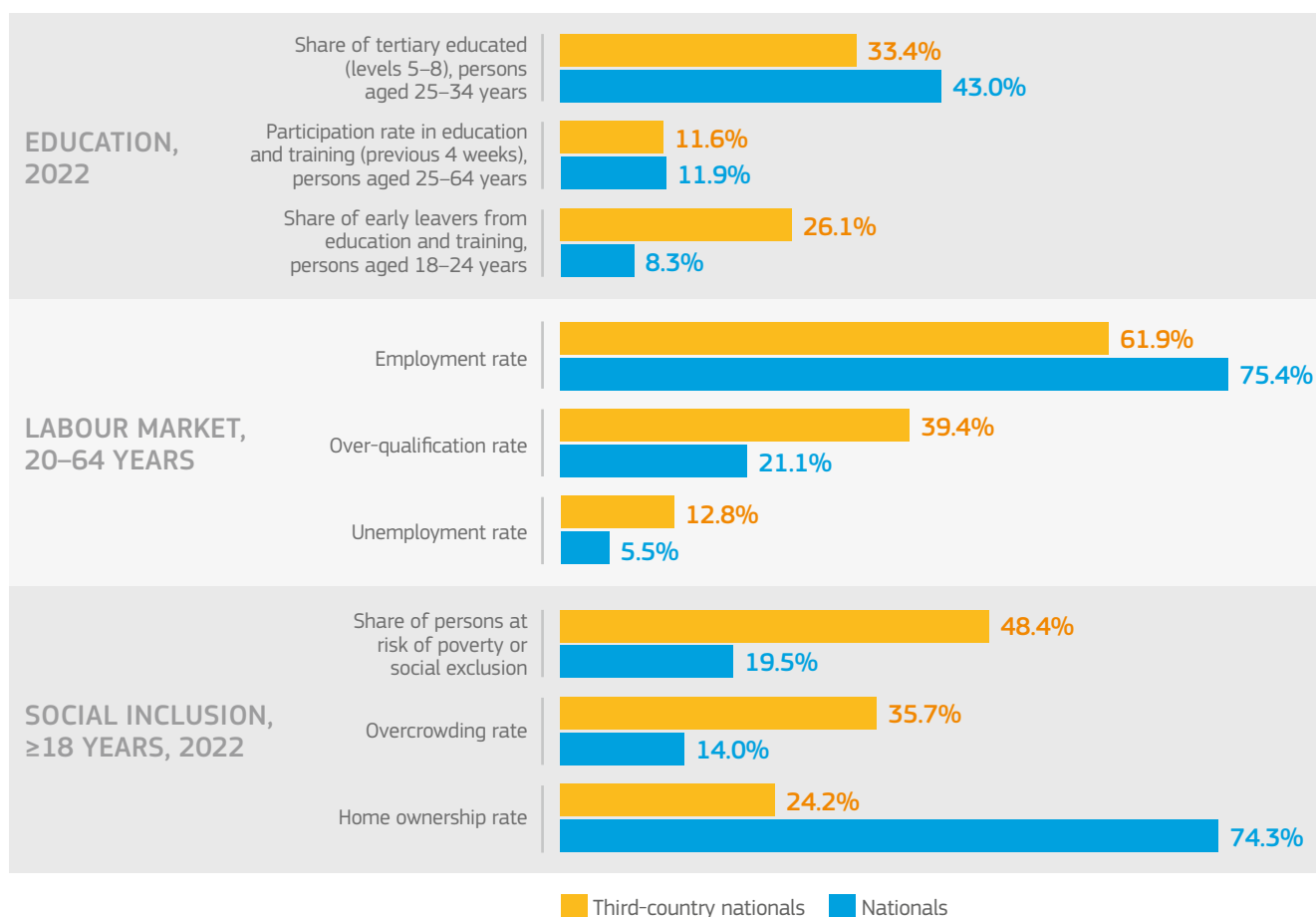
315 FR, IT.

316 BE, FI, FR, LT, NL.

317 CZ, LU, MT, SK and GE.

318 AT, SE.

319 EL, IT, LU and GE.

**Figure 16: Integration indicators, EU, 2021 or 2022**


Source: Eurostat ([edat\\_ifs\\_9911](#), [trng\\_ifs\\_12](#), [edat\\_ifse\\_01](#), [lfsa\\_ergan](#), [lfsa\\_eoqgan](#), [lfsa\\_urgan](#), [ilc\\_peps05n](#), [ilc\\_lvho15](#) and [ilc\\_lvps15](#)), extracted on 8 May 2023.

## 6.6. LABOUR MARKET AND SKILLS

Overall, the focus was on mainstreaming education and training for third-country nationals. Nearly half of the EU Member States,<sup>320</sup> Norway and Georgia implemented measures to promote labour market access and enhance skills during 2022, with some addressing VET and barriers to employment.<sup>321</sup> Luxembourg introduced a new entry point into the formal school system for adults and Georgia developed inclusive vocational education. In the Slovak Republic, the National Action Plan for Women's Employment 2022-2030 was adopted to improve digital and language skills of (migrant) women.

Major developments in measures to validate formal qualifications<sup>322</sup> and skills recognition<sup>323</sup> were Finland's simplified assessment system, digital application submission in Germany (in North Rhine Westphalia), and Spain's decree to establish procedures for recognising foreign university studies. Addressing the recognition of skills, the measures expanded lists of recognised skills and simplified procedures for recognition. Lithuania allowed for applications for skills recognition for those with at least three years'

professional experience in the IT sector for professional equivalence. In Luxembourg, the recognition of skills is offered through the Accreditation of Prior Learning and Experience, which can lead to new pathways for applicants. This procedure is also accessible for beneficiaries of international protection and people with temporary protection status.<sup>324</sup> Georgia authorised nine institutions to recognise non-formal education, four of which were added in 2022.

Other areas of interest included better placement in the labour market, in particular for beneficiaries of international protection,<sup>325</sup> or easier applications for work permits.<sup>326</sup> EU Member States and Norway focused on the labour market integration of women,<sup>327</sup> with programmes like Germany's 'Stark im Beruf – Strong in the workplace', with a focus on Ukrainian women in the second half of 2022, and 'MY TURN', and Norway's *Jobbsjansen* (Job Opportunity) subsidy scheme for immigrant women in need of a qualification to get work or education.

<sup>320</sup> AT, BE, CZ, DE, EL, ES, FI, HR, IE, IT, LT, LU, MT, SE, SK and GE.

<sup>321</sup> BE, CZ, EL, IE, IT, LT, LU, MT.

<sup>322</sup> DE, ES, FI, HR, LT, LU.

<sup>323</sup> FR, IT, LU.

<sup>324</sup> Information obtained from the Adult Education Service (SFA) on 19 December 2022.

<sup>325</sup> AT.

<sup>326</sup> DE, EL, FR, HR, IT, SE, SK and NO.

<sup>327</sup> AT, DE, SK and AM.

## 6.7. BASIC SERVICES

Changes in the provision of basic services<sup>328</sup> included developments in the housing sector to improve access to housing for vulnerable groups.<sup>329</sup> France launched a stimulus plan for migrant worker hostels and the Armenian government approved a programme envisaging the provision of subsidies for renting apartments to recognised refugees. Greece planned supported living houses for beneficiaries of international protection with disabilities and Italy allocated resources to combat worker exploitation in agriculture and inadequate housing.<sup>330</sup> The Slovak Republic passed the Act on State Support for Rental Housing, which allows each natural person with permanent, temporary, or similar residence to apply for rental housing.

Changes in the provision of basic services also included improving access to healthcare for third-country nationals.<sup>331</sup> Austria's Integration Fund increased measures for refugees and migrants due to mandatory COVID-19 vaccination (which was later lifted) and a national FGM Coordination Office was established. France launched a 'healthcare appointment' programme for vulnerable refugees and migrants, while Italy funded the ICARE 2 project to improve access to health services for international protection applicants and beneficiaries. Several measures

aimed to increase access to healthcare for minors (including mental health).<sup>332</sup> Mental health support for minors was improved in the Czech Republic by ensuring that there was a special needs teacher and psychologist in every primary school, while Greece set up a mental health hub for children with SOS villages NGO.

Improving access to social security was another reported area.<sup>333</sup> Austria offered financial aid through the COVID-19 Act against Poverty, while Belgium introduced new access conditions for care budgets. Croatia provided financial benefits and social services to asylum seekers and beneficiaries of international protection, while France offered a social support programme. Latvia provided support measures through laws on energy prices.

Social and cultural integration measures, such as counselling and information services, were reported by five EU Member States and Moldova.<sup>334</sup> France improved access to bank accounts for refugees. The Netherlands developed the MyInfoNL app for legal migrants to access relevant information. Moldova implemented legal instruments to prevent and combat domestic violence and promote a safe environment for all.

## 6.8. ACTIVE PARTICIPATION OF MIGRANTS AND RECEIVING SOCIETIES IN INTEGRATION

The main developments in active participation were driven by the need to enable migrant participation and promote social interaction through community involvement. Accordingly, they focused on increasing migrant participation in society, including in political life.<sup>335</sup> Three EU Member States<sup>336</sup> reported developments in migrant participation in local democratic structures, with Belgium appointing the non-profit organisation 'LEVL vzw' as the main organisation responsible for integration. Italy encouraged migrant involvement in policy development through the participation of migrant and diaspora communities in the consultations launched for national programmes. Luxembourg passed a law abolishing the five-year residence clause and lengthening the period for registering on the electoral list, significantly simplifying voting in municipal elections for foreign residents.<sup>337</sup>

Civic orientation programmes were a key focus for several EU Member States.<sup>338</sup> For example, in the Brussels-Capital region in Belgium, the civic integration programme became accessible to all third-country nationals with a

residence permit of at least three months. France introduced mandatory employment and social-cultural workshops. In Bulgaria, IOM completed a project on increasing awareness of migration, integration and Bulgarian culture among migrant communities and locals.

Local community involvement in integration measures was encouraged,<sup>339</sup> such as Ireland's Communities Integration Fund, which promotes integration between migrants and host communities by funding joint projects since 2017. Italy's National Coordination of the New Italian Generations supported young people with migration backgrounds through culture and inclusion seminars and events. The Equality for all in Malta project developed the Local Integration Charter and Action Plan to involve local councils in the fight against discrimination. Other developments included broadening access to integration measures,<sup>340</sup> or providing funds and research to empower migrants to participate in integration programmes or to enable migrant associations to develop their capacity to run integration programmes.<sup>341</sup>

328 AT, BE, BG, DE, HR, FR, EL, IT, LT, NL, SE, SK and AM.

329 FR, EL, IT, SK.

330 The programme has yet to start as the proposals submitted are being evaluated.

331 AT, FR, IT, SE.

332 CZ, EL, LT.

333 AT, BE, DE, FR, HR, LV.

334 BG, EL, FR, IT, NL.

335 BE, BG, DE, EL, FR, IE, IT, LU, MT, PT, SE.

336 BE, IT, LU.

337 Law of 22 July 2022 amending: 1° the amended electoral Law of February 18, 2003; 2° of the amended Law of 27 July 1991 on electronic media, Mémorial A 394 of 25 July 2022, <https://legilux.public.lu/eli/etat/leg/loi/2022/07/22/a394/jo>, last accessed on 27 June 2023.

338 BE, BG, FR.

339 AT, BE, EL, IE, IT, MT.

340 DE.

341 MT, PT, SE.



## 6.9. FIGHTING RACISM AND DISCRIMINATION

Nearly half of the EMN Member<sup>342</sup> and Observer Countries (Georgia and Moldova) reported implementing measures to address racism and discrimination, driven by the need to counter racism, hate crimes and antisemitism in societies, promote diversity and inclusion at workplaces and society, and strengthen legislation and local initiatives for integration. These included measures against antisemitism, hate speech and hate crimes.<sup>343</sup> Austria published its first implementation report on measures to safeguard Jewish life, while Belgium adopted a federal action plan targeting measures related to the federal government's powers, and Wallonia introduced two new programmes to fight against racism and discrimination. The Czech Republic amended its Criminal Code to introduce a new criminal offence against hatred, while Ireland progressed draft legislation to combat hate crime and incitement to hatred<sup>344</sup> in accordance with a Programme for Government commitment from 2020. France committed €5 million to combat racism, antisemitism, and anti-LGBTIQ\* hatred. To complete the transposition of Framework Directive 2008/913/JHA, Luxembourg introduced a bill to parliament to add an aggravating circumstance to the Penal Code for a crime or misdemeanour committed when the motive was based on discrimination.<sup>345</sup> The German Federal Minister of the Interior presented a 10-point action plan against right-wing extremism, which contains repressive as well as preventive elements.<sup>346</sup> The German Federal Government is also working on a strategy to combat extremism and strengthen democracy.<sup>347</sup>

Other EU Member States,<sup>348</sup> Georgia, Moldova and Armenia addressed discrimination and racism through various means. For example, Belgium granted more power to labour inspectors to fight racism in the labour market

through situation testing or 'discrimination tests'. Finland and Portugal focused on discrimination in police services. The Supreme Administrative Court of Finland ruled against ethnic profiling by the Helsinki Police Department, while Portugal approved an Anti-Discrimination Plan for all police forces and Armenia drafted the Law on Ensuring Equality to enable equal treatment of vulnerable groups.

Several measures were undertaken to address racism and discrimination of minors in 2022. This was mainly through the introduction of legislation,<sup>349</sup> policies<sup>350</sup> and strategies,<sup>351</sup> and educational programmes in schools.<sup>352</sup>

In Spain, the Strategy for the Eradication of Violence against Children and Adolescents includes training for schools on hate-based cyber-bullying and on racism, xenophobia, and other manifestations of intolerance. Participating stakeholders included the National Office to Combat Hate Crimes, National, Autonomous and Local Police Forces, the specialised Prosecutor's Office, and civil society organisations. The BEE SECURE Stopline Project in Luxembourg launched the awareness campaign #NO-HATEONLINE to promote mutual respect online, combat hate speech and discrimination, and inform users about freedom of expression and its legal limits.<sup>353</sup> The 'School Network for the Support of Anti-racist Policy Implementation' in Cyprus provided teachers with a detailed plan on how to deal with and prevent racist incidents, bullying and discrimination, while in Georgia, the government approved a new 2022-2030 Human Rights Strategy, which contains a chapter on the rights of the child, including against discrimination.

342 AT, BE, CZ, DE, ES, FI, FR, IE, IT, LU, MT, SE, PT.

343 AT, BE, CZ, ES, FI, FR, IE, IT, LU, MT, SE and GE, MD.

344 Criminal Justice (Incitement to Violence or Hatred and Hate Offences) Bill 2022

(Bill 105 of 2022), <https://www.oireachtas.ie/en/bills/bill/2022/105/>, last accessed on DD Month YYYY.

345 Bill 8032 supplementing the Penal Code by introducing a general aggravating circumstance for crimes and misdemeanours committed due to a motive based on one or more of the characteristics referred to in Article 454 of the Penal Code. Introduced to Parliament on 20 June 2022, <https://wdocs-pub.chd.lu/docs/exped/0131/174/263740.pdf>, last accessed on DD Month YYYY.

346 See [https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/2022/aktionsplan-rechtsextremismus.pdf?\\_\\_blob=publicationFile&v=3](https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/2022/aktionsplan-rechtsextremismus.pdf?__blob=publicationFile&v=3), last accessed on DD Month YYYY.

347 See <https://www.bmi.bund.de/SharedDocs/kurzmeldungen/DE/2022/06/gemeinsam-fuer-demokratie.html>, last accessed on DD Month YYYY.

348 BE, FI and AM, GE, MD.

349 CZ introduced a new criminal offence: promoting a movement that is aimed at the suppression of human rights and freedoms, or preaches racial, ethnic, religious or class hatred or hatred against another group of persons. Amendment (No. 220/2021 Coll.) to the Criminal Code (No. 40/2009 Coll.) entered into force on 1 January 2022, and applies to all groups, including minors.

350 CY.

351 ES and GE.

352 AT, CY, ES.

353 National Youth Service, #NOHATEONLINE, *la campagne de sensibilisation de BEE SECURE pour promouvoir le respect en ligne*, Press release, 19 October 2022, [https://gouvernement.lu/fr/actualites/toutes\\_actualites/communiqués/2022/10-octobre/19-bee-secure-campagne.html](https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/10-octobre/19-bee-secure-campagne.html), last accessed on 3 May 2023.

# 7. CITIZENSHIP AND STATELESSNESS

EU Member States, Georgia and Moldova reported a variety of developments in acquisition of citizenship and statelessness. These ranged from procedural clarifications to new substantive requirements, the removal of earlier restrictions, and the elimination of certain avenues for the acquisition of citizenship. Reclamation or acquisition of citizenship on the basis of lineal descent emerged as a common theme in the acquisition of citizenship, while conformity with international standards was a driving factor in a number of developments on statelessness. As

this is not an area of EU competence, there were no EU level developments for 2022.

The total number of third-country nationals acquiring citizenship in the EU-27 and Norway has been rising steadily from just over 610 thousand cases in 2019, to over 735 thousand in 2021. Spain, France, Italy, Germany and Sweden granted the highest number of new citizenships in 2021, while persons from Moroccan and Syrian were the most common recipients of citizenship.<sup>354</sup>

## 7.1. ACQUISITION OF CITIZENSHIP

Lineal descent was a factor in legislative amendments in a number of EU Member States.<sup>355</sup> Austria extended the scope of the special right to acquire Austrian citizenship for victims of the National Socialist regime and their direct descendants to several new categories of individuals, including Austrian citizens deported abroad or who died due to persecution at the hands of the National Socialist party or the authorities of the German Reich, and those deported abroad as stateless persons with their main place of residence in the federal territory of Austria before 9 May 1945.

In Luxembourg, the deadline for prospective applicants in possession of a certificate attesting to their being descendants of Luxembourgish ancestors for submitting a declaration of reclamation of Luxembourg nationality was extended by almost three years, to December 2025. Spain adopted a new law facilitating the acquisition of Spanish nationality by descendants of Spanish citizens born abroad who, following the Spanish Civil War, were exiled and lost/renounced their Spanish citizenship. At a procedural level, an amendment to the Slovak Citizenship Act removed the requirement to prove eight years of permanent residence for applicants who are descendants of Czechoslovak citizens born in the territory of the Slovak Republic.

Draft legislation published in Ireland in September 2022<sup>356</sup> included an amendment to the Irish Nationality and Citizenship Act 1956 to reduce the residence requirement for naturalisation of minors from five to three years for those born in the State, as well as providing for a clear and specific application procedure for naturalisation

of a minor. It also included an amendment to the 1956 Act to make further provision relating to the continuous residence conditions for naturalisation set out in the 1956 Act.

The Slovak Republic and Norway reported changes in language requirements. The Slovak Republic revised the categories of applicants required to demonstrate knowledge of the Slovak language and facilitated the procedure for those applicants who had already passed certain language examinations. Norway raised the required language competency to B1 level and also increased the general residence period required for applicants, from 'seven of the last 10 years' to 'eight of the last 11 years.'

In Belgium, a number of developments specifically concerned the requirement of social integration. A considerable barrier was removed for citizenship applicants with learning difficulties, with a normative amendment stipulating that proving 'efforts' to complete an integration course would be considered sufficient to fulfil the condition of social integration for persons with disabilities. The Constitutional Court ruled that parental leave did not constitute an interruption of the five years of continuous employment an applicant must demonstrate to fulfil the criterion of social integration. Finally, the French-speaking civic integration programme was made accessible to all non-Belgians holding a residence permit for more than three months (previously accessible only to third-country nationals residing in Belgium for less than three years).

A legislative amendment eliminated the possibility of acquiring Bulgarian citizenship on the basis of in-country investments. The amendment also prescribed the

<sup>354</sup> Source: Eurostat (migr\_acq), extracted on 8 May 2023. Data for 2022 not available.  
<sup>355</sup> AT, ES, LU, SK.

<sup>356</sup> Courts and Civil Law (Miscellaneous Provisions) Bill 2022 (Bill 84 of 2022), <https://www.oireachtas.ie/en/bills/bill/2022/84/>, last accessed on 25 May 2023.



termination of any pending proceedings of such nature, as well as the inspection of all persons who previously acquired Bulgarian citizenship through this procedure to ascertain that their investments were in fact maintained for the minimum period required by law.

In Greece, an amendment to the Nationality Act brought changes to the procedure whereby Greek citizenship may be acquired on the ground of studying at a school in Greece. The time to issue a decision on the acquisition of Greek citizenship on the basis of graduation from a Greek

HEI or technical education institution was reduced from one year to six months, and the procedure for dismissal of an application was clarified for cases where the applicant had been prosecuted or received a prison sentence in Ireland, the relaxation of public health restrictions introduced to combat the COVID-19 pandemic allowed in-person citizenship ceremonies to be resumed, France reported progress on the digitalisation of procedures, as well as updating the information booklet for citizenship candidates.



## 7.2. STATELESSNESS

A small number of EU Member States, as well as Georgia and Armenia reported developments on statelessness.<sup>357</sup> Three EU Member States<sup>358</sup> specifically reported the alignment of national legislation with international standards on statelessness. In order to bring its laws into conformity with the Convention on the Reduction of Statelessness, Austria extended the period within which a person who is born in Austria and has been stateless from birth<sup>359</sup> may apply for citizenship, from two to three years. Similarly, to bring its legislation in line with the Convention on the Status of Stateless Persons, Finland introduced a draft legislative proposal to remove the current categorisation of stateless persons as either ‘involuntarily stateless’ or ‘voluntarily stateless’, thereby reaching a single definition.<sup>360</sup> The Netherlands brought a legislative proposal before parliament to establish a procedure for determining statelessness that is in compliance with relevant international norms.

Belgium’s Court of Cassation ruled that once a person’s stateless status was determined, administrative or judicial bodies could no longer question that decision. Consequently, questioning the absence of nationality and the underlying reasons was also proscribed.

Developments in relation to stateless minors chiefly comprised legislative amendments to simplify or clarify procedures for acquisition of citizenship.<sup>361</sup> In Belgium, not having a nationality now constitutes sufficient ground for a child to be granted Belgian citizenship, without the need to first have their statelessness recognised by the

competent court. In Finland, a legislative proposal to clarify citizenship procedures for a child at the time of their birth or adoption was submitted to the parliament.<sup>362</sup> In the Netherlands, a legislative proposal was brought before parliament to amend the Nationality Act.<sup>363</sup> If the proposal is adopted, the Nationality Act will allow a person younger than 21, who was born stateless in the Netherlands and who does not have lawful residence, to obtain Dutch citizenship more quickly, via the so-called ‘Optie’ procedure. The person needs to demonstrate at least five years of stable residence and must prove that no other nationality could have reasonably been obtained. Armenia implemented a project in cooperation with the IOM to support undocumented stateless persons, including legal counselling, advocacy, and capacity-building assistance.

### Georgia takes steps to counter statelessness

In 2022, Georgia undertook wide-ranging steps to address statelessness. In cooperation with UNHCR, it implemented a project to identify and document stateless people, collecting data on over 750 individuals. It also abolished the service fee to access the statelessness determination procedure, facilitating access for vulnerable groups. A number of other service fees (e.g. issuing electronic residence cards for stateless people) were lowered or eliminated. Finally, it approved the Statelessness Action Plan 2023, which includes activities to improve procedures and enhance services for stateless people.

357 AT, BE, CZ, FI, NL.

358 AT, FI, NL.

359 The person must have attained the age of majority.

360 Following political developments, the draft legislation did not progress.

361 BE, FI, NL.

362 Following political developments, the draft legislation did not progress.

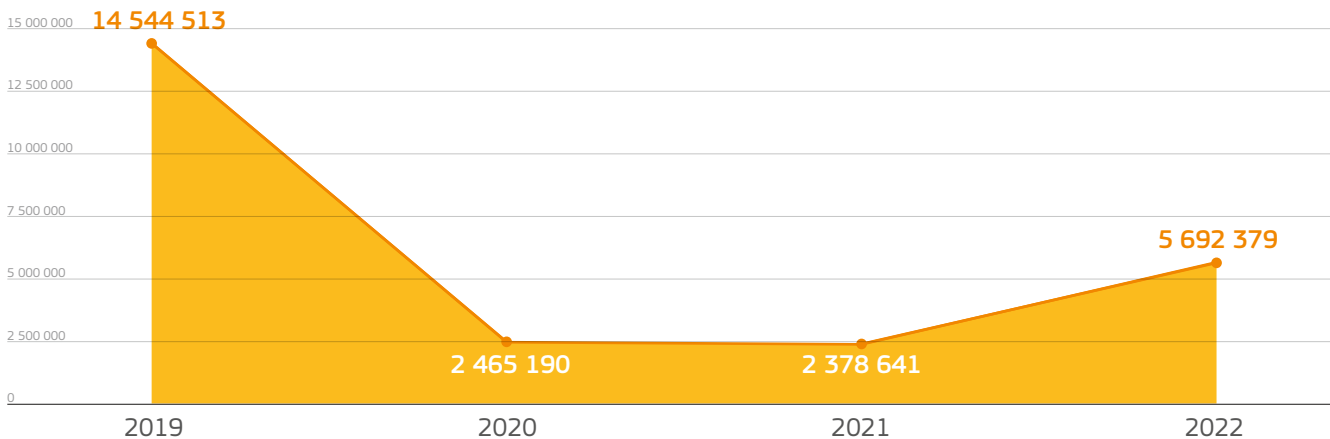
363 Parliamentary Papers II, 2020-2021, 35 688 (R2151), no. 3 (explanatory memorandum).

# 8. SCHENGEN AREA

While challenges persisted in 2022, the Schengen area functioned well overall. In 2022, the COVID-19 pandemic was not perceived as a driver of border control measures, mentioned solely in connection with the lifting of restrictions. 2022 was marked by the enlargement of the Schengen area. On 1 January 2023, Croatia acceded to the Schengen area, with the full application of the Schengen acquis and the removal of internal border controls.

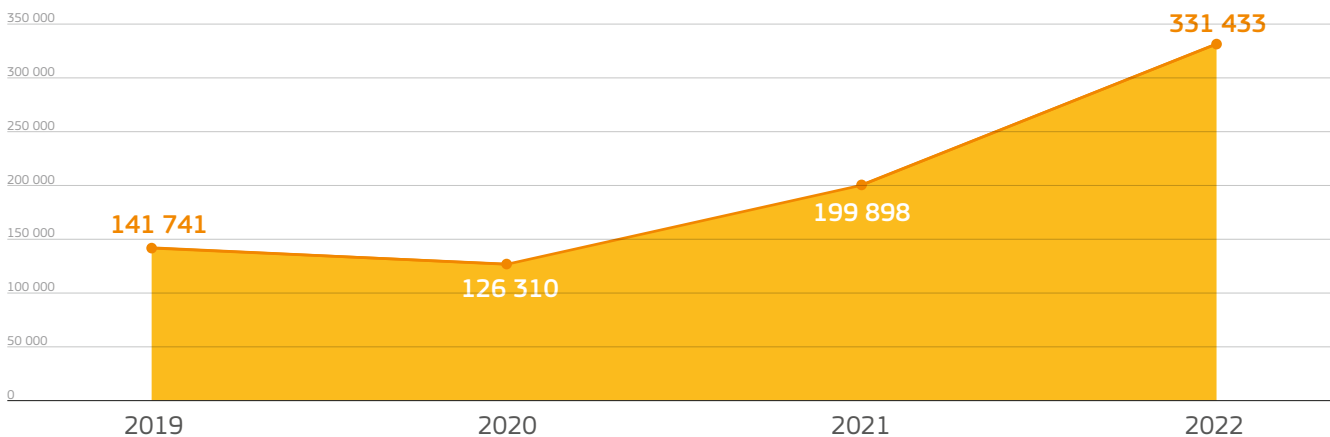
Russian's invasion of Ukraine, the increased migratory flux along the Western Balkans route, and the accompanying risks of migrant smuggling and cross-border crime led the EU and Member States to take collective measures to address these challenges. Despite these efforts, some Member States still had in place long-lasting internal border controls in 2022.

**Figure 16: Number of Schengen uniform short-stay visas issued, EU and Norway, 2019–2022**



Source: European Commission, extracted on 8 May.

**Figure 17: Total annual number of detected illegal border crossings on entry between Border Crossing Points of the external borders of the Member States of the EU and Schengen Associated Countries (2019–2022)**



Source: Frontex FRAN data as of 3 April 2023.

## 8.1. EU DEVELOPMENTS

Russia's war of aggression in Ukraine led the Council to adopt a Decision on the full suspension of the Visa Facilitation Agreement with Russia in September 2022.<sup>364</sup> At the same time, the Commission presented updated guidelines on visa procedures involving nationals of the Russian Federation and called on EU Member States to boost border controls.<sup>365</sup>

The Commission presented the EU Action Plan on the Western Balkans in December 2022,<sup>366</sup> aimed at strengthening cooperation on migration and border management, as well as the EU Action Plan on the Central Mediterranean,<sup>367</sup> which proposes measures to address the immediate challenges along the Central Mediterranean migratory route.

In a bid to facilitate travel to Schengen countries and increase security in the visa application process, the EU

Commission submitted a proposal for the digitalisation of the visa procedure in April 2022.<sup>368</sup>

The EU took the decision that nationals of The Gambia applying for a visa shall pay a visa fee of €120. The EU also suspended visa exemption for nationals of Vanuatu. In accordance with Commission Delegated Regulation (EU) 2023/222, all nationals of Vanuatu must be in possession of a visa when crossing the external borders of the Member States from 4 February 2023.

The new Schengen Evaluation and Monitoring Mechanism Regulation was adopted in June 2022 and started to apply from 1 October 2022.

The Council adopted a decision on the full application of the Schengen acquis in Croatia, enabling the lifting of border controls within the Schengen area.<sup>369</sup>

## 8.2. SCHENGEN

### 8.2.1. Schengen governance

In 2022, the first annual Schengen cycle was established to ensure structured, coordinated and common responses to threats. Since March 2022, the Schengen Council brings together Ministers for Home Affairs regularly to discuss their countries' common Schengen responsibilities. The 2022 State of Schengen report provided the shared framework by identifying the key policy priorities to address the challenges faced by the Schengen area. In particular, it considered it essential to continue working towards a fully effective European IBM, bringing together all relevant actors at both European and national level to lift all long-term internal border controls and strengthen internal security through reinforced police cooperation within the EU. To steer the political discussions in each Schengen Council, the Commission presented a Schengen Barometer, providing a comprehensive situational picture of the key drivers impacting the stability of the Schengen area. The Barometer covers the situation at external and internal borders, migratory routes into and within the EU, the threats and joint responses to internal security, as well as visa policy challenges.

A number of EU Member States improved their evaluation mechanisms,<sup>370</sup> including setting up teams of

expert evaluators to improve the EU-level Schengen evaluation.<sup>371</sup> Eight EU Member States received Schengen evaluation missions<sup>372</sup> or undertook other national evaluations.<sup>373</sup> EU Member States worked to implement the recommendations of these evaluations, which resulted in legal amendments to ensure compliance with the Schengen *acquis* or operational development to ensure adequate, high-quality implementation of the Schengen architecture.

#### **Croatia becomes a fully-fledged Schengen State**

Following Council Decision (EU) 2022/2451, the provisions of the Schengen acquis became fully applicable in Croatia from 1 January 2023. Amendments to national legislation, in particular the Act on the State Border Surveillance and the Aliens Act, enabled the harmonisation of the national normative framework with the Schengen Agreement, the Schengen Convention, and the related Schengen acquis. The most tangible evidence of the development is the removal of internal Schengen border controls in Croatia (controls at internal Schengen air borders to be lifted from 26 March 2023).

364 Council Decision (EU) 2022/1500 of 9 September 2022 on the suspension in whole of the application of the Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation, <http://data.europa.eu/eli/dec/2022/1500/oj>, last accessed on 11 March 2023.

365 Communication from the European Commission 1. Updating guidelines on general visa issuance in relation to Russian applicants following Council Decision (EU) 2022/1500 of 9 September 2022 on the suspension in whole of the application of the Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation; and 2. Providing guidelines on controls of Russian citizens at the external borders, [https://ec.europa.eu/transparency/documents-register/detail?ref=C\(2022\)7111&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=C(2022)7111&lang=en), last accessed on 11 March 2023.

366 European Commission, 'EU Action Plan on the Western Balkans', 5 December 2022, [https://home-affairs.ec.europa.eu/eu-action-plan-western-balkans\\_en](https://home-affairs.ec.europa.eu/eu-action-plan-western-balkans_en), last accessed on 11 March 2023.

367 European Commission, 'EU action plan for the Central Mediterranean', 21 November 2022, [https://home-affairs.ec.europa.eu/eu-action-plan-central-mediterranean\\_en](https://home-affairs.ec.europa.eu/eu-action-plan-central-mediterranean_en), last accessed on 11 March 2023.

368 Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 767/2008, (EC) No 810/2009 and (EU) 2017/2226 of the European Parliament and of the Council, Council Regulations (EC) No 1683/95, (EC) No 333/2002, (EC) No 693/2003 and (EC) No 694/2003 and Convention implementing the Schengen Agreement, as regards the digitalisation of the visa procedure, COM/2022/658 final, EUR-Lex - 52022PC0658 - EN - EUR-Lex ([eur-lex.europa.eu](http://eur-lex.europa.eu)), last accessed on 31 March 2023.

369 Council Decision (EU) 2022/2451 of 8 December 2022 on the full application of the provisions of the Schengen acquis in the Republic of Croatia, <http://data.europa.eu/eli/dec/2022/2451/oj>, last accessed on 11 March 2023.

370 BE, FI, LT, SK.

371 BE, FI, SK.

372 In 2022, the Commission concluded the second programming cycle of Schengen evaluations, with visits to DK, ES, PT, SE and IS, NO. In addition, AT, BE, CY, EL, FR, IT, LU, MT, NL were evaluated on their implementation of the Common Visa Policy. LU also underwent an evaluation to assess the implementation of data protection requirements.

373 BG, DE, LT.

### 8.2.2. Visa policy

The war of aggression against Ukraine meant that several EU Member States introduced new developments in visa policy in 2022. Effective 26 October 2022, Ireland removed Belarus and the Russian Federation from the list of countries whose nationals may benefit from its Short-Stay Visa Waiver Programme.<sup>374, 375</sup> On 10 March, Estonian embassies in the Russian Federation and Belarus suspended accepting visa applications, although an amendment was introduced on 6 June to exempt Russian and Belarusian journalists accredited by the Estonian Ministry of Foreign Affairs, and citizens of Belarus who apply for a temporary residence permit for employment in information and communication technology (ICT). In March, Estonia suspended accepting visa applications from Russian and Belarusian citizens in its Representations in Moscow, Saint Petersburg, Pskov and Minsk, as well as in Visa Centres of External Service Providers in the Russian Federation and Belarus. Lithuania stopped accepting visa applications from citizens of the Russian Federation from its consular offices in the Russian Federation.

The Czech Republic introduced legislative amendments allowing it to rule on the inadmissibility of visa and residence applications submitted at embassies by citizens of Belarus and Russia. It also now requires Russian citizens to hold an airport transit visa when transiting through its airports. Poland introduced national visas for specific professional categories for citizens of Ukraine and Belarus residing in Poland.

The Finnish government took a resolution to strongly restrict entry of Russian tourists to Finland. The objective was to end tourism and related transit from Russia altogether. Accordingly, Finland also adopted a resolution that drastically limited the reception of visa applications from Russia.

In May, Estonia closed its consulate general in St. Petersburg and its representation in Pskov, forwarding all processes to the Estonian embassy in Moscow. There were several other developments, not related to the war in Ukraine. For example, in order to prevent any possible misuse of temporary stay, Estonia implemented legislative amendments limiting the numbers of subsequent applications for a visa on the same grounds as the first applicant (the person who applied for the visa for short-term employment in Estonia),<sup>376</sup> with several exclusions.

Ireland introduced a temporary suspension to the Council of Europe Agreement on the Abolition of Visas for Refugees from 19 July 2022<sup>377</sup> to counter the increase in international protection applications from refugees with a protection status in other EU Member States, including those who were visa-exempt under the Agreement.

Refugees holding a Convention Travel Document would be required to apply for visas under standard arrangements. This decision was to be reviewed 12 months after its implementation.

A number of EU Member States implemented new security features on visa documents to counter visa fraud or misuse, such as digital seals, barcodes, or Quick Response (QR) codes.<sup>378</sup>

A number of EU Member States improved their evaluation mechanisms,<sup>379</sup> including setting up teams of expert evaluators to improve the EU-level Schengen evaluation.<sup>380</sup> Eight EU Member States received Schengen evaluation missions<sup>381</sup> or undertook other national evaluations.<sup>382</sup> EU Member States worked to implement the recommendations of these evaluations, which resulted in legal amendments to ensure compliance with the Schengen *acquis* or operational development to ensure adequate, high-quality implementation of the Schengen architecture.

### 8.2.3. Reinforced cooperation with third countries on border management

Ten EU Member States<sup>383</sup> and Georgia reported agreements or other forms of bilateral and multilateral cooperation with third countries to strengthen operational capacity to combat irregular migration, organised crime, and enhance control of external borders.

As a result of a cooperation agreement between Estonia and Ukraine, five Ukrainian border guards were deployed at the Estonian-Russian border to combat possible irregular migration.

Due to the Russian war of aggression against Ukraine, liaison officers from Germany and Latvia, who had been representing their EU Member State abroad, helping to combat irregular migration and support legal migration amongst other tasks, were removed as State Border Guard Liaison Officer Points in Kyiv. The Latvian officer relocated to Moldova to support officials of the Latvian Embassy in Moldova. The Netherlands' officer was removed from Moscow and will not be replaced.

### 8.2.4. External border control measures/management

As COVID-19 risks reduced, several EU Member States loosened, if not altogether lifted, the border management restrictions put in place to counter the pandemic.<sup>384</sup> Its place as the predominant driver behind external border control development was overtaken by the conflict in Ukraine and the ensuing security risks.

374 The Short-Stay Visa Waiver Programme allows nationals of certain countries who have entered the United Kingdom (UK) on foot of certain UK short-stay visas, to travel to Ireland without needing to obtain an Irish visa. See, I. No. 533/2022 - Immigration Act 2004 (Visas) (Amendment) (No. 3) Order 2022, <https://www.irishstatutebook.ie/eli/2022/si/533/made/en/print>, last accessed on 19 May 2023.

375 Developments in relation to Ireland refer to national visa policy. Ireland is not part of the Schengen area.

376 Reform of the Aliens Act, 09.12.2009, RT I 2010, 3, 4, entered into force on 1 October 2010, Article 62, <https://www.riigiteataja.ee/en/eli/ee/527052022001/consolide>, last accessed on DD Month YYYY.

377 S.I. No. 364/2022 - Immigration Act 2004 (Visas) (Amendment) (No. 2) Order 2022, <https://www.irishstatutebook.ie/eli/2022/si/364/>, last accessed on 19 May 2023.

378 BE, CZ, FR, LU.

379 BE, FI, LT, SK.

380 BE, FI, SK.

381 In 2022, the Commission concluded the second programming cycle of Schengen evaluations, with visits to DK, ES, PT, SE and IS, NO. In addition, AT, BE, CY, EL, FR, IT, LU, MT, NL were evaluated on their implementation of the Common Visa Policy. LU also underwent an evaluation to assess the implementation of data protection requirements.

382 BG, DE, LT.

383 AT, BE, DE, EE, HU, IT, LT, LV, NL, PL.

384 BE, CZ, EE, ES, FI, IE, LU.



Several EU Member States suspended their travel facilitation agreements with the Russian Federation and introduced measures to curb travel from Russia or Belarus.<sup>385</sup> In Lithuania, the state of emergency that was declared at the onset of the conflict and subsequently extended, introduced a raft of measures to strengthen its border, including the deployment of the armed forces. Similarly, Poland introduced measures to neutralise illegal crossings and security incidents at the border with Belarus and generally tightened entry restrictions for Russian citizens.

Developments reported by Estonia, Latvia, and Lithuania were partly an extension of measures introduced following the 2021 border crisis with Belarus. Latvia declared an emergency situation to reinforce control of its borders in a number of areas adjoining the Russian Federation, but also extended the state of emergency declared in 2021 to counter the surge in irregular border crossings at the border with Belarus.<sup>386</sup> Estonia amended its State Border Act to include the possibility – under certain conditions – of refusing applications for international protection at the border in cases where an emergency situation caused by mass influx and illegal entries is officially declared (see Chapter 3). Estonia, Latvia and Lithuania each continued the installation of a physical barrier on their external borders, with Lithuania completing its barrier in August 2022.

The instrumentalisation of migration, with associated security implications, as well as the general risk of mass influx, were at the root of legislative amendments in Finland. Amendments laid out the conditions for the closure of border crossing points, limitation of border traffic, and centralisation of the reception of asylum applications (see Chapter 3).

Greece and Italy continued to implement projects to strengthen border control and surveillance capabilities, with a focus on combating cross-border crime and migrant smuggling, and controlling irregular migration flows generally.

Several EU Member States reported measures to strengthen operational effectiveness at the EU external border, particularly in response to the increase in irregular migration along the Western Balkan route.<sup>387</sup> Hungary established a new border protection body within the Rapid Response and Special Police Service, while a multinational contingent joined the Hungarian police at the southern border with Serbia. In addition, Hungary increased the

height of the temporary border barrier built along the Hungarian-Serbian border section.

In response to national security concerns, Poland signed agreements to build both physical and electronic fences at the Russian and Belarusian borders, which also served to prevent the mass influx of irregular migrants following the migration crisis of 2021 initiated by Belarus.

Bulgaria adopted an instruction on the procedure for carrying out checks at border crossing points, while the Slovak Republic approved its 2023–2026 National Strategy for European Integrated Border Management.<sup>388</sup> Finally, the previously external borders between Croatia and Slovenia and Hungary became internal borders once Croatia fully joined the Schengen area.

### 8.2.5. Implementation of EU developments at external borders

Many EU Member States and Norway<sup>389</sup> continued their legal, infrastructural, and organisational efforts initiated in 2021 to harmonise external border controls. Several reported approaching the rollout stage of the EES<sup>390</sup> and the European Travel Information and Authorisation System (ETIAS).<sup>391</sup> Austria established its national ETIAS unit,<sup>392</sup> Belgium drafted an ETIAS law for adoption in 2023, and Luxembourg worked to refine an organisational arrangement whereby multiple entities would collaborate to implement the ETIAS.

Fewer EU Member States reported progress on the European Interoperability Framework.<sup>393</sup> Of these, most reported legislative developments to advance the harmonisation of national instruments with EU regulations.<sup>394</sup> A number also adopted, or are in the process of adopting, key policy documents for the implementation of European Integrated Border Management (IBM).<sup>395</sup>

Several EU Member States<sup>396</sup> reported legislative changes or technical, procedural or organisational efforts to implement the Schengen Information System (SIS) Recast Regulation.<sup>397</sup>

### 8.2.6. Situation at the internal borders

Security risks emerging from increased migratory flows prompted several EU Member States<sup>398</sup> to introduce internal border controls in 2022. Following an assessment of risks that identified irregular migration, smuggling

385 CZ, EE, FI, LT, LV, PL.

386 Cabinet Order No. 518 'Regarding Proclamation of the Emergency Situation', adopted on 10 August 2021. - *Latvijas Vēstnesis* No.152A, 10.08.2021, entered into force on 10 August 2021.

387 DE, HU.

388 See <https://www.minv.sk/?tlacove-spravy&sprava=kabinet-schvalil-narodnu-strategiu-eurospekeho-integrovaneho-riadenia-hranic-do-roku-2026>, last accessed on 25 May 2023.

389 AT, BE, CY, EE, EL, ES, FI, FR, HR, HU, LT, LU, LV, MT, NL, PL, SI, SK and NO.

390 BE, CZ, EE, EL, FI, FR, LU, LV, SK.

391 AT, BE, CY, CZ, EE, FI, LV.

392 In line with Article 8 Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS).

393 EE, ES, FI, LU, MT, NL, SI.

394 EE, ES, FI, LU, MT, NL.

395 FR, HU, LU, MT.

396 BE, EE, ES, FI, LT, NL, PL, SK and NO.

397 Regulation (EU) 2018/1860 of the European Parliament and of the Council of 28 November 2018 on the use of the Schengen Information System for the return of illegally staying third-country nationals, <http://data.europa.eu/eli/reg/2018/1860/oj>, last accessed on 18 March 2023; Regulation (EU) 2018/1861 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006, <http://data.europa.eu/eli/reg/2018/1861/oj>, last accessed on 18 March 2023; Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU, <http://data.europa.eu/eli/reg/2018/1862/oj>, last accessed on 18 March 2023.

398 AT, CZ, DE, EE, ES, FR, SE and NO.



activities, and terrorist threats, Austria temporarily introduced or extended border controls at its borders with the Slovak Republic, Slovenia and Hungary.<sup>399</sup> France's temporary reintroduction of internal border controls was similarly spurred by an increase in illegal border crossings and failures at external borders. Estonia temporarily reintroduced border controls on the Estonian-Latvian border due to the influx of refugees from Ukraine, but removed

them as the migratory route changed and refugees from Ukraine began to enter through Russia. The Czech Republic reintroduced internal border controls to counter the migratory flow along the Western Balkan route. Although it did not reintroduce internal border controls, Hungary increased its police presence along the border with the Slovak Republic to improve detection of illegal migration.

**Table 1: Visa statistics**

|                        | (Schengen) short stay Visas (so called A and C visas, the latter including LTV visas – stays of up to 90 days) |  |   | National long-stay Visas (so called D visas) |  |   |                                |
|------------------------|--|--|---|--|--|---|--------------------------------|
|                        | Total visa   | Issued to third country nationals coming directly from a third country | Issued to third country nationals resident in another EU Member State | Total (Schengen) short stay Visas            | Issued to third country nationals coming directly from a third country | Issued to third country nationals resident in another EU Member State | Total National long-stay Visas |
| <b>Austria</b>         | 172 854  | 129 340  | 6 184   | 135 524                                      | 35 738   | 1 592   | 37 330                         |
| <b>Belgium</b>         |  |  |   | 117 402                                      |  |   | 39 236                         |
| <b>Bulgaria</b>        | 122 308  | 104 244  | 367   | 104 611                                      | 17 194   | 503   | 17 697                         |
| <b>Cyprus</b>          |  |  |   | 65 596                                       |  |   |                                |
| <b>Czech Republic</b>  | 115 000  | 100 499  | 522   | 101 028                                      | 12 645   | 1 327   | 13 972                         |
| <b>Germany</b>         | n/i  | n/i  | n/i   | n/i  | n/i  | n/i   | n/i                            |
| <b>Denmark</b>         |  |  |   |  |  |   |                                |
| <b>Estonia</b>         | 34 134   |  |   | 18 386                                       |  |   | 15 748                         |
| <b>Greece</b>          |  |  |   | 404 352                                      |  |   | 19 921                         |
| <b>Spain</b>           | 1 119 188  | 929 923  | 1 090   |  |  |   | 188 175                        |
| <b>Finland</b>         | 147 204  | 144 121  | 2 342   | 146 463                                      | n/i  | n/i   | 741                            |
| <b>France</b>          | 1 738 151  | 1 445 393  | 15 720  | 1 461 113                                    | 271 722  | 5 316   | 277 038                        |
| <b>Croatia</b>         | 48 940   | n/i  | n/i   | 22 222                                       | n/i  | n/i   | 26 718                         |
| <b>Hungary</b>         | 159 141  | 121 812  | 925   | 122 737                                      | 36 071   | 335   | 36 406                         |
| <b>Ireland *</b>       | 113 579  | n/a  | n/a   | 61 885                                       | n/i  | n/i   | 51 694                         |
| <b>Italy</b>           |  |  |   |  |  |   |                                |
| <b>Lithuania</b>       | 70 016   | n/i  | n/i   | 24 684                                       | n/i  | n/i   | 45 332                         |
| <b>Luxembourg</b>      | 18 821   | n/i  | n/i   | 13 323                                       | n/i  | n/i   | 5498                           |
| <b>Latvia</b>          | 61 527   | n/i  | n/i   | 47 908                                       | n/i  | n/i   | 13619                          |
| <b>Malta</b>           | 42 529   | 13 584   | 253   |  | 23 234   | 5 458   |                                |
| <b>Netherlands</b>     | 334 755  | 331 761  | 2 994   |  | n/i  | n/i   | 84 175                         |
| <b>Poland</b>          | 612 966  | 71 584   | 1 295   | 1647*  | 526 278  | 11 094  | 534*                           |
| <b>Portugal</b>        | 4 790  | n/i  | n/i   | 4790 (1)                                     | n/i  | n/i   |                                |
| <b>Romania</b>         |  |  |   |  |  |   |                                |
| <b>Sweden</b>          | 94 703   | n/i  | n/i   | 94 703                                       | n/i  | n/i   | 5185                           |
| <b>Slovenia</b>        | 15 790   | 15 023   | 36  |  | 711  | 20  |                                |
| <b>Slovak Republic</b> | 17 014   | 10 728   | 150   | n/i  | 5 988  | 148   | n/i                            |
| <b>Norway</b>          | 75 617   | n/i  | n/i   | 57 767                                       | n/i  | n/i   | 17 850                         |

\* National 'C' visas. Ireland does not issue Schengen visas.

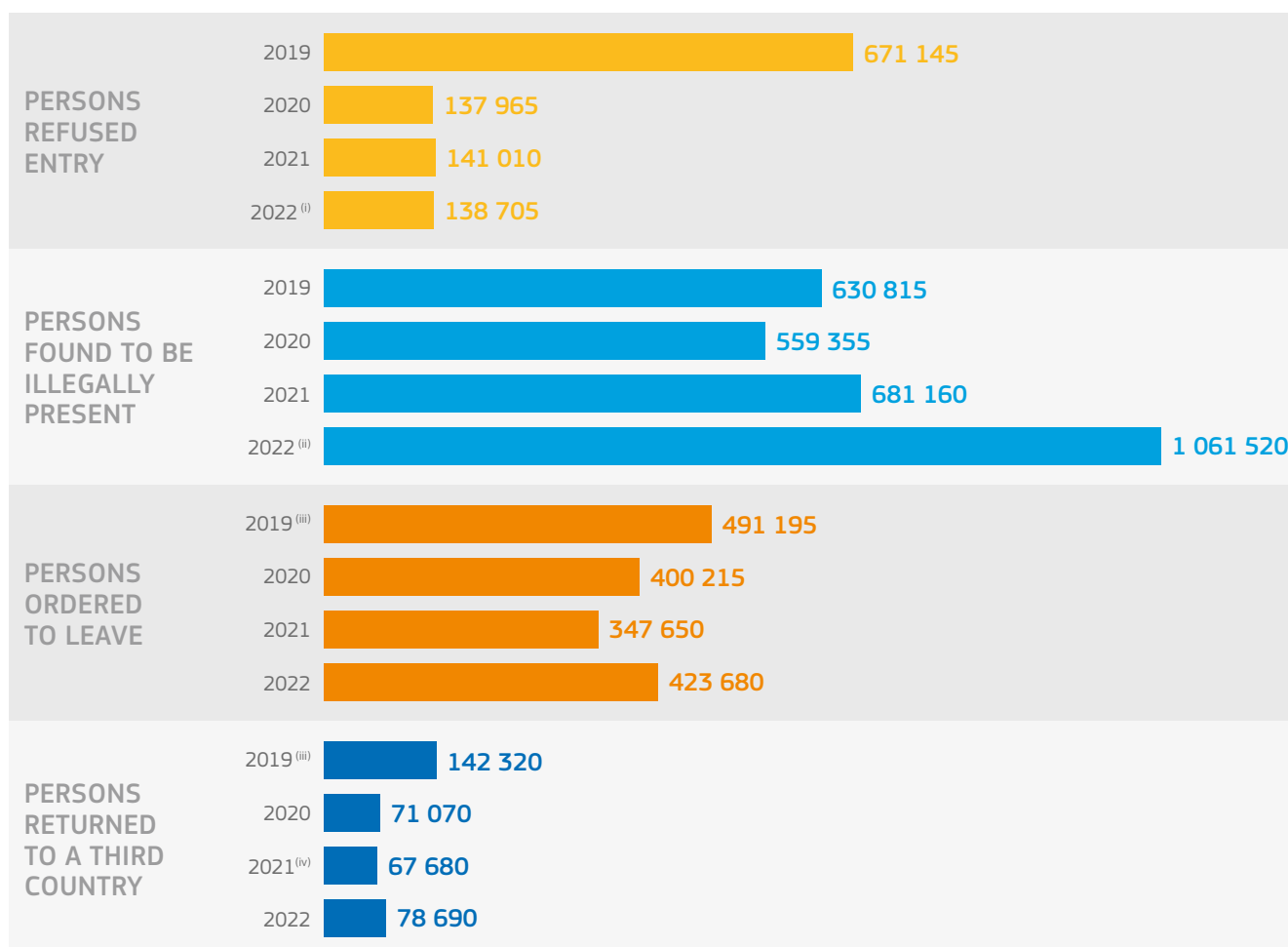
Source: Statistics provided by EMN National Contact Points. Statistics not available or provided for Denmark and Romania.

# 9. IRREGULAR MIGRATION, INCLUDING MIGRANT SMUGGLING

In 2022, around 330 000 irregular border crossings were detected at the external borders of the EU, the highest number since 2016.<sup>400</sup> The Western Balkan and Central Mediterranean routes alone accounted for 75% of

detections.<sup>401</sup> Despite a 25% decrease compared to 2021, 6 127 illegal border crossings were also detected at the eastern land border.<sup>402</sup>

**Figure 18: Third-country nationals subject to immigration law enforcement (absolute numbers and ratio per thousand population), EU and Norway, 2019-2022**



(i) Excluding Czechia, Latvia, Portugal and Norway.

(ii) Excluding Czechia, Latvia and Romania.

(iii) Excluding Norway.

(iv) Excluding Lithuania.

Source: Eurostat ([migr\\_eirfs](#), [migr\\_eipre](#), [migr\\_eiord](#), [migr\\_eirtn](#), and [migr\\_pop1ctz](#)), extracted on 8 May.

400 Frontex, 'EU's external borders in 2022: Number of irregular border crossings highest since 2016, 31 January 2023, <https://frontex.europa.eu/media-centre/news/news-release/eu-s-external-borders-in-2022-number-of-irregular-border-crossings-highest-since-2016-YsAZ29>, last accessed on 8 March 2023.

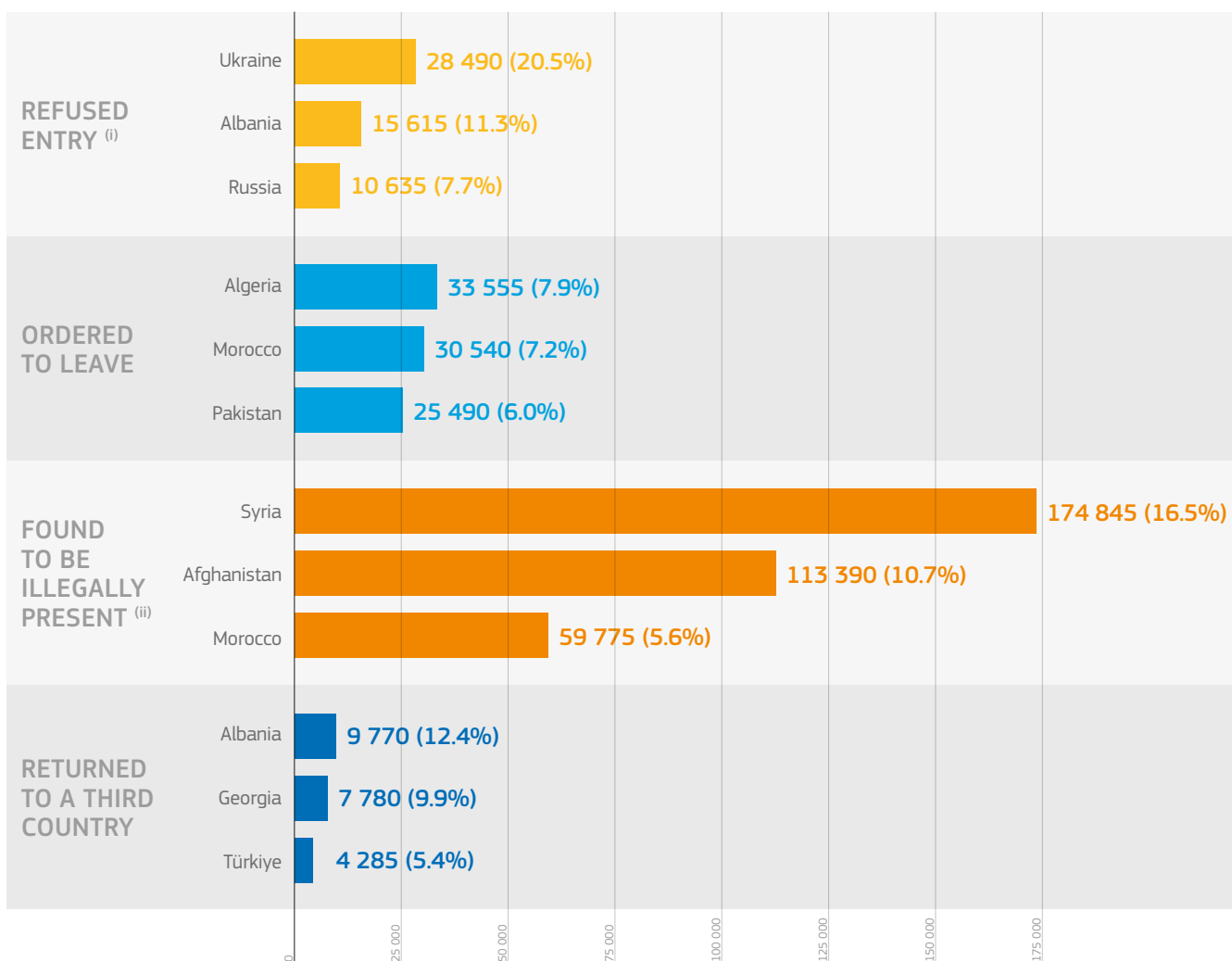
401 Ibid.

402 Ibid.

As a result of the increased migratory pressure at EU external borders, several EU Member States introduced legal and policy measures to prevent the misuse of legal migration pathways, combat migrant smuggling, and prevent irregular migration. Armenia also enacted measures to prevent irregular migration. EU Member States and Norway also strengthened strategic partnerships and operational cooperation with third countries and EU agencies to combat migrant smuggling. These developments were particularly evident in countries located along the Western Balkan and Central Mediterranean routes, as well as those situated on the eastern land border. The first saw an increase in irregular migration, mostly among

people already present in the region, or among nationalities exempted from applying for visas to enter the EU and subsequently accessing the Schengen area.<sup>403</sup> The increase in irregular migration along the Central Mediterranean route reflects the growing instability in North Africa, with Tunisia<sup>404</sup> and Libya<sup>405</sup> gaining prominence as countries of departure for irregular migrants to the EU. Similarly, countries situated at the eastern land border reported measures to prevent new hybrid attacks, such as those initiated by the Belarusian regime in 2021,<sup>406</sup> and to contain the security threat posed by the Russian Federation since the beginning of the Russian war of aggression against Ukraine.

**Figure 19: Top three countries whose citizens were most often subject to immigration law enforcement, EU and Norway, 2022**



(i) Excluding Czechia, Latvia, Portugal and Norway.

(ii) Excluding Czechia, Latvia and Romania.

Source: Eurostat ([migr\\_eirfs](#), [migr\\_eipre](#), [migr\\_eiord](#), [migr\\_eirtn](#)), extracted on 8 May.

403 Frontex, 'EU external borders in November: Western Balkans route most active', 12 December 2023, <https://frontex.europa.eu/media-centre/news/news-release/eu-external-borders-in-november-western-balkans-route-most-active-ULSsa7#:~:text=The%20sustained%20migratory%20pressure%20on,approach%20the%20EU%20external%20borders>, last accessed on 24 May 2023.

404 Herbert M., 'Tunisia. Growing irregular migration flows amid worsening political fragility', Global Initiative Against Transnational Crime, 2023, <https://globalinitiative.net/wp-content/uploads/2022/06/Human-smuggling-and-trafficking-ecosystems-LIBYA.pdf>, last accessed on 24 April 2023.

405 Horsley, R. and Gerken, J., 'Libya. Stability fuels rebound in human smuggling', Global Initiative Against Transnational Crime, July 2022, <https://globalinitiative.net/wp-content/uploads/2022/06/Human-smuggling-and-trafficking-ecosystems-LIBYA.pdf>, last accessed on 24 April 2023.

406 Council of the European Union, 'Belarus: EU broadens scope for sanctions to tackle hybrid attacks and instrumentalisation of migrants', Press release, 15 November 2021, <https://www.consilium.europa.eu/en/press/press-releases/2021/11/15/belarus-eu-broadens-scope-for-sanctions-to-tackle-hybrid-attacks-and-instrumentalisation-of-migrants/>, last accessed on 28 March 2023.



## 9.1. EU DEVELOPMENTS

In response to the increase in irregular migration along the Central Mediterranean and Western Balkan routes, the European Commission presented two action plans<sup>407</sup> in November 2022. Built around 20 operational measures, the Western Balkan Action Plan outlines four priority pillars to: enhance border management; combat migrant smuggling; foster cooperation on readmission and return; and align visa policies.<sup>408</sup> The Central Mediterranean Action Plan prioritises strengthening cooperation with partner countries and international organisations, as well as enhancing the coordination of SAR operations.<sup>409</sup> As part of the EU's comprehensive partnerships on migration with countries along irregular migratory routes towards the EU, in 2022 the European Commission also launched tailored Anti-Smuggling Operational Partnerships with Morocco, Niger and the Western Balkans.<sup>410</sup>

Throughout 2022, EU Member States continued to work in close cooperation with EU agencies to address irregular migration, particularly Frontex and the Europol. The EU

opened new negotiations with Western Balkan countries on Frontex cooperation,<sup>411</sup> while EU Member States intensified cooperation and information exchange with Frontex in the framework of the European Border Surveillance System (EUROSUR).<sup>412</sup> The fight against migrant smuggling was one of 10 key priorities of the European Multi-disciplinary Platform Against Criminal Threats (EMPACT) 2021-2025, a state-driven initiative recognised by the Council of the European Union in 2021 as a permanent instrument to identify and address international crime threats.<sup>413</sup>

The Council of the European Union adopted the negotiating mandates for the Eurodac and Screening Regulation proposals, which allowed the European Parliament and the Council to start interinstitutional negotiations for Eurodac, while the European Parliament finalised its position on the Screening Regulation.<sup>414</sup> Both proposals were presented by the European Commission as part of the New Pact on Migration and Asylum in 2020.



## 9.2. PREVENTING AND TACKLING IRREGULAR MIGRATION IN LEGAL MIGRATION CHANNELS

### 9.2.1. Tackling misuse

Measures to address potential misuse of visa liberalisation<sup>415</sup> or legal migration channels for the purpose of study<sup>416</sup> were reported by several EU Member States in 2022.

Two EU Member States<sup>417</sup> reported measures in response to an increase in the number of visa-exempted Georgian nationals applying for international protection. During a formal visit to Tbilisi, the Belgian Secretary of State for Asylum and Migration tried to dissuade economic migrants from applying for international protection, while Cyprus's border authorities reinforced first-line border checks to detect potential cases of misuse of visa liberalisation.

A few EU Member States introduced measures to regulate the entry and stay of international students, with a view to preventing misuse and attracting the most qualified applicants.<sup>418</sup> As Dutch authorities became increasingly aware that some groups of third-country nationals never started or discontinued their education after receiving

their residence permits for the purpose of studying, they revised the code of conduct defining the requirements for the cooperation of HEIs with third parties to recruit international students. In order to ascertain applicants' motivations and select the most qualified foreign students, Latvia introduced in-depth interviews for those requesting a study permit after their admission to a HEI. Estonia reported measures to revoke students' (and their spouse's or close relatives) temporary residence permit if they failed to complete their studies, exceeded a certain delay in completing their studies, or did not meet the requirement for institutional accreditation with the HEI. These temporary residence permits expire 30 days after students fail to complete their study programme to the required standard, or where students interrupt their studies.

### 9.2.2. False travel documents

Several EU Member States and Norway introduced measures to tackle the acquisition and use of false travel documents. These ranged from the introduction

407 European Commission, 'EU Action Plan for the Central Mediterranean', 21 November 2022, [https://home-affairs.ec.europa.eu/eu-action-plan-central-mediterranean\\_en](https://home-affairs.ec.europa.eu/eu-action-plan-central-mediterranean_en), last accessed on 8 March 2023; European Commission, 'EU Action Plan for the Western Balkans', 25 November 2022, [https://home-affairs.ec.europa.eu/eu-action-plan-western-balkans\\_en](https://home-affairs.ec.europa.eu/eu-action-plan-western-balkans_en), last accessed on 8 March 2023.

408 European Commission, 'EU Action Plan for the Western Balkans', 25 November 2022, [https://home-affairs.ec.europa.eu/eu-action-plan-western-balkans\\_en](https://home-affairs.ec.europa.eu/eu-action-plan-western-balkans_en), last accessed on 8 March 2023.

409 European Commission, 'EU Action Plan for the Central Mediterranean', 21 November 2022, [https://home-affairs.ec.europa.eu/eu-action-plan-central-mediterranean\\_en](https://home-affairs.ec.europa.eu/eu-action-plan-central-mediterranean_en), last accessed on 8 March 2023.

410 European Commission, 'EU working together with African partners on migration: Launch of Team Europe initiatives', 12 December 2022, [https://neighbourhood-enlargement.ec.europa.eu/news/eu-working-together-african-partners-migration-launch-team-europe-initiatives-2022-12-12\\_en](https://neighbourhood-enlargement.ec.europa.eu/news/eu-working-together-african-partners-migration-launch-team-europe-initiatives-2022-12-12_en), last accessed on 30 May 2023.

411 Council of the European Union, 'Border management: Council authorises the opening of negotiations with four Western Balkans partners on Frontex cooperation', Press release, 18 November 2022, <https://www.consilium.europa.eu/en/press/press-releases/2022/11/18/border-management-council-authorises-the-opening-of-negotiations-with-four-western-balkans-partners-on-frontex-cooperation/>, last accessed on 9 March 2023.

412 Commission Implementing Regulation (EU) 2021/581 of 9 April 2021 on the situational pictures of the European Border Surveillance System (EUROSUR), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021R0581&qid=1618306409753>, last accessed on 16 March 2023.

413 Europol, 'EU Policy Cycle – EMPACT', 20 January 2022, <https://www.europol.europa.eu/crime-areas-and-statistics/empact>, last accessed on 10 March 2023.

414 Council of the European Union, 'Asylum and migration: the Council approves negotiating mandates on the Eurodac and screening regulations and 21 States adopt a declaration on solidarity', Press release, 22 June 2022, <https://www.consilium.europa.eu/en/press/press-releases/2022/06/22/migration-and-asylum-pact-council-adopts-negotiating-mandates-on-the-eurodac-and-screening-regulations/>, last accessed on 16 March 2023.

415 BE, CY, CZ and NO.

416 EE, LV, NL.

417 BE, CY.

418 EE, LV, NL.

of dedicated specialised units<sup>419</sup> and delivery of training courses, information and equipment,<sup>420</sup> to the introduction of stricter administrative requirements to admit third-country nationals.<sup>421</sup> Germany created a permanent helpdesk and introduced the use of apps on mobile police devices for document verification and facial comparison to detect document falsifications and misuse, while Spain established a National Forgery Desk to support police detection activities. The Slovak Republic introduced a new obligation for applicants for Schengen visas from Vietnam, Bangladesh, Iran and Morocco to submit an invitation certified by a police department, rather than the notarised version previously accepted. This was due to the

increase in the number of irregularly staying third-country nationals of these nationalities submitting false documents when applying for their visas.

Partnerships were established by EU Member States to enhance intelligence and operational cooperation and to identify and address smuggling *modus operandi*.<sup>422</sup> Germany, for example, ran the operational action 'Visa Fraud', promoting EU-wide analysis to curb fraudulent procurement of visas. Austria and Switzerland signed an action plan to discuss campaigns at the Swiss-Austrian border and the integration of police activities in the two countries, with a focus on the Western Balkan route.



## 9.3. PREVENTING FACILITATION OF IRREGULAR MIGRATION ('SMUGGLING') AND PREVENTING IRREGULAR STAY

### 9.3.1. Combating facilitation of irregular migration (smuggling)

In order to prevent the facilitation of irregular migration, EU Member States undertook legal developments to simplify procedures to prosecute smugglers and introduce stricter sanctions against their activities, as well as to counter irregular migration.<sup>423</sup> They also stepped-up border management capabilities to enhance operational effectiveness.<sup>424</sup>

As a result of a substantial increase in irregular migrants' transit and stay, three EU Member States proposed legislative changes to further criminalise migrant smuggling activities and simplify return or prosecution procedures.<sup>425</sup> Following an unprecedented increase in irregular migration in the second half of 2022, the Czech Republic proposed amendments to the Criminal Code to introduce stricter penalties for migrant smugglers, issue return decisions to 'unreturnable' irregular migrants, and increase reception capacity. In Estonia, a legislative amendment came into force, stipulating that the PBGB can detain a third-country national for up to 48 hours without authorisation by an administrative court in order to verify their identity and establish whether they are subject to the obligation to leave the country. The Netherlands also issued a legislative proposal to facilitate the prosecution of third-country nationals responsible for migrant smuggling activities outside of its national territory. By broadening the extraterritorial jurisdiction in relation to migrant smuggling, the proposal makes it possible for anyone accused of migrant smuggling to be prosecuted before a Dutch court. Belgium established a special parliamentary commission to evaluate existing legislation, policies and cooperation agreements on trafficking in human beings and smuggling of migrants, as well as the applicable legal

provisions for both the prosecution of perpetrators and the protection of victims.

As Germany took the lead in the EMPACT priority on combating migrant smuggling 2022-2025,<sup>426</sup> it coordinated joint operations with other EU Member States and agencies to fight migrant smuggling networks. It has also taken co-leadership (with Austria) of the Western Balkans Task Force.

Several EU Member States reported strengthening their police services, protocols and operations to address irregular migration in 2022.<sup>427</sup> Belgium introduced new guidelines to help police coordinate and harmonise their response to the growing number of intercepted vehicles carrying nautical equipment, such as small boats, intended for crossing the English Channel from northern France. The Netherlands intensified the operational supervision of the Royal Netherlands Marechaussee (KMar) along the borders. In Portugal, a protocol was signed between the Immigration and Borders Service (SEF) and the Criminal Police to coordinate the fight against criminal networks involved in migrant smuggling.

Finally, with a view to enhancing intelligence and operational cooperation against smuggling, some EU Member States established cooperation partnerships.<sup>428</sup> In December 2022, the Netherlands invited the Ministers of the Interior and/or Migration of Belgium, France, Germany, the UK to formulate a joint statement to bolster cooperation in fighting irregular migration and migrant smuggling. Similarly, the Slovak Republic joined the Agreement on the Establishment of a Joint Investigation Team between the Czech Republic and Hungary for the purpose of facilitating international cooperation when investigating and prosecuting migrant smuggling, with a particular focus on the Western Balkan route.

419 DE, ES.

420 BG, CY, CZ, EE, DE, FI, LT, SI and NO.

421 SK.

422 BE, CZ, DE, FR, HU, NL, SK.

423 BE, CZ, EE, NL.

424 BE, DE, HU, NL, PT, SI, SK.

425 CZ, EE, NL.

426 Council of the European Union, 'Council conclusions setting the EU's priorities for the fight against serious and organised crime for EMPACT 2022-2025', 9 March 2023, <https://data.consilium.europa.eu/doc/document/ST-7101-2023-INIT/en/pdf>, last accessed on 16 March 2023.

427 BE, CY, NL, PT, SI, SK.

428 AT, BE, CZ, DE, FR, HU, NL, SK.



### 9.3.2. Prevention of irregular migration

EU Member States introduced a variety of measures to prevent irregular migration. Those exposed to potential threats at the border adopted a security approach to contain the threats posed by the Russian Federation and Belarus.<sup>429</sup> Other EU Member States, as well as Norway and Armenia, opted for ‘softer’ measures to dissuade potential migrants from engaging in irregular migration by making them aware of the risks,<sup>430</sup> or investing in legal migration pathways offering legal alternatives to irregular migration.<sup>431</sup>

Member States at the eastern land border of the EU introduced contingency measures and increased border patrols in response to threats posed by the Russian Federation and the Belarusian regime. In 2022, Latvia and Lithuania declared a state of emergency, which allowed them to reinforce border controls and target the admission of Russian nationals fleeing into their territory. In Lithuania, this required the designation of specific border crossing areas for admission and/or to apply for international protection. Legislative amendments in Finland also allowed the building of barriers, such as a fence in the border zone.

#### Contingency planning training in Estonia

In 2022, Estonia revised its emergency plan and its annexes. In September 2022, the PBGB and the Estonian Defence League held joint training, ‘Müür’ (Wall), to practice implementing an emergency plan in case of a mass influx of migrants. The training also focused on how Estonia could request assistance and receive logistical support from the EUAA.

Several EU Member States, Norway and Armenia invested in preventing irregular migration by informing potential migrants of the risks through information, awareness-raising and dissuasion campaigns in countries of origin, or by addressing diaspora groups in countries of destination.<sup>432</sup> Belgium continued its dissuasion campaign to prevent irregular migration from Albania and addressed the Albanian and Filipino communities in Belgium, as well as Georgian nationals in Tbilisi. Norway funded projects in Morocco and Bosnia and Herzegovina. Run by the IOM, the latter aimed to support irregular migrants and raise awareness of the risks associated with irregular migration and the possibility of assisted voluntary return. The Migration Service of Armenia worked with international partners and civil society organisations on information campaigns and media activities. A series of meetings and training courses were launched to help local journalists to present accurate and reliable migration-related content to the public, with the aim of increasing awareness of the risks of irregular migration to the EU among Armenian nationals.

To promote legal pathways, the EU and Spain co-funded a project to strengthen the capacities of stakeholders involved in legal migration to the EU in eight African countries (Morocco, Senegal, Cape Verde, Tunisia, Egypt, Ghana, Nigeria and Ethiopia).

### 9.3.3. Prevention of irregular stay

Several EMN Member Countries introduced measures to prevent irregular stay of third-country nationals, primarily by enhancing data collection and monitoring strategies.<sup>433</sup> Estonia submitted a legislative proposal to implement a migration surveillance system (MIGIS) to assist officials in monitoring third-country nationals’ compliance with legal requirements to reside in Estonia. Hungary’s National Directorate-General for Aliens Policing introduced its first Annual National Monitoring Plan, which provides a comprehensive overview of the aims, methodology and tools of on-site monitoring at national level.

### 9.3.4. Cooperation with third countries to prevent irregular migration

In 2022, as the Western Balkan and Central Mediterranean routes gained prominence, EU Member States and Norway established various forms of cooperation with third countries from these regions, focusing primarily on operational cooperation against migrant smuggling, border control, return and readmission,<sup>434</sup> and to a lesser extent on the establishment of legal pathways with countries of origin.<sup>435</sup>

EU Member States and authorities from the Western Balkans concluded bilateral or multilateral cooperation agreements to join forces in the fight against irregular migration.<sup>436</sup> In 2022, Czech police units were deployed to North Macedonia in advance of a joint Frontex operation. The Slovak National Unit to Combat Irregular Migration visited Serbia to investigate crimes linked with migrant smuggling along the Western Balkans route. Austria and Hungary signed an MoU with Serbia to strengthen cooperation to effectively address irregular migration. The three countries also discussed return-related issues, the deployment of border officials, and the provision of technical equipment at the Serbian-North Macedonian border.

EU Member States discussed the possibilities for greater cooperation with countries of origin and transit along the Central and Western Mediterranean routes.<sup>437</sup> In 2022, Austria met with Libyan, Egyptian and Turkish authorities to discuss cooperation on the prevention of irregular migration and organised crime, as well as protection and prospects in countries of origin. Spain established police cooperation agreements with the Mauritanian authorities to combat migrant smuggling and trafficking in human beings. Portugal and Morocco concluded an agreement on the employment and stay of Moroccan workers in Portugal to establish a stable legal migration channel between the two countries.

429 EE, LT, LV, PL.

430 BE and AM, NO.

431 ES.

432 AT, BE, ES and NO, AM.

433 BE, CY, EE, HU.

434 AT, CZ, CY, ES, HU.

435 PT.

436 AT, CZ, HU, SK.

437 AT, ES, PT.

Several EU Member States engaged in further cooperation with Eastern Partnership countries.<sup>438</sup> The Slovak Republic prepared a plan for the development of cooperation with Ukraine for 2023-2024 to ensure security at the common border, while continuing to implement the current plan.

### 9.3.5. Monitoring and identifying irregular migration routes

In 2022, EU agencies provided key support to EU Member States in anticipating and responding to new developments along the main irregular migratory

routes to the EU, either through advanced monitoring and intelligence operations or by ensuring effective control at EU external borders.

EU Member States partnered with EU agencies to monitor and identify irregular migration routes.<sup>439</sup> In 2022, Greece participated in joint operations such as 'Albania Sea 2022' and 'Terra 2022'. Estonia's PBGB sent its first request for additional human and material support as part of a Frontex joint operation on patrol and monitoring activities at the EU external border, while Luxembourg started implementing data collection processes via EUROSUR.



## 9.4. ACCESS TO SERVICES AND LEGAL SOLUTIONS FOR IRREGULARLY STAYING MIGRANTS

### 9.4.1. Access to services for irregularly staying migrants

Some EU Member States reported new developments on access to services by irregularly staying third-country nationals.<sup>440</sup> Spain funded a series of measures to respond to irregular migration along the Atlantic route and foster the socio-occupational integration of young migrants in the Canary Islands. It also planned to increase reception capacity for migrants in vulnerable conditions, including irregular migrants and applicants for international protection, by adding 5 700 new reception units and upgrading existing reception centres. Italy allocated additional funding from its Recovery and Resilience Plan (RRP) to 37 municipalities to upgrade the illegal settlements of agricultural workers, many of whom are third-country nationals.

### 9.4.2. Legal solutions for irregularly staying migrants

Ireland, Italy and Lithuania introduced regularisation schemes for irregularly staying migrants in 2022. Italy provided the legal possibility for employers to immediately hire workers who were already irregularly present in Italy as of 1 May 2022, if their presence could be proven by fingerprinting, declarations or documentation issued by public bodies. In Lithuania, a new amendment instructed authorities that expulsion decisions not enforced within

five years would imply that the foreigner was eligible for a temporary residence permit.

#### Ireland's regularisation of long-term undocumented migrants and eligible dependents

In January 2022, the Irish government opened applications for a regularisation scheme for long-term undocumented migrants and their eligible dependents.<sup>441</sup> The first positive decisions under the scheme were announced in April 2022. The Minister for Justice ran a targeted communications campaign and engaged with NGOs in the sector to reach out to migrant communities likely to benefit from the scheme in order to encourage more applications.

Eligible applicants had to demonstrate a period of four years' residence in the State without permission, or three years for those with children, immediately prior to the date the scheme opened for applications. They were permitted to include a spouse, civil partner or *de facto* partner and eligible children aged 18-23 years, who must have been living with the principal applicant for two years. Applicants also had to comply with other requirements, including being of good character. Successful applicants were granted an immigration permission, allowing unrestricted access to the labour market.



## 9.5. OTHER MEASURES ON IRREGULAR MIGRATION

EU Member States introduced various measures in favour of irregular migrants, ranging from the introduction of legal changes to protect their rights, to the adoption of new case management approaches and independent monitoring mechanisms.<sup>442</sup> In the context of a case relating to the detention of third-country nationals with a view to their expulsion, the Belgian Court of Cassation ruled that when determining the hours during which a home visit cannot take place - consent for the

police to enter the home must be given in writing. This development could translate into a need to adjust practice guidelines and, possibly, the legal framework.

Belgium also created a new 'Alternatives to Detention' (ATD) department within its Immigration Office to assist irregularly staying third-country nationals to find durable prospects as alternatives to detention.

438 EE, SK.

439 CY, EE, EL, LT.

440 ES, IT.

441 Department of Justice, 'Regularisation of Long-Term Undocumented Migrants Scheme', Immigration Service Delivery, 13 January 2022, <https://www.irishimmigration.ie/regularisation-of-long-term-undocumented-migrants-scheme/>, last accessed on 5 May 2023.

442 BE, FI, HR.

Fedasil piloted shelter and orientation projects run by civil society organisations and managed by city administrations. In addition to offering shelter, these are designed to provide intensive coaching and orientation to people without legal residence, who have been homeless for a long time and are willing to work towards a durable solution. Fedasil expanded its outreach activities and adapted its services to (re)connect with irregularly staying migrants (with or without return decisions) via low-threshold services, such as a mobile outreach team, approaching migrants living on the streets or in squats, frequenting day centres, etc. Intercultural mediators proactively establish contact with migrants in need of orientation, providing information that can result in a case resolution.

Croatia signed an agreement to introduce an independent mechanism to monitor the conduct of police officers in respect of irregular migration and international protection. This continued the mechanisms implemented from June 2021 to June 2022. In Finland, the Ministry of the Interior investigated potential solutions to address the situation of irregular migrants. In February 2022, two reports were published but no further steps were taken.

# 10. TRAFFICKING IN HUMAN BEINGS

Trafficking in human beings remained a key concern for the EU Member States, Norway, Georgia, Moldova and Armenia during 2022. According to the most recent Europol data, trafficking in human beings and migrant smuggling offences were on an upward trend in Europe in 2021,<sup>443</sup> enabled by sustained high migratory flows and increasingly professionalised organised crime groups taking advantage of the online environment to reach and exploit victims.<sup>444</sup> National legislative and policy changes introduced in 2022 were generally driven by national anti-trafficking action plans, which saw EU Member States

continue to implement and adopt measures to improve the detection, identification, support and protection of victims of trafficking in human beings. Cross-border joint investigations, operations and cooperation frameworks also played a major role in uncovering instances of trafficking in human beings, detecting and identifying victims, and tackling the transnational criminal networks behind these offences. Despite developments in the detection and identification of victims, EMN Member and Observer Countries reported very few developments in victim protection.

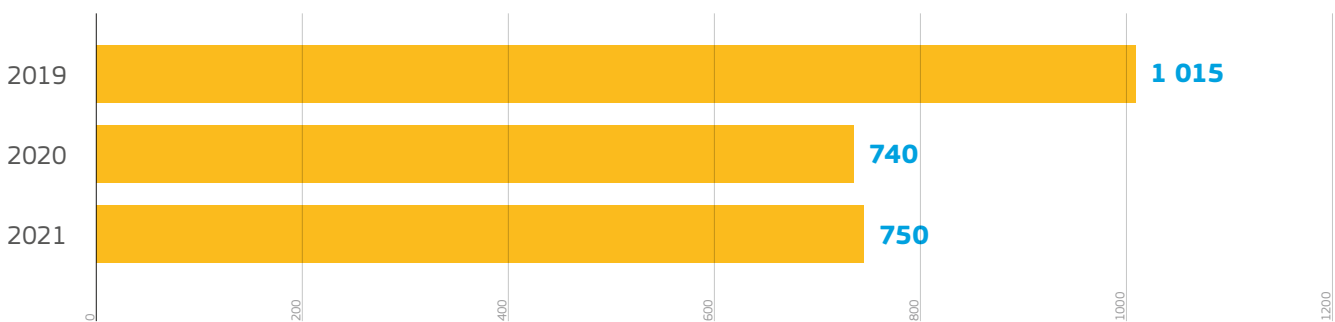


## 10.1. EU DEVELOPMENTS

Europol's European Migrant Smuggling Centre published its sixth annual report in February 2022. The report noted a significant increase in migrant smuggling and trafficking in human beings along established and emerging routes, supported by a rise in the demand for

illegally crossing EU external borders and the professionalisation of smuggling networks.<sup>445</sup> Available data showed a decrease in the number of first residence permits issued by EU Member States and Norway to victims of trafficking in human beings between 2019 and 2021.

**Figure 20: Number of first residence permits issued to victims of trafficking in human beings, EU and Norway, 2019-2021**



Source: Eurostat ([migr\\_resoth](#)), extracted on 8 May.

2022 was marked by the evaluation of the Anti-Trafficking Directive 2011/36/EU,<sup>446</sup> originally adopted in

2011, which resulted in the Commission putting forward a proposal to amend the Directive,<sup>447</sup> alongside the

<sup>443</sup> Most recent Europol data available.

<sup>444</sup> Europol, 'European Migrant Smuggling Centre 6th Annual Report', 2022, pp. 5-6, 24, <https://www.europol.europa.eu/publications-events/publications/european-migrant-smuggling-centre-6th-annual-report-%E2%80%93-2022#:~:text=The%20facilitation%20of%20illegal%20immigration,threats%20facing%20the%20European%20Union>, last accessed on 26 April 2023.

<sup>445</sup> Ibid.

<sup>446</sup> 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, <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32011L0036>, last accessed on 17 March 2023.

<sup>447</sup> European Commission, Proposal for a Directive of the European Parliament and of the Council amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, 2021, [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules_en), last accessed on 17 March 2023.

accompanying impact assessment<sup>448</sup> and the full evaluation.<sup>449</sup> The proposal for targeted amendments of the Anti-Trafficking Directive, presented in December 2022, includes additional provisions on the definition of trafficking offences (forced marriages, illegal adoptions, offences committed by digital means) and reinforced provisions on sanctions for legal persons. The revised Article 18 would require Member States to criminalise the knowing use of services provided by a victim of exploitation. The proposal also lays out more stringent requirements for Member States to set up NRMs, as well as obligations to collect data and report to the Commission.

The European Commission presented its report on progress in the fight against trafficking in human beings (fourth report) at the end of 2022.<sup>450</sup> It outlined key issues in addressing trafficking in human beings in the EU, including data, new challenges, and actions taken to implement the EU Strategy, as well as the Common

Anti-Trafficking Plan to prevent trafficking of persons fleeing Russia's military aggression in Ukraine.

In March 2022, the EU Anti-Trafficking Coordinator gave the keynote speech at the EMN launch of its publication on third-country national victims in human beings: detection, identification and protection. The study highlighted that vulnerable migrants are at persistent risk of becoming victims of trafficking in human beings along migration routes. Their detection and identification in mixed migration flows remains a challenge in a number of EU Member States, along with tensions with the current legal framework (especially within asylum procedures) and disruptions to victim assistance and support services.

EMPACT (the European Multidisciplinary Platform Against Criminal Threats) has set out trafficking in human beings as one of the platform's key priorities in its EU policy cycle 2022-2025.<sup>451</sup>

**Table 2: Number of victims of trafficking in human beings identified in 2022**

| Total number of TCNs 'identified' as victims of trafficking in human beings in 2022.<br>'Presumed to be' victims are shown in brackets. |         |         |        |
|---|---------|---------|--------|
|   | Total   | Female  | Male   |
| Austria   | 75      | 14      | 61     |
| Belgium   | 214     | 32      | 182    |
| Bulgaria  | 12      | 7       | 5      |
| Cyprus  |         |         |        |
| Czech Republic  | (13)    | (7)     | (6)    |
| Germany   | n/i     | n/i     | n/i    |
| Estonia   | (86)    | (51)    | (30)   |
| Greece  | 3 (358) | 3 (291) | 0 (67) |
| Spain   | 206     | 131     | 75     |
| Finland   | (367)   | (192)   | (175)  |
| France  | 173     | 139     | 34     |
| Croatia   | 2       | 2       | 0      |
| Hungary   | 3       | 2       | 1      |
| Ireland   | 28      | 19      | 9      |
| Italy   | 2195    | 1433    | 695    |
| Lithuania   | n/i     | n/i     | n/i    |
| Luxembourg  | 46 (8)  | 44 (3)  | 2 (5)  |
| Latvia  | 4       | 2       | 2      |
| Malta   | 5 (7)   | 5 (5)   | (2)    |
| Netherlands   | n/i     | n/i     | n/i    |
| Poland  | 180     | n/i     | n/i    |
| Portugal  | 77      | n/i     | n/i    |
| Sweden  | 515     | 222     | 293    |
| Slovenia  | 5 (14)  | 5 (2)   | 0 (12) |
| Slovak Republic   | 0 (2)   | 0 (2)   | 0 (0)  |
| Norway  | n/i     | n/i     | n/i    |

Source: Statistics provided by EMN National Contact Points. Statistics not available or provided for Denmark and Romania.

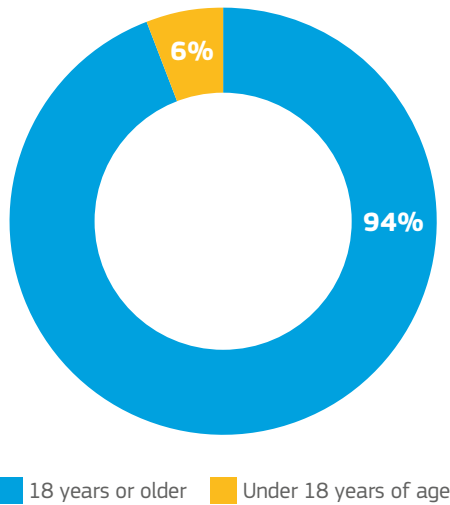
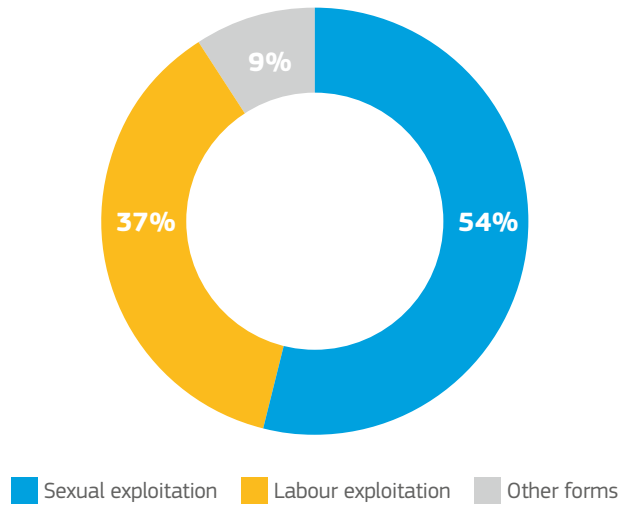
448 European Commission, Impact Assessment Report accompanying the Proposal for a Directive of the European Parliament and of the Council amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, 2021, [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules_en), last accessed on 17 March 2023.

449 European Commission, Evaluation of the Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, 2021, [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13106-Fighting-human-trafficking-review-of-EU-rules_en), last accessed on 17 March 2023.

450 European Commission, 'Report on the progress made in the fight against trafficking in human beings (fourth report)', Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM/2022/736 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022DC0736>, last accessed on 28 April 2023.

451 Europol, 'EU Policy Cycle - Empact', <https://www.europol.europa.eu/crime-areas-and-statistics/empact>, last accessed on 30 May 2023.



**Figure 21: Number of victims identified, by age****Figure 22: Number of victims identified, by forms of exploitation**

Source: Statistics provided by EMN National Contact Points. Statistics not available or provided for Denmark and Romania.



## 10.2. NATIONAL STRATEGIC POLICY DEVELOPMENT

### 10.2.1. National anti-trafficking action plans or strategies

Two EU Member States,<sup>452</sup> Georgia and Armenia adopted new national action plans or programmes to tackle trafficking in human beings. Bulgaria adopted its national prevention and action programmes covering two years, 2022 and 2023. In Italy, the Action Plan against Trafficking in Human Beings 2022-2025 emphasises the need to better account for vulnerability characteristics of potential victims, in line with other national strategies, to improve identification and protection of victims. Georgia adopted its 2023-2024 Action Plan against Trafficking, which aims to improve the detection of victims, coordination between stakeholders, and prosecution of perpetrators, and includes recommendations from the United States (US) State Department.

Policymakers from five EU Member States<sup>453</sup> worked on revising their national anti-trafficking plans or strategies. Croatia commenced work on its National Plan 2022-2027 after its previous plan lapsed in 2021. With financial support from the EU's Technical Support Instrument (TSI), Malta started to develop its new anti-trafficking strategy, including consulting government and civil society stakeholders. Ireland published its Third National Strategy on Domestic, Sexual and Gender-Based Violence, together with an implementation plan containing specific actions to tackle trafficking for sexual exploitation and committing to identifying linkages with the next National Action Plan to Combat Human Trafficking.

Armenia developed the National Programme for the Organisation of the Fight against Trafficking and Exploitation

in Human Beings in the Republic of Armenia 2023-2025. Chapter 2 of the Programme addresses child trafficking and exploitation prevention, emphasising child-centred approaches and training to improve detection and support to victims.

### 10.2.2. Key legislative changes

Five EU Member States<sup>454</sup> adopted or drafted key legislation on anti-trafficking policy and on the standing of victims.

In order to address challenges where victims may find it difficult to come forward, policymakers in three EU Member States<sup>455</sup> adopted acts or legislative proposals to facilitate the detection and identification of potential victims of trafficking in human beings, notably by providing for their identification by additional or alternative public bodies to police or judicial authorities. Finnish law was amended so that a victim is now identified by the National Assistance System for Victims of Human Trafficking, regardless of the initiation of criminal proceedings. This victim-centred approach seeks to encourage victims to come forward for identification and to access support. The Ministry of Justice was granted funding for a two-year project to build an NRM to facilitate helping and supporting victims of trafficking in human beings, including child victims. Ireland published a draft legislative proposal<sup>456</sup> to revise its NRM to recognise the role of State bodies other than the Irish Police and NGO in identifying victims, receiving applications from potential victims, and referring victims to the appropriate help. This includes state bodies such as the Child and Family Agency (Tusla), and NGOs as trusted partners. The Greek judiciary issued

<sup>452</sup> BG, IT.

<sup>453</sup> FR, HR, HU, IE, MT.

<sup>454</sup> BE, EE, FI, IE, PL.

<sup>455</sup> EL, FI, IE.

<sup>456</sup> General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2022,

a circular simplifying the conditions in which authorities must identify a victim of trafficking in human beings and grant a fixed reflection, regardless of the victim's willingness to cooperate. The circular provides that indications of trafficking in human beings necessitate the victim being identified, with authorities previously reluctant to do so where evidence was deemed insufficient. Statutes underpinning the Armenian Commission for the Identification of Victims of Trafficking and Exploitation in Human Beings were similarly amended with a view to improving information sharing, increasing the amount of information available, and better assisting investigations, as well as providing support and protection for trafficked victims.

Three other EU Member States<sup>457</sup> adopted legislation and policies to improve **victim protection** and **access to support**. Belgium amended its legislation criminalising procuring of sexual services to better target exploitative networks and protect victims, notably by requiring authorities to automatically refer victims to specialised reception shelters. The Belgian Law on Human Trafficking was also modified to clarify its definition of a victim of trafficking in human beings and to explicitly require all victims of trafficking in human beings (including Belgian nationals) to be referred to specialised reception centres. The modifications also made clearer provisions on public funding of such centres. Prompted by disparities in policy implementation at local level, the French government issued a circular setting up regional commissions to fight trafficking in human beings for the purpose of sexual exploitation and to protect victims of this crime. In Estonia, in December 2022, the Victim Support Act was adopted to legally provide for services and compensation to be offered to victims of crime, including victims of trafficking in human beings. The new Act foresees the provision of social and psychosocial assistance services, as well as the possibility to grant a temporary residence to victims of trafficking-related crimes.

### 10.2.3. Other strategic developments

Three EU Member States<sup>458</sup> reported investing increased resources in supporting their anti-trafficking

policy. In Poland, this was driven by the need to provide and improve assistance to increased numbers of trafficking victims. The Belgian government allocated additional human resources to combat trafficking for labour exploitation, in light of previous staff shortages and an increase in the number of victims identified.

Four EU Member States<sup>459</sup> reported data collection and monitoring activities to support the formulation of new policies or to assist in the implementation of existing policies to tackle trafficking in human beings. Belgium established a new Parliamentary Commission to assess anti-trafficking legislation and policy, with its members expected to present their conclusions and recommendations in early 2023. In Germany, a national monitoring instrument<sup>460</sup> was set up to collect and analyse data on trafficking in human beings and to support all levels of regional and national government, as well as relevant civil society organisations. The Netherlands developed and implemented regional monitors on trafficking in human beings for the purpose of labour exploitation as part of its efforts to renew previous trafficking data collection tools.

Measures were also introduced to increase cooperation between stakeholders and enhance understanding of trafficking of minors. In 2022, Belgium developed a 'strategic image project' to gain a better understanding of human trafficking of minors. Germany sought to enhance cooperation between different stakeholders at regional level, by holding multidisciplinary expert meetings and supporting networks to combat child trafficking. Other EU Member States aimed to increase understanding and knowledge of human trafficking of minors through training,<sup>461</sup> workshops,<sup>462</sup> and a new handbook for guardians.<sup>463</sup>

Belgium and Georgia opened specialised facilities for child victims of trafficking in human beings. In Belgium, the Flemish non-profit organisation Minor-Ndako opened a new reception structure 'Meza' for up to six unaccompanied girls (14-18 years of age) who are suspected victims of trafficking in human beings. Georgia's psychological-social service centre for minor victims of violence became fully operational.

## 10.3. IMPROVING DETECTION, IDENTIFICATION AND PROVISION OF INFORMATION TO THIRD-COUNTRY NATIONAL VICTIMS OF TRAFFICKING IN HUMAN BEINGS

### 10.3.1. Public awareness and victim engagement actions

Ten EU Member States<sup>464</sup> and Georgia carried out different types of public awareness actions, with campaigns in six EU Member States<sup>465</sup> and online reporting tools established in two others.<sup>466</sup> Cyprus's 'Now you

know' public awareness campaign sought to inform the public on the recently introduced criminalisation of requesting sexual services from a victim of human trafficking. It also aimed to raise awareness of its anti-trafficking hotline to support victim identification and referrals. The online reporting tools introduced in Belgium and Cyprus allow members of the public to notify the authorities of

457 BE, EE, FR.

458 BE, NL, PL.

459 BE, DE, FR, NL.

460 The instrument sits within the German Institute for Human Rights (DIMR).

461 DE, FR.

462 DE.

463 BE: Service Public, Federal Justice, 'Manuel des tuteurs/tutrices' (French), n.d., [https://justice.belgium.be/fr/themes/enfants\\_et\\_jeunes/mineur\\_etranger\\_non\\_accompagne\\_mena/manuel\\_des\\_tuteurstutrices](https://justice.belgium.be/fr/themes/enfants_et_jeunes/mineur_etranger_non_accompagne_mena/manuel_des_tuteurstutrices), last accessed on 10 March 2023.

464 AT, BE, CY, CZ, FI, HR, IE, LV, PL, SK.

465 AT, BE, CY, IE, LU, SK.

466 BE, CY.

suspected cases of trafficking in human beings and labour exploitation.

EU Member States adopted measures directly targeting potential victims of trafficking in human beings, such as providing translated information leaflets in key hotspots (e.g. border crossing points, asylum reception centres).<sup>467</sup> The Slovak Republic started to inform asylum seekers in reception centres about the crime of trafficking in human beings and the support and protection available for victims, highlighting the national anti-trafficking helpline. In Finland, the newly launched mobile application 'Work Help Finland' targets foreign workers and includes information on their rights, risks and signs of labour exploitation, and support contacts, translated into 26 languages. Italy reported an ongoing initiative and calls for projects to better engage, identify and protect victims of trafficking in human beings.

### Victim support projects in Italy

Italy's Piemonte region is implementing the '**AL-Fa-Embracing fragility**' project, with AMIF funding. The project looks at innovative ways of detecting and identifying victims, offering shelter for potential victims of trafficking in human beings, providing for their social inclusion, health monitoring and access to legal information, away from presumed perpetrators and exploitative environments. The project was set up in response to the influx of arrivals and asylum applications from Libya and West Africa, and covered 400 trafficked victims.

Italy organised its 2022 national call for projects in assisting victims of trafficking in human beings. Twenty-one projects were launched in October and will run until March 2024, with total funding of more than €27 million. Projects span engagement activities with groups vulnerable to trafficking in human beings, coordinated actions to identify and ensure immediate protection and support for victims, actions to defend victims from forced marriages or other forms of exploitation, to assist victims with legalising their situations, or provide victims with key skills for social integration or voluntary return.

## 10.3.2. Training personnel

The development and delivery of training to personnel was often motivated by commitments in national anti-trafficking action plans.<sup>468</sup>

Training courses in EU Member States and Georgia often involved different national authorities participating concurrently.<sup>469</sup> Detection, identification and referral were the most frequent training topics, with courses often looking at how these different authorities could best work together (e.g. law enforcement and labour inspectors supporting each other to investigate cases of trafficking for labour exploitation).<sup>470</sup> Greece and Georgia reported

training sessions with a broader mix of stakeholders, including national authorities, public providers of health and social services, and civil society organisations. Four EU Member States<sup>471</sup> and Georgia reported capacity-building measures to improve the awareness of personnel from different organisations of their referral mechanisms or procedures, as well as their own responsibilities.

Six EU Member States<sup>472</sup> reported training targeting law enforcement and border management authorities, covering detection, identification, referral and protection of victims, as well as investigative methods to prosecute perpetrators. In response to recommendations to its national authorities by the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA), the Slovak Republic conducted training for staff in police detention centres for foreigners to help them to detect and identify cases of trafficking in human beings. Four EU Member States<sup>473</sup> also reported training for labour inspectors on detecting, identifying and handling cases of trafficking for labour exploitation.

Targeted training sessions were arranged for immigration and asylum personnel in five EU Member States,<sup>474</sup> focusing on detecting and identifying trafficked victims in migration or asylum procedures and referring them to support services. The IOM conducted training sessions in the Slovak Republic, while the EUAA provided training in Greece. Training was also organised for social and child-care workers and employees of the Armenian Ministry of Social Affairs to help them to prevent and detect possible cases of trafficking in human beings, especially minors.

Eight EU Member States<sup>475</sup> adopted or updated guidelines, training materials and data collection tools to support their staff in combating trafficking in human beings. The Czech Republic introduced a 'Human Trafficking Indicators Card', which was distributed to relevant actors to help them to detect potential victims of trafficking in human beings. Similarly, the Greek Asylum Service updated its guidelines and standard operating procedures (SOPs) to improve identification and handling of trafficking cases. Hungarian authorities adopted a methodology for identifying trafficked victims in the presence of presumed perpetrators. The French Central Office for Combating Human Trafficking (OCRTEH) published a training guide, in cooperation with 28 NGOs, to support all staff dealing with victims of trafficking in human beings. It also developed its ProxHit IT tool to assist investigative authorities by providing statistics and mapping websites advertising prostitution.

## 10.3.3. Intra-national cross-service operational cooperation

Eight EU Member States<sup>476</sup> implemented measures to encourage cross-service operational cooperation, including cooperation frameworks between different authorities tackling trafficking in human beings. Cypriot police and social welfare services signed a Memorandum of

467 BE, DE, IT, PL, SK and GE.

468 AT, BE, FI, FR, HR, PL, SK.

469 AT, CY, CZ, EE, EL, FR, IT, LV, SI, SK.

470 EE, EL and GE.

471 CY, DE, EL, SK.

472 CY, EE, FR, HR, PL, SK.

473 BE, EE, SI, PL.

474 AT, EL, FI, SE, SK.

475 BE, CZ, DE, EL, FI, FR, HU, PL.

476 BE, CY, DE, FI, FR, PL, PT, SK.

Cooperation on the information, treatment, protection and referral of trafficked cases. In France, the OCRTEH (French Central Office for the Repression of Human Trafficking) signed an agreement with specialised NGOs to systematically involve them – through an established network – in cases of trafficking for sexual exploitation, before each interview with the victim. Ahead of its restructuring, the Portuguese Immigration and Border Service agreed a temporary transition of its competences with the criminal police to ensure continued coordination of anti-trafficking action. As per its National Anti-Trafficking Action Plan, the Slovak Republic instituted a working group to draft a legislative definition differentiating between trafficking for the purposes of forced labour and poor working conditions.

Three EU Member States<sup>477</sup> reported cooperative operations between their national authorities. These included social inspection services in Belgium uncovering more than 170 possible victims of trafficking for labour exploitation on a construction site. In Slovenia, joint action days between the police, labour inspectorate, financial administration and trade unions identified potential victims of trafficking in human beings (notably those subjected to sexual or labour exploitation, or forced criminality), carried out preventive activities, and reinforced cooperation between the authorities.

### 10.3.4. Cooperation between EU Member States and third countries

#### Cooperation agreements

Cooperation between EU Member States, EU agencies and third countries continued in 2022, in the context of increased activity among cross-border and online criminal networks involved in human smuggling and trafficking in human beings.<sup>478</sup>

Five EU Member States,<sup>479</sup> Norway and Georgia adopted new frameworks and agreements to improve operational cooperation between their national authorities and those of other EU and international partners. Germany and Bulgaria developed bilateral referral for victims of trafficking for labour exploitation in the framework of a joint working programme. Slovenia and North Macedonia signed a cooperation agreement to jointly combat trafficking in human beings and to identify, refer and protect its victims, several of whom were expected to arrive in Slovenia from North Macedonia. Spain set up cooperation with Mauritanian law enforcement authorities to support them to combat human smuggling and trafficking in human beings from and via their national territory, including posting four Spanish police officers in Mauritania. The Nordic Council instituted its working group on trafficking in human beings, bringing national anti-trafficking coordinators together.

The EU Support Hub meeting on trafficking in human beings led to Moldova leading 16 Operational Actions (OAP) in the Trafficking in Human Beings EMPACT Operational Action Plan. This allowed Moldova to access a number of EU networks and tools, such as the EU Network of national rapporteurs and equivalent mechanisms on trafficking in human beings.

#### Cross-border training

Seven EU Member States<sup>480</sup> and Georgia organised cross-border training activities on trafficking in human beings. These involved the national authorities from EU Member States and third countries, as well as support from EU agencies and international organisations.

Training took place for EU Member States' and third-country national authorities, particularly along identified routes for smuggling and trafficking activities. The German Federal Criminal Police conducted and attended training with their Vietnamese and Moroccan counterparts within the PAYDAY and ETUTU EMPACT cooperation frameworks.<sup>481</sup> Five new anti-trafficking capacity-building projects (to be delivered by the IOM for national authorities in Egypt, Mauritania, Morocco, Niger and Tunisia) were submitted under the Regional Development Protection Programme for North Africa.<sup>482</sup> As part of its national strategy for the Western Balkans, France organised two workshops on combating trafficking in human beings, in Bosnia and Herzegovina and in Montenegro. Regional initiatives included a Georgian-led workshop on combating trafficking for sexual exploitation of women and girls in the Southern Caucasus and in Central Asia, as well as the adoption of new guidelines for the Baltic Sea mechanism for referring cross-border victims of trafficking in human beings.

European agencies played a key role in facilitating training sessions. In September 2022, Frontex led an anti-trafficking training week in Tallinn, attended by national authorities from 16 countries. Also in September, Europol and the European Labour Authority (ELA) supported French-led action days against trafficking for labour exploitation in the agricultural sector. These included training sessions for law enforcement authorities, labour inspectorates and fiscal authorities from 16 countries, with more than 6 000 officials taking part in operational activities.

#### Joint operations

Three EU Member States<sup>483</sup> and Moldova described joint operations involving their national authorities. Cooperation between EU Member States and agencies, as well as with third countries, resulted in the identification of trafficked victims, arrests of individuals linked to organised crime activities, and the dismantling of several criminal networks.<sup>484</sup> Europol's support and EMPACT joint actions illustrate EU added value in this area.

477 BE, EE, SI.

478 Europol, 'European Migrant Smuggling Centre – Sixth Annual Report', 2022, <https://www.europol.europa.eu/publications-events/publications/european-migrant-smuggling-centre-6th-annual-report-%E2%80%93-2022#:~:text=The%20facilitation%20of%20illegal%20immigration,threats%20facing%20the%20European%20Union>, last accessed on 17 March 2023.

479 DE, ES, FI, NL, SI.

480 CY, DE, EE, FR, IT, LV, SK.

481 The PAYDAY project focuses on identifying and supporting Vietnamese victims of trafficking. Cooperation between German and Moroccan authorities under ETUTU aims to support authorities in detecting and combating trafficking of Nigerian nationals through Moroccan territory.

482 The Regional Development Protection Programme for North Africa is funded by the EU and run by the Italian Ministry of the Interior.

483 BE, CY, FR.

484 See Europol, 'Updates on trafficking in human beings', <https://www.europol.europa.eu/crime-areas-and-statistics/crime-areas/trafficking-in-human-beings>, last accessed on 9 June 2023.



### Operations carried out under EMPACT485

The EMPACT framework remained a key platform for cross-border cooperation. The large-scale EMPACT joint action days in October 2022 resulted in the arrest of 636 people suspected of criminal activity, including trafficking in human beings, with 910 potential victims identified across Europe. 382 of these arrests were against traffickers using the Balkan route. Led by Spain and Austria, these efforts involved 34 European countries, EU agencies and international organisations.<sup>486</sup> France and the Netherlands highlighted their work as joint leaders of EMPACT's OAP on trafficking in human beings.

People smuggling often directly supports organised crime groups. A Europol Operational Task Force, led by Germany and involving national authorities from six countries,<sup>487</sup> enabled the arrests of several leaders of criminal networks involved in migrant smuggling and trafficking in human beings throughout the EU, with links to more than 180 investigations.<sup>488</sup> Belgium reported its cooperation with British, Irish and Vietnamese authorities, which resulted in the January 2022 conviction of 19 individuals for trafficking in human beings and migrant smuggling that led to the deaths of 39 Vietnamese nationals in Essex in the UK in 2019. Thirteen EU and Balkan countries took part in the Frontex-led EMPACT Danube joint action day to combat migrant smuggling and trafficking in human beings and organised crime groups operating in the area, resulting in the arrests of 82 people smugglers.

### Operations tackling sexual exploitation

In the area of sexual exploitation, one criminal network was dismantled through a joint operation in France, Spain and Portugal, while another Berlin-based network was brought down following joint efforts between German and Hungarian authorities, and with Europol support.<sup>489</sup> Cooperation between French, Spanish and Romanian authorities, with Europol and Eurojust support, led to

the elimination of a network trafficking victims for forced prostitution between Romania and France.<sup>490</sup> A joint investigation by French and Spanish police forces, aided by Europol, resulted in the dismantling of a criminal gang trafficking South American victims for sexual exploitation in Europe.<sup>491</sup>

### Operations tackling labour exploitation

A criminal gang trafficking victims for labour exploitation was brought down in Romania and the UK, following a joint action between Romanian and British authorities.<sup>492</sup> Authorities from Austria, Germany, Hungary and Romania dismantled a criminal network trafficking and exploiting homeless victims through forced begging.<sup>493</sup> Cyprus reported an ongoing investigation into a trafficking network involving forced criminality, which enabled the early identification of five victims and eight perpetrators through the efforts of a Joint Investigative Team (JIT) of authorities from Cyprus, Romania and the UK, as well as Europol and Eurojust.

In June 2022, 514 employers were identified in relation to labour rights infringements, with 487 possible victims of different types of exploitation identified as part of an EU-wide joint action week, led by the Netherlands and involving 29 countries.<sup>494</sup>

### Operations tackling organised crime online

In response to the increased online activity of organised crime groups, the Netherlands held a so-called hackathon in September 2022 as part of EMPACT, with law enforcement authorities from 20 countries<sup>495</sup> taking part. This joint action day aimed to target and identify criminal networks active online, including their operating methods used to recruit victims for sexual exploitation.<sup>496</sup>

485 EMPACT (the European Multidisciplinary Platform Against Criminal Threats) is a security initiative driven by EU Member States to identify, prioritise and address threats posed by organised and serious international crime.

486 Europol, '910 potential victims of human trafficking identified across Europe', Press release, 6 December 2022, <https://www.europol.europa.eu/media-press/newsroom/news/910-potential-victims-of-human-trafficking-identified-across-europe>, last accessed on 17 March 2023.

487 AT, DE, HU, NL, RO and RS.

488 Europol, 'Targeted: migrant smuggling kingpins with links to more than 180 investigations', Press release, 3 June 2022, <https://www.europol.europa.eu/media-press/newsroom/news/targeted-migrant-smuggling-kingpins-links-to-more-180-investigations>, last accessed on 17 March 2023.

489 Europol, 'Kingpins of sexual exploitation gang arrested in Berlin', Press release, 27 September 2022, <https://www.europol.europa.eu/media-press/newsroom/news/kingpins-of-sexual-exploitation-gang-arrested-in-berlin>, last accessed on 17 March 2023.

490 Europol, 'Crackdown on human traffickers in France and Romania', Press release, 23 March 2022, <https://www.europol.europa.eu/media-press/newsroom/news/crackdown-human-traffickers-in-france-and-romania>, last accessed on 17 March 2023.

491 Europol, 'Human trafficking gang exploiting South American victims busted in France and Spain', Press release, 11 April 2022, <https://www.europol.europa.eu/media-press/newsroom/news/human-trafficking-gang-exploiting-south-american-victims-busted-in-france-and-spain>, last accessed on 17 March 2023.

492 Europol, 'Violent labour exploitation gang busted in Romania and the UK', Press release, 29 April 2022, <https://www.europol.europa.eu/media-press/newsroom/news/violent-labour-exploitation-gang-busted-in-romania-and-uk>, last accessed on 17 March 2023.

493 Europol, 'Four arrested for forcing vulnerable victims to beg', Press release, 7 April 2022, <https://www.europol.europa.eu/media-press/newsroom/news/four-arrested-for-forcing-vulnerable-victims-to-beg>, last accessed on 17 March 2023.

494 Europol, '514 employers linked to labour infringements identified across the EU', Press release, 14 July 2022, <https://www.europol.europa.eu/media-press/newsroom/news/514-employers-linked-to-labour-infringements-identified-across-eu>, last accessed on 17 March 2023.

495 AT, BE, DE, DK, EL, ES, FI, FR, HU, LT, NL, PL, PT, RO, SE, SI, SK, and AL, UA, UK.

496 Europol, '20 countries spin a web to catch human traffickers during a hackathon', Press release, 21 September 2022, <https://www.europol.europa.eu/media-press/newsroom/news/20-countries-spin-web-to-catch-human-traffickers-during-hackathon>, last accessed on 17 March 2023.



# 11. RETURN AND READMISSION

In 2022, EU Member States and Armenia continued their activities to improve the effectiveness and efficiency of return procedures. EU Member States took actions to align their policies with EU developments, including monitoring the implementation of the 2021 EU Strategy on Voluntary Return and Reintegration. They also

participated in Frontex JRS and cooperated with IOM to enhance collaboration on voluntary return programmes. In the first post-COVID-19 pandemic year, EMN Member and Observer Countries revamped activities on return and cooperation with third countries that had been limited during the pandemic.

## 11.1. EU DEVELOPMENTS

One of the milestones in 2022 was the appointment of the EU Return Coordinator, a function created under the New Pact on Migration and Asylum.<sup>497</sup> The role of the EU Return Coordinator is to contribute to the establishment of an effective common EU system for return, with the support of a High-Level Network for Returns, comprising representatives of EU Member States, Schengen Associated Countries and Frontex.

September 2022 saw the first meeting of the High-Level Network for Return, chaired by the EU Return Coordinator and attended by representatives of EU Member States and Schengen Associated Countries' institutions responsible for return. The EU Commissioner for Home Affairs highlighted the importance of the Network and its central objective to coordinate efforts by all EU Member States to ensure effective returns at EU level.<sup>498</sup>

Frontex, the EU agency responsible for the coordination of return operations at a technical and operational level, assumed new responsibilities in 2022. From April 2022,

it began to provide reintegration assistance as part of its Reintegration Programme through the JRS. In 2022, the European Return and Reintegration Network (ERRIN) concluded its mandate and its joint reintegration activities were transferred to Frontex.<sup>499</sup>

In 2022, some 24 850 people returned to third countries with Frontex's assistance, 40% of whom returned voluntarily. Frontex deployed 45 return specialists and eight return liaison officers to different EU Member States and assisted EU and Schengen countries with a range of activities, from pre-return and coordinating operations to providing Fundamental Rights Monitors.<sup>500</sup> In April 2022, Frontex started delivering reintegration services in Armenia to Armenian returnees in partnership with the NGO, Armenia Caritas.

Finally, a milestone for Frontex in 2022 was the organisation and implementation of two Frontex-led return operations from the pre-return procedure stage, through chartering of the aircraft, and contact with authorities.<sup>501</sup>

497 European Commission, 'New Pact on Migration and Asylum', 2019, [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/promoting-our-european-way-life/new-pact-migration-and-asylum\\_en](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/promoting-our-european-way-life/new-pact-migration-and-asylum_en), last accessed on 5 May 2023.

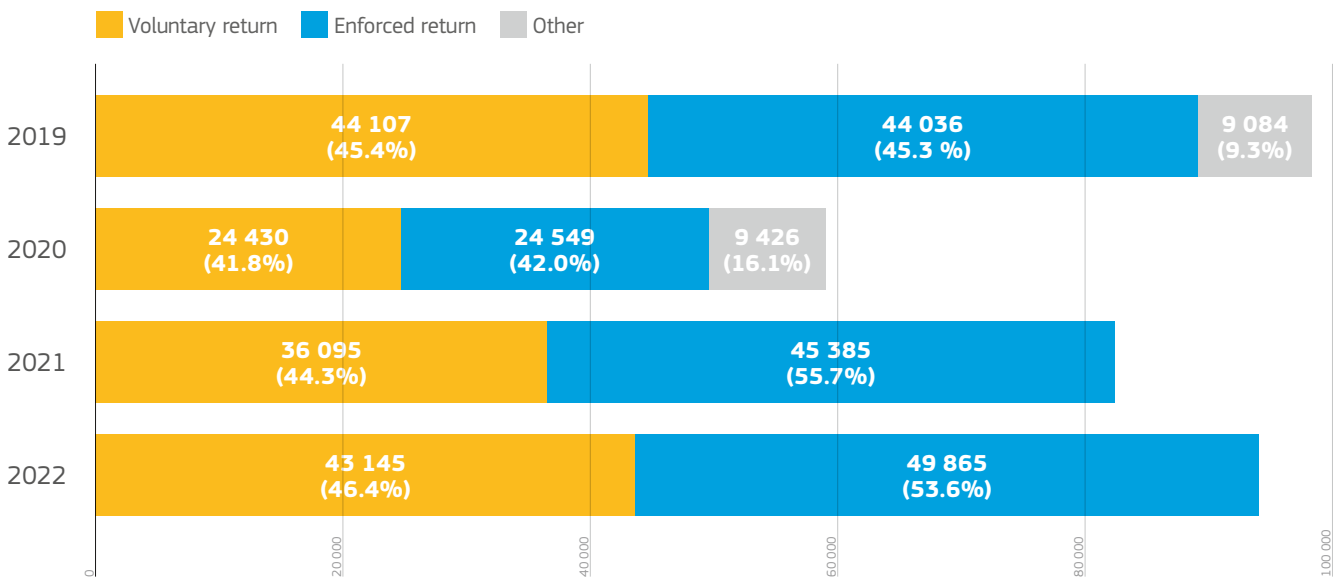
498 Frontex, 'EU Commissioner Johansson opens first high-level network for returns', Press release, 9 September 2022, <https://frontex.europa.eu/media-centre/news/news-release/eu-commissioner-johansson-opens-first-high-level-network-for-returns-BGbBhM>, last accessed on 25 May 2023.

499 Frontex, Reintegration Assistance, <https://frontex.europa.eu/return-and-reintegration/reintegration-assistance/#:~:text=Frontex%20provides%20reintegration%20assistance%20as,returning%20to%20their%20home%20countries>, last accessed on 30 May 2023

500 Frontex, '2022 in brief', [https://frontex.europa.eu/assets/Publications/General/In\\_Brief\\_2022/2022\\_in\\_brief.pdf](https://frontex.europa.eu/assets/Publications/General/In_Brief_2022/2022_in_brief.pdf), last accessed on 25 May 2023.

501 Frontex, 'First Frontex-led return operation', Press release, 29 January 2022, <https://frontex.europa.eu/media-centre/news/news-release/first-frontex-led-return-operation-hVqUXN>, last accessed on 25 May 2023

**Figure 23: Third-country nationals who left the territory, by type of return, EU and Norway, 2019-2022**



Note: Shows absolute number (and share of total); 2019 and 2020, calculations based on available data; 2019 excludes CY, DE, EL, FI, LT, NL, RO, SE and NO; 2020 excludes CY, DE, ES, FI, LT, NL, PT, RO and NO.

Source: Eurostat (migr\_eirt\_vol and migr\_eirtn1), extracted on 8 May.



## 11.2. MAIN NATIONAL DEVELOPMENTS IN RETURN

During 2022, most EU Member States<sup>502</sup> implemented measures to increase the quality and effectiveness of their return and reintegration programmes, with many making use of the support services provided by Frontex. As part of the gradual discontinuation of COVID-19 measures, several EU Member States took steps to resume and increase their return operations and related activities. Armenia also introduced measures to prevent irregular migration.

Following Russia's invasion of Ukraine and the migration crisis from Belarus, some EU Member States<sup>503</sup> made legal and operational provisions to increase their capacity in reception and return in case of an emergency such as a mass influx of migrants.

### 11.2.1. General policy developments in return

There was a wide range of general policy developments on return in 2022, from the introduction of legislative amendments, to post-COVID measures, increasing cooperation with both EU actors and third countries, and measures specific to forced return processes.

Throughout 2022, several EU Member States<sup>504</sup> introduced legislative measures to improve the efficiency and effectiveness of their return policies. In Germany, the draft legislative act (effective in 2023) will facilitate the return of people obliged to leave the country, e.g. facilitation of deportation detention. In a major development, in January

2022, Luxembourg introduced a bill on structuring the different categories of removal measures in a clear and coherent way in order to better manage the phenomenon of irregular stays of third-country nationals. In line with changes in EU legislation that assist in the mutual recognition of return decisions. After a relevant legal amendment, Lithuania introduced new grounds for return to a foreign State and expulsion of foreigners from the country if their travel authorisation is annulled, revoked, or has expired.

Some EU Member States introduced measures specifically to deal with emergencies.<sup>505</sup> Lithuania amended its legislation to shorten the time limit for filing appeals against court decisions and for adopting court decisions in the event of the introduction of martial law, a state of emergency or declaration of an extreme situation due to a mass influx of foreigners. Estonia introduced changes that, in an emergency caused by mass immigration, allow the court to suspend the expulsion or compliance with the return decision of a foreigner who has illegally crossed the external border until the administrative court has issued a decision rejecting the complaint filed by the foreigner.

EU Member States also revamped their activities and took post COVID-19 pandemic actions.<sup>506</sup> Belgium reported that COVID-19 measures in third countries that had made forced returns particularly challenging were gradually lifted, while Ireland resumed issuing deportation orders,

<sup>502</sup> BE, BG, CY, CZ, DE, EE, ES, FI, FR, HR, HU, IE, IT, LT, LU, NL, PL, SE, SI, SK.

<sup>503</sup> EE, LT, PL.

<sup>504</sup> DE, EE, FR, LT, LU.

<sup>505</sup> EE, LT.

<sup>506</sup> BE, IE.

following a period where such orders had been issued only in limited circumstances.

Several EU Member States increased their cooperation with EU actors to facilitate return operations.<sup>507</sup> Cyprus agreed SOPs with the European Commission and Frontex on returns, and reached an agreement with Frontex for the implementation of an OAP for Returns. Another major development for Cyprus was the establishment of the Returns Coordination Office at the Ministry of the Interior. In the Slovak Republic, a Frontex return specialist was deployed to work with police detention centres for foreigners. In Finland, the police started preparations to join Frontex's JRS reintegration assistance programme in 2023. Finally, in September 2022, Austria organised Europe's first Frontex charter operation to India.

Two EU Member States focused on forced return procedures for different reasons.<sup>508</sup> In 2022, the Police Authority in Sweden gave priority to the forced return of individuals who had committed a crime, as part of efficiency improvements. In order to make the return process more effective, Sweden also appointed a special investigator to review the regulatory framework and suggest actions to strengthen return operations. In Finland, meanwhile, a court decision dictated that where one family member is deported, the family members are to be informed of the reasons for the deportation in a separate document and the family members can appeal the decision.

With a view to creating a regional return mechanism and establishing support for return partnerships in the Western Balkans, Austria organised two ministerial conferences on return issues. Return partnerships were subsequently formed with countries in the region and initial implementation steps were defined. Austria supported capacity development in Bosnia and Herzegovina through tailored pilot projects. In close cooperation with Frontex and other organisations, similar projects were also initiated with other Western Balkan partners. Other cooperation with third countries included Poland strengthening European Return Liaison Officer (EURLO)<sup>509</sup> cooperation with different institutions in Vietnam, as the competent lead for return-related matters there.

### 11.2.2. Assisted voluntary return

Over one-third of EU Member States<sup>510</sup> made efforts to enhance access to voluntary return programmes during 2022. Those efforts focused on the following activities:

- Implementation of new outreach methods: Austria launched a time-limited special programme of voluntary returns to India. The programme was accompanied by a number of measures, such as social media campaigns and renewed contact with all Indian nationals under an obligation to return;
- Cooperation with external stakeholders, such as Frontex:<sup>511</sup> in Belgium, Fedasil joined Frontex's JRS, in Bulgaria the Ministry of the Interior became part of

the Reintegration Assistance Tool (RIAT) and JRS, while Poland began to participate in the JRS;

- Increased access to voluntary return programmes and increased time for potential beneficiaries of programmes to choose: Germany adjusted the eligibility criteria for the national voluntary return programme to include non-Ukrainians who had fled the invasion of Ukraine and who wanted to return to their country of origin. In Hungary, any third-country national who arrived from Ukraine could take part in a voluntary return programme. In Ireland, there was a draft legislative proposal to extend the time period for unsuccessful international protection applicants to notify their acceptance of voluntary return from five days to 30 days;
- Developing or continuing existing policies promoting assisted voluntary return: Spain and Luxembourg continued their collaboration with the IOM. Ireland launched a call for applications for organisations interested in supporting the delivery of voluntary return programmes. In Spain, the Manual of Voluntary Return was updated to better protect the best interests of the child, particularly the authorisation needed from parents or relatives (depending on who has guardianship);
- Increased incentives for return assistance to promote voluntary return: Lithuania offered a one-off allowance of €1 000 per person for third-country nationals eligible for assisted voluntary return and reintegration and who departed by 22 September 2022; the amount was reduced after the deadline had passed. Ireland doubled the return and reintegration grant in 2022;
- Extending the duration of voluntary return programmes: Italy granted an extension of the duration of voluntary return programmes, based on Regulation (EU) 2022/585, which came into force on 12 April 2022.

### 11.2.3. Reintegration measures

Reintegration measures were high on the agenda in a number of EU Member States and EMN Observer Countries,<sup>512</sup> which reported their cooperation with external actors to improve reintegration efforts, including the JRS. In Poland, participation in the JRS was considered a major development, as it was an opportunity for a comprehensive approach to the implementation of both voluntary and forced return policies. The launch of the JRS allowed the expansion of the assistance previously provided under ERRIN to voluntary and forced returns from all EU Member States and Schengen Associated Countries. In Italy, a pilot project on repatriation and reintegration action was launched, supported by the JRS. Belgium signed an MoU on the Return and Reintegration Facility between the Immigration Office and Fedasil. The Return and Reintegration Facility (RRF) supports the EU Member States as well as the Schengen Associated Countries to increase the effectiveness of their return and reintegration programmes. Lithuania started participating in the RIAT working group, with a view to start activities in 2023,

507 AT, CY, FI, PL, SK.

508 FI, SE.

509 See [https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/european-return-liaison-officer-eur-lo\\_en](https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/european-return-liaison-officer-eur-lo_en), last accessed on 5 May 2023.

510 AT, BE, BG, DE, ES, HU, IE, IT, LT, LU, PL.

511 BE, BG, CY, CZ, HR, IT, PL, SE, SI.

512 BE, BG, CY, CZ, IE, IT, PL, SE and SI.

while Croatia, Sweden and Italy started actively participating in RIAT in 2022. RIAT is an online platform which simplifies and standardises information exchange on the reintegration process to the best benefit of returnees, service partners and European counsellors. In Cyprus, seven return counsellors were deployed by Frontex to promote voluntary returns.

Two EU Member States<sup>513</sup> strengthened their reintegration efforts through cooperation with the IOM. In Cyprus, the project 'Assisted Voluntary Returns and Reintegration Centre', implemented by the IOM and supporting more than 1 000 returnees, concluded in 2022. Spain signed an agreement with the IOM to increase the number of effective returns.

Austria reported a new project to increase reintegration opportunities: a bilateral reintegration project in Syria together with the European Technology and Training Centre (ETTC), through which voluntary returnees to Syria were provided with financial reintegration assistance. Sweden extended its reintegration mechanisms with third countries by adding more countries eligible for reestablishment support (in cash).

Poland granted reintegration assistance to foreigners returning to their country of origin, both voluntarily and forced, with a view to relieving the burden on the detention system and strengthening the sustainability of returns.

Finally, in 2022, Luxembourg planned limited reintegration assistance for returns to EU/Schengen Associated Countries, focusing on medical and/or administrative support in the country of origin.

### 11.2.4. Forced return and detention

#### Forced return

In the aftermath of the COVID-19 pandemic, a number of EU Member States<sup>514</sup> enhanced their activities in forced return. Ireland resumed issuing removal (deportation) orders, following the lifting of COVID-19-related public health and travel restrictions. In the context of the AMIF project, 'Increasing the capacity of reception and return of persons entering the country on mass influx', and with a view to increasing its capacity to react swiftly in case of mass influx of migrants, Estonia organised several activities to train the responsible authorities on deportation and return procedures. In France, the authorities involved in the return process were encouraged to make full use of the instruments enabling them to ensure the execution of removal orders, with a view to strengthening their deportation and detention capacity.

#### Detention

In 2022, several EU Member States<sup>515</sup> implemented measures to increase the effectiveness and capacity of detention prior to return. Four EU Member States<sup>516</sup>

introduced changes to increase the number of detention places. Belgium gave the green light for the construction of three new detention centres and an additional departure centre for irregularly staying migrants, pending their forced deportation. Poland developed a strategy for providing additional places in detention centres in an emergency situation. In France, new grounds were introduced to increase the number of places in detention centres to 3 000 by 2025-2026 (2 200 currently) and to increase personnel. Sweden developed a plan to increase the number of detention places, together with an analysis of the need for detention places over time. Finally, in Italy, the new CPR (Pre-removal detention centres) Directive<sup>517</sup> was issued to regulate the treatment of foreigners inside the CPR.

A major development in France was prioritising placing foreign nationals whose profiles flag a risk of public disorder in administrative detention centres. France also made legal adjustments to adapt the detention time in the administrative detention premises in Mayotte, raising the maximum duration of detention from 24 to 48 hours for adults accompanied by children. Luxembourg introduced a bill to Parliament to (i) update legislation to put in place measures to increase legal certainty for applicants of international protection who fall within the scope of the Dublin III regulation, to be compliant with CJEU and European Court of Human Rights case-law, and (ii) increase legal clarity on the possibility of administrative detention of any illegally staying foreigner who needs to be forcibly removed, including EU citizens and their family members.<sup>518</sup>

Two EU Member States<sup>519</sup> implemented changes in health measures in detention centres. Luxembourg removed health measures (e.g. quarantine for arrivals) to reflect the changed epidemiological situation post-COVID-19.

#### Alternatives to detention

EU Member States used different alternatives to detention or non-custodial measures to monitor or limit the movement of third-country nationals to ensure that they comply with return procedures. In 2022, five EU Member States<sup>520</sup> reported progress. Belgium opened ICAM offices in several cities to provide support to individuals who have received a return decision. The Czech Republic explored new ways to reach irregular third-country nationals and raise awareness of the voluntary return programme, with a view to preventing the deterioration of the social situation of irregular foreign nationals, enhancing their ability to make an informed decision on their status in the Czech Republic and avoid forced removal. In Poland, a new agreement was signed by the Border Guard and the DIALOG Foundation on institutional support for irregular migrants, addressing the need for real support for migrants who do not seek asylum, do not have accommodation, and cannot be detained. In France, by systematically assigning foreign nationals under obligation to leave

513 CY, ES.

514 BE, EE, FR, IE, LT.

515 BE, CZ, FR, HR, PL.

516 BE, FR, PL, SE.

517 The new CPR Directive was issued through a Decree of the Minister of the Interior, outlining the 'Criteria for the organisation and management of detention centres for repatriations provided for by Article 14 of the Legislative Decree No 286 of 25 July 1998 and subsequent amendments'.

518 Bill 8014 amending the amended law of 18 December 2015 relating to international protection and temporary protection, introduced to the Chamber of Deputies on 30 May 2022, <https://wdocs-pub.chd.lu/docs/exped/0131/146/263468.pdf>, last accessed on DD Month YYYY.

519 CZ, LU.

520 BE, CY, CZ, FR, PL.

the French Territory (OQTF),<sup>521</sup> who are not in detention, to a reliable address, the police and gendarmerie could monitor their location until they were removed.

Finally, the Committee on the Rights of the Child ruled against Belgium on the lack of alternatives to detention and the best interests of the child. More specifically, it

held that ‘by failing to consider possible alternatives to the detention of the children, the State party has not given due regard, as a primary consideration, to their best interests, either at the time of their detention or when their detention was extended’.



## 11.3. COOPERATION WITH THIRD COUNTRIES OF ORIGIN AND TRANSIT AND IMPLEMENTATION OF EU READMISSION AGREEMENTS

### 11.3.1. Cooperation with third countries of origin and transit on return management and reintegration

Ten EU Member States engaged with third countries to enhance their cooperation on return and reintegration.<sup>522</sup> Austria negotiated a migration and mobility agreement with India and continued bilateral discussions with other third countries. In Bulgaria, the IOM implemented a project focused on strengthening capacity and cooperation with third countries. It also organised a visit to Mongolia to discuss voluntary return and reintegration. Poland started negotiations on three draft readmission agreements with the Republic of Tajikistan, the Republic of Kyrgyzstan and the Republic of Uzbekistan. Cyprus proposed a readmission agreement with the governments of the Democratic Republic of the Congo, Vietnam, India and Nepal, and a draft implementation protocol on the EU readmission agreement with Bangladesh. Additionally, three identification missions from the Democratic Republic of the Congo took place in Cyprus, with the support of Frontex. Germany signed a bilateral migration and mobility agreement with India that included cooperation on return, while Estonia discussed a draft bilateral agreement with Uzbekistan, potentially to be signed in 2023.

Lithuania organised identification missions with the staff of the diplomatic missions of Iraq, Cameroon, Togo and the Democratic Republic of the Congo. In Germany, the federal government decided to create a position of Special Envoy for Migration Agreements. Finland aimed to increase operational cooperation with several third countries after the COVID-19 pandemic and organised a visit to Iraq, with a view to cooperation on return issues. The Finnish authorities were also actively in touch with embassies of third countries on the identification of

returnees and obtaining temporary travel documents. Estonia signed a bilateral agreement with Kazakhstan on the readmission of irregularly staying persons. Activities related to the readmission agreements between Slovenia and Bangladesh (through the Readmission Case Management System (RCMS) application) started in 2022. Finally, Cyprus proposed readmission agreements to the governments of the Democratic Republic of Congo, Vietnam, India and Nepal.

### 11.3.2. Implementation of EU readmission agreements

Between June and September 2022, a delegation from NADRA and Pakistan’s Ministry of the Interior, facilitated by the EU-IOM EURCAP programme, visited the EU and installed access to the EU-Pakistan’s RCMS in Czech Republic, Estonia, Poland, Luxembourg, the Netherlands, Ireland, Bulgaria, Romania, Spain, Croatia, Malta and Cyprus. Slovenia has been connected since 2021 and, in 2022, introduced the first cases into the RCMS with Pakistan, successfully concluding identification and readmission of the individuals.

Five EU Member States concluded dedicated/specific protocols to implement the provisions of EU readmission agreements. The Czech Republic continued its negotiations with Azerbaijan, which began in 2020, while the agreement between the Slovak Republic and Ukraine was in its final stages, pending Ukraine’s consent. In Lithuania, the readmission agreement with the Republic of Armenia entered into force. The Readmission Implementing Protocol signed between Poland and Armenia also entered into force. Finally, Cyprus proposed a readmission implementation protocol to the government of Pakistan.

521 OQTF: obligation de quitter le territoire français.  
522 AT, BG, CY, CZ, DE, EE, FI, LT, PL, SI.



# 12. MIGRATION AND DEVELOPMENT

Most EMN Member and Observer Countries adopted measures on migration and development, covering a wide range of policy areas,<sup>523</sup> from sustainable growth, empowerment of vulnerable groups, climate resilience and democratic governance, to circular mobility, entrepreneurship, and connectivity, including humanitarian and relief actions in Ukraine and in countries of origin of migrants and international protection applicants. One goal was to address the root causes of irregular migration or forced displacement by improving the economic, social, and labour conditions in third countries, while facilitating orderly and safe movement. Developments also sought to

deliver on the 2030 Agenda for Sustainable Development in partnership with third countries.

The EU remained committed to promoting social cohesion and coherence between the EU's external policies on migration and development, as part of the New Pact on Migration and Asylum.<sup>524</sup> In addition, the EU continued to provide financial support through mechanisms such as the Team Europe Initiative (TEI),<sup>525</sup> while coordinating regional dialogue with third countries in forums such as the Euro-African Dialogue on Migration and Development (Rabat Process).<sup>526</sup>



## 12.1. NATIONAL STRATEGIES

Several EMN Member and Observer Countries updated their national development cooperation strategies to mainstream migration as a lever for inclusive and sustainable development.<sup>527</sup> Austria adopted the new 'Three-Year Programme of Austrian Development Policy', which aims to open long-term prospects for the population in partner countries by fostering an environment of sustainable development and social and political stability locally. The Programme places migration and forced displacement at the centre of development cooperation plans in the coming years. Belgium drew up a new 'Strategy Note' on migration to (i) promote good management of migration, (ii) encourage public debate on the benefits of migration, (iii) protect human rights, (iv) raise awareness of the potential of migration for sustainable development, and (v) improve data collection on migration-related initiatives.<sup>528</sup> France renewed its four-year Inter-ministerial Strategy on Migration and Development (2023-2030), involving key stakeholders and civil society in the management of development projects.

Germany took active steps towards closer integration of migration and climate policy through its Global Funding

Programme on Human Mobility in the Context of Climate Change.<sup>529</sup> Spain passed a new Law for Sustainable Development Cooperation and Global Solidarity to deliver on the Sustainable Development Goals (SDGs) by including migration as a priority area in national cooperation plans.<sup>530</sup> Sweden included the need to address the root causes of irregular migration and forced displacement in its development cooperation efforts, in line with the New Pact on Migration and Asylum. The Netherlands launched a revised 'Strategy for Foreign Trade and Development Cooperation',<sup>531</sup> which includes specific goals to counter the root causes of illegal migration. Norway added a new chapter in the national budget to support its special initiative on refugees, displaced populations, and host communities, facilitating synergies between development cooperation and humanitarian action.

### 12.1.1. Skills Mobility Partnerships (SMPs) and other mobility initiatives

Five EU Member States reported SMPs and related initiatives as an effective tool to build capacity and

523 AT, BE, CZ, DE, EE, EL, ES, FR, HR, HU, IE, LT, LU, NL, SE, SK, NO and AM.

524 European Commission, 'New Pact on Migration and Asylum', n.d., [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/promoting-our-european-way-life/new-pact-migration-and-asylum\\_en](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/promoting-our-european-way-life/new-pact-migration-and-asylum_en), last accessed on 9 March 2023.

525 European Commission, 'International Partnerships, Team Europe Initiatives', n.d., [https://international-partnerships.ec.europa.eu/policies/team-europe-initiatives\\_en](https://international-partnerships.ec.europa.eu/policies/team-europe-initiatives_en), last accessed on 10 March 2023.

526 Euro-African Dialogue on Migration and Development, Rabat Process, '6th Ministerial Conference: Adoption of the Cadiz Action Plan', 21 December 2022, <https://www.rabat-process.org/en/activities/political-meetings/6th-ministerial-conference-cadiz>, last accessed on 10 March 2023.

527 AT, BE, DE, ES, FR, NL, SE and NO.

528 Foreign Affairs, Foreign Trade and Development Cooperation, 'Strategy Note: Migration as a Lever for Sustainable Development', 1 March 2022 (in French and Dutch), <https://diplomatie.belgium.be/en/policy/policy-areas/highlighted/belgium-turns-migration-positive-story>, last accessed on 9 March 2023.

529 Federal Ministry for Economic Cooperation and Development (BMZ), n.d., <https://www.giz.de/en/worldwide/67177.html>, last accessed on 9 March 2023.

530 UN, 'Sustainable Development Goals', n.d., <https://sdgs.un.org/goals>, last accessed on 14 March 2023.

531 Government of the Netherlands (*Rijksverheid*), 'Policy Document for Foreign Trade and Development Cooperation: Do what we do best', 10 October 2022, <https://www.government.nl/documents/policy-notes/2022/10/10/policy-document-for-foreign-trade-and-development-cooperation-do-what-we-do-best>, last accessed on 16 December 2022.

encourage development in third countries.<sup>532</sup> In Belgium, Enabel launched a new circular mobility scheme between Belgium and the Ivory Coast, aimed at providing mobility opportunities to 120 talented Ivorian entrepreneurs and supporting local small and medium-sized enterprises (SMEs), based on the 'PEM WECCO' pilot project.<sup>533</sup> Belgium participated in IOM projects, including 'Displaced Talent for Europe (DT4E)' (see Box 16),<sup>534</sup> which was publicly launched in 2022, and the 'MATCH project'.<sup>535</sup> The latter reported results in 2022, including 375 pre-selected talents from different African countries, of which eight were recruited by European companies (three Belgian), as well as complementary activities such as skills development training in several African countries (see section 2.3.11).

### **'Displaced Talent for Europe (DT4E)'**

IOM's 'Displaced Talent for Europe' (DT4E) is a three-year pilot project (December 2021–December 2024) funded by the EU that seeks to create labour mobility schemes that match talented people in displacement situations in Jordan and Lebanon with employers in Belgium, Ireland, Portugal and the UK. The objective is to test mobility pathways for talented displaced people and engage the private sector in addressing skills shortages through labour mobility. The goal is to support a minimum of 250 talented people and their families through tailored pre-departure and post-arrival assistance, and to create a community of practice to exchange knowledge and experience on displaced talent mobility. The main stakeholders are the IOM (project lead), Talent Beyond Boundaries, the Belgian Federal agency for the Reception of asylum seekers (Fedasil), *Alto Comissariado para as Migrações*, and Fragomen.

Germany signed a Migration and Mobility Partnership Agreement with India to promote the mobility of students, trainees and professionals, enhance the joint fight against irregular migration and ensure cooperation on return. As part of Ireland's Strategy for Latin America and the Caribbean,<sup>536</sup> the 'Ireland Fellows Programme' was expanded to applicants from six Latin American countries to give students the opportunity to live in Ireland and pursue postgraduate studies in human rights and science, technology, engineering, maths and medicine (STEMM) subjects and develop new knowledge and skills to apply in their home countries.<sup>537</sup> Lithuania expanded its 'Digital Explorers' project, allowing Nigerian, Kenyan and Armenian nationals to visit Lithuania, Latvia, and Estonia to acquire new ICT skills.<sup>538 539</sup>

## **12.1.2. Cooperation with key actors and strategic partnerships.**

Several EMN Member Countries concluded bilateral agreements with countries of origin and joined key international partnerships to support migration and development cooperation.<sup>540</sup> Sweden established a new Strategy for Regional Cooperation with Africa to reduce irregular migration and promote sustainable development. In December 2022, Spain led the adoption of the Cadiz Action Plan 2023–2027, as part of the Euro-African Dialogue on Migration and Development (Rabat Process), which renewed the commitment of partner countries towards a balanced approach to migration management that safeguards the fundamental rights of migrants and displaced people. France concluded the French Presidency of the World Forum for Migration and Development in July 2022 and adopted the Cadiz Action Plan 2023–2027 (Rabat Process). Germany actively participated at the COP-27 in Egypt to ensure the visibility of climate-related human mobility and committed to providing funding to the Africa Climate Mobility Initiative (ACMI).<sup>541</sup>

### **Spain leads the adoption of the Political Declaration and Cadiz Action Plan 2023–2027**

At the invitation of Spain's government, 15 ministers and senior officials representing 25 African and 26 European countries gathered in Cadiz (Spain) on 13–14 December 2022. High-level representatives of two regional partner organisations (ECOWAS, the EU) and representatives of international organisations also joined the proceedings. The Conference concluded with the adoption of the Political Declaration and Cadiz Action Plan, which constitutes the multiannual cooperation programme of the Rabat Process for the next five years (2023–2027). The Cadiz Action Plan addresses five action areas, containing 10 specific objectives and 29 related actions, and emphasises the importance of solidarity and shared responsibility in migration management.

Luxembourg and Kosovo signed a new bilateral agreement (2023–2030) and a new MoU, laying the groundwork for development cooperation relations. The Slovak Republic continued to deliver its cooperation framework with Bosnia and Herzegovina to strengthen the capacity of the Bosnian Asylum Sector of the Ministry of Security. Sweden launched a new Strategy for Development Cooperation with Iraq to assist refugees and vulnerable groups and, in general, support the long-term stabilisation of the country. Armenia, in partnership with the ICMPD, implemented the EU-funded project 'Increasing Migrants' Potential to Act for Development of Armenia (EU4IMPACT

532 BE, DE, FR, IE, LT.

533 Enabel, 'PEM WECCO' project, n.d., <https://stories.enabel.be/en-permwecco/>, last accessed on 9 March 2023.

534 IOM and UN Migration Belgium and Luxembourg, 'Displaced Talent for Europe (DT4E)', n.d., <https://belgium.iom.int/displaced-talent-europe-dt4e>, last accessed on 9 March 2023.

535 IOM and UN Migration Belgium and Luxembourg, 'Migration of African Talents through Capacity Building and Hiring (MATCH)', n.d., <https://belgium.iom.int/match>, last accessed on 14 March 2023.

536 Government of Ireland, 'Global Ireland: Ireland's Strategy for Latin America and the Caribbean to 2025', February 2022, <https://www.dfa.ie/media/ireland/lacstrategy/LAC-Strategy-English.pdf>, last accessed on 9 March 2023.

537 Argentina, Brazil, Colombia, Ecuador, Peru, Venezuela.

538 Digital Explorers, n.d., <https://digitalexplorers.eu/#>, last accessed on 9 March 2023.

539 Government of the Republic of Armenia, Office of the High Commissioner for Diaspora Affairs, 'iGorts programme', 2023, <http://diaspora.gov.am/en/programs/25/fellowship>, last accessed on 26 April 2023.

540 CZ, DE, ES, FR, LU, SE, SK and AM.

541 United Nations Office for Project Services (UNOPS), Global Centre for Climate Mobility, 'Africa Climate Mobility Initiative', n.d., <https://africa.climate-mobility.org/>, last accessed on 10 March 2023.

Armenia)',<sup>542</sup> which seeks to empower labour migrants, returnees and their family members by mobilising and investing remittances in local development and job creation in Armenia.

Three EMN Member Countries reported development interventions as part of the TEI.<sup>543</sup> Estonia started to implement the EU Global Gateway strategy through TEIs on digital transformation, e-governance, and cybersecurity in Africa. France launched two TEIs to finance the fight against the root causes of illegal migration on the Western/Atlantic routes. Spain also participated in TEIs to ensure safe and orderly migration from priority countries in Maghreb, Sahel and West Africa.

### 12.1.3. Interlinkages between humanitarian assistance, migration, and cooperation

EMN Member and Observer Countries included interlinkages with humanitarian assistance in their international cooperation plans or increased coherence between these two policy fields.<sup>544</sup> Austria increased its budget for humanitarian aid by €20 million to €77.5 million within its 2022-2024 development programme, highlighting migration. Hungary continued its humanitarian and reconstruction programmes in Türkiye, Syria and Kenya,<sup>545</sup> and engaged in the second phase of a joint project with the Visegrad Group and Italy under the EU Emergency Trust Fund (EUTF) for Africa to support Libyan border authorities.<sup>546</sup> Luxembourg presented a new humanitarian strategy to better respond to multidimensional crises in

Yemen, Afghanistan, Iraq, the Sahel and Lake Chad, the Horn of Africa, Ukraine, and Syria.<sup>547</sup>

#### Solidarity with Ukraine

Several EMN Member Countries focused part of their development cooperation efforts on supplying humanitarian assistance to Ukraine and to Ukrainian refugees in neighbouring countries. In March 2022, Croatia dispatched emergency aid to Moldova to increase its capacity to manage the pressing influx of displaced people from Ukraine. Cyprus collected and shipped a significant amount of in-kind assistance (food, medicine, and other relief items) via the EU Civil Protection Mechanism (UCPM) to tackle the humanitarian crisis in Ukraine. In October 2022, the Czech Republic adopted a Governmental Decision to help to repair war damage and support the stabilisation and reconstruction of Ukraine, with an annual budget of CZK 500 million (approximately €20 million). There was a major shift in development cooperation in Estonia to address Ukraine's immediate and long-term humanitarian needs, including reinforced cooperation with NGOs on the ground. The Slovak Republic also maximised humanitarian efforts in 2022 (amounting to €8 million), mainly to assist the war-affected population in Ukraine. Belgium, Ireland, Latvia, Luxembourg, the Netherlands, Poland and Sweden adopted special measures (including financial support to NGOs in field missions) to assist Ukraine in countering the consequences of the war.

542 ICMPD, 'EU for Increasing Migrants' Potential to Act for Development of Armenia' (EU4IMPACT), n.d., <https://www.icmpd.org/our-work/projects/eu4impact-eu-for-increasing-migrants-potential-to-act-for-development-of-armenia>, last accessed on 26 March 2023.

543 European Commission, 'International Partnerships, Team Europe Initiatives', n.d., [https://international-partnerships.ec.europa.eu/policies/team-europe-initiatives\\_en](https://international-partnerships.ec.europa.eu/policies/team-europe-initiatives_en), last accessed on 10 March 2023.

544 AT, CZ, EE, HR, HU, IE, LU, LV, NL, PL, SE, SK and NO.

545 Hungary Helps Programme, n.d., <https://hungaryhelps.gov.hu/hungary-helps-program-main-page/>, last accessed on 10 March 2023.

546 European Commission, 'EU Emergency Trust Fund for Africa', n.d., [https://ec.europa.eu/trustfundforafrica/index\\_en](https://ec.europa.eu/trustfundforafrica/index_en), last accessed on 10 March 2023.

547 Ministry of Foreign and European Affairs Directorate for Development Cooperation and Humanitarian Affairs, 'Stratégie de l'Action Humanitaire Luxembourgeoise', 8 April 2022, <https://gouvernement.lu/dam-assets/documents/actualites/2022/08-aout/19-fayot-aide-humanitaire/la-strategie-de-laction-humanitaire-luxembourgeoise.pdf>, last accessed on 10 March 2023.





## For more information

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Cyprus [www.moi.gov.cy/moi/crmd/emnncpc.nsf/home/home?opendocument](http://www.moi.gov.cy/moi/crmd/emnncpc.nsf/home/home?opendocument)

Czechia [www.emncz.eu](http://www.emncz.eu)

Denmark [www.justitsministeriet.dk/](http://www.justitsministeriet.dk/)

Estonia [www.emn.ee/](http://www.emn.ee/)

Finland <https://emn.fi/en/>

France [www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3/Le-reseau-europeen-des-migrations-REM2](http://www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3/Le-reseau-europeen-des-migrations-REM2)

Germany <https://www.bamf.de/EN/Themen/EMN/emn-node.html>

Greece <http://emn.immigration.gov.gr/en/>

Hungary [www.emnhungary.hu/en](http://www.emnhungary.hu/en)

Ireland [www.emn.ie/](http://www.emn.ie/)

Italy [www.emnitalyncp.it/](http://www.emnitalyncp.it/)

Latvia [www.emn.lv/en/home/](http://www.emn.lv/en/home/)

Lithuania [www.emn.lt/en/](http://www.emn.lt/en/)

Luxembourg <https://emnluxembourg.uni.lu/>

Malta <https://emn.gov.mt/>

The Netherlands <https://www.emnnetherlands.nl/>

Poland <https://www.gov.pl/web/europejska-siec-migracyjna>

Portugal <https://rem.sef.pt/>

Romania <https://www.mai.gov.ro/>

Spain <https://www.emnspain.gob.es>

Slovak Republic <https://emn.sk/en/>

Slovenia <https://emm.si/en/>

Sweden <http://www.emnsweden.se/>

Norway <https://www.udi.no/en/statistics-and-analysis/european-migration-network---norway>

Georgia [https://migration.commission.ge/index.php?article\\_id=1&clang=1](https://migration.commission.ge/index.php?article_id=1&clang=1)

Republic of Moldova <http://bma.gov.md/en>

Ukraine <https://dmsu.gov.ua/en-home.html>

Montenegro <https://www.gov.me/en/mup>

Armenia <https://migration.am/?lang=en>

Serbia <https://kirs.gov.rs/cir>