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EMN European Migration Network

Annual Report on Migration and Asylum 2023

European Migration Network

July 2024

Disclaimer

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Explanatory note

This EMN Annual Report on Migration and Asylum 2023 was prepared on the basis of annual National Reports on Migration and Asylum from 30 EMN NCPs (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, UA, RS) according to a common template developed by the EMN and completed by EMN NCPs to ensure the greatest possible comparability. More detailed information on the national developments described in this EMN Annual Report on Migration and Asylum 2023 may be found in the annual National Reports on Migration and Asylum available for 2023, and it is highly recommended to consult these as well.

The annual National Reports on Migration and Asylum provided by EMN NCPs describe the migration and asylum situation and developments in their respective countries for 2023. National Reports are 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 provided by the relevant units of DG HOME. 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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For more information

EMN website: http://ec.europa.eu/emn
EMN LinkedIn page: https://www.linkedin.com/company/european-migration-network
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AIMS AND STRUCTURE OF THE ANNUAL REPORT

This Annual Report on Migration and Asylum summarises the most significant legal and policy developments in EMN Member Countries (EU Member States except Denmark), and in EMN Observer Countries (NO, GE, MD, UA, RS). It focuses on legislative and policy measures introduced in 2023, as reported by the European Migration Network (EMN) National Contact Points (NCPs) via national contributions (national reports as available on the EMN website). An additional two EMN Observer Countries (ME and AM) provided statistics for the report.

The report is structured as follows: chapter 1 provides an overview of the main legal and policy developments across all areas of migration and asylum, identifying the main aims and drivers of EU-level and national actions. The following 11 thematic chapters provide a detailed summary of the main legislative and policy developments, as well as statistics on: Legal migration; International protection; Temporary protection and other measures in response to the Russia's war of aggression in Ukraine; Unaccompanied minors and other vulnerable groups; Integration and inclusion of migrants; Citizenship and statelessness; Borders, visa, and Schengen; Irregular migration; Trafficking in human beings; Return and readmission; Migration and development.

1. OVERVIEW OF KEY DEVELOPMENTS IN MIGRATION AND ASYLUM IN EMN MEMBER AND OBSERVER COUNTRIES IN 2023

1.1 KEY POINTS

- 2023 was marked by significant policy developments at European Union (EU) level. In December, the European Parliament and the Council of the EU reached an important political agreement on five key regulations of the New Pact on Asylum and Migration. Finalised in 2024, the legislative texts strengthen migration and asylum management in the EU. These include: The Asylum and Migration Management Regulation, the Asylum Procedure Regulation, the Screening Regulation, the Crisis and Force Majeure Regulation and the revised Eurodac regulation. At the end of the year, Parliament and Council also reached an agreement on the revised proposal for a Single Permit Directive, which will simplify admission procedures for all third-country workers.
- An increase in irregular migration towards the EU was recorded in 2023. Overall, there were 380 000 illegal border crossings on entry, an increase of 17% compared to 2022.[1] This development prompted EMN Member Countries to reinforce their border management operations and capacities and adopt new measures to tackle migrant smuggling and prevent irregular migration. EMN Member Countries such as Estonia and Finland started building or upgraded their external border infrastructure. Others such as Germany and Slovenia implemented temporary border checks at their internal land borders.
- First time applications for international protection in the EU and Norway (included in Eurostat reporting) increased in 2023, surpassing one million for the first time since 2016. The number of first and total applications for asylum dropped in the reporting EMN Observer Countries (with the exception of Norway) compared to 2022. In response to the growing volume of applicants, EMN Member Countries took measures to make asylum procedures more effective and to deal with pressure on reception capacities. Several EMN Member Countries also expanded access to various types of support – including healthcare for international protection applicants. Some EMN Member and Observer Countries introduced measures to facilitate asylum seekers' access to the national labour market.
- As Russia's war of aggression against Ukraine continued throughout 2023, as of April 2024 EMN Member and Observer Countries were providing safe shelter to approximately 4.2 million nationals and former residents of Ukraine fleeing the conflict. The EU extended temporary protection for them to March 2025. In some EMN Member Countries and Norway, the process to renew temporary protection was automatic without any action required on the part of the beneficiary. Several countries introduced measures to integrate beneficiaries of temporary protection (BoTP) in respect of housing, education, and access to the labour market.
- In order to align with the requirements of the new EU-wide Entry/Exit System, implement the European Interoperability Framework and/or speed up administrative procedures, several EMN Member and Observer Countries developed digital solutions, including in relation to issuing and renewing residence permits, introducing new visa application procedures, and issuing return decisions. EMN Member Countries upgraded their information technology (IT) capabilities to integrate their national systems into the growing architecture of EU-wide migration databases.
- In legal migration, attracting and retaining talent to meet labour market needs remained a key priority for the majority of EMN Member and Observer Countries. Several governments reported policy and legislative initiatives to ease and simplify admission procedures for various categories of workers, especially highly qualified and skilled workers and workers in shortage occupations. Measures addressing the mobility and entry and/or stay of students and researchers were also on the agenda of the majority of EMN Member and Observer Countries. The prevention of social dumping and labour exploitation was the subject of a comprehensive action plan by the French government.

1 European Border and Coast Guard Agency (Frontex), Annual Brief 2023, 20 March 2024, https://www.frontex.europa.eu/assets/Publications/General/Annual_Brief_2023.pdf, last accessed on 6 June 2024.

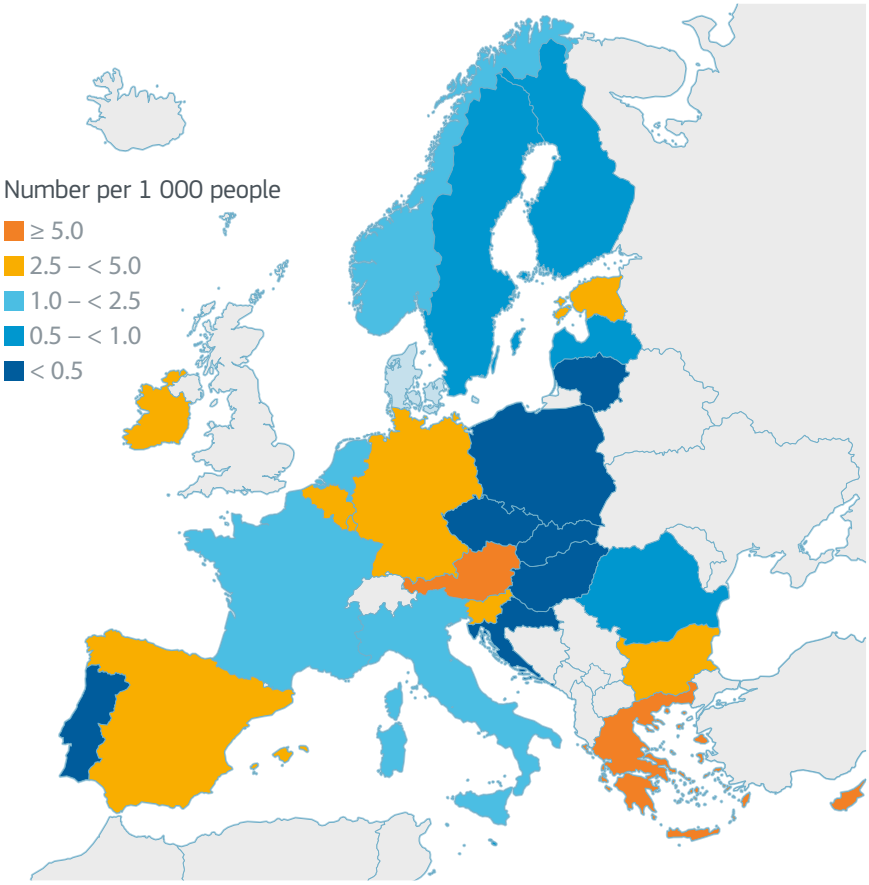
- Nearly all EMN Member and Observer Countries undertook new initiatives to support the social and economic integration of third-country nationals in 2023. Measures covered education, recognition of skills and academic qualifications, as well as access to a wide range of basic social services, including social security, housing and healthcare. Some countries also introduced action plans or other measures to combat racism and discrimination.
- Protecting victims of trafficking in human beings and addressing the needs of unaccompanied minors and other vulnerable groups remained important policy concerns in 2023. EMN Member and Observer Countries took important measures including training and awareness-raising on detection, cross-border cooperation (e.g. inspections) or legislative amendments to enhance the protection of victims. Child protection and safeguarding mechanisms for unaccompanied minors (including those with temporary status), as well as support for children and their families more generally, were strengthened in several countries. In some cases, the vulnerable situation of lesbian, gay, bisexual, trans, intersex and queer (LGBTIQ) third-country nationals received special attention.
- In 2023, most EMN Member and Observer Countries established and/or strengthened international partnerships with third countries. Cooperation revolved around all major aspects of migration, ranging from the prevention of irregular migration (including border management) and return and readmission to legal and circular migration, mobility of students and researchers, and international protection. Examples of strategic cooperation included Germany's revamped centres for migration and development in cooperation with several third countries, as well as Ukraine's work with different countries to strengthen the legislative base on readmission.

1.2 NEW TRENDS AND DEVELOPMENTS IN MIGRATION AND ASYLUM ACROSS EMN MEMBER AND OBSERVER COUNTRIES IN 2023

First time applications for international protection in the EU and Norway increased in 2023, surpassing one million for the first time since 2016

1 049 020

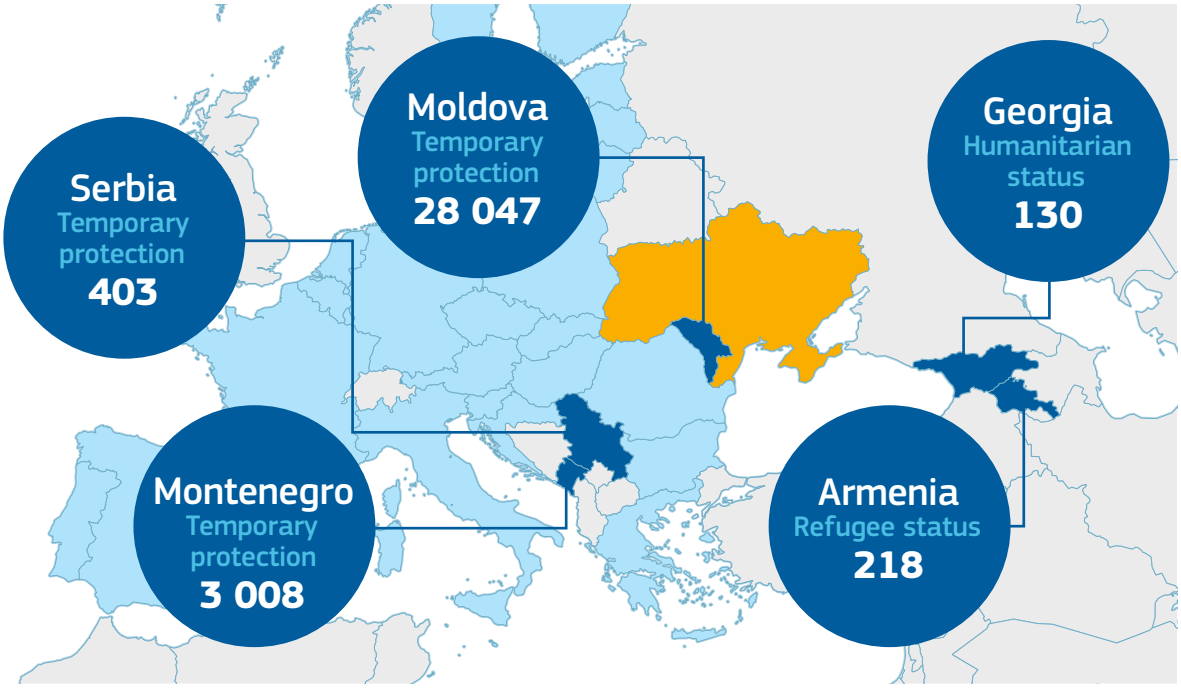
First-time asylum applicants in 2023



	Number	Number per 1 000 people
EU	**1 049 020**	**2.3**
Belgium	29 260	2.5
Bulgaria	22 390	3.5
Czechia	1 130	0.1
Denmark	2 355	0.4
Germany	329 035	3.9
Estonia	3 980	2.9
Ireland	13 220	2.5
Greece	57 895	5.6
Spain	160 460	3.3
France	145 095	2.1
Croatia	1 635	0.4
Italy	130 565	2.2
Cyprus	11 660	12.7
Latvia	1 625	0.9
Lithuania	510	0.2
Luxembourg	2 615	4.0
Hungary	30	0.0
Malta	490	0.9
Netherlands	38 320	2.2
Austria	55 605	6.1
Poland	7 720	0.2
Portugal	2 600	0.2
Romania	9 875	0.5
Slovenia	7 185	3.4
Slovakia	370	0.1
Finland	4 450	0.8
Sweden	8 945	0.9
Norway	5 230	1.0

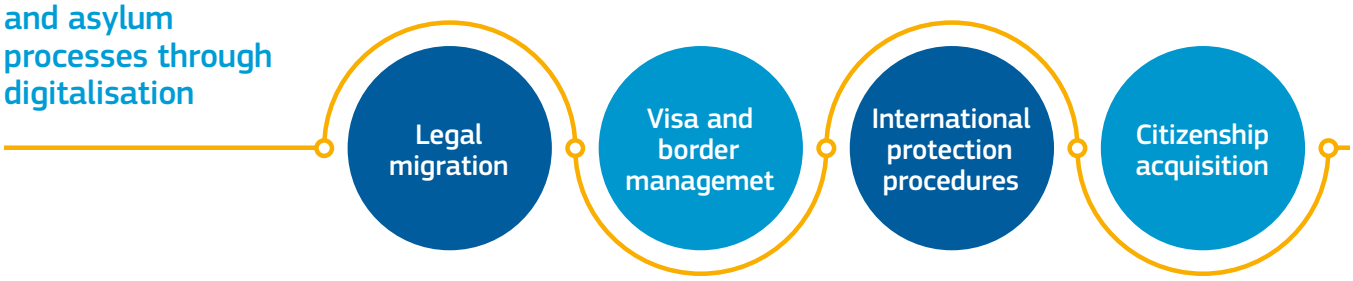
Source: Eurostat (migr_asyappctza and migr_pop1ctz)

Types of protection provided by EMN Observer Countries to those fleeing the war in Ukraine, 2023

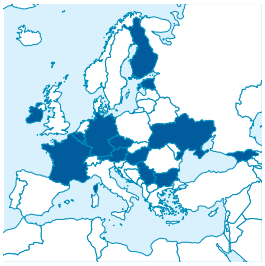


Figures refer to new temporary protection statuses provided in 2023, not those extended in 2023. See table 3 in section 4.4 for figures referring to 2022.
Source: relevant authorities from EMN Observer Countries

Improving migration and asylum processes through digitalisation



Digitalisation of migration procedures in 2023 in EMN Member and Observer Countries

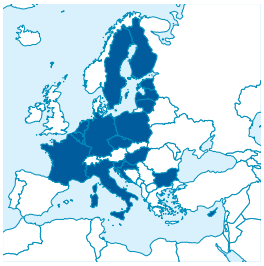


Procedure
Legal migration including residence permits

EMN Member and Observer Countries:

AT, BE, BG, CZ, DE, EE, FI, FR, HU, IE, LU, and GE, UA, RS

Total: 14



Procedure
Visa and border management

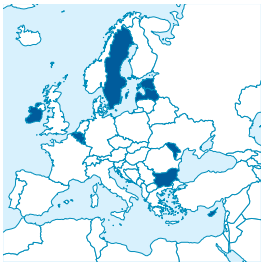
EMN Member Countries:

EES alignment
BE, BG, CY, CZ, DE, EE, HR, HU, IT, LT, LU, LV, MT, NL, PL, SE

Preparation for ETIAS
BE, CY, CZ, EE, FI, HR, IT, LT, LU, LV, MT, NL, SE

Updates for operationalisation of SIS
BE, CY, CZ, EE, FR, LT, LU, LV, MT, NL, PL, SE, SI

Total: 19



Procedure
International protection

EMN Member and Observer Countries:

Digitalisation of physical files
BE, CY, MT

Paperless working
BE, IE

Developed databases
BG, EE

Developed portals
LU, BE, MD

Digital transfer of files
BE, LV, SE

Total: 10

Procedure
Citizenship

EMN Member and Observer Countries:

DE, IE, IT and GE, MD

Total: 5

Procedure
Alignment with the European Interoperability Framework (EIF)

EMN Member Countries:

BE, CZ, EE, FR, IT, LT, MT

Total: 7

Addressing the needs of vulnerable groups

EMN Member and Observer Countries took different measures to support vulnerable groups in situations of migration, including:

Victims of trafficking in human beings

Children

Victims of gender based violence

LGBTIQ third-country nationals

1.3 INTRODUCTION

The year 2023 was marked by geopolitical instability in the European neighbourhood. In October, in response to the persisting challenge of Russia's war of aggression against Ukraine and the stabilisation of the number of BoTP (at approximately 4.2 million in the EU as of April 2024), the Council of the EU extended temporary protection for persons displaced due to the war in Ukraine for an additional year, until March 2025.[2] Fuelled by political instability in West Africa and in the Middle East, the year also saw an ongoing resurgence of high levels of irregular migration (following a drop in 2020). There was a further increase of applications for international protection overall in EMN Member Countries and Norway, whilst applications decreased in other EMN Observer Countries.

After years of limited change, the beginning of 2023 saw the share of third-country nationals regularly residing in the EU and Norway increase in both relative and absolute terms, growing from 5.3% (or approximately 24 million) to 6.1% of the total EU population and Norway (or 28 million) (see Figures 1 and 2).

Migratory pressure was at its highest since 2015-2016: more than 380 000 illegal border crossings on entry to the EU were detected – 17% higher than 2022.[3] Much of the increase reflected the growing share of migrant arrivals at sea borders, from the Central Mediterranean, Eastern Mediterranean and Western African routes. For the first time since 2015-2016 applications for international protection surpassed one million in the EU and Norway. Syrians continued to comprise the vast majority of applicants, followed by Afghan and Turkish nationals.

To address security concerns, prevent irregular migration and combat migrant smuggling, EMN Member Countries

2 Council Implementing Decision (EU) 2023/2409 of 19 October 2023 extending temporary protection as introduced by Implementing Decision (EU) 2022/382, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202302409, last accessed on 7 April 2024.
3 FRONTEX, Annual Brief 2023, 20 March 2024, https://www.frontex.europa.eu/assets/Publications/General/Annual_Brief_2023.pdf, last accessed on 6 June 2024.

reported actions to strengthen border management operations, including reinstating temporary internal border controls or building new border infrastructure, streamlining forced and voluntary return operations, and reinforcing cooperation with third countries of origin and transit throughout 2023. Countries such as Estonia and Finland started building or upgraded their external border infrastructure. Among other countries, Germany and Slovenia reported the implementation of temporary border checks at their internal land borders. France extended its cooperation with the United Kingdom (UK) on the management of the Franco-British area to address illegal crossings.

2023 also witnessed the inclusion of new members in the Schengen area. In addition to Croatia joining Schengen from 1 January 2023, Romania and Bulgaria also completed their respective Schengen evaluations during the year, keeping them on track to join the Schengen area from 31 March 2024.[4]

In the realm of international protection, countries adopted measures to cope with the increased influx of applicants, for example to deal with pressure on reception capacities, including by (where possible) expanding accommodation infrastructure or digitalising the asylum procedure. Some EMN Member and Observer Countries also introduced measures to facilitate asylum seekers' access to the national labour market.

In December 2023, the European Parliament and the Council of the EU reached an important political agreement on five key regulations of the New Pact on Asylum and Migration.[7] Finalised in 2024, the legislative texts strengthen migration and asylum management in the EU. The Asylum and Migration Management Regulation (EU) 2024/1351[5] will replace the Dublin Regulation 604/2013/EU. It will clarify the responsibility criteria while establishing a flexible mandatory solidarity mechanism to support countries experiencing a high number of irregular arrivals. The Asylum Procedure Regulation (EU) 2024/1348[6] and the Screening Regulation (EU) 2024/1356[7] will improve the management of the asylum system by introducing mandatory security, identity, health and vulnerability checks for all irregular migrants and asylum seekers and allowing authorities to swiftly identify the correct procedure (asylum or return) applicable to persons entering the EU without fulfilling its entry conditions. The Crisis and Force Majeure Regulation (EU) 2024/1359[8] will allow EU Member States to deviate from certain rules on asylum and return procedures in case of instrumentalisation of migration by third countries. With the Eurodac Regulation (EU) 2024/1358,[9] the Council and the Parliament also agreed on the expansion of the Eurodac fingerprint database to better tackle irregular movements and monitor the paths of asylum seekers and persons in an irregular situation throughout the EU.

EMN Member and Observer Countries continued to take cross-cutting measures on migration, such as in France, where the year 2023 was marked by the examination of the law 'to control immigration, improve integration. The law was presented to the Council of Ministers in February 2023 and promulgated in January 2024, following a decision of the Constitutional Council. The main objectives of the law were to: control access to residence and combat illegal immigration; ensure better integration of foreign nationals through work and language; improve the system for removing foreign nationals who pose a serious threat to public order; take action to ensure that removal decisions are effectively implemented; sanction the exploitation of foreign nationals and control borders, undertake structural reform of the asylum system and simplify litigation rules.

To address increasing labour shortages and the growing demand for highly skilled workers, several EMN Member and Observer Countries implemented measures to facilitate the entry and stay of several categories of workers, as well as students and researchers. In November 2023, as part of a Skills and Talent Mobility package, the European Commission adopted a proposal for a regulation establishing an EU Talent Pool to match EU employers with jobseekers in third countries in EU-wide shortage occupations at all skills levels.[10] In December 2023, the European Parliament and the Council reached a political agreement on the proposal for a Single Permit Directive,[11] which will simplify admission procedures for all third-country workers.[12]

Nearly all EMN Member and Observer Countries continued to adopt initiatives supporting the social and economic integration of third-country nationals in 2023. Measures spanned education, recognition of skills and academic qualifications, as well as access to a wide range of basic social services, including social security, housing, and healthcare. Some countries also introduced action plans or other measures to combat racism and discrimination.

Likewise, introducing measures to protect and support vulnerable groups, such as victims of trafficking, unaccompanied minors, single women or children and their family remained on the agenda of several EMN Member and Observer Countries. In some cases, countries also paid special attention to the needs of lesbian, gay, bisexual, trans, intersex and queer (LGBTIQ) third-country nationals.

4 Council Decision 2010/0820 (NLE) on the full application of the provisions of the Schengen *acquis* in the Republic of Bulgaria and Romania of 30 December 2023, https://data.consilium.europa.eu/doc/document/ST-17132-2023-INIT/en/pdf, last accessed on 22 April 2024.

5 Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1351, last accessed on 6 July 2024.

6 Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL_202401348, last accessed on 6 July 2024.

7 Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the 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, https://eur-lex.europa.eu/eli/reg/2024/1356/oj, last accessed on 6 July 2024.

8 Regulation (EU) 2024/1359 of the European Parliament and of the Council of 14 May 2024 addressing situations of crisis and force majeure in the field of migration and asylum and amending Regulation (EU) 2021/1147, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1359, last accessed on 6 July 2024.

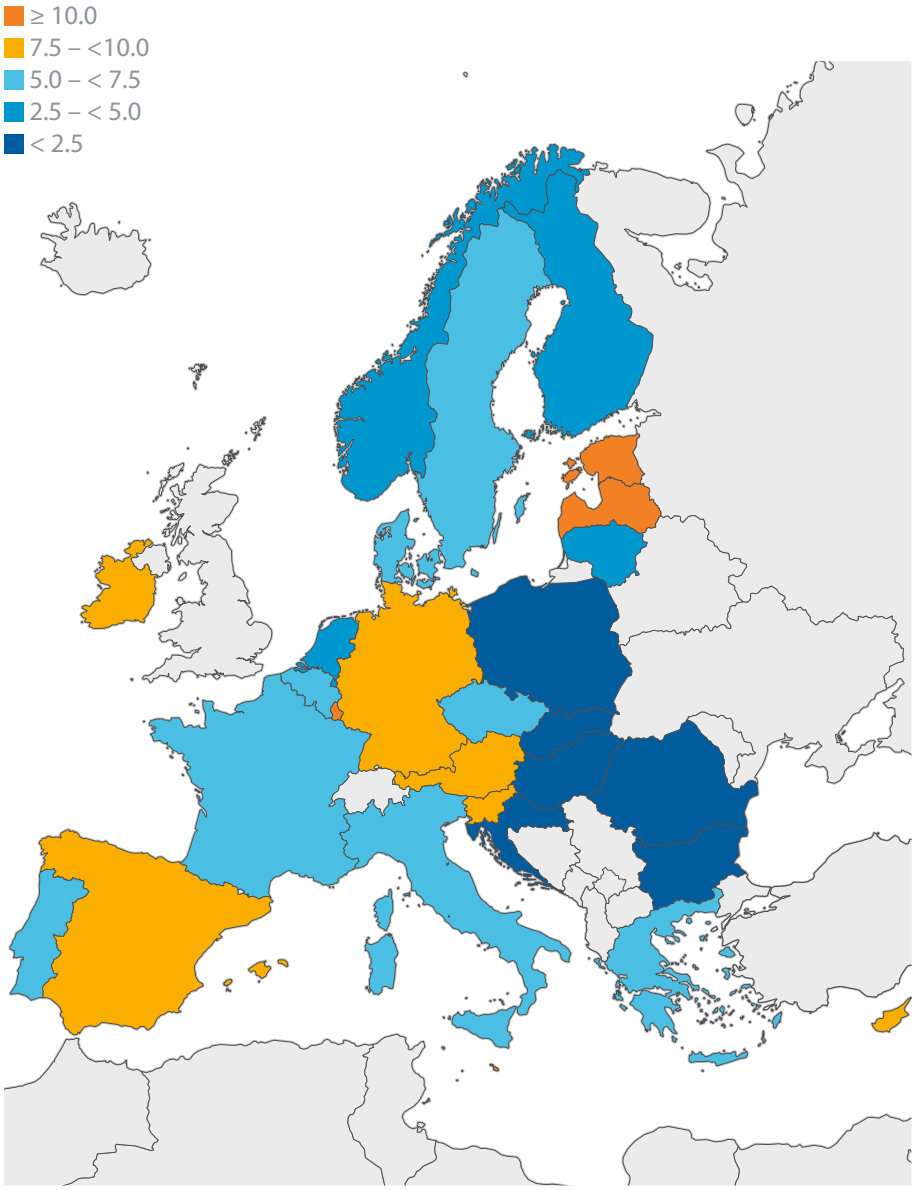
9 Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 on the establishment of 'Eurodac' for the comparison of biometric data in order to effectively apply Regulations (EU) 2024/1351 and (EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council and repealing Regulation (EU) No 603/2013 of the European Parliament and of the Council, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1358, last accessed on 6 July 2024.

10 Proposal for a Regulation of the European Parliament and of the Council establishing an EU talent pool {SEC(2023) 716 final} - {SWD(2023) 716 final} - {SWD(2023) 717 final} - {SWD(2023) 718 final}, https://home-affairs.ec.europa.eu/document/download/d74d42e8-96b7-416b-b5b7-b3b7334317d8_en?filename=Regulation%20establishing%20an%20EU%20Talent%20Pool_en.pdf, last accessed on 18 February 2024.

11 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 18 February 2024.

12 European Commission, 'Commission welcomes political agreement on revised rules for a combined work and residence permit in the European Union', Press release, 20 December 2023, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6710, last accessed on 18 February 2024.

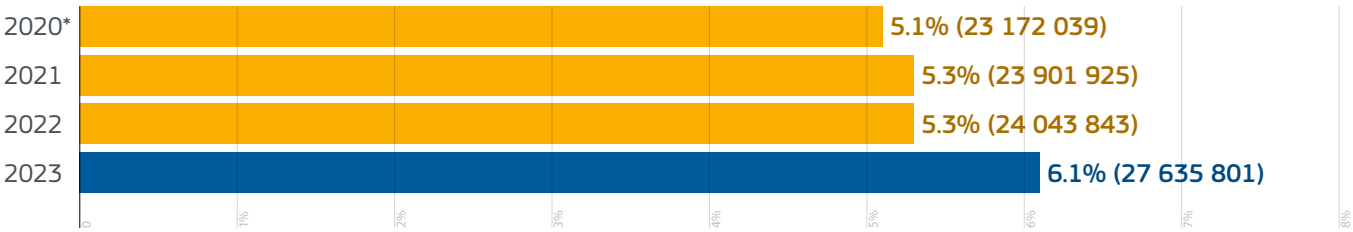
Figure 1: Share of third-country nationals in the total population, EU and Norway, 1 January 2023



	Number of third-country nationals	Share in the total population (%)
EU	**27 383 515**	**6.1**
Belgium	607 330	5.2
Bulgaria	65 117	1.0
Czechia	675 288	6.2
Denmark	365 304	6.2
Germany	7 725 593	9.2
Estonia	213 742	15.6
Ireland	411 544	7.8
Greece	649 874	6.2
Spain	4 398 888	9.1
France	4 074 573	6.0
Croatia	55 272	1.4
Italy	3 747 559	6.4
Cyprus	90 455	9.8
Latvia	255 311	13.6
Lithuania	96 422	3.4
Luxembourg	67 489	10.2
Hungary	142 421	1.5
Malta	94 766	17.5
Netherlands	718 660	4.0
Austria	847 309	9.3
Poland	403 423	1.1
Portugal	565 273	5.4
Romania	158 800	0.8
Slovenia	168 971	8.0
Slovakia	22 560	0.4
Finland	216 026	3.9
Sweden	545 232	5.2
Norway	252 286	4.6

Note: Estonia and Latvia, the number of third-country nationals includes recognised non-citizens.
Source: Eurostat (migr_pop1ctz), date of extraction: 8 April 2024.

Figure 2: Share of third-country nationals in the total population, EU and Norway, 1 January 2020-2023



Note: including recognised non-citizens.
* Excluding Cyprus and Malta for which data are not available.
Source: Eurostat (migr_pop1ctz), date of extraction: 8 April 2024.

1.4 MANAGING MIGRATION IN THE CONTEXT OF GROWING PRESSURE AT THE EXTERNAL BORDERS

The protection of the EU's external borders, prevention of irregular migration, and the fight against migrant smuggling remained high priorities in the EMN Member and Observer Countries throughout 2023. The return of third-country nationals without permission to stay was also a priority topic in migration management at EU and national level. In response to an increase in illegal border crossings, nine EMN Member Countries[13] stepped up their border management capabilities and/or reinforced border controls. Incidents at the land borders with Belarus were reported on a daily basis throughout 2023,[14] while attempts to instrumentalise migration at the Finnish-Russian border were recorded towards the end of 2023.[15] As a result, several EMN Member Countries implemented new measures to protect the EU's external borders: Estonia completed a significant portion of its Southeastern border infrastructure, Finland started constructing similar infrastructure and implemented border closures, and Latvia introduced procedures for refusing entry to vehicles from the Russian Federation. Poland introduced a legislative amendment to extend the entry ban where a person is believed to pose a threat to national security, public security, public order and the Polish interest, or when there is a fear that the foreigner may conduct terrorist acts or espionage or is suspected of having committed one of these crimes.

Eight EMN Member Countries[16] responded to security risks arising from increased migratory flows and secondary movements by extending, reintroducing, or introducing different internal border control measures. Slovenia extended temporary controls with Croatia and Hungary, while Germany introduced temporary checks at land borders with Austria and reintroduced such checks at land borders with Poland, Switzerland, and the Czech Republic. During the year, 10 EMN Member and Observer Countries[17] introduced legislative or policy changes to prosecute smugglers, establish more stringent sanctions for smuggling activities, and/or counter irregular migration. Conversely, France and Greece adopted measures granting access to legal solutions for certain categories of irregularly staying migrants on their territory.

Two EMN Member Countries continued to strengthen their operational capacity in respect of border management.[18] For example, France extended its cooperation with the UK on the management of the Franco-British area in order to limit the number of illegal crossings.

The European Commission launched several initiatives to enhance the effectiveness of return proceedings and readmission cooperation with third countries along major migration routes.[19] The renewal of the Schengen Information System (SIS) in March 2023 enables EU Member States[20] and Schengen Associated Countries to exchange information and monitor compliance with third-country nationals' return decisions.[21] To further facilitate and speed up returns, the European Commission encouraged EU Member States to use mutual recognition of return decisions when implementing Directive 2008/115/EC and to establish strong cooperation between authorities responsible for the decisions ending legal stay and those responsible for the issuance of return decisions.[22] Six EMN Member Countries undertook initiatives to streamline their return procedures and improve their effectiveness,[23] while 15 EMN Member and Observer Countries introduced measures on reintegration support.[24] Several EMN Member Countries introduced measures to increase security in detention centres[25] and implemented changes on alternatives to detention[26] to ease pressure on available capacity.[27]

1.5 ADAPTING NATIONAL PROCEDURES AND CAPACITIES TO GROWING INTERNATIONAL PROTECTION NEEDS

Throughout 2023, many EMN Member and Observer Countries[28] introduced policy, legislative and operational changes in relation to international protection. In December 2023, the Council of the EU and the European Parliament reached a political agreement on the five key regulations presented under the New Pact on Migration and Asylum: the Asylum Procedures Regulation, Asylum and Migration Management Regulation (AMMR), Screening

13 AT, CY, CZ, FR, HU, IT, LT, PL, SK.
14 European Border and Coast Guard Agency, 'FRONTEX Annual Brief', 2023, https://www.frontex.europa.eu/assets/Publications/General/Annual_Brief_2023.pdf, last accessed on 12 April 2024.
15 Ibid.
16 AT, CZ, DE, EE, FR, PL, SI, SK.
17 BE, BG, CZ, DE, IT, LT, LV, NL, PL, and UA.
18 FR, LT.
19 European Commission, 'Towards an Operational Strategy for More Effective Returns', COM(2023) 45 final, https://eur-lex.europa.eu/resource.html?uri=cellar:3cc3cecc-9bd8-11ed-b508-01aa75ed71a1.0001.02/DOC_1&format=PDF, last accessed on 24 June 2024; European Commission, 'EU Action Plan for Western Mediterranean and Atlantic Routes', 2023, https://home-affairs.ec.europa.eu/document/download/b5aef566-afca-4b90-bc01-0c3d0a7f67d5_en?filename=EU%20Action%20Plan%20for%20the%20Western%20Mediterranean%20and%20Atlantic%20routes.pdf, last accessed on 19 February 2024; European Commission, 'EU Action Plan for the Eastern Mediterranean route', YYYY, https://home-affairs.ec.europa.eu/eu-action-plan-eastern-mediterranean-route_en, last accessed on 19 February 2024.
20 Except CY and IE. BG and RO joined on 31 March 2024.
21 European Commission, Schengen Information System, n.d., https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/schengen-information-system_en, last accessed on 12 April 2024.
22 Commission Recommendation (EU) 2023/682 of 16 March 2023 on mutual recognition of return decisions and expediting returns when implementing Directive 2008/115/EC of the European Parliament and of the Council, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32023H0682, last accessed on 24 June 2024.
23 FI, FR, IE, IT, LU, PL.
24 BE, BG, CZ, DE, EE, FI, FR, HU, IT, LT, MT, NL, PL, SE, and MD.
25 BE, CY, CZ, EE, FI, HU, IT, LU, PL, SE, and NO.
26 BE, HU, IT, LT, LU, SE.
27 IT.
28 AT, BE, BG, CY, CZ, EE, EL, FR, HR, IE, IT, LT, LU, LV, MT, NL, and MD, RS.

Regulation, Crisis and Force Majeure Regulation, and the revised Eurodac Regulation.[29] The legislation targets a more effective EU asylum system and enhanced solidarity across the EU Member States (see section 1.3).

To cope with the increasing number of asylum applications, nine EMN Member Countries[30] took measures to expand the ways in which asylum can be lodged and to improve the effectiveness of asylum procedures. Estonia and Lithuania expanded the number of locations for lodging asylum applications, while the Netherlands' government granted the national immigration agency (Immigration and Naturalisation Service, IND) a nine-month extension to examine asylum applications submitted between 1 January 2023 and 1 January 2024. France expanded its use of videoconferencing, while Luxembourg (as per the Coalition Agreement 2023-28) considered the possibility of using DNA tests to prove family ties in the absence of documentation.

On reception, 11 EMN Member Countries[31] reported capacity issues and adopted measures to increase and improve accommodation facilities to ensure that the right to accommodation is guaranteed, especially for the most vulnerable groups. For example, in the Netherlands the Central Agency for the Reception of Asylum Seekers (COA) initiated a package of measures to create 19 000 additional reception places by 1 July 2023. In four countries, international protection recipients and/or applicants also benefitted from new policy measures to increase or expand access to healthcare.[32] Ireland introduced a priority public health programme providing applicants for international protection and BoTP with catch-up immunisations and infectious disease screening.

Eight EMN Member and Observer Countries[33] introduced measures to facilitate asylum seekers' access to the national labour market. For example, Belgium's Federal Agency for the Reception of Asylum Seekers (Fedasil) strengthened its partnerships with private actors and public employment services (PES) to foster labour market integration of applicants of international protection. Four EMN Member and Observer Countries reduced the waiting period to access the labour market after submitting an application for international protection.[34]

Following the launch of a European Commission pledging exercise in May 2023, 14 EU Member States collectively agreed in December to offer nearly 61 000 new places for resettlement and humanitarian admission.[35] Four EU Member States reported changes to national quotas for resettlement compared to the previous year (two reduced the national quota,[36] one increased,[37] one renewed[38]) and related achievements in 2023. This included specific attention to resettling women, girls and LGBTQ+ persons.

The Voluntary Solidarity Mechanism (VSM) was continued.

1.6 PROVIDING SAFE SHELTER TO PERSONS DISPLACED BY WAR IN UKRAINE

The situation of persons fleeing Ukraine remained high on the policy agenda of many EMN Member Countries, Norway, Georgia, Moldova, and Serbia. A major development in 2023 was the decision by the Council of the EU to extend temporary protection for such persons until 4 March 2025 across all EU Member States.[39] The Norwegian government proposed an amendment to its national Immigration Act to allow for the extension of the period of temporary protection on an individual basis from three to five years. Georgia also amended its legislation to allow Ukrainian citizens to enter and stay in the country without a visa for two years (instead of one).

The vast majority of EMN Member and Observer Countries reported developments in temporary protection.[40] Given the high number of renewals expected, 13 EMN Member Countries and Norway[41] renewed temporary protection status automatically while some other countries required BoTP to lodge a request for renewal. Other developments included a shift towards long-term housing for beneficiaries of temporary protection,[42] renewed efforts to support the integration of children from Ukraine into national education systems,[43] and measures to enhance access to the labour market.[44]

29 Council of the EU, 'The Council and the European Parliament reach breakthrough in reform of EU asylum and migration system', Press release, 20 December 2023, https://www.consilium.europa.eu/en/press/press-releases/2023/12/20/the-council-and-the-european-parliament-reach-breakthrough-in-reform-of-eu-asylum-and-migration-system/, last accessed on 8 April 2024.
30 BE, BG, EE, FR, HR, IT, LT, LU, NL.
31 BE, CY, FR, HR, IE, IT, LT, LU, LV, MT, NL.
32 BE, IE, IT, LU, MT.
33 BE, CY, EL, HR, LT, LU and MD, RS.
34 CY, EL, HR, and RS.
35 European Commission, 'EU announces 61 000 new resettlement and humanitarian admission places at the Global Refugee Forum', Press release, 15 December 2023, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6633, last accessed on 21 April 2024.
36 FI, SE.
37 DE.
38 MT.
39 Council Implementing Decision (EU) 2023/2409 of 19 October 2023 extending temporary protection as introduced by Implementing Decision (EU) 2022/382, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202302409, last accessed on 7 April 2024.
40 AT, BE, CY, CZ, DE, EE, EL, FI, FR, HR, HU, IE, IT, LT, LU, LV, NL, PL, SK, and NO, MD.
41 AT, CY, DE, EL, HU, IE, IT, LT, LV, NL, PL, PT, SK, and NO.
42 BE, CY, CZ, EL, FI, FR, HU, LT, NL, PL.
43 AT, BE, EE, FR, HR, IE, LT, LU, LV, NL, SK and NO, MD.
44 AT, BE, CZ, FR, HR, IE, IT, LT, LV, NL, PL, SE, SK, and MD.

1.7 IMPROVING MIGRATION QND ASYLUM PROCESSES THROUGH DIGITALISATION

Digitalisation was a cross-cutting trend in all major areas of migration and asylum. Such developments aimed to streamline and optimise migration management processes and were driven by longstanding challenges such as administrative backlogs and long processing times for applications.

Fourteen EMN Member and Observer Countries[45] implemented changes to digitise their legal migration procedures and speed up the process of issuing and renewing various types of residence permits. France, Hungary, and Luxembourg all introduced the possibility to apply online for a wide range of permits. Georgia's government launched a new online portal that shares information on the certification of employment intermediaries abroad, as well as information for Georgian citizens abroad and third-country nationals in Georgia.[46] Several EMN Member Countries and Georgia also reported the introduction of digital tools for aspects of integration, such as making language and civic integration provisions more available and flexible, or determining migrants' eligibility for employment applications.[47]

Digitalisation in visa and border management was strongly driven by policy and legislative developments at EU level. In line with the EU's policy to encourage the digitalisation of public services, several EMN Member Countries reported initiatives to fully digitalise visa applications. Throughout 2023, 16 EMN Member Countries[48] have either amended existing laws, implemented new regulations, or upgraded their border control systems to align with the requirements of the Entry/Exit System (EES) for those travelling for short stays,[49] expected to be launched in late 2024. Likewise, 13 EMN Member Countries[50] implemented changes in preparation for the implementation of the European Travel Information and Authorisation System (ETIAS) for travelling for short stays.[51] Thirteen EMN Member Countries reported updates to the operationalisation of the SIS.[52]

The international protection process was also impacted by digitalisation. Three EMN Member Countries reported measures on the digitalisation of physical files,[53] two moved towards paperless working methods,[54] two developed databases,[55] three developed/launched portals,[56] and three worked on their ability to digitally transfer/handover files.[57]

Similarly, five EMN Member and Observer Countries adopted initiatives to simplify citizenship acquisition by moving the process entirely online and introducing more user-friendly tools.[58]

In 2023, seven EMN Member Countries implemented updates on the development and implementation of the European Interoperability Framework (EIF).[59] The latest version of the EIF was adopted in 2017 and guides public administrations on setting up interoperable digital public services.[60] In 2023, efforts related to national legal and organisational amendments for compliance with the EIF Regulation (2024/903/EU)[61] and steps to achieve interoperability between IT systems.[62]

1.8 ATTRACTING AND RETAINING WORKERS TO ADDRESS LABOUR SHORTAGES

Attracting skilled workers to address labour shortages in critical professions remained a high priority at EU and national level throughout 2023. In November's Skills and Talent Mobility package, the European Commission put forward a series of new initiatives to make the EU more attractive and address skills and labour shortages across the Union.[63] Notable measures included a proposal for a regulation establishing an EU Talent Pool to match EU employers with jobseekers in third countries in shortage occupations,[64] as well as measures to develop national capacity

45 AT, BE, BG, CZ, DE, EE, FI, FR, HU, IE, LU, and GE, UA, RS.
46 Georgia, 'Labour Information Migration Portal', n.d., https://labourmigration.moh.gov.ge/?lang_id=en, last accessed on 9 March 2024.
47 AT, BE, DE, EL, FR, SE, and GE.
48 BE, BG, CY, CZ, DE, EE, HR, HU, IT, LT, LU, LV, MT, NL, PL, SE.
49 European Commission, 'Entry/Exit System (EES)', n.d., https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/smart-borders/entry-exit-system_en#:~:text=The%20Entry%2FExit%20System%20%28EES%29%20will%20be%20an%20automated,each%20time%20they%20cross%20an%20EU%20external%20border, last accessed on 13 March 2024.
50 BE, CY, CZ, EE, FI, HR, IT, LT, LU, LV, MT, NL, SE.
51 EMN, 'EMN Glossary', v 10.0, 2024, https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/european-travel-information-and-authorisation-system-etias_en, last accessed on 24 June 2024.
52 BE, CY, CZ, EE, FR, LT, LU, LV, MT, NL, PL, SE, SI.
53 BE, CY, MT.
54 BE, IE.
55 BG, EE.
56 BE, LU and MD.
57 BE, LV, SE.
58 DE, IE, IT and GE, MD.
59 BE, CZ, EE, FR, IT, LT, MT.
60 European Commission, 'ISA² - Interoperability solutions for public administrations, businesses, and citizens', n.d., https://ec.europa.eu/isa2/eif_en/, last accessed on 13 March 2024.
61 EE, IT.
62 CZ, FR, MT.
63 European Commission, 'Commission proposes new measures on skills and talent to help address critical labour shortages', Press release, 15 November 2023, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_5740, last accessed on 18 February 2024.
64 Proposal for a Regulation of the European Parliament and of the Council establishing an EU talent pool {SEC(2023) 716 final} - {SWD(2023) 716 final} - {SWD(2023) 717 final} - {SWD(2023) 718 final}, https://home-affairs.ec.europa.eu/document/download/d74d42e8-96b7-416b-b5b7-b3b7334317d8_en?filename=Regulation%20establishing%20an%20EU%20Talent%20Pool_en.pdf, last accessed on 18 February 2024.

to simplify and expedite the recognition of third-country qualifications and skills.[65] In December 2023, the European Parliament and the Council reached a political agreement on the revision of the Single Permit Directive.[66] The final text will simplify admission procedures for all third-country workers and provide for stronger safeguards for those at risk of exploitation.[67]

To facilitate admission of workers in highly qualified and shortage occupations, 16 of the reporting EMN Member and Observer Countries[68] reported changes to ease requirements, extend eligible occupations lists and simplify various procedures. In Austria, where the number of shortage occupations reached an all-time high in 2023, the government simplified language requirements for Red-White-Red Card applicants and adopted the first cross-government strategic action plan to tackle the shortage of skilled workers. The plan covers (1) skilled immigration, (2) labour market integration of migrants (in particular, those granted asylum and beneficiaries of subsidiary protection status) already living in Austria, and (3) labour market integration of BoTP. The Czech Republic launched a programme for 'digital nomads' to attract IT specialists. Thirteen EU Member States[69] amended or started parliamentary consultation processes to amend their legislation on highly skilled workers to integrate the new provisions of the revised Blue Card Directive (2021/1883/EU),[70] namely its more flexible admission criteria (see section 2.2.3).

Norway, Ukraine and Serbia also took policy initiatives to attract highly skilled workers, for example establishing quotas for residence permits for highly qualified specialists (IT, doctors),[71] or increasing existing quotas.[72] Fifteen EMN Member and Observer Countries introduced measures to facilitate the entry and/or stay of students and researchers.[73] In four EMN Member and Observer Countries,[74] measures in this field were more restrictive, such as tightening entry requirements to educational institutions.[75]

Twelve EMN Member and Observer Countries[76] adopted measures to prevent social dumping and labour exploitation. Three countries in particular increased and/or strengthened fines and penalties for companies for illegally employing third-country nationals.[77] In May 2023, the French government published a national plan to combat illegal employment for 2023-2027, containing thirty-four measures to combat fake documentation and fraudulent legal statuses, tackle human trafficking, improve monitoring of illegal employment, introduce new penalties for employers, and provide for compensation for damage caused by illegal employment.[78]

Eleven EMN Member Countries reported developments on family reunification.[79] Developments in EU and national jurisprudence led to changes in Belgium and the Netherlands, in particular.

1.9 ENHANCING THE INTEGRATION OF THIRD-COUNTRY NATIONALS IN EMN MEMBER AND OBSERVER COUNTRIES

Almost all EMN Member and Observer Countries reported measures to foster third-country nationals' general participation and inclusion in their host society.[80]

Over half of the EMN Member Countries[81] and Moldova reported updates to their national or regional integration strategies. Developments were driven by the need to coordinate integration processes between stakeholders,[82] ensure migrants' local language proficiency,[83] emphasise individual responsibility in the integration process,[84] include a broader group of people and ensure everyone can participate in society,[85] and promote the labour market integration of migrants.[86] In October 2023, Ireland launched a public consultation to inform the development of a new migrant integration strategy to replace the strategy that concluded at the end of 2021.

To reduce the burden on the integration structures in receiving countries, two EMN Member Countries[87] reported adopting pre-departure integration measures. Supporting future integration, Malta offered visa applicants access to online services in their country of origin to access

65 European Commission Recommendation of 15 November 2023 on the recognition of qualifications of third-country nationals, COM(2023) 7700 final, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52022PC0655, last accessed on 6 July 2024.
66 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 18 February 2024.
67 European Commission, 'Commission welcomes political agreement on revised rules for a combined work and residence permit in the European Union', Press release, 20 December 2023, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6710, last accessed on 18 February 2024.
68 AT, BE, CY, CZ, DE, FI, FR, IE, IT, LT, LU, SI, SK, and GE, MD, RS.
69 BE, BG, CZ, DE, EL, ES, FI, FR, IT, LT, LU, LV, MT, SK.
70 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/TXT/?uri=celex%3A32021L1883, last accessed on 18 February 2024.
71 UA.
72 NO.
73 CY, CZ, EE, ES, FI, IT, LT, LU, MT, PL, SE, SK, and NO, GE, UA.
74 CY, FI, SE, and NO.
75 CY.
76 BE, CY, CZ, DE, FI, FR, IT, LU, PL, SE, SK, and GE.
77 BE, CZ, FR, LU.
78 Government of France, 'Plan national de lutte contre le travail illégal (2023-2027)', https://travail-emploi.gouv.fr/IMG/pdf/pnlti_23_27.pdf, last accessed on 9 March 2024.
79 BE, BG, CY, CZ, EE, IT, LT, NL, SE, SI, SK.
80 AT, BE, BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, NL, PL, PT, SE, SI, SK, and NO, GE, MD.
81 AT, BE, CY, CZ, DE, FI, FR, HR, IE, IT, LU, MT, SE, SI.
82 CZ, FR, HR, IT.
83 BE, DE, EE, FR, SI.
84 FI, SE.
85 LU.
86 AT, BE.
87 DE, MT.

pre-departure orientation information. Twenty-one EMN Member and Observer Countries[88] launched additional integration measures in education (e.g. language courses, additional classes in primary and secondary schools for migrant children) or social orientation. Cyprus introduced the 'Learning Greek in preschool' programme, which provided extra training for preschool teachers of children with a migrant background. Estonia introduced several programmes supporting municipalities and local educators in the transition to primarily Estonian language education. Four countries amended or considered changes to their compulsory civic integration programmes.[89]

To attract foreign talent and address skill shortages, eight EMN Member and Observer Countries[90] implemented measures to improve the recognition of skills and academic qualifications and improve third-country nationals' access to the labour market. In Georgia, 11 vocational schools gained the right to recognise non-formal education by 2023 within 11 areas, including business and administration, information and communication technology (ICT), education, healthcare and agriculture. To enhance employability of third-country nationals, the Czech Republic granted advanced Czech language learners access to subsidised training courses to improve their digital skills and competencies. In Germany, the MY TURN project aimed to improve the long-term integration of women with migration experience and foreign citizenship into the labour market and to counteract possible (further) entrenchment of dependence on social support services.

Fifteen countries reported developments in relation to third-country nationals' access to basic services, including social protection,[91] social security,[92] housing[93] and healthcare.[94] Authorities reported enhanced third-country nationals' access to pensions from another EU country,[95] training on the rights of foreign nationals for public service staff responsible for providing access to rights,[96] and legal amendments giving persons with temporary residency permits and subsidiary protection status access to social allowances on an equal footing with permanent residents.[97] While the Belgian region of Flanders increased the Dutch language proficiency level required to access social housing, Greece implemented the Supported Living Houses programme, offering adult beneficiaries of international protection with disabilities more access to living and care services, as well as recreational and socialisation activities.

Five EMN Member Countries[98] adopted national and regional action plans against racism and discrimination. Spain introduced a Strategic Framework for Citizenship and Inclusion, against Racism and Xenophobia (2023-2027) to increase the inclusion of migrants and asylum seekers in society. Five EMN Member Countries implemented or improved other measures to combat racism and discrimination by adopting new legislation,[99] introducing a dedicated fund for anti-racism projects,[100] increasing penalties for hate crimes or related offences,[101] improving responses to online cybercrimes and hate speech towards migrants,[102] or strengthening laws/measures against discrimination in the workplace.[103]

On the acquisition of citizenship, six EMN Member and Observer Countries,[104] reported measures aimed at simplifying the process through updated and clearer legislation and/or by introducing more user-friendly tools. Overall, new developments in national legislation show a clear trend towards reducing barriers and loosening stringent criteria to apply for citizenship and naturalisation.[105] In August 2023, to further facilitate the integration of foreign residents, the German federal government submitted a draft of a new Citizenship Law that streamlines the process to receive German nationality, including a reduction of the residence period required to apply for citizenship from eight to five years.

1.10 PROTECTING VICTIMS OF TRAFFICKING IN HUMAN BEINGS AND ADDRESSING THE NEEDS OF UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

Throughout 2023, nine EMN Member Countries launched or prepared to finalise new action plans to counter trafficking in human beings.[106] France's third National Plan to Combat the Exploitation and Trafficking of Human Beings 2024-2027 was presented in December 2023, following an especially broad consultation process involving 30 foundations and civil society associations, 10 ministries, international partners, and the independent national rapporteur. Training and awareness-raising actions to increase the ability of professionals and the general

88 AT, BE, CY, DE, EE, EL, FR, HR, IE, IT, LT, LV, LU, NL, PL, SE, SI, SK, and NO, GE, MD.
89 BE, FR, NL, SE.
90 AT, BE, CZ, DE, FI, FR, LU, and GE.
91 BE, FR.
92 IT, LV, NL, SE
93 AT, BE, FR, EL, IE, LU, SE, and NO, MD.
94 CZ, SK as well as BE, IE, IT, LU, MT who provided (improved) access specifically to beneficiaries of or applicants for international protection.
95 IT.
96 BE, FR.
97 LV.
98 BE, HR, FR, IE, LV.
99 BE, LU.
100 IE
101 AT, LU.
102 CZ.
103 BE, FI, LU.
104 DE, IE, IT, NL and GE, MD.
105 BE, DE, FR, IE, IT, LU, NL and GE.
106 AT, CY, DE, FR, HR, IE, MT, NL, SI.

public to detect trafficking in human beings were reported by 20 EMN Member and Observer Countries.[107] Likewise, 13 national authorities in EMN Member and Observer Countries[108] collaborated to establish legislation, training, national councils and inspections. Actions to promote the protection of third-country national victims of trafficking in human beings (e.g. improved access to legal aid in litigation[109] or increased funding for national support centres[110]) were recorded by 13 EMN Member and Observer Countries.[111]

To improve the reception of children and in particular unaccompanied minors, seven countries reported changes to improve child protection mechanisms through various approaches.[112] Austria introduced a new child protection concept whereby each federal reception centre supporting minors must have a child protection officer, while France implemented capacity-building initiatives targeting judicial youth protection staff. Five EMN Member Countries[113] expanded their accommodation capacities for unaccompanied minors. In two cases, this also entailed the expansion of appropriate housing options, including foster care[114] and semi-independent living.[115] Migrant children's protection and safeguarding were on the policy agenda in several EMN Member Countries[116] (e.g. publication of new guidelines/instructions, update of existing policies to strengthen the rights of the child).

In the case of separated children from Ukraine, five countries[117] amended their legislation to ensure that the best interest of the child was duly assessed and followed when providing accommodation and care, for example through the appointment of (Ukrainian) foster families[118] or the arrangement of other suitable accommodation with adult relatives or social service providers.

Addressing the needs of other vulnerable groups prompted additional policy interventions in nine EMN Member Countries.[119] For example, to support LGBTIQ third-country nationals, Belgium created dedicated reception places,[120] Germany introduced special legal advice for queer and vulnerable persons,[121] and France launched special vulnerability training programmes on the needs of LGBTIQ asylum seekers.[122] EMN Member and Observer Countries[123] also reported developments to address gender-based violence and to enhance the protection of single women, women with children, and unaccompanied girls. In particular, the fight against Female Genital Mutilations (FMG) was on the policy agenda of countries such as Austria, Ireland, and Luxembourg.

As part of the 2023 Global Compact on Refugees (GRF), the EU pledged to ensure accurate inclusion of forcibly displaced persons, stateless individuals, and host communities in censuses and surveys.[124] This will help improve the availability and precision of nationally produced data and evidence used to inform the design of programmes and policies to improve the protection and wellbeing of these vulnerable populations. On statelessness specifically, the Dutch and Portuguese authorities established a formal procedure to officially recognise their status in the Netherlands and Portugal, while Belgium introduced a new right of residence.

1.11 A RENEWED IMPETUS IN DEVELOPING INTERNATIONAL PARTNERSHIPS ON MIGRATION

To prevent irregular migration and combat migrant smuggling and trafficking, five EMN Member and Observer Countries[125] reinforced existing cooperation or concluded new bilateral or multilateral agreements with countries along the Western Balkan route, such as Albania. Four EMN Member Countries also reinforced cooperation with countries along the Central and Western Mediterranean routes, including Morocco, Tunisia, and Mauritania.[126]

Cooperation with third countries on readmission and reintegration of returnees was the most reported action on return, reported by 20 EMN Member and Observer Countries.[127] The German Federal Government established a Special Commissioner for Migration Agreements in 2023 to oversee the conclusion of readmission agreements with several third countries.

Austria, Germany, and Italy concluded comprehensive migration partnerships with India, addressing irregular migration, return, legal migration, and the mobility of students and researchers. Ten EMN Member and Observer Countries[128] concluded legal migration agreements with third countries, including the Philippines, Tunisia, Argentina, the United States (US), Canada, North Macedonia, and Albania. Greece ratified an agreement on circular migration with Egypt for the employment of Egyptian seasonal

107 AT, BG, DE, EE, FI, FR, HU, IE, IT, LT, LU, LV, MT, NL, PL, SE, SI, SK, and GE, UA.
108 BG, CY, DE, FR, HU, MT, LU, LV, PL, SE, SK, and GE.
109 LU.
110 PL.
111 AT, CY, CZ, FI, IE, IT, LU, PL, NL, SE, SI, and GE, UA.
112 AT, BE, BG, EL, FI, FR, HR.
113 BE, BG, EL, IT, LU.
114 EL, IT.
115 EL.
116 AT, BE, DE, HR, LT, MT, PL.
117 CZ, EL, HR, IT, PL.
118 CZ, HR.
119 AT, BE, CY, DE, EL, IE, IT, LU, MT.
120 BE.
121 DE.
122 FR.
123 AT, BE, CY, EL, IE, IT, LU, and MD.
124 Global Compact on Refugees, 'Multistakeholder Pledge: Inclusion of Forcibly Displaced and Stateless Persons in National Statistical Systems and Surveys', https://globalcompactrefugees.org/multistakeholder-pledge-inclusion-forcibly-displaced-and-stateless-persons-national-statistical, last accessed on 27 March 2024.
125 AT, HU, IT, NL, and RS.
126 AT, BE, BG, ES, IT.
127 AT, BE, BG, CZ, DE, EE, EL, FI, LT, LU, LV, MT, NL, PL, SE, SI, SK, and NO, GE, UA.
128 AT, BE, DE, EL, ES, FI, FR, IT, SK, and RS.

workers in the agricultural sector. France and Germany both reported their involvement in the EU-coordinated Talent Partnership Scheme with countries such as Morocco, Egypt, Tunisia, and Pakistan.

The EU and its Member States continued to exercise global influence in international protection. In the context of the Global Refugee Forum (GRF) 2023,[129] the EU made collective pledges to offer durable solutions to major displacement crises, including a commitment to promote complementary pathways to the EU and community sponsorship schemes, as well as the continuation of funding for the Emergency Transit Mechanisms (ETM).[130] Belgium and Ireland reported individual commitments and pledges at the GRF 2023 to support the full implementation of the Global Compact on Refugees.

Figure 3: Examples of International Partnerships on Migration, 2023

IRREGULAR MIGRATION AND SMUGGLING

Spain

Deployed police officers to Mauritania to reinforce capacity of law enforcement authorities to combat migrant smuggling and human trafficking

Austria, Hungary and Serbia

Signed a Memorandum of Understanding (MoU) to strengthen cooperation on preventing irregular migration and migrant smuggling

LEGAL MIGRATION

France

Participation in EU talent partnerships with Morocco and Tunisia

Spain and Slovakia

Work programme agreements for youth mobility with Argentina and Canada respectively

COMPREHENSIVE MIGRATION PARTNERSHIPS

Austria, Germany and Italy

Each signed a comprehensive Migration and Mobility Partnership Agreement with India addressing irregular migration, migrant smuggling, legal migration and mobility of students and researchers

RETURN AND READMISSION COOPERATION

Georgia

Enacted bilateral readmission agreements with Spain, Iceland and the United Kingdom

Czech Republic and Estonia

Signed bilateral readmission agreements with Uzbekistan

CIRCULAR MIGRATION

Greece

Ratified an agreement with Egypt for the employment of Egyptian seasonal workers in the agricultural sector

Italy

Signed a Memorandum of Understanding with Tunisia which authorises the annual entry of up to 4 000 non-seasonal Tunisian workers

MIGRATION AND DEVELOPMENT

Belgium

Implemented PEM N'zassa project in Cote d'Ivoire to support Ivorian entrepreneurs through mobility exchanges and mutual learning with Belgian peers

MULTILATERAL ENGAGEMENTS

UN-level (Global Refugee Forum)

EU made collective pledges in order to offer durable solutions in addressing major displacement crises

129 United Nations High Commissioner for Refugees (UNHCR), Global Compact on Refugees (GCR), 'Pledges and contributions', n.d., https://globalcompactrefugees.org/pledges-contributions, last accessed on 21 March 2024.

130 European Commission, Directorate-General for Migration and Home Affairs, '2023 Global Refugee Forum: The EU announces resettlement pledges', 15 December 2023, https://home-affairs.ec.europa.eu/news/2023-global-refugee-forum-eu-announces-resettlement-pledges-2023-12-15_en, last accessed on 22 April 2024.

2. LEGAL MIGRATION

This chapter looks at work-related migration, students and researchers, and self-employed/business migration. It also covers measures to prevent social dumping and labour exploitation.

Trends in legal migration in 2022 continued in 2023; the need to address labour shortages across a growing range of occupations and attract skilled workers continued to drive policy measures by EMN Member and Observer Countries.

With some exceptions, the easing and simplification of admission procedures, as well as further digitalisation, remained high on the agenda in most countries. To facilitate admission of workers in highly qualified and shortage occupations, 16 of the reporting EMN Member and Observer Countries[131] reported changes to ease requirements, extend eligible occupations lists and simplify various procedures. Thirteen EMN Member and Observer Countries,[132] implemented changes to digitalise their procedures and speed up the process of issuing and renewing various types of residence permits. Measures were primarily aimed at facilitating the process for applicants, tackling long processing times, and reducing the administrative burden on administrative resources.

EMN Member and Observer Countries were also active in specific labour migration sectors. For example, ten EU Member States[133] amended or started the parliamentary consultation process to amend their legislation on highly skilled workers to integrate the new provisions of the revised Blue Card Directive (2021/1883/EU),[134] and four implemented additional legislative and policy measures to attract global talent.[135] Whereas 15 EMN Member and Observer Countries introduced measures to facilitate the entry and/or stay of students and researchers,[136] four EMN Member and Observer Countries[137] adopted a restrictive approach, such as tightening entry requirements to educational institutions.[138]

As a response to growing shortages across several occupations, 13 EMN Member Countries[139] reported measures to attract low- and medium-skilled workers, including simplification of the process for filling in positions,[140] ease qualification requirements for certain jobs[141] or easier validation of previous qualifications.[142] To address shortages in seasonal work as well, countries such as Italy or Austria increased their annual quota of seasonal workers, while Greece ratified an agreement with Egypt for the employment of Egyptian seasonal workers in the agricultural sector. Other countries implemented changes to align their national legislation with the EU Directive on Seasonal Workers (2014/36/EU).[143]

Twelve EMN Member and Observer Countries[144] adopted measures to prevent social dumping and labour exploitation. In particular, several countries increased and/or strengthened fines and penalties for companies for illegally employing third-country nationals,[145] and France, introduced a national plan to combat illegal employment for 2023-2027.[146]

Eleven EMN Member Countries reported developments on family reunification.[147] For example, Germany and Slovakia amended their family reunification legislation to facilitate recruitment of third-country nationals and/or access to the labour market for dependents. Estonia, following recognition of same sex marriage in national law, began to amend its migration code to apply family reunification to registered partners of the same sex.

New international agreements and partnerships were high on the agenda of many countries to support their policy objectives. Ten EMN Member and Observer Countries[148]

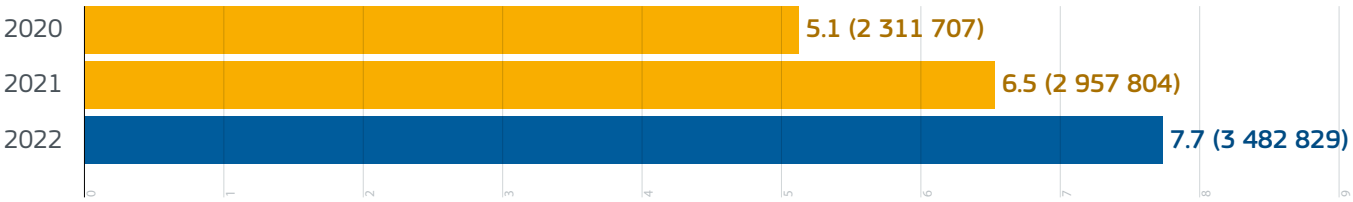
131 AT, BE, CY, CZ, DE, FI, FR, IE, IT, LT, LU, SI, SK, and GE, MD, RS.
132 BG, CZ, DE, EL, ES, FI, FR, IT, LT, LU, LV, MT, SK.
133 BE, BG, CZ, DE, ES, IT, LU, LV, MT, SK.
134 Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence 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/TXT/?uri=celex%3A32021L1883, last accessed on 18 February 2024.
135 FI, FR, LT, LU.
136 CY, CZ, EE, ES, FI, IT, LT, LU, MT, PL, SE, SK, and NO, GE, UA.
137 CY, FI, SE, and NO.
138 CY.
139 AT, BE, CY, DE, EE, EL, FI, IE, IT, LT, LU, LV, SK.
140 LT, LU, LV, SK.
141 IE.
142 DE.
143 Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014L0036, last accessed on 9 March 2024.
144 BE, CY, CZ, DE, FI, FR, IT, LU, PL, SE, SK, and GE.
145 BE, CZ, FR, LU.
146 Government of France, '*Plan national de lutte contre le travail illégal* (2023-2027)', https://travail-emploi.gouv.fr/IMG/pdf/pnlti_23_27.pdf, last accessed on 9 March 2024.
147 BE, BG, CY, CZ, EE, IT, LT, NL, SE, SI, SK.
148 AT, BE, DE, EL, ES, FI, FR, IT, SK and RS.

strengthened their existing agreements and established new partnerships with third countries on legal migration, including with some talent partnership target countries (Tunisia) and other countries such as Albania, Argentina, Canada, Egypt, India, North Macedonia, the Philippines, and the US.

Figure 4 below details first residence permits issued to third-country nationals in the EU and Norway, 2020–2022 and shows an increase in absolute terms and as a share per 1 000 members of the population, each year from 2020 to 2022.

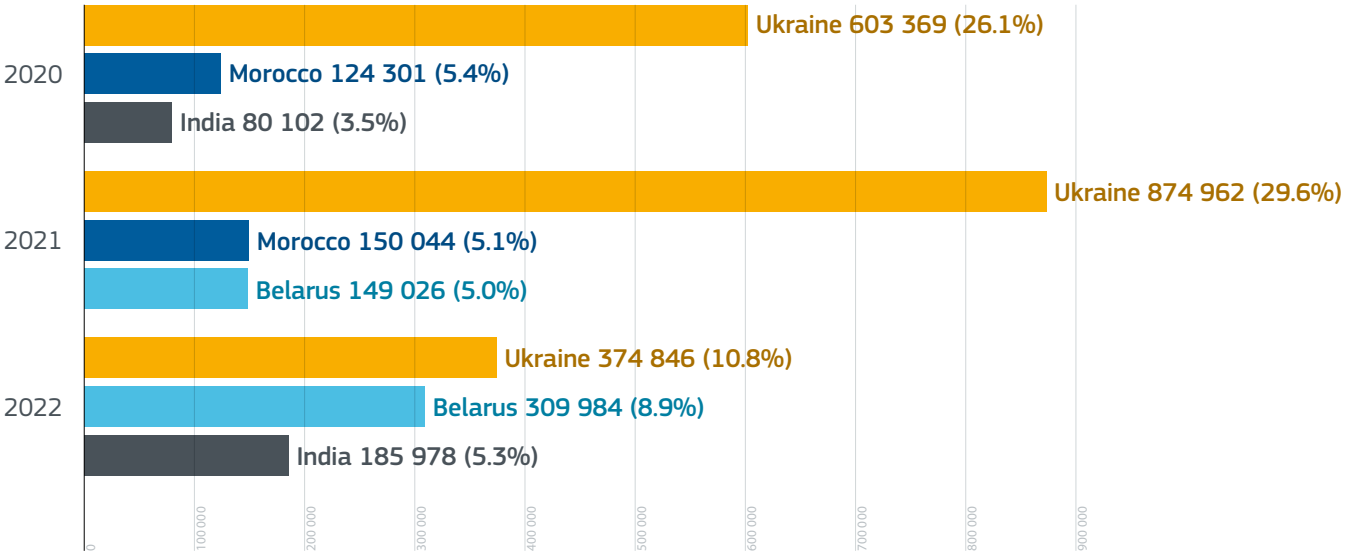
Figure 5 shows the top three countries whose citizens received first residence permits in the EU and Norway, 2020–2022. Citizens from Ukraine received the highest number in all years.

Figure 4: First residence permits issued to third-country nationals, EU and Norway, 2020–2022. Number per 1 000 people (and the absolute number).



Data for 2023 was not yet available at the time of writing this report.
Source: Eurostat (migr_resfirst and migr_pop1ctz), date of extraction: 8 April 2024.

Figure 5: Top 3 countries whose citizens received first residence permits, EU and Norway, 2020–2022. Absolute number (and the share of total number).



Data for 2023 was not yet available at the time of writing this report.
Source: Eurostat (migr_resfirst), date of extraction: 8 April 2024.

2.1 EU DEVELOPMENTS

In November 2023, the European Commission launched a Skills and Talent Mobility package, a series of policy and legislative initiatives to make the EU more attractive to talent from non-EU countries and address labour shortages across EU Member States (see also chapter 6 on integration and inclusion and chapter 12 on migration and development).[149] It included a proposal for a regulation establishing an EU Talent Pool to match employers in the EU with jobseekers in third countries in EU-wide shortage occupations at all skills levels.[150] The EU Talent Pool could also support the implementation of talent partnerships, a series of work and mobility schemes promoted by the EU

149 European Commission, 'Commission proposes new measures on skills and talent to help address critical labour shortages', Press release, 15 November 2023, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_5740, last accessed on 18 February 2024.
150 Proposal for a Regulation of the European Parliament and of the Council establishing an EU talent pool {SEC(2023) 716 final} - {SWD(2023) 716 final} - {SWD(2023) 717 final} - {SWD(2023) 718 final}, https://home-affairs.ec.europa.eu/document/download/d74d42e8-96b7-416b-b5b7-b3b7334317d8_en?filename=Regulation%20establishing%20an%20EU%20Talent%20Pool_en.pdf, last accessed on 18 February 2024.

with several third countries.[151] During 2023, the European Commission and participating EU Member States launched talent partnerships with Tunisia, Morocco, Egypt, Pakistan and Bangladesh. To speed up the recruitment process, the European Commission also proposed a set of measures to simplify and expedite the recognition of qualifications and skills of third-country nationals.[152]

EU Member States had until 18 November 2023 to transpose the revised Blue Card Directive (2021/1883/EU) into national law.[153] The new text includes more flexible admission requirements, with the minimum period of the job offer reduced to six months and the salary threshold lowered to between 1 and 1.6 times the average gross annual salary in the country of employment. The revised Directive also provides enhanced rights to Blue Card holders and their families, who will be able to move to a second EU Member State based on simplified mobility rules after 12 months of employment in the first Member State.[154]

In December 2023, the European Parliament and the Council reached a political agreement on the revision of the Single Permit Directive.[155] The revised Directive will streamline the single permit procedure and ensure stronger protection for those at risk of exploitation by enabling workers to change employers and imposing obligations on EU Member States in relation to inspections, monitoring and sanctioning of abusive employers.[156]

In November 2023, interinstitutional negotiations on the recast of the Long-Term Residents Directive (2003/109/EC) began. The recast targets a more effective, coherent and fair system by making it easier to acquire EU long-term resident status and strengthening the rights of EU long-term residents and their family members.

As part of the Skills and Talent package, the European Commission launched a Labour Migration Platform in January 2023, which brings together EU Member State experts from the employment and migration sectors, as well as social partners and relevant stakeholders to shape more effective labour migration policies for EU Member States and contribute to the operationalisation of EU-level initiatives.

2.2 OVERARCHING AND CROSS-CUTTING DEVELOPMENTS

Changes to administrative procedures and processes for residence permits across different legal migration categories were widely reported for 2023. Many changes related to simplification of procedures to facilitate access, including digitalising the procedure. However, there were also some examples of tightening of regulations.

2.2.1. Measures addressing requirements and procedures for issuing and renewing residence permits

Sixteen EMN Member and Observer Countries[157] reported changes to their administrative procedures for the issuing and renewal of various categories of residence permits.

Nine EMN Member Countries introduced measures to ease requirements and/or simplify admission and residence procedures, with the aim of speeding up processing times and reducing administrative backlogs.[158] Italy extended the maximum length of residence permits for open-ended employed work, self-employment and family reunification upon renewal (from a maximum of two to three years) and introduced a waiver to obtain an entry visa for the issuance of work permits under specific conditions.[159] Poland amended its legislation to facilitate the assessment of Polish language proficiency of candidates for a long-term EU residence permit. Throughout 2023, Ukraine introduced several legislative reforms to extend the right of residence of third-country nationals and stateless persons in the country, simplify procedures for accessing and renewing temporary residence permits,[160] and provide additional grounds for granting such permits (e.g. serving in the Ukrainian army or National Guard).[161]

Not all EMN Member and Observer Countries adopted simplification measures, Finland and Sweden showed signs of more restrictive trends. The new government in Finland announced plans to tighten regulations on entry and residence, including conditions for national and EU permanent residence permits, family reunification, and identity verification. Discussions continued on the possibility of introducing a clause obliging unemployed third-country nationals to leave the country after three months. Italy also adopted restrictive measures by expanding the range of criminal offences barring third-country nationals from admission to the country (adding offences such as causing personal injury, female genital mutilation (FGM), or facial disfigurement).

151 European Commission, 'Talent Partnerships: Commission launches new initiative to address EU skills shortages and improve migration cooperation with partner countries', Press release, 11 June 2021, https://ec.europa.eu/commission/presscorner/detail/en/ip_21_2921, last accessed on 18 February 2024.
152 Commission Recommendation of 15 November 2023 on the recognition of qualifications of third-country nationals, COM(2023) 7700 final, https://single-market-economy.ec.europa.eu/publications/commission-recommendation-recognition-qualifications-third-country-nationals_en, last accessed on 18 February 2024.
153 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/TXT/?uri=celex%3A32021L1883, last accessed on 18 February 2024.
154 European Commission, Directorate-General for Migration and Home Affairs, 'EU Blue Card', n.d., https://home-affairs.ec.europa.eu/policies/migration-and-asylum/legal-migration-and-integration/work/eu-blue-card_en, last accessed on 18 February 2024.
155 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 18 February 2024.
156 European Commission, 'Commission welcomes political agreement on revised rules for a combined work and residence permit in the European Union', Press release, 20 December 2023, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6710, last accessed on 18 February 2024.
157 BE, BG, EL, FI, FR, HU, IT, LT, LU, MT, NL, PL, SI, and MD, UA, RS.
158 BE, BG, EL, FR, IT, LT, LU, PL, SI.
159 Law-Decree 20/23 (Cutro Decree), converted into law 50/23.
160 Law of Ukraine, 'On Amending Some Legislative Acts of Ukraine on Improving Legislation in the Field of Migration' (No. 2813-IX of 1 December 2022), which entered into force on 28 June 2023.
161 Law of Ukraine, 'On Amending Some Laws of Ukraine on the Procedure for Performing Military Service under Contract by Foreigners and Stateless Persons in the Armed Forces of Ukraine, the State Special Transport Service and the National Guard of Ukraine' (No. 2863-IX of 12 January 2023).

2.2.2. Digitalising the administrative process

Thirteen EMN Member and Observer Countries[162] sought to digitalise their procedures and speed up the process of issuing and renewing various types of residence permits. Measures primarily aimed to facilitate the process for applicants, tackle long processing times and reduce the administrative burden.

Since 30 January 2023, Austria's consular representation offices have had the option to forward Red-White-Red Card applications to provincial governments in Austria digitally. In Belgium, several categories of workers can submit their single permit application digitally on the Working in Belgium platform; previously, this was only possible for employers. Following its launch in 2022, in 2023 the Flemish region also expanded the scope of a digital counter to facilitate the application process for entrepreneurs and start-ups. Similarly, the Czech Republic introduced the option for users to book administrative appointments and monitor the status of ongoing procedures on the Information Portal for Foreigners.[163] In Lithuania, the processing times for applications for issuing or renewing temporary residence permits were reduced by one month, due to digitalisation and the use of external providers.

France, Hungary, and Luxembourg introduced the possibility to apply online for a range of permits. Finland is piloting automation to speed up the assessment process and introduced automatic post-decision monitoring of student residence permits to ensure continuous compliance with residence requirements. Throughout 2023, Estonia began to implement a new digital system to enable the online registration of short-term employment of third-country nationals, as well as tracking foreigners' compliance with legal requirements to stay in Estonia, using automated checks against other databases.

Ireland introduced legal change from 31 July 2023 to allow notices under the Immigration Act 2004 to be served electronically, either via email or an electronic system.[164] This was part of a number of legal changes to provide for electronic notices across the immigration system.

Digitalisation was also an important theme for EMN Observer Countries. Georgia, Ukraine and Serbia all implemented measures to digitalise the process for submitting applications and issuing residence permits. Georgia's government launched an online portal on labour emigration and immigration, providing information on certification of employment intermediaries abroad, as well as data on Georgian citizens abroad and third-country nationals in Georgia.[165]

2.3 WORK-RELATED MIGRATION

Attracting and retaining talent and other categories of workers to meet labour market needs remained a key priority for the majority of EMN Member and Observer Countries. Several governments introduced policy and legislative initiatives to ease and simplify admission procedures for various categories of workers, notably highly qualified and skilled workers and workers in shortage occupations. Aligning national legislation with the revised Blue Card Directive was widely reported by the EU Member States. New measures were introduced to regulate and/or facilitate labour migration for the purpose of self-employment and to foster innovation, and to attract investors, as well as to prevent abuse of these pathways.

2.3.1. Overarching and cross-cutting developments affecting all migrant workers

This section looks at developments that impacted more than one category of work-related migration. In 2023, over half of the EMN Member and Observer Countries showed an overall tendency to open domestic labour markets to third-country national workers across all skills levels in particular occupations or sectors, in response to a growing need for skills and talent.[166]

Box 1: Policy responses addressing labour shortages

Austria, the Czech Republic, Cyprus and Ireland all reported significant measures to expand access to labour migration to address labour shortages in 2023.

In Austria, the number of shortage occupations reached an all-time high in 2023, with 98 occupations nationwide and an additional 56 regionally. The 2023 Regulation for Skilled Workers provided third-country nationals meeting relevant requirements[167] with the opportunity to obtain a Red-White-Red Card[168] that entitles them to work in a shortage occupation anywhere in Austria or in a specific province. On 1 December 2023, the Council of Ministers of the Austrian Federal Government adopted a strategic action plan to tackle the shortage of skilled workers. Among other things, it provides that the number of residence permits issued for labour migration shall increase to at least 15 000 per year by 2027 and that the procedure for issuing a Red-White-Red Card, including family reunification, shall be fully digitalised.

In Ireland, in the largest-ever expansion to the employment permits system 11 occupations were added to the Critical Skills Occupations List (CSOL), while 32 were removed from the Ineligible Occupations List (IOL), making them eligible for general employment permits. These changes followed a public consultation

162 AT, BE, CZ, DE, EE, FI, FR, HU, IE, LU and GE, UA, RS.
163 Czech Republic, 'Official Web Portal for foreigners, who are living, or wish to live, in the Czech Republic', n.d., https://frs.gov.cz/en/, last accessed on 8 March 2024.
164 Part 8 of Courts and Civil Law (Miscellaneous Provisions) Act 2023, commenced from 31 July 2023
165 "Labor Information Migration Portal", https://labourmigration.moh.gov.ge/?lang_id=en last accessed on 9 March 2024.
166 AT, CY, CZ, DE, FI, FR, IE, IT, LT, LU, SI, SK, and GE, MD, RS.
167 Act Governing the Employment of Foreign Nationals, FLG. No. 218/1975, in the version of FLG. I No. 84/2023.
168 The Red-White-Red Card is a two-year permit combining a residence and employment permit and tied to a specific employer. For more information, please see https://www.migration.gv.at/en/ last accessed on 9 March 2024.

identifying labour market needs in healthcare and the transport and mechanics industries. A wide range of occupations became eligible for general employment permits subject to quota restrictions as well as the extension of existing quotas in the agri-food sector.

Cyprus introduced measures to increase the number of non-EU workers that local companies may employ if no local manpower is available (up to 50%).

The Czech Republic increased the annual quota for admission of migrant workers to 20 000, primarily for qualified applicants for single permits from Mongolia, the Philippines and Ukraine. This increase represented the biggest opening to labour migration since 2019.

In addition to the expanded occupations lists, Ireland announced a roadmap to increase minimum annual remuneration thresholds on a phased basis from January 2024 to January 2026 to keep pace with wage growth and average earnings.

In 2023, Germany and Luxembourg introduced major legislative reforms impacting several aspects of labour migration.[169] While most of the German legislation was scheduled to enter into force in 2024, several provisions, including the recast of the Blue Card Directive and those intended to attract and facilitate the stay of skilled workers with recognised university or vocational training qualifications, were implemented in November 2023. In Luxembourg, the Law of 7 August 2023 came into force on 1 September 2023, amending the national (1) Immigration Law, the (2) Labour Code, and the (3) Reception Law, which regulates the labour market test, to tackle labour shortages in specific economic sectors. In particular, it introduced: (1) necessary clarifications to certain categories of existing residence permits, such as the extension of the period of validity of residence permits from 9 to 12 months for the purpose of job search, or the possibility for third-country nationals with a family member residence permit, or beneficiaries of a deferral or suspension of removal, to access the labour market directly (in the latter case without the labour market test); (2) facilitation of the procedure for the employment of third-country nationals, including (3) exemption from the labour market test and simplification of the procedure (for professions in very short supply) and acceleration of the labour market test for all other professions.

In Italy, for the three years 2023-2025, the Decree Law of 10 March[170] introduced a single three-year act planning the annual determination of quotas for legal incoming flows. This replaces previous planning cycles, conducted on a yearly basis.

2.3.2. Highly qualified workers and intra-corporate transferees

Seventeen EMN Member and Observer Countries[171] substantially amended, or began to amend, their legislation on highly skilled workers.[172] These changes were mainly driven by the demand of national labour markets for highly qualified and specialised workers (see also section 2.3.1) and the requirement for EU Member States to transpose the new provisions of the revised Blue Card Directive (2021/1883/EU).[173]

Ten EU Member States[174] adopted or proposed legislative measures to implement the revised Blue Card Directive. Italy broadened the range of highly qualified workers from third countries eligible for a Blue Card, changed the procedure through which an employer requests a work permit, simplified procedures for family reunification, and provided Blue Card holders with the option to engage in self-employed activities in parallel with highly qualified employed activity.

Four EMN Member Countries implemented additional legislative and policy measures to attract global talent.[175] Finland increased efforts to promote its visibility and attractiveness for highly skilled workers through campaigns and branding events in several focus countries (Brazil, India, the Philippines, Vietnam). The French government introduced an innovative multi-year 'talent passport' for e-sports players and trainers of international and/or national renown.

Norway confirmed the increase of its annual quota for highly skilled workers from 5 000 to 6 000 (as of late 2022) to meet growing demand.

No specific developments were reported by countries on intra-corporate transferees.

2.3.3. Low and medium skilled workers

Thirteen EMN Member Countries[176] adopted measures to attract low- and medium-skilled workers (see section 2.3.1). In response to growing shortages across several occupations and regions, 10 EMN Member Countries simplified the process for filling positions in medium- and low-skilled professions, easing qualification requirements or providing new types of permits for short-term employment.[177]Austria introduced measures facilitating labour market access for third-country care assistants and easing the validation of training. In Ireland, the requirement for healthcare assistants to have obtained a Quality and Qualifications Ireland (QQI) Level 5 qualification after two years was relaxed to accept an equivalent health and social care qualification in accordance with the QQI/Naric Ireland framework when renewing the general employment permit. Germany introduced a simplified procedure for third-country nationals with at least two years' relevant work experience and a job offer with a sufficiently

169 Act on the further development of immigration of skilled workers (*Gesetz zur Weiterentwicklung der Fachkräfteeinwanderung*); Ordinance on the further development of immigration of skilled workers (*Verordnung zur Weiterentwicklung der Fachkräfteeinwanderung*).
170 Decree Law No. 20 of 10 March, https://www.gazzettaufficiale.it/eli/id/2023/05/05/23A02665/sg, last accessed 20 June 2024.
171 BG, CZ, DE, EL, ES, FI, FR, IE, IT, LT, LV, MT, PT, SK and NO, UA, RS.
172 BE, LU.
173 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/TXT/?uri=celex%3A32021L1883, last accessed on 18 February 2024.
174 BE, BG, CZ, DE, ES, IT, LU, LV, MT, SK.
175 FI, FR, LT, LU.
176 AT, BE, CY, DE, EE, EL, FI, IE, IT, LT, LU, LV, SK.
177 AT, BE, DE, EE, IE, IT, LT, LU, LV, SK.

high salary, or a job offer from an employer bound by a collective bargaining agreement; it will take effect in March 2024. Under those conditions, third-country nationals may access the German labour market in non-regulated occupations without having their foreign vocational qualification or university degree recognised. Estonia amended the national Aliens Act to provide for a new temporary residence permit for short-term employment, allowing the holder to apply for a two-year residence permit provided they have worked in Estonia for at least nine months.

2.3.4. Seasonal workers

Ten EMN Member Countries reported policy developments in seasonal migration.[178] Some countries focused on increasing and/or facilitating the recruitment of seasonal workers.[179] Austria and Italy reported increases in their annual quotas for seasonal work. In Austria, the level of German language proficiency required for regular workers applying for a Red-White-Red Card for seasonal workers was reduced from A2 to A1 level (according to the Common European Framework of Reference for Languages (CEFL)). Greece ratified an agreement with Egypt for the employment of Egyptian seasonal workers in the agricultural sector. France introduced the option to apply for a seasonal work permit electronically on the dedicated website for foreigner resident in France (ANEF) from April 2023.[180]

Other EU Member States[181] reported measures to further align their national legislation with the EU Directive on Seasonal Workers (2014/36/EU)[182] For example, Germany introduced additional penalties for employers violating rules on employment of seasonal workers, whereas the Czech Republic modified its legislation to allow for extension of permit for seasonal work from 6 to 9 months.

2.3.5. Self-employed people, start-ups and investors

Nine EMN Member and Observer Countries[183] introduced legislation to regulate and/or facilitate labour migration for self-employment and/or innovation purposes. Within legislation to promote a start-up ecosystem and attract non-EU talent and investment, the Spanish government introduced measures to support third-country national entrepreneurs and facilitate their applications for residence authorisations, visa applications and international telecommuting residence permits. The Czech Republic launched a new programme for digital nomads – the first of its kind in the country – targeting highly qualified IT specialists. Throughout 2023, Finland continued implementation of a fast-track programme to process the residence permits of specialists and start-up entrepreneurs, as well as their family members. To incentivise the relocation of remote businesses, Moldova modified its legislation to allow foreign nationals to work and reside in the country without obtaining a visa or right of residence under certain conditions.

Box 2: Estonia supports 'growth companies' to hire third-country nationals

In addition to supporting start-ups to hire third-country nationals, Estonia extended similar benefits to so-called growth companies. Defined as companies with a high global growth potential that contribute significantly to the Estonian business environment but have moved beyond the start-up phase, these businesses were allowed to offer salaries to foreign employees that were at least 80% of the average salary in Estonia. Residence permits issued to foreign employees of a growth company are not subject to the annual immigration quota set by the government.

By contrast, Luxembourg regulated the self-employment of third-country nationals to limit abuse. To prevent the creation of letterbox companies, it mandated that residence permits for self-employed third-country nationals are conditional on the physical presence of the company director to manage their business on a daily basis.

Four EMN Member Countries[184] proposed initiatives on investors' residence schemes, in some cases to prevent abuse by imposing more stringent requirements on the use of this route. Bulgaria established a new procedure that requires preliminary approval, while Cyprus introduced a higher income and proof of a clean criminal record as additional requirements for eligibility. Ireland reported the closure of its Immigrant Investor Programme to new applications from 15 February 2023. First established in 2012 at a time of significant economic difficulty, the programme had delivered significant investment. However, following external and internal review and consideration of reports from external bodies (European Commission, Organisation for Economic Co-operation and Development (OECD), Council of Europe), the government decided to close the programme.[185] Following legislative changes to its investment law, Lithuania lowered the criteria defining a major investment project, whereby investors engaged in capital-intensive projects and providing a certain level of high-salaried jobs in the country would become eligible for residence permits.

2.3.6. Other remunerated workers

Three EMN Member Countries reported initiatives on legal pathways for other types of remunerated workers.[186] Responding to recent natural disasters that affected the country, Slovenia lifted the work permit requirement for third-country nationals who did not need a visa and would be employed in professions linked to the elimination of the consequences of floods and landslides.

178 AT, BE, BG, CZ, DE, EL, FR, IT, LT, LV.
179 AT, EL, FR, IT.
180 Etrangers en France, https://administration-etrangers-en-france.interieur.gouv.fr/particuliers/#/, last accessed on 7 June 2024.
181 BE, BG, CZ, DE, LT, LV.
182 Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014L0036, last accessed on 9 March 2024.
183 BE, CZ, ES, EE, FI, IT, LU, and MD, RS.
184 BG, CY, IE, LT.
185 Department of Justice, 'Minister Harris announces closure of the Immigrant Investor Programme', 14 February 2023, https://www.irishimmigration.ie/minister-harris-announces-closure-of-the-immigrant-investor-programme/, last accessed on 10 June 2024.
186 Besides the case of Slovenia, addressed in the body of the text, other categories of workers included: IT – workers of Italian origin in Venezuela and stateless persons and refugees recognised by UNHCR; NL – family members who are part of the household of employees of the Headquarters Allied Joint Force Command Brunssum (JFC HQ Brunssum) and Joint Logistics Support Group Brunssum (JLGBS HQ).

2.3.7. Trainees, au pairs and volunteers

Five EMN Member and Observer Countries[187] adopted measures in this field. Notably, Moldova amended its national law to specify the working conditions of volunteers, providing for the possibility to extend their right of temporary residence for the purpose of humanitarian and voluntary activities for a cumulative period of up to three years.

2.3.8. Social dumping and labour exploitation

Twelve EMN Member and Observer Countries[188] adopted measures to prevent social dumping and labour exploitation. Several countries reported increasing and/or strengthening fines and penalties for companies for illegally employing third-country nationals.[189]

This subject was high on the policy agenda in France (see box 3 below, and chapter 9):

Box 3: France launches a new national action plan to combat illegal employment

In May 2023, the French government published a national plan to combat illegal employment for 2023-2027, containing 34 measures to combat fake documentation and fraudulent legal statuses, tackle human trafficking, improve monitoring of illegal employment, introduce new penalties for employers, and provide for compensation for damage caused by illegal employment.[190] To strike the right balance between protecting the social rights of posted workers and the freedom to provide services, as well as combating posting fraud, France narrowed the type of information requested from employers as early as the stage of the prior declaration of the posting of their employees, and shortened the list of documents that employers must keep at the posted worker's place of work and produce at the Labour Inspectorate's request. See also chapter 9.

Cyprus reported the adoption of measures to regulate private employment agencies more stringently, as well as the creation of an interministerial task force (including the national police) to combat undeclared work and labour exploitation.

2.3.9. Bilateral labour agreements and talent partnerships

Partly encouraged by EU-level developments such as talent partnerships, 10 EMN Member and Observer Countries[191] strengthened their existing agreements and established new partnerships with third countries on legal migration, including with some talent partnership target countries (Tunisia) and other countries such as Albania, Argentina, Canada, Egypt, India, North Macedonia, the Philippines, and the US.

Belgium has long pioneered innovative labour mobility schemes with non-EU countries. Most recently, it launched the EU-funded EMLINK project with Georgia,[192] a mobility scheme involving Georgian start-ups and Belgian counterparts in the innovation and business sectors, funded through the EU Migration Partnership Facility and managed by the International Centre for Migration Policy Development (ICMPD). Another project supported by the Migration Partnership Facility is the PEM WECCO project on circular migration, making knowledge and practical exchange possible between Belgian and Senegalese companies.[193] (see section 2.3.10 on circular migration below for new initiatives in this area in 2023). Belgium's PEM N'zassa project in Cote d'Ivoire[194] builds on PEM WECCO and intends to support Ivorian entrepreneurs through mobility exchanges and mutual learning with Belgian peers, and a new International Organization for Migration (IOM) project on complementary labour pathways for displaced talent (see chapter 12). Finally, the European Commission also renewed for an additional year the project, Towards a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa (THAMM) with Tunisia and Morocco, combining international mobility and the development of professional skills and knowledge in third countries.

France and Germany both reported their involvement in the EU-coordinated Talent Partnership Scheme with Egypt, Morocco, Pakistan and Tunisia. Finally, four countries[195] reported the conclusion of work programme agreements to foster youth mobility and cultural exchange. Austria introduced a working holiday programme for Indian nationals, as set out in the comprehensive Migration and Mobility Partnership Agreement between Austria and India, which entered into force on 1 September 2023.

2.3.10. Circular migration

Austria, Belgium, and Italy reported new initiatives on circular migration. Belgium approved a project with Suriname to organise a sustainable and ethically sound model of circular migration of nurses between the two countries. Funded by the Asylum and Migration Fund (AMIF), it is expected to strengthen the healthcare systems of both countries (see section 2.3.9 for more information on labour mobility schemes in Belgium).

187 ES, IT, SK, and NO, MD.
188 BE, CY, CZ, DE, FI, FR, IT, LU, PL, SE, SK, and GE.
189 BE, CZ, FR.
190 Government of France, '*Plan national de lutte contre le travail illégal* (2023-2027)', https://travail-emploi.gouv.fr/IMG/pdf/pnlti_23_27.pdf, last accessed on 9 March 2024.
191 AT, BE, DE, EL, ES, FI, FR, IT, SK and RS.
192 ICMPD, 'EMLINK: Strengthening the Partnership between Belgium and Georgia through Temporary Mobility of Entrepreneurs (Entrepreneurial Mobility Link - EMLINK)', n.d., https://www.icmpd.org/our-work/projects/strengthening-the-partnership-between-belgium-and-georgia-through-temporary-mobility-of-entrepreneurs-entrepreneurial-mobility-link-emlink-emlink, last accessed on 9 March 2024.
193 Migration Partnership Facility, ' Pilot project for business mobility between Belgium and Senegal (PEM-WECCO)', https://www.migrationpartnershipfacility.eu/mpf-projects/27-pilot-project-for-business-mobility-between-belgium-and-senegal-pem-wecco/preview, last accessed 20 June 2024.
194 Enabel, 'PEM Entrepreneurship', n.d., https://stories.enabel.be/pem-entrepreneurship/index.html, last accessed on 10 March 2024. The project is part of the EU Talent Partnership programme, is fully financed by the EU, and implemented in Côte d'Ivoire and Belgium.
195 AT, ES, FR, SK.

2.4 STUDENTS AND RESEARCHERS

In 2023, 15 EMN Member and Observer Countries,[196] reported measures to regulate entry and/or residence conditions for third-country national students, as well as strategic developments in the internationalisation of higher education. Promoting the mobility of researchers[197] and/or facilitating conditions for their long(er)-term stay was on the policy agenda for several countries.[198]

Seven EMN Member and Observer Countries[199] introduced measures to attract and integrate students and researchers in the local labour market after completion of their postgraduate degrees (taught or research). Measures included: reducing or waiving of tuition fees for certain categories of third-country students,[200] or providing other favourable treatment, such as greater possibility to combine study and paid work,[201] the extension of a residence permit for seeking employment or setting up a business from 9 to 12 months after obtaining a postgraduate degree, or after the expiry of a research contract,[202] or exemption from the administrative fees for issuing and/or replacing a residence permit.[203]

The Slovak Republic launched measures to internationalise its higher education system. Luxembourg introduced the obligation for higher education institutions (HEIs) to have an internationalisation strategy in place to ensure adequate educational and cultural supervision of international students.

Poland revised its legislation to make third-country national students of Polish origin[204] eligible to access the national healthcare system as persons covered by the national compulsory health insurance scheme. The following categories are eligible: doctoral students, graduates enrolled in a compulsory internship in Poland, and individuals attending Polish language courses or preparatory courses in Polish. Those not entitled to compulsory health insurance may continue to insure themselves under the voluntary health insurance scheme.

Conversely, three EMN Member Countries introduced more stringent rules on the mobility of students, e.g. tightening entry requirements to educational institutions[205] or introducing tuition fees for non-EU students or considering an increase in fees.[206]

2.5 FAMILY REUNIFICATION

Eleven EMN Member Countries[207] reported developments on family reunification, with five[208] expanding the scope of family reunification provisions. For example, following recognition of same sex marriage in national law, Estonia began to amend its migration code to apply family reunification to registered partners of the same sex.

Bulgaria amended its legislation to clarify the reunification procedures applying for pre-existing families and newly formed ones. To ease recruitment of foreign workers and their insertion in the labour market, Germany and the Slovak Republic facilitated family reunification respectively for parents and in-laws with skilled workers and shortened the waiting period (from 12 to 9 months) before a person issued temporary residence for family reunification may be employed.

Developments in EU and national jurisprudence led to changes in Belgium and the Netherlands (see Box 4).

Box 4: Procedural changes on family reunification in the Netherlands

The Netherlands reported several policy developments on family reunification. The policy on the conditions required for residence on the basis of Article 20 of the Treaty on the Functioning of the European Union (TFEU) was revised to respond to recent jurisprudence of the Court of Justice of the European Union (CJEU).[209] National authorities simplified the application process for residence permits for third-country national family members of an EU citizen, with the latter no longer required to file a parallel request to support the application of the third-country national and to accompany them when visiting the IND. In line with a recent ruling by the Dutch Council of State,[210] the IND decided that applications for family reunification could not be rejected solely on the basis that a family relationship did not have an exclusive character, provided it is however a durable relationship. A residence permit is granted to only one spouse or registered partner or partner, as well as to the children of that third-country national.

196 CY, CZ, EE, ES, FI, IT, LT, LU, MT, PL, SE, SK, and NO, GE, UA.
197 CZ, EE, HR, IT, LT, SK.
198 FI, LU.
199 CZ, EE, ES, LT, LU, PL, and UA.
200 EE, LT, PL.
201 ES. Revision of Instruction 2/2018 implementing the au pairs Directive (EU) 2016/801. Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (recast), https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AJOL_2016_132_R_0002, last accessed 24 June 2024.
202 LU. UA introduced a similar provision giving students the option to exchange a student permit for a temporary residence permit that may be used to work.
203 LT.
204 This category encompasses people with a repatriate status or holding a valid Pole's Card, a document confirming they belong to the Polish nation and granting a certain number of rights, excluding citizenship, right of temporary or permanent residence in Poland, or a visa waiver (https://migrant.info.pl/en/dual-citizenship-in-poland).
205 CY.
206 FI and NO.
207 BE, BG, CY, CZ, EE, IT, LT, NL, SE, SI, SK.
208 EE, IT, LT, SI, SK.
209 Case-law of the CJEU, 22 June 2023 (C-459/20).
210 Ruling by the Administrative Jurisdiction of the Council of State for the Netherlands (*Afdeling bestuursrechtspraak van de Raad van State* – AbRvS) of 24 November 2021 (ECLI:NL:RVS:2021:2550).

Slovenia amended its national law to provide for less stringent language criteria to extend a residence permit for family reunification and to allow holders of temporary residence to exercise the right to family reunification after only one year (rather than two years).

Three EMN Member Countries introduced restrictive measures.[211] For example, to combat misuse of the family reunification permit by third-country national students, the Czech Republic limited the range of people eligible to apply for long-term residence for family reunification excluding most young adult third-country nationals including dependents (see section 9.3.1).

2.6 INFORMATION PROVISION

This section covers the provision of information through campaigns and other tools with a focus on legal migration. Seven EMN Member and Observer Countries[212] undertook an array of policy and communication activities, both within the EU and in several third countries. In two EMN Member Countries, those initiatives were part of broader actions to engage partner countries on all aspects of migration.[213]

Box 5: Germany launches revamped centres for migration and development

Germany has been active in providing information on legal migration. The German government announced the launch of revamped centres for migration and development,[214] a flagship initiative to be implemented in Egypt, Ghana, Indonesia, Iraq, Jordan, Morocco, Nigeria, Pakistan and Tunisia. The centres will support people in partner countries to access regular migration channels to Germany, Europe and within their region, for work and vocational training. Along with activities related to migrant reintegration and general socioeconomic development of local communities, the centres provide reliable information on training programmes and legal migration opportunities to prospective migrants, raise awareness of misinformation, and provide focused support to women and disadvantaged groups.

IOM Bulgaria organised several events in Georgia, Moldova and Armenia to provide information to prospective migrants on life and work issues in Bulgaria. The Belgian region of Flanders launched a website for third-country nationals and their family members on living and working in Flanders,[215] including a complaints section on illegal employment or employment conditions.[216]

2.7 OTHER DEVELOPMENTS

Eight EMN Member and Observer Countries[217] reported additional developments. Some were directly or indirectly linked to Russia's ongoing war of aggression against Ukraine, especially in the Baltic States.[218] Latvia extended the deadline for processing applications for permanent or EU long-term residence permits for Russian nationals who have passed the Latvian language proficiency test and applied for the status of permanent resident of the EU in Latvia; affecting up to 25 000 Russian citizens – who used to be Latvian citizens or non-citizens of Latvia – following the 2022 amendments to the Latvian Immigration Law.[219] The decision was justified by Latvia's need to carry out additional checks on Russian citizens residing in Latvia. Latvia has also extended the deadline to sit the language test for those affected by 2022 amendments to the Latvian Immigration Law and whose permanent residence permit has been annulled.

In 2023, Belgium established an informal working group of regional and federal actors, led by the Immigration Office, to discuss economic (or circular) migration projects.

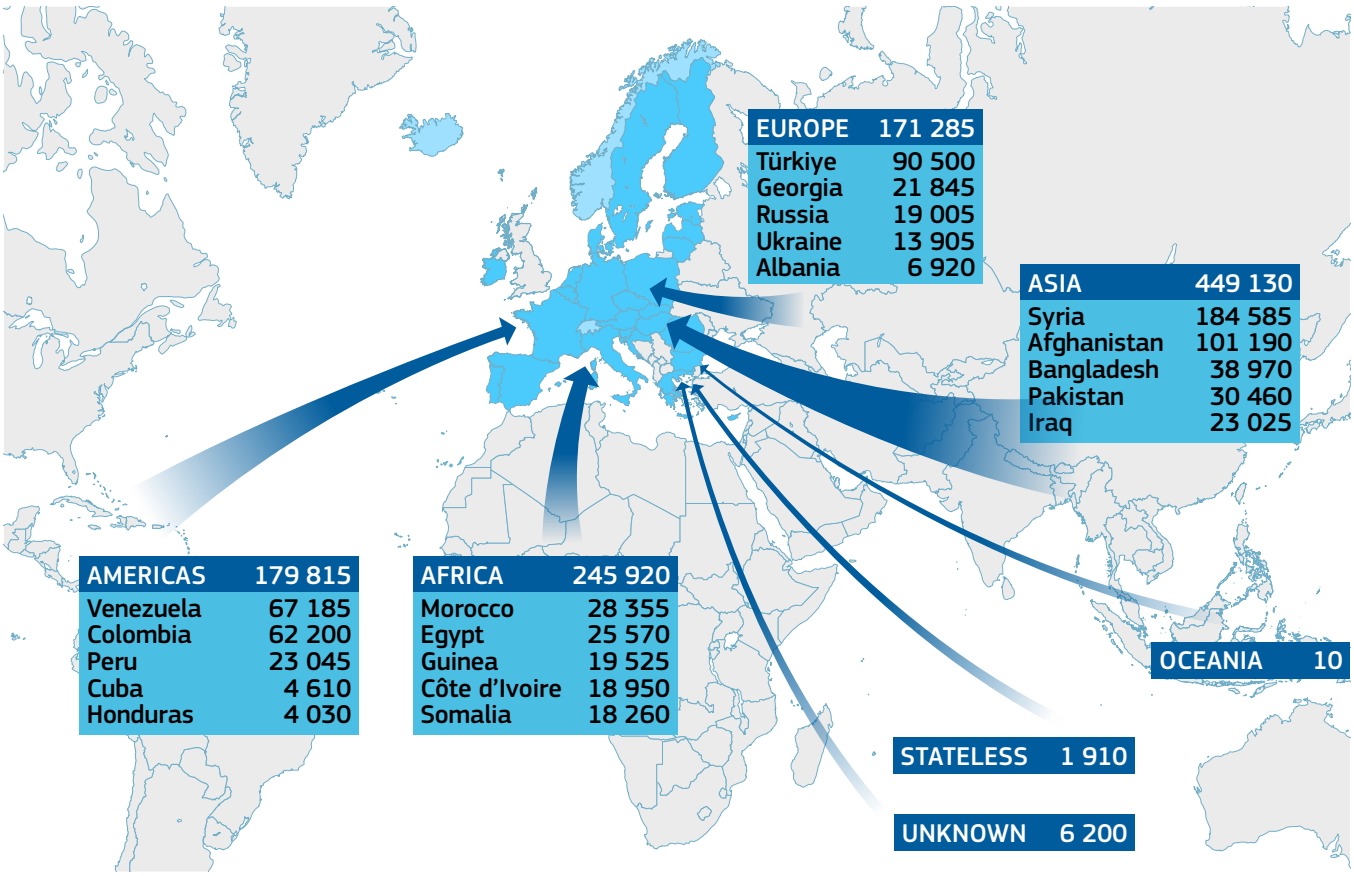
211 BE, CZ, SE.
212 BE, BG, CZ, DE, FI, LT, and GE.
213 DE, FI.
214 German government, Centres for migration and development, n.d., https://www.bmz.de/en/issues/german-centres-for-migration-and-development, last accessed on 10 March 2024.
215 Flanders region, 'Your future in Flanders, let's make it work', n.d., https://www.vlaanderen.be/en/your-future-in-flanders, last accessed on 7 March 2024.
216 Ibid.
217 BE, BG, FR, IT, LT, LV, NL, and MD.
218 EE, LT, LV.
219 Applies to citizens of Russia who were citizens of Latvia or non-citizens of Latvia before acquiring Russian citizenship.

3. INTERNATIONAL PROTECTION

This chapter details new policy and legislative developments at EU level and by EMN Member and Observer Countries in 2023 in the areas of in relation to procedures for international protection; procedural safeguards (e.g. such as access to information and legal counselling/representation); the reception of applicants for international protection; international protection status and its withdrawal, and relocation, resettlement, humanitarian admission, and other pathways to protection.

The finalisation of negotiations on the New Pact on Migration and Asylum was the main focus at EU level in 2023. Eurostat data shows that the numbers of first-time applicants for asylum continued to rise and for the first time since the 2015-2016 crisis, more than one million first-time applications for international protection were lodged in the EU and Norway. Many of the developments were motivated by the continued high numbers of applicants across the EU, as well as the need to increase the effectiveness and efficiency of asylum procedures.

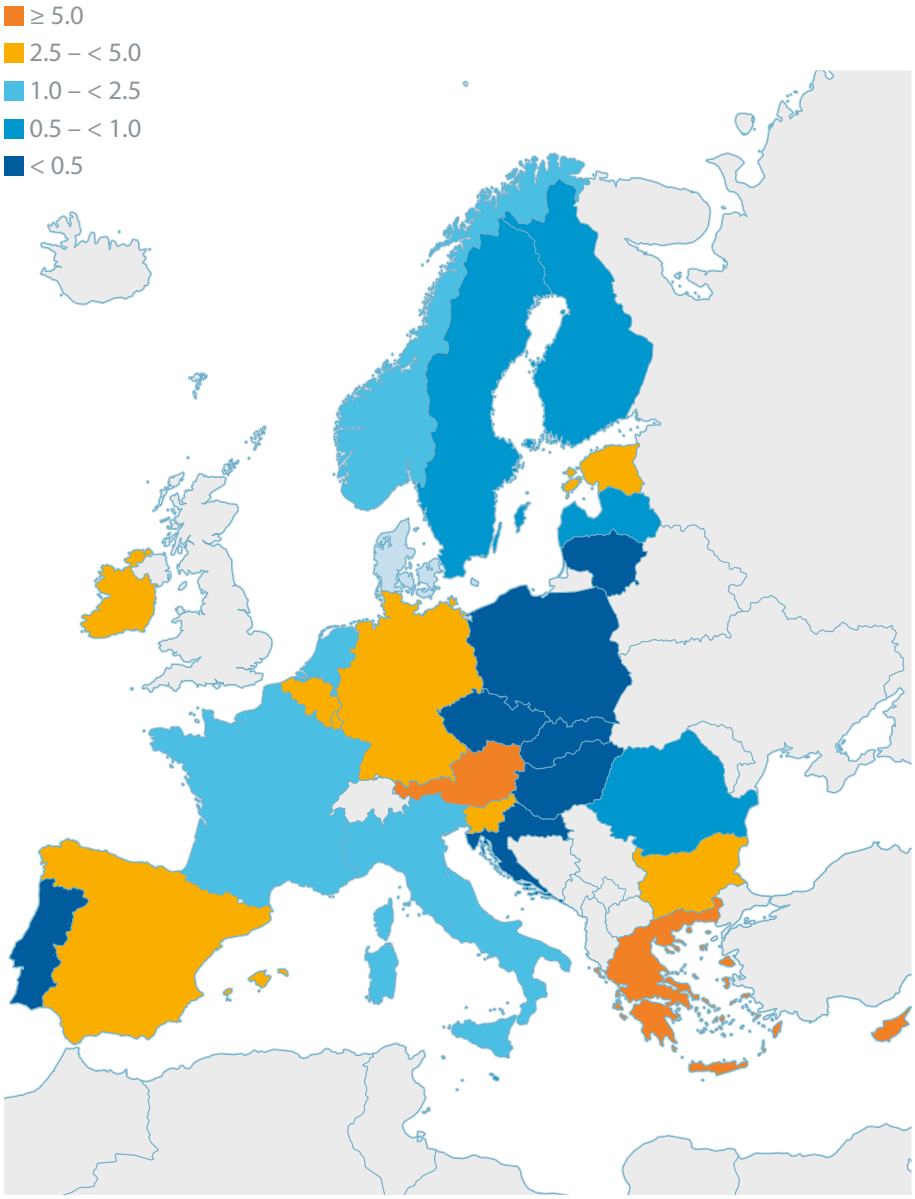
Figure 6: Number of first-time asylum applicants, main citizenships by continent, EU and Norway, 2023



Source: Eurostat (migr_asyappctza), date of extraction: 26 April 2024.

The highest number of first-time applicants was reported by Germany (329 035), followed by Spain (160 460), France (145 095) and Italy (130 565), all showing higher numbers in 2023 than in 2022. In spite of the overall rise, in 13 countries the number of applicants actually went down from 2022 by varying degrees, as shown in figure 8 below.[220] Most applicants came from the Asian continent, driven by high numbers of Syrian and Afghan citizens, followed by the African continent, with high numbers of applications from various countries, including Morocco and Egypt (see Figure 6).[221] Meanwhile, in EMN Observer Countries, the number of first/total applications for asylum dropped overall compared to 2022.[222] (See table 1 below).

Figure 7: First-time asylum applicants, EU and Norway, 2023



	Number	Number per 1 000 people
EU	**1 049 020**	**2.3**
Belgium	29 260	2.5
Bulgaria	22 390	3.5
Czechia	1 130	0.1
Denmark	2 355	0.4
Germany	329 035	3.9
Estonia	3 980	2.9
Ireland	13 220	2.5
Greece	57 895	5.6
Spain	160 460	3.3
France	145 095	2.1
Croatia	1 635	0.4
Italy	130 565	2.2
Cyprus	11 660	12.7
Latvia	1 625	0.9
Lithuania	510	0.2
Luxembourg	2 615	4.0
Hungary	30	0.0
Malta	490	0.9
Netherlands	38 320	2.2
Austria	55 605	6.1
Poland	7 720	0.2
Portugal	2 600	0.2
Romania	9 875	0.5
Slovenia	7 185	3.4
Slovakia	370	0.1
Finland	4 450	0.8
Sweden	8 945	0.9
Norway	5 230	1.0

Source: Eurostat (migr_asyappctza and migr_pop1ctz), date of extraction: 26 April 2024.

220 AT, BE, CZ, DK, FI, HR, HU, IE, MT, LT, RO, SE, SK
221 Source: Eurostat (migr_asyappctza), date of extraction: 26 April 2024.
222 AM and RS in both first-time and total applications, GE and UA in total applications and MD in first-time applications.

Table 1: First-time/total asylum applications in EMN Observer Countries, 2020-2023

	Year	First time asylum applications	Total asylum applications
Armenia	2020	202	206
	2021	242	260
	2022	959	968
	2023	803	817
Georgia	2020	n/i	864
	2021	n/i	743
	2022	n/i	1 473
	2023	n/i	1 052
Moldova	2020	86	n/i
	2021	75	n/i
	2022	11 218	n/i
	2023	4 100	n/i
Montenegro	2020	n/i	n/i
	2021	n/i	n/i
	2022	n/i	n/i
	2023	n/i	145
Serbia	2020	145	148
	2021	172	182
	2022	319	321
	2023	196	200
Ukraine	2020	n/i	597
	2021	n/i	1 198
	2022	n/i	254
	2023	n/i	130

"Source: relevant authorities in the EMN Observer Country
'n/i' means no information
'n/a' means not applicable
Georgia note: Asylum applicant: A foreigner or a stateless person who has applied for international protection to the State authority and in respect of whom the Ministry has not made a decision or in respect of whom the court decision has not entered into legal force. In the event of cases when an asylum-seeker withdraws a claim/appeal, appeals the court's decision concerning the withdrawal of a claim/appeal and/or re-applies to the court for international protection, s/he is not considered as an asylum applicant. In case of submitting subsequent application for international protection, a foreigner or stateless person is considered to be an asylum seeker only upon issuance of an individual administrative-legal act on admissibility."

3.1 EU DEVELOPMENTS

Completion of the negotiations on the legislative proposals under the New Pact on Migration and Asylum was the main focus at EU level in 2023. A new pledging exercise for resettlement and humanitarian admissions for 2024-2025 took place in 2023.

As part of the New Pact on Migration and Asylum, the Union Resettlement and Humanitarian Admission Framework Regulation will enhance safe and legal pathways to protection to the EU. Resettlement and humanitarian admission are a voluntary exercise for EU Member States and in May 2023, the European Commission invited EU Member States to make pledges for resettlement and humanitarian admission in 2024-2025. In December 2023, 14 EU Member States announced a collective pledge for 2024-2025, to make available 61 000 new places for those in need of international protection. Of these, 30 960 were for resettlement and will be implemented in close cooperation with the United Nations High Commissioner for Refugees (UNHCR), while the other 29 775 were for humanitarian admission.[223] Also as part of the EU pledge to the Global Refugee Forum, the EU pledged funding to support transnational projects on complementary pathways linked to work and community sponsorship schemes.[224]

The European Union Agency for Asylum (EUAA) launched a new resource portal to help professionals explain asylum and reception processes, addressing a gap in efforts to harmonise international protection practices in Europe.[225] Towards the end of 2023, the EUAA further concluded an agreement with European Union Agency for the Operational Management of Large-Scale IT Systems on an updated cooperation plan.[226]

In December 2023, political agreement was reached between the Spanish Presidency of the Council and the European Parliament on the remaining five key regulations that will overhaul the EU's legal framework on asylum and migration.[227] The new rules aim to make the European asylum system more effective and increase solidarity between EU Member States.[228] As part of this deal, the Asylum Procedures Regulation[229] and the AMMR[230] will come into effect, alongside the Screening Regulation for third-country

223 European Commission, EU announces 61,000 new resettlement and humanitarian admission places at the Global Refugee Forum, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6633, last accessed 2 April 2024.
224 Global Refugee Forum (12 December 2023) European Pledge GRF 08286, https://globalcompactrefugees.org/pledges-contributions, last accessed on 4 June 2024.
225 European Union Agency for Asylum (10 August 2023) 'New EUAA resource portal launched to help professionals explain asylum and reception processes', https://euaa.europa.eu/news-events/new-euaa-resource-portal-launched-help-professionals-explain-asylum-and-reception-processes, last accessed on 19 June 2024.
226 European Union Agency for Asylum (6 December 2023) ' EUAA and eu-LISA sign updated cooperation plan for the next years', https://euaa.europa.eu/news-events/euaa-and-eu-lisa-sign-updated-cooperation-plan-next-years, last accessed 19 June 2024.
227 Council of the EU, 'The Council and the European Parliament reach breakthrough in reform of EU asylum and migration', Press release, 20 December 2023, https://www.consilium.europa.eu/en/press/press-releases/2023/12/20/the-council-and-the-european-parliament-reach-breakthrough-in-reform-of-eu-asylum-and-migration-system/, last accessed on 25 April 2024.
228 Ibid.
229 Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1348, last accessed on 28 May 2024.
230 Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1351, last accessed on 28 May 2024.

nationals at external borders,[231] the Crisis and Force Majeure Regulation to support EU Member States facing a situation of migratory crisis,[232] and the expansion of the Eurodac biometric database.[233] These complemented the Qualification Regulation and the Reception Conditions Directive, on which political agreement had been reached earlier, in December 2022.[234]

The Asylum Procedure Regulation establishes a common procedure across the EU when people seek international protection. Changed introduced a mandatory border procedure, with the aim of quickly assessing whether applications are inadmissible or unfounded at the EU's external border.[235] To carry out border procedures, EU Member States need to establish adequate capacity to examine an identified number of applications and enforce return decisions. Unaccompanied minors will be excluded from the border procedure unless they pose a security threat.[236] These changes aim to streamline procedural arrangements and set standards for the rights of applicants for international protection.

The AMMR will replace the current Dublin Regulation, which sets out the rules determining the EU Member State responsible for examining an asylum application. The repealed Dublin Regulation was based on several criteria, including first-country-of-entry and family-related criteria.[237] Under the new mechanism, there are rules to combine mandatory solidarity with flexibility, including a choice of contribution (relocation, financial contributions, alternative solidarity measures) and further measures to prevent abuse and secondary movement.

The Screening Regulation strengthens controls of persons at external borders, while ensuring quick identification of the correct procedure. Screening will include identification, health and security checks, alongside fingerprinting and registration in the Eurodac database, which should be carried out near the external border over a maximum period of seven days. Individuals undergoing screening will not be allowed to enter the territory of an EU Member State and must remain available to the authorities at the screening location.

As part of the new Eurodac Regulation, the Council of the EU and the European Parliament agreed to expand the Eurodac fingerprint database to improve EU Member States' ability to deal with irregular movements and monitor the paths of asylum seekers and those in an irregular situation throughout the EU. Changes allow the registration of individual asylum seekers, as opposed to applications, making it easier to identify the EU Member State responsible for processing the asylum application and trace secondary movements.

The Crisis and Force Majeure Regulation sets out a framework to allow EU Member States to address asylum and migration crises. More specifically, Member States will be authorised to adjust certain rules and request solidarity and support measures from the EU and its Member States. It also contains rules on dealing with situations where migrants are instrumentalised for political purposes.

3.2 OVERARCHING AND CROSS-CUTTING DEVELOPMENTS

Ten EMN Member Countries[238] reported overarching high-level and strategic developments in international protection in 2023. In Luxembourg, the right to asylum was enshrined in the revised Constitution, while other countries introduced functional reforms. Some of these developments were in response to high numbers of asylum applications.

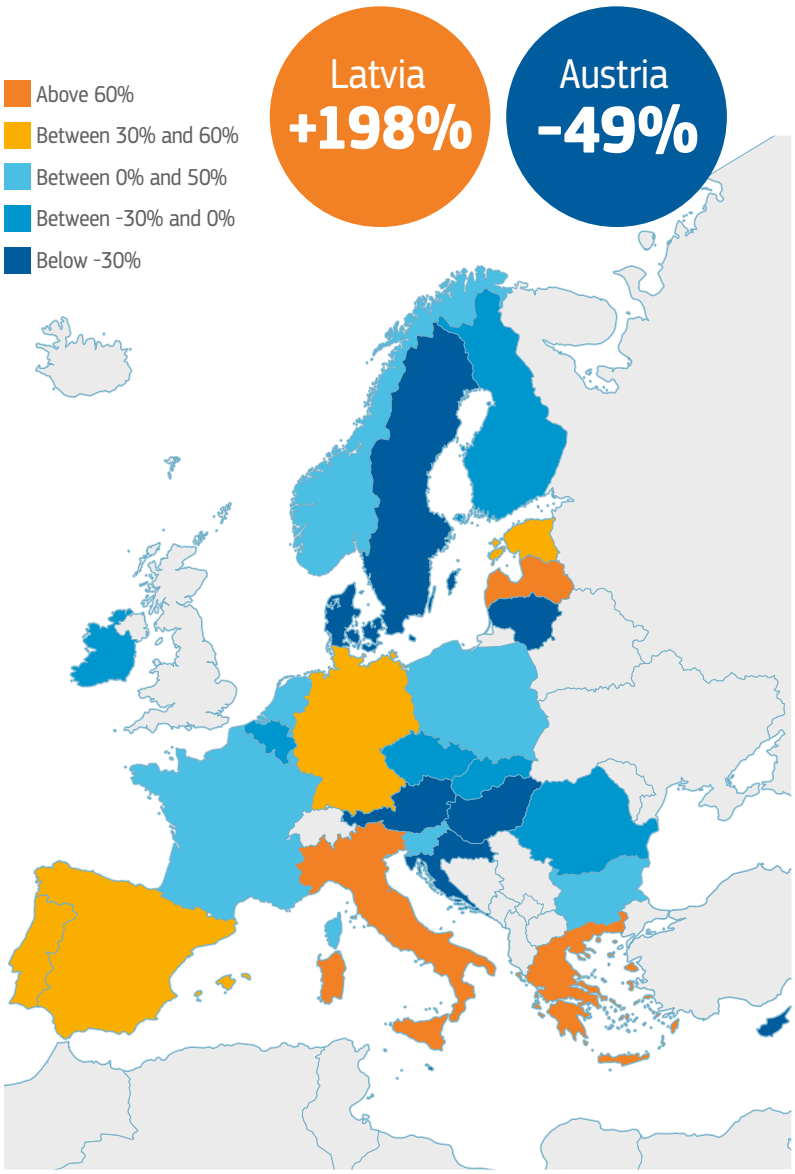
As in previous years, Syrians, followed by Afghans, were the top two countries of citizenship of first-time applicants. In 2023, applicants with Turkish citizenship made up the third largest group of people seeking international protection.

Alongside the increase in applications there was also an increase in first instance decisions (see figure 10 below). The share of rejected decisions of total decisions was the lowest in four years, with a proportionally higher share of positive decisions concerning subsidiary protection status.

231 Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the 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, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32024R1356, last accessed on 28 May 2024.
232 Regulation (EU) 2024/1359 of the European Parliament and of the Council of 14 May 2024 addressing situations of crisis and force majeure in the field of migration and asylum and amending Regulation (EU) 2021/1147, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1359, last accessed on 28 May 2024.
233 Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 on the establishment of 'Eurodac' for the comparison of biometric data in order to effectively apply Regulations (EU) 2024/1351 and (EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council and repealing Regulation (EU) No 603/2013 of the European Parliament and of the Council, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202401358, last accessed 9 June 2024.
234 European Commission, 'Legislative files in a nutshell: Pact on Migration and Asylum', 4 June 2024, https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum/legislative-files-nutshell_en, last accessed on 19 June 2024.
235 Council of the EU, 'Migration policy: Council reaches agreement on key asylum and migration laws', Press release, 8 June 2023, https://www.consilium.europa.eu/en/press/press-releases/2023/06/08/migration-policy-council-reaches-agreement-on-key-asylum-and-migration-laws/ last accessed on 19 March 2024.
236 Ibid.
237 Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast), https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02013R0604-20130629, last accessed on 19 June 2024.
238 BE, CY, HR, IE, IT, LT, LU, MT, NL, SE.

Figure 8: Overview of first-time asylum applications in EU Member States and Norway, 2020-2023

Variation of asylum applications in 2023 compared to 2022

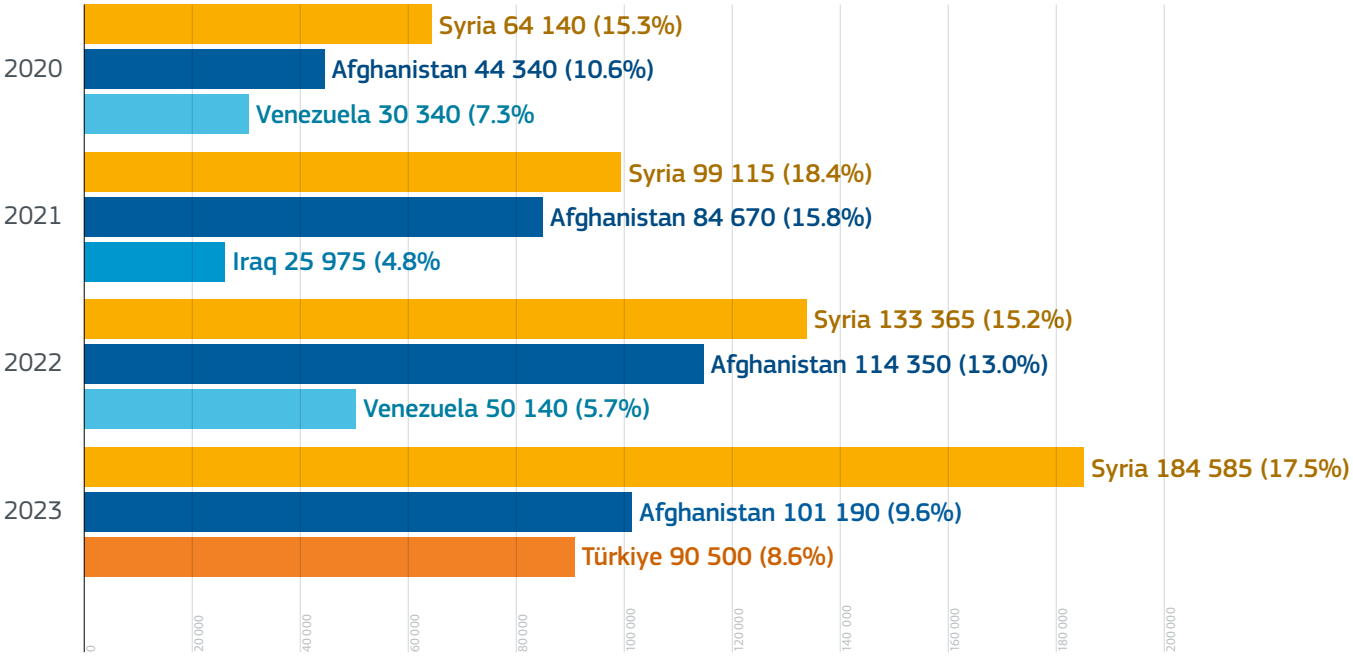


Number of asylum applications

	2020	2021	2022	2023	2022-2023 variation
AT	13 400	37 800	109 775	**55 605**	-49%
BE	12 905	19 545	32 100	**29 260**	-9%
BG	3 460	10 890	20 260	**22 390**	11%
CY	7 065	13 260	21 590	**11 660**	-46%
CZ	790	1 055	1 335	**1 130**	-15%
DE	102 525	148 175	217 735	**329 035**	51%
EE	45	75	2 940	**3 980**	35%
EL	37 860	22 660	29 125	**57 895**	99%
ES	86 380	62 050	116 135	**160 460**	38%
FI	1 445	1 355	4 815	**4 450**	-8%
FR	81 735	103 790	137 510	**145 095**	6%
HR	1 540	2 480	2 660	**1 635**	-39%
HU	90	40	45	**30**	-33%
IE	1 535	2 615	13 645	**13 220**	-3%
IT	21 330	45 200	77 200	**130 565**	69%
LT	260	3 905	905	**510**	-44%
LU	1 295	1 365	2 405	**2 615**	9%
LV	145	580	545	**1 625**	198%
MT	2 410	1 200	915	**490**	-46%
NL	13 660	24 730	35 500	**38 320**	8%
PL	1 510	6 240	7 700	**7 720**	0%
PT	900	1 350	1 975	**2 600**	32%
RO	6 025	9 065	12 065	**9 875**	-18%
SE	13 595	9 015	13 180	**8 945**	-32%
SI	3 465	5 220	6 645	**7 185**	8%
SK	265	330	500	**370**	-26%
NO	1 325	1 595	4 650	**5 135**	10%

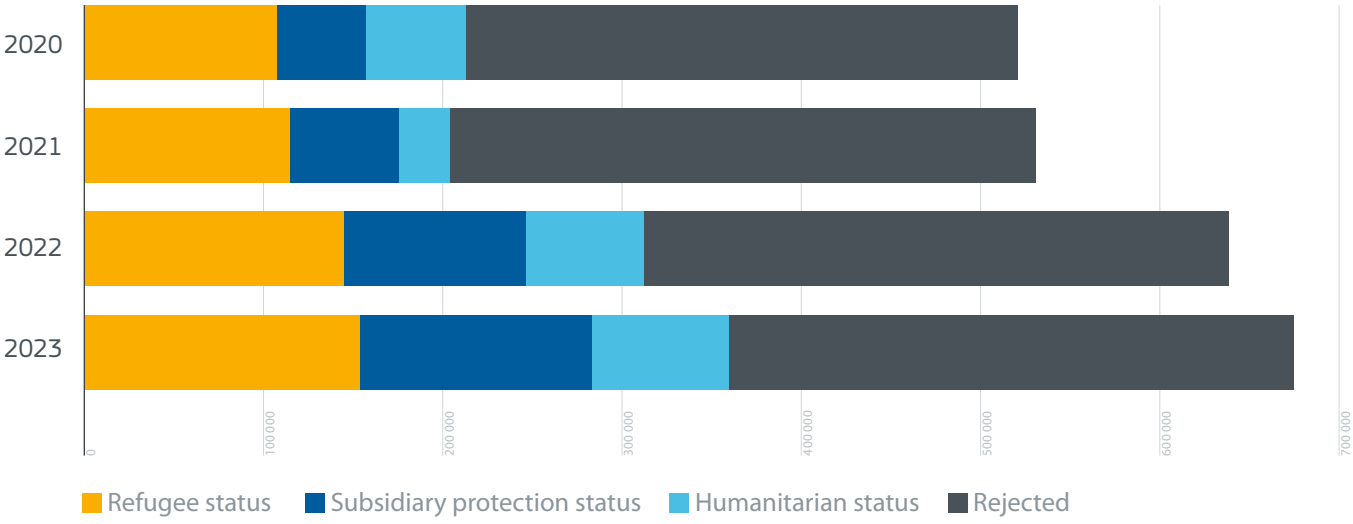
Source: Eurostat, (migr_asyappctza), date of extraction: 6 July 2024.

Figure 9: Top 3 countries of citizenship – first-time applicants, EU and Norway, 2020-2023. Absolute number (and the share of total number of first-time applicants).



Source: Eurostat (migr_asyappctza), date of extraction: 26 April 2024.

Figure 10: First instance asylum decisions by outcome, EU and Norway, 2020–2023



Year	Refugee status number (share in total)	Subsidiary protection status number (share in total)	Humanitarian status number (share in total)	Rejected number (share in total)
2020	107 140 (20.5%)	50 320 (9.6%)	55 495 (10.6%)	309 605 (59.2%)
2021	114 300 (21.5%)	61 715 (11.6%)	28 065 (5.3%)	328 545 (61.7%)
2022	144 965 (22.6%)	102 220 (16.0%)	65 970 (10.3%)	327 365 (51.1%)
2023	153 965 (22.7%)	130 135 (19.2%)	76 325 (11.3%)	316 600 (46.8%)

Source: Eurostat (migr_asydcfsta)

Table 2: Number of asylum decisions by outcome (% of total decisions) in EMN Observer Countries in 2023

Year	Country	Total number of asylum decisions	Type of protection	Number of asylum decisions per outcome	% of total decisions
2023	Armenia	528	Geneva Convention status (Refugee)	372	70.45
			Humanitarian status	0	0.00
			Subsidiary protection status	0	0.00
			Rejected decisions	156	29.55
2023	Georgia	654	Geneva Convention status (Refugee)	16	2.45
			Humanitarian status	166	25.38
			Subsidiary protection status	n/a	n/a
			Rejected decisions	472	72.17
2023	Moldova	n/i	Geneva Convention status (Refugee)	18	n/i
			Humanitarian status	133	n/i
			Subsidiary protection status	0	n/i
			Rejected decisions	21	n/i
2023	Montenegro	173	Geneva Convention status (Refugee)	9	5.2
			Humanitarian status	0	0.0
			Subsidiary protection status	5	2.9
			Rejected decisions	96	55.5
2023	Serbia	490	Geneva Convention status (Refugee)	7	1.429
			Humanitarian status	n/a	n/a
			Subsidiary protection status	2	0.408
			Rejected decisions	53	11.429
2023	Ukraine	265	Geneva Convention status (Refugee)	8	3.019
			Humanitarian status	n/a	n/a
			Subsidiary protection status	45	16.981
			Rejected decisions	212	80.000

"Source: relevant authorties in the EMN Observer Country
'n/i' means no information
'n/a' means not applicable
Note Montenegro: the total of 173 decisions includes 63 terminations of the asylum procedure, 36.4% of decisions taken.
Note Serbia: humanitarian status is not regulated by the Law on asylum and Temporary Protection. However, in 2023, temporary residence on the ground of humanitarian reasons was issued for 59 persons in accordance to the Law on Foreigners. The total of 490 decisions includes positive decisions (refuge and subsidiary protection), rejected applications as well as decisions on discontinuation of the examination of the application and second instance decisions.

Several EMN Member Countries[239] reported dealing with continued high levels of asylum seekers throughout 2023, making it a central driver for many of the measures introduced in the international protection procedure and reception systems.

Six EMN Member Countries reported overarching developments in the rules and regulations on international protection.[240] In Ireland, high numbers of international protection applicants were a driver for the changes proposed in its International Protection Modernisation Strategy 2023-2024.[241] Published in July 2023, it updated progress on the recommendations of the 2020 report of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process and proposed a revised approach for 2023-2024. The recommendations from the 2020 Advisory Group report were based on an assumption of lower numbers of applicants for international protection annually, but applications had begun to increase significantly from the end of 2022, when legal and procedural changes were made in accelerated procedures for certain applicants. The Modernisation Strategy aimed 'to increase outputs during 2023, while significantly accelerating certain categories of cases, and continually improving the quality of decision making'. These changes were supported by increased resources and staffing for the International Protection Office during 2023.

Changes in other EMN Member Countries generally aimed to improve international protection and ensure functionality of the law. In Croatia, changes were introduced because there was room for improvement in protection of vulnerable groups, regulation of healthcare, access to the labour market, issuance and cancellation of documents, as well as to provide a basis for humanitarian reception that did not exist in previous legislation. Cyprus reported fundamental changes to laws on international protection, with the Refugee Law revised because of a lack of functionality.

In Luxembourg, the revised Constitution entered into force on 1 July 2023, adding several new rights and freedoms and enshrining the right to asylum in the Constitution (in addition to obligations stemming from international conventions).

239 BE, CY, FR, HR, IE, IT, LT, LU, LV, MT, NL.
240 BE, CY, HR, IE, LU, NL.
241 Department of Justice (July 2023) *International Protection Modernisation Programme, 2023-2024,* available at https://www.gov.ie/en/press-release/48f49-minister-mcentee-publishes-international-protection-modernisation-strategy/ (last accessed 31 May 2024.)

Sweden considered changing its legislation to ensure that national laws would not be more generous than the requirements of EU law, restructuring their asylum and migration policy. It also considered whether to abolish the possibility to acquire permanent residence permits for some categories of migrants, and the circumstances in which permanent residence permits already granted could be revised. New regulations came into force in December 2023, removing the provision allowing residence permits to be granted to adults on the grounds of particularly distressing circumstances. Sweden also changed the rules so that children could be granted a residence permit due to exceptionally distressing circumstances. Under these rules, the degree of seriousness and gravity are not as high as for adults.

3.3 INTERNATIONAL PROTECTION PROCEDURE

The increase in protection applications and the need to improve efficiency and effectiveness were among the motivating factors for the changes introduced by 17 EMN Member and Observer countries[242] to various aspects of the international protection procedure during 2023. Digitalisation was used with the aim of improving efficiency, in line with other areas of migration during 2023 (see section 1.7 above). There were also updates to practices and procedures in line with contextual changes in countries.

3.3.1. Access to the asylum procedure

Estonia and Croatia introduced changes in 2023 to increase access to the international protection procedure. Due to an increase in applications, Estonia introduced additional locations for asylum applications, extending to all Police and Border Guard Board (PBGB) service points. Croatia experienced difficulties where individuals were unable to make a statement on the record and changed the application process to allow applicants who could not verbally apply for international protection to submit a request in written form.

Finland closed the border crossing points at its land border with Russia, which impacted access, due to the instrumentalisation of migration by the Russian Federation. The entire eastern land border of Finland was closed in November 2023. At Finland's external borders, it was only possible to apply for international protection at open border crossing points for air and maritime traffic. The eastern land border remained closed at the end of the year.

3.3.2. Admissibility of applications

Bulgaria and Italy amended their laws on the admissibility of applications[243] or subsequent applications. In Bulgaria, a draft law sought to align national legislation with admissibility procedures in EU law, while Italy adopted measures and regulations to prevent irregular entries, including Decree-Law of 10 March 2023 which amended regulations on cases of inadmissibility of the asylum application and Decree-Law of 5 October, which amended regulations on a subsequent application for international protection.

Italy also introduced a legal change whereby, if an applicant left a reception facility without a justified reason, the available period to request the reopening of the application from was reduced from 12 to nine months to combat and prevent irregular migration and support the management of the reception system.

3.3.3. Dublin procedure

Several EMN Member Countries amended their legislation or operational measures to increase the number of Dublin transfers,[244] ranging from the extension of the transfer period[245] to the electronic signing of take-back and take-charge requests.[246] Cyprus observed the Dublin procedure more strictly to overcome the negative effects of past delays and ensure more rapid transfer. The Netherlands reported that Dublin transfers to Croatia resumed, following the statements from both Croatia and the European Commission that Croatia was complying with its international obligations regarding transferred Dublin claimants, while Dublin transfers to Italy were put on hold due to the overloading of reception facilities as reported by the Italian authorities and to comply with the requirements of a ruling of the Administrative Jurisdiction Division of the Council of State.

3.3.4. Safe country of origin

Lists of safe countries of origin were updated by five EMN Member Countries.[247] Germany added Georgia and Moldova as part of a policy change, while the Czech Republic added Armenia and the UK to their classifications of safe countries of origin and removed Ukraine due to changes in the security situation. Luxembourg removed Ukraine and Croatia from the list, while Belgium removed Georgia following the evolution in the country. The Netherlands reassessed its list and made clarifications for Morocco, Tunisia, and Senegal regarding an exempted group of persons confronted with criminal persecution and who are able to prove that legal protection against violations of rights and freedom in their individual case is not delivered by the state, while for Ghana and Senegal it concluded that there was no ground to continue the exemption for individuals experiencing discrimination. A ruling by the Administrative Jurisdiction of the Council of State for the Netherlands (AbRvS), determines that the designation of 'safe country of origin' in the Alien Act Implementation Guidelines 2000 (VC 2000) has to be reassessed every two years.

242 BE, BG, CY, CZ, DE, EE, EL, FI, FR, HR, IT, LT, LU, LV, NL, SE, and NO
243 European Union Agency for Asylum(EUAA), 'Asylum Report 2020', 2020, https://euaa.europa.eu/asylum-report-2022/434-admissibility-procedures, last accessed on 25 April 2024.
244 BE, FI, IT, LV, SE.
245 BE (awaiting legislative approval).
246 LV.
247 BE, CZ, DE, LU, NL.

3.3.5. Types of procedures to examine claims

Standard procedure

Luxembourg and the Netherlands planned measures to improve the effectiveness of their standard asylum procedures. In Luxembourg, the Coalition Agreement 2023-2028 states that the use of DNA tests may be requested to prove family ties in the absence of documentation in order to shorten the procedures for international protection.[248] In September 2023, the Netherlands submitted a motion to abolish written hearings for asylum seekers likely to be granted asylum, since a written hearing does not enable the IND to ask follow-up questions and therefore the asylum application can be assessed less thoroughly. This would ensure that the IND always conducts a physical hearing for asylum seekers likely to be granted asylum in order to effectively assess asylum applications and to align with other EU countries. In November, modifications to the guidelines on the term 'political conviction' were made, due to the ruling of CJEU on 21 September 2023, to ensure that it was interpreted in the correct (broad) manner.

Border procedure

Five EMN Member Countries introduced or prepared developments on border procedures in 2023.[249] Lithuania and Italy implemented changes to the law on border procedures. In Lithuania, a maximum of five months (reduced from six) was set for the border procedure during a state of emergency or an extreme situation due to a mass influx of foreigners. Italy introduced several measures on the management of crisis points and government centres of first reception. These were seen as essential due to the flows of foreign workers and to prevent irregular migration.

Bulgaria and Austria agreed on a bilateral Action Plan in January 2023, to prevent irregular transits. This included a pilot project for an accelerated procedure on the Bulgarian-Turkish border for examining applications for international protection submitted at the Transit Centre in Pastrogor, supported by the Austrian Federal Ministry of the Interior. The pilot project originated from the European Council conclusions of February 2023. In July, the Finnish Ministry of the Interior launched a project to introduce a border procedure. Estonia also made changes due to the activity at the Finnish border, preparing for more efficient functioning of border procedures in the event of a mass influx of migrants.

Accelerated procedure

Finland introduced a legislative project to implement accelerated procedures in all situations foreseen in the Asylum Procedures Directive (2013/32/EU). In Latvia, the increase in the number of asylum seekers highlighted the need for a more efficient asylum procedure, which often meant shortening the procedure, depending on the country of origin of the applicant. In Lithuania, the Law on Legal Status of Foreigners was changed to ensure the best interest of the child when implementing provisions in relation to martial law, a state of emergency, or an extreme situation due to a mass influx of foreigners, with specific safeguards for unaccompanied minors (see chapter 5).

First instance appeals

Five EMN Member Countries reported on developments in first instance appeals,[250] primarily to speed up the process and improve the overall efficiency of the system. Greece issued a joint ministerial decision on the organisation of free legal support for applicants when preparing and lodging an appeal, improving communication between applicants and lawyers. Sweden worked to increase efficiency of the asylum procedure by expanding the digital solution for handing appeals to the Migration Court. Italy simplified the appeals process to speed the process and reduce backlogs. Germany accelerated court proceedings by introducing several changes to the Asylum Act, which will be implemented in 2024. Developments in relation to appeals primarily clarified the entitlement to an appeal if the Higher Administrative Court has granted the appeal and if a Higher Administrative Court deviates from the judgement of another Higher Administrative Court or the Federal Administrative Court in its assessment of the general situation in a country of origin or destination.

3.3.6. Operational aspects of the international protection procedure (including appeals)

Procedural safeguards

In 2023, the main changes around procedural safeguards improved accessibility and eased access to information. Cyprus and Malta provided materials from the EUAA to applicants for international protection, to provide more complete information. Greece updated its information leaflet on the procedures for reception and identification/single registration, while the Netherlands created an overview on the IND website to inform asylum seekers on the average waiting times for interviews and provide clarity to those involved as the uncertainty and anxiety among asylum seekers has increased due the rising numbers of applications which extended the waiting times. This aimed to ameliorate and diversify the methods of reaching out to residents of *Centraal Orgaan opvang asielzoekers* (COA) locations. France continued to improve access to information for asylum seekers, dedicating part of the French Office for the Protection of Refugees and Stateless Persons (*Office Français de Protection des Réfugiés et Apatrides* - OFPRA) website to lawyers and organising training sessions for translators.

Other changes to procedural safeguards were seen in Austria, Croatia, France, Germany and Italy. In Austria, the Constitutional Court ruled that the current law did not adequately safeguard the independence of legal advice provided to asylum seekers by the Federal Agency for Reception and Support Services. Lawmakers have until 2025 to create a new regulation. Croatia amended its procedural safeguards, allowing an applicant for international protection to request an independent medical examination (e.g. to substantiate that they are a victim of torture or persecution) where the Ministry of the Interior does not deem it necessary. Germany initiated asylum procedure

248 Government of Luxembourg, 'Coalition Agreement', 17 November 2023, https://gouvernement.lu/dam-assets/documents/dossier/formation-gouvernement-2023/accord-coalition.pdf, last accessed on 6 July 2024.
249 BG, EE, FI, IT, LT.
250 DE, EL, IT, SE.

advice services, offering free and confidential individual consultations, including tailored legal advice for queer and vulnerable persons seeking asylum. The advisory service is state-funded and implemented by non-statutory welfare organisations and other non-governmental organisations (NGOs). Italy increased protection for women by including them in the category of 'vulnerable persons,' meaning that their applications could be examined as a matter of priority.

Timeframes and case management

Five EMN Member Countries and Norway (see also section 3.2) changed their approach to case management and related timelines to improve efficiency.[251] Germany implemented new deadlines for decisions on applications for international protection. Having significantly increased its staff in 2022, France expects to have the resources to issue around 155 000 decisions in 2024, as well as a budget of EUR 108 million to lodge asylum applications (up by 4%), with a targeted processing time of 60 days. The aim is to increase the resources dedicated to processing civil status applications from beneficiaries of international protection.

Norway ruled that it may omit the personal interview under certain circumstances, while, in May, the Netherlands launched a project, due to the increasing numbers of asylum applications, to process before August 2024 an additional 13 000 asylum applications from Syrians and Yemenis likely to be granted asylum. The country also applied a nine-month extension of the legal decision period for asylum applications to asylum applications submitted from 1 January 2023 to 1 January 2024, giving the IND more time to decide (maximum of 15 months). This should ensure that the IND can carefully process asylum applications within the legal decision period but means a longer waiting period for individual applicants. Belgium also launched projects to maximise output: the Office of the Commissioner General for Refugees and Stateless Persons initiated pilot projects on the motivation of decisions and new methods to maximise the number of decisions.

Digitalisation of the procedure/ data management

There were several developments related to digitalisation in the international protection procedure in the EU and Moldova in 2023. Work progressed on the digitalisation of physical files,[252] developing databases,[253] designing and launching (information) portals,[254] moving towards a paperless system,[255] and the ability to digitally transfer/hand over files.[256]

Estonia completed the Automated Biometric Identification System database, following the adoption of corresponding legislation in 2021. The database helps to ensure that a person can only have one identity in Estonia. Greece emphasised digitalisation to enhance the integrity, quality and efficiency of the asylum system overall. A new database was created, with key innovations including connection with a fingerprinting device, a camera and an iPad for signatures. Documents are produced and finalised online, given a reference number, and signed through the system. Bulgaria moved towards digitalisation to achieve faster processing of applications for international protection. It developed a concept note on the creation of a database for comprehensive digitalisation of the international protection procedure. Currently, the administration works with paper files, leading to considerable delays. Belgium continued to develop its Electronic File, eDossier,[257] together with efforts to create a new infrastructure for the upcoming eMigration environment (part of a wider digitalisation effort across the asylum and migration bodies).[258] From 1 September 2023, the International Protection Office in Ireland moved to a 'digital first' model, with all information to be submitted by applicants via email, unless there were valid reasons or paper copies were specifically requested, to speed up processing times.

Other operational aspects

In Italy, an interministerial decree introduced the possibility for asylum seekers whose application must be examined with the accelerated procedure to give a financial guarantee as an alternative to detention. Finland looked at possible future changes to tighten the provisions on detention and entry bans. In Belgium, the saturation of the reception network led to the establishment of a Working Group on long-term stayers in order to facilitate exit from the reception network. In Moldova, standard operating procedures (SOPs) were approved in relation to identity documents, country of origin and mobile documentation teams. The Netherlands extended the postponement of decisions on asylum applications of Ukrainians who do not fall under the scope of the Temporary Protection Directive (2001/55/EC) in the Netherlands, given that the situation in Ukraine remains unclear.

Belgium and the Netherlands took measures concerning applicants from the Palestinian territories. From October to December 2023, the CGRS suspended the notification of decisions granting or refusing subsidiary protection status to applicants from Gaza and the West Bank. It continued to notify decisions granting refugee status where an individual well-founded fear of persecution was clearly established, as well as decisions of inadmissibility for a person with a protection status in another EU Member State. This allowed the CGRS to obtain sufficient objective information to assess the security situation, given the volatile situation in the Palestine territories, specifically the Gaza strip. Similarly, the Netherlands postponed decisions and returns for asylum seekers from the Palestinian territories and from Sudan as, for both countries, it is uncertain how the (security) situation will develop in the coming period.

251 BE, DE, FR, IE, NL, and NO.
252 BE, CY, MT.
253 BE, BG, EE, EL.
254 BE, LU, and MD.
255 BE, IE.
256 BE, LV, SE.
257 EMN 'Annual Report on Asylum and Migration', 2022, https://home-affairs.ec.europa.eu/document/download/8bd5962d-ac8a-4b24-af00-2dbdfa559c3e_en?filename=00_eu_arm2022_report.pdf, last accessed on 25 April 2024
258 Aims to create a comprehensive enterprise architecture that includes the Immigration Office, the Office of the Commission General for Refugees and Stateless Persons (CGRS) and the CALL.

3.4 RECEPTION OF APPLICANTS FOR INTERNATIONAL PROTECTION

Eighteen EMN Member and Observer Countries[259] reported developments in reception, largely creating additional capacity to cope with increases in the numbers of applicants, as well as changes to allowances and improved access to the labour market and to healthcare. Five EMN Member Countries[260] introduced changes to the assessment of vulnerabilities and four[261] reported detention measures.

3.4.1. Reception of applicants for international protection, including access to basic services

Accommodation

In 2023, 11 EMN Member Countries continued to struggle with the volume of applicants for international protection, given capacity issues in their accommodation.[262] They increased reception capacities to ensure the right to accommodation and prioritised the most vulnerable. This was done through a combination of measures, such as developing new reception centres and other forms of housing,[263] creating additional places in existing facilities,[264] using temporary structures such as hotels and containers,[265] and facilitating access to autonomous housing solutions.[266] Some measures targeted specific groups of applicants, such as single adult males, vulnerable persons and unaccompanied minors.[267]

The Netherlands announced the creation of 19 000 additional reception places by July 2023, through initiatives such as keeping reception places open, new reception centres, expanded hotel accommodation, flexible accommodation at asylum seeker centres, and atypical reception places, since the situation in the Netherlands with regards to reception remained fragile, especially in the case of unaccompanied minors. Belgium created additional reception capacity by opening new reception centres, prolonging reception agreements with private actors, creating additional capacity near or in existing centres (e.g. using residential containers or smaller satellite facilities near larger reception centres, so-called 'autonomous reception initiatives), and temporarily using youth tourism facilities as emergency reception for more autonomous families. It also expanded and monitored the shelter agreement with the Brussels-Capital Region (the Brussels deal), concluded in December 2022 to accommodate single male applicants without access to the reception network in the Brussels homeless network managed by different social organisations in the city. In June 2023, the number of humanitarian places funded increased from 1 200 to 1 500 under this agreement, with another 500 places added in December.

The French national reception system for asylum seekers targeted 119 732 places in metropolitan and overseas France by the end of 2023, an increase of 5 900 compared to end-2022.

The Coalition Agreement of Luxembourg's new government states that the Public Buildings Administration will draw up a multi-year plan to build new structures for the accommodation network. Accordingly, a survey of public land and buildings began to determine the various structures that could be developed in the short term to create additional reception capacity. Given the continuous exhaustion of accommodation capacities, coupled with a general housing crisis, single adult males who lodged an application for international protection in another EU Member State were placed on a waiting list from 23 October 2023 to ensure access to accommodation for the most vulnerable groups (including children, women, and families). In addition, Luxembourg passed a law on affordable housing, under which the Ministry of Housing may financially support up to 100% of the cost of construction of housing for applicants for international protection.

Malta changed its accommodation for the most vulnerable, moving all unaccompanied minors from a special area for minors in the adult centre to a reception facility for minors. The freed-up area was then used to accommodate vulnerable adult males. Italy amended the conditions of reception of asylum seekers and beneficiaries of international protection so that asylum seekers could no longer access secondary reception services in centres, apart from vulnerable persons and those who had arrived via humanitarian corridors, resettlement, or evacuation.

With a nationwide shortage of accommodation, Ireland paused accepting international protection applicants at the Citywest Transit Hub in January 2023. Accommodation continued to be sourced for families with children. From December, accommodation could not be offered to all single male applicants. All international protection applicants presenting at the International Protection Office were assessed for significant vulnerabilities and prioritised for accommodation as necessary. A temporary increase in the daily expenses allowance was granted to applicants who were not offered accommodation from December 2023. Similarly, in Belgium, single male applicants continued to be registered on a waiting list (in place since January 2022), pending an available place in the reception network. At the end of 2023, 2 291 men were registered on the waiting list. The European Court of Human Rights (ECtHR) found that Belgium had systemically failed to enforce domestic judicial decisions concerning the reception of applicants for international protection.

Austria introduced temporary cost-of-living compensation for individual and organised accommodation in provincial basic care to cover the financial costs of increased building, energy, and personnel costs. It also introduced a new pilot project (Transparent Real Cost Model) to replace flat-rate

259 AT, BE, CY, EE, EL, FR, HR, IE, IT, LT, LU, LV, MT, NL, and MD, NO, RS.
260 CY, DE, FR, IT, MT.
261 EE, FI, IT, LT.
262 BE, CY, FR, HR, IE, IT, LT, LU, LV, MT, NL.
263 BE, LT, LU, LV.
264 BE, CY, FR, HR, NL.
265 BE, NL.
266 BE.
267 BE, IE, IT, LU, MT.

costs for unaccompanied minors and persons with special care needs in Vienna under the basic care system.

In Poland, the Office for Foreigners no longer covered the cost of food for foreigners travelling to another EU Member State responsible for examining their application for international protection under the Dublin Regulation or in connection with a voluntary return to the country to which the foreigner had the right to enter, or transfer. Instead, the Border Guard covered these costs as part of assuming responsibility for organising voluntary return and transfer under the Dublin Regulation.

House rules in reception centres

Estonia, Greece and Italy reported developments in relation to house rules in reception centres. In Estonia, the Social Insurance Board amended the Regulation on internal procedural rules of accommodation centres, which will enter into force in 2024. The amendments aimed to have the house rules meet the needs of daily life for residents, including temporary facilities specifically for Ukrainian refugees. In Italy, Decree-Law of 5 October 2023 introduced the right to extend the capacity parameters laid down for reception centres and facilities in cases of extreme urgency, capped at double the places laid down following the high number of asylum seekers in reception facilities. Greece established rules on the operation of Closed Controlled Access Centres (CCACs) in accordance with the Code of Laws.

Allowances/material reception conditions

Six EMN Member and two Observer Countries changed their allowances and material reception conditions in 2023. Some increased allowances,[268] others decreased allowances[269] or made structural changes to the allocations, e.g. for particular priority groups or specific conditions.[270]

Finland prepared to reduce the allowance and the government announced that the new index would be frozen until 2027 to reduce expenses. At the other end of the scale, Lithuania increased the meal expense rate, and Norway increased allowances overall. Luxembourg stipulated that all applicants should receive identical amounts, regardless of their age.

Given the accommodation issues in housing single male applicants, from December 2023, Ireland temporarily increased the weekly allowance for individuals not offered accommodation. Changes in Italy depended on specific conditions, with the option to reduce reception conditions in specific cases where the rules of the international protection procedure had been repeatedly broken by an individual. Malta noted that the material assistance offered to those seeking international protection could vary depending on the accommodation centre and needs. The Agency for the Welfare of Asylum Seekers consulted service users to improve the services provided.

Access to the labour market

Six EMN Member and Observer Countries improved the right to access the labour market for applicants in 2023.[271] Croatia, Greece and Serbia reduced the time between submitting the application for international protection and being able to enter the labour market: Croatia from nine to three months, Greece from six months to 60 days after lodging the international protection application, and Serbia from nine to six months. In the Netherlands, where two employers had sued the government due to conflicting interests, the 24-week limit to international protection applicants' labour market access was ruled as legally non-binding as it impedes applicants' access to the labour market, conflicting with the EU Reception Conditions Directive (2013/33/EU). In Cyprus, the time period was extended from one to nine months to limit applications submitted by those with no legitimate fear of persecution but, rather, seeking solely to enter the labour market.

Lithuania enhanced the right to access the labour market by stating that asylum seekers and foreigners who had illegally crossed the state border, including those not seeking asylum, who had obtained the right to work but were unable to open a payment account could receive their wages, other employment-related benefits, daily subsistence allowance and mission expense reimbursements in cash. According to the Labour Code, salaries and other payments must be paid to an employee's bank account, however asylum seekers and individuals who crossed the border illegally are often unable to open a bank account before they are granted a legal status. In Luxembourg, the Law of 7 August 2023 amending the Reception Law facilitated labour market access through removing the requirement for a labour market test to be carried out by the National Employment Agency when applying for a temporary occupation authorisation (first time or renewal).

Access to healthcare, including mental health care

In 2023, several EMN Member Countries[272] increased access to healthcare for beneficiaries and applicants for international protection. To enable better detection of mental health needs, Luxembourg developed a psychological unit within the migrant health service. Similarly, Malta recognised the need for improved support to beneficiaries and introduced a multidisciplinary approach, where the Agency for the Welfare of Asylum Seekers works with mental health services. In Belgium, the saturation of the reception network led to the establishment of a fully-fledged medical centre for primary medical and psychological care, nursing care and health-related administrative and social support. Although targeting applicants for international protection without a reception place, the centre is open to anyone in a vulnerable situation seeking medical care.

Ireland introduced a priority public health programme for applicants for international protection and BoTP, offering catch-up immunisations for children and young adults up to the age of 23, in accordance with the Irish Primary Childhood Immunisation Schedule. It also screened for infectious diseases such as tuberculosis and certain blood borne viruses. In Italy, the Ministry of the Interior, in collaboration with the regions, adopted a public notice to promote the social and economic autonomy of refugees

268 LT and NO.
269 FI.
270 IE, IT, LU, MT, and MD.
271 EL, HR, LT, LU, and MD, RS.
272 BE, IE, IT, LU, MT.

and the health of vulnerable applicants/holders of international protection.

Child protection/safeguarding measures

Eight countries reported developments in child protection and safeguarding. These primarily revolved around publishing or drafting guidelines/instructions,[273] updating policies to strengthen the rights of the child,[274] increasing support,[275] and developing plans for individuals and families.[276] In Austria, the Federal Agency for Reception and Support Services published a child protection concept providing guidelines around the care and support for children and young persons accommodated in federal basic care. Similarly, Belgium introduced a new policy for reception and guidance of young adults aged 18-21 to smooth the transition to adulthood by providing continuity and reinforced individual support (which previously ended at 18). Germany strengthened the rights of the child in reception centres and other places of accommodation through the promotion of the project "Listen up! Complaints procedures for children in reception centres", while Poland updated its policy on the protection of children against harm in centres of foreigners. From February 2024, all employees of the centres for foreigners will be obliged to implement the provisions of the document while performing their official duties.

Croatia introduced the right to access recreational areas, which was not adequately protected under the previous law. Amendments also prescribed that each child was to be provided with access to age-appropriate recreational activities. In Malta, teams worked to assess, evaluate and develop plans for individual families.

In Ireland, the recruitment of 17 family support practitioners, supported by ESF+ funding, was announced in August 2023. These practitioners would work to link families in international protection accommodation with support groups and networks relevant to their needs. In addition, funding of €1.3 million was announced in June 2023 to support 70 Children and Young Peoples' Services committees (CYPSC) across the country to coordinate and provide services to children, young people and families living in the international protection system.

3.4.2. Assessment of vulnerabilities and special reception needs

Several EMN Member Countries worked on the assessment of vulnerabilities in relation to special reception needs.[277] In Cyprus, needs assessments began to be carried out at the moment of arrival, with a new vulnerability assessment form and referral, following gaps and inconsistencies identified during a 2022 review of vulnerability assessments. Italy extended access to reception and integration facilities to all women asylum seekers, not only those who are pregnant as part of its overall reorganisation of the reception system and related services. It also included women in the category of 'vulnerable persons', ensuring their access to the accommodation system and priority examination of their applications. Malta established an assessment team, which worked to improve the services provided according to the specific needs of the beneficiaries. France published an expression of interest to improve healthcare support for people accommodated in national reception facilities or the asylum seeker's first reception facility, encouraging project sponsors to present initiatives to develop health interventions, targeted health guidance or training for social and medico-social staff.

Germany initiated the BeSafe model project, developing a concept for the identification of vulnerable persons seeking international protection. Results included a Protection Needs Toolbox to support accommodation facilities to set up an advisory service for residents with special protection needs. It centres on an advisory guide that provides employees with knowledge and instructions for advising vulnerable persons. Austria ensured the availability of a Child Protection Officer in each federal reception centre supporting minors.

3.4.3. Detention or alternatives to detention

Belgium, Estonia, Finland, Italy and Lithuania reported developments in detention of applicants for international protection. In Estonia and Lithuania, aspects of the existing law were ruled invalid by the courts: the Supreme Court in Estonia declared that the provision prohibiting residents' use of mobile phones was unconstitutional. Under the new provision, foreigners are allowed to use a mobile phone and/or a computer for at least one hour a day during free time, provided the device cannot take photos or videos. It is still possible to forbid use where it may pose a threat to the detention centre's internal order or hamper the individual's return. In Lithuania, the provision stating that an asylum seeker may be detained for illegally crossing the border during a period of martial law, a state of emergency, or an extreme situation due to a mass influx of aliens was invalidated. The law was amended so that a court may opt for alternative measures of detention, allowing the accommodation of the foreigner in the State Border Guard Service or in another designated facility, provided they do not leave the premises without permission from the head of the facility or their authorised representative. In Italy an interministerial decree introduced the possibility for asylum seekers whose application must be examined through an accelerated procedure to give a financial guarantee as an alternative to detention, to reduce the pressure on the detention and return centres.[278] In Belgium, a preliminary draft law regarding the return policy framework provides for the legal enshrinement of the ban on detaining families with minor children in detention centres.

273 AT, BE, LT.
274 DE, EL, HR, PL.
275 BE, PL.
276 MT.
277 CY, DE, FR, IT, MT.
278 Decree no. 20 from 10 March 2023, https://www.gazzettaufficiale.it/eli/id/2023/05/05/23A02665/sg, last accessed on 24 June 2024.

3.5 INTERNATIONAL PROTECTION STATUS AND WITHDRAWAL OF STATUS

Five EMN Member Countries reported developments in family reunification,[279] ranging from introducing the possibility for remote applications, ensuring marriage equality and extending the waiting period before reunification can be requested. Three countries made changes to arrangements for the withdrawal of the status.[280]

3.5.1. Family reunification

Five EMN Member Countries reported developments in family reunification of beneficiaries of international protection.[281] Germany's Federal Ministry of the Interior and Community approved cases of privileged family reunification, as per the Act on the Residence, Economic Activity, and Integration of Foreigners in the Federal Territory,[282] provided the applications for family reunification came from a country with a reliable system of documentation. In Belgium, following the Afrin judgment,[283] the administration implemented a new procedure allowing applicants to submit their application remotely if it is impossible or excessively difficult to travel to the consular post of their place of residence. Changes to the legislative framework included changes for refugee children who came of age during or shortly after their recognition as refugees. A three-month deadline is now in place for applications for family reunification with parents, where this was one year previously (after the granting of the international protection).

The Netherlands abolished a temporary measure on family reunification, which had come into effect in August 2022, as different courts ruled that it violated EU and Dutch law. If the Minister for Migration has granted an application, family members must be allowed to travel to the Netherlands immediately. Estonia now guarantees marriage equality for applicants for international protection, refugees, and persons eligible for subsidiary protection, thus family reunification is open to registered partners. Sweden introduced changes for beneficiaries of resettlement, who have to apply for family reunification within three months after receiving their resettlement permit. Prior to the change, individuals could apply for family members within three months of the resettled person's arrival in Sweden.

3.5.2. Withdrawal of status

Germany determined that the Federal Office for Migration and Refugees would no longer examine whether the conditions for revocation or withdrawal existed within three years of the decision if there was no indication of any withdrawal or revocation ground due to a policy-shift based on cost-benefit analysis.

Belgium and Finland reported developments relating to persons seeking international protection who (potentially) pose a threat to the community or to public order and security. In Finland, the Ministry of the Interior launched a project to examine the withdrawal of international protection status where a person commits a serious offence in Finland that could endanger public order and security or national security. In Belgium, case-law from the CJEU held that the EU Member State must establish that the third-country national constitutes a danger to the community of the EU Member State in which they are present and that this threat must be genuine present and sufficiently serious, and cannot be determined solely by the fact that the person was convicted by a final judgment of a particularly serious crime, brining national decisions in conformity with EU legislation.[284]

In Italy, the Decree Law of 10 March[285] amended the conditions used to determine whether re-entry in the country of origin is a condition for terminating refugee status or subsidiary protection status. In both cases, it is specified that re-entry even for a brief period is relevant and that, in the event the re-entry in the country of origin is justified by serious and proven reasons, this should take place only for the time that is strictly necessary.

3.6 RELOCATION, RESETTLEMENT, HUMANITARIAN ADMISSION AND OTHER PATHWAYS TO PROTECTION

In 2023, most EU Member States continued to take part in EU mechanisms in which they pledged to relocate, resettle or allow third-country nationals entry for humanitarian admission programmes.

3.6.1. National relocation programmes

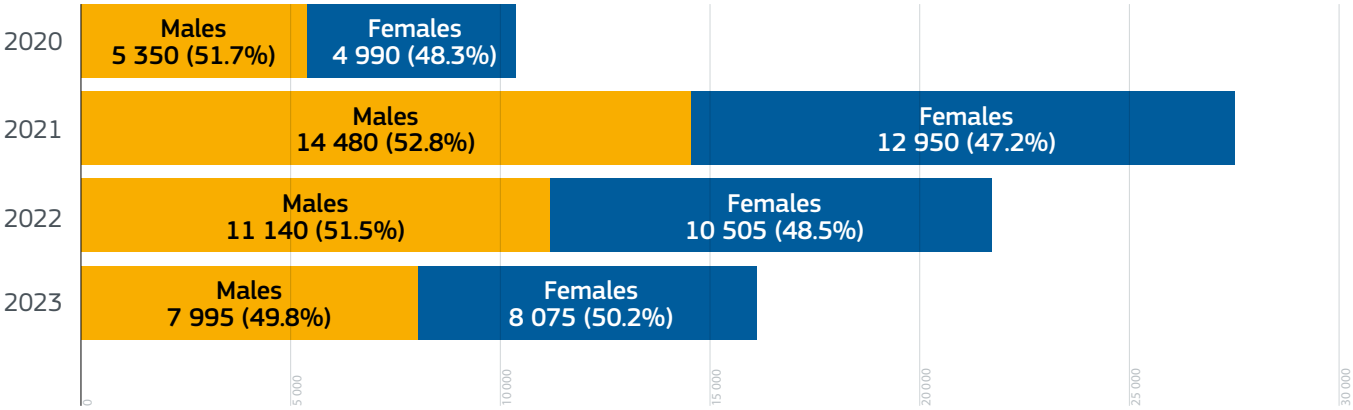
The VSM was originally agreed in June 2022 by 18 EU Member States and three Associated Countries, to provide support to the Member States most affected by migratory challenges in the Mediterranean and the Western Atlantic route (Cyprus, Greece, Italy, Malta, Spain) and to cover needs-based assistance through relocations and/ or financial contributions. In May 2023, the VSM was prolonged beyond the initial one-year agreement. Several EU Member States[286] made legal or policy changes in relation to their participation in the VSM.

279 BE, DE, EE, NL, SE.
280 BE, DE, FI.
281 BE, DE, EE, NL, SE.
282 Federal Ministry of Justice, 'Act on the Residence, Economic Activity, and Integration of Foreigners in the Federal Territory', n.d., https://www.gesetze-im-internet.de/englisch_aufenthg/, last accessed on 25 April 2024.
283 CJEU, Afrin, C-1/23, 18 April 2023, ECLI:EU:C:2023:29.
284 CJEU C-8/22 of 6 July 2023
285 Decree law no. 20 of 10 March 2023, https://www.gazzettaufficiale.it/eli/id/2023/05/05/23A02665/sg, last accessed on 24 June 2024.
286 DE, FI, FR, MT, SE.

3.6.2. Resettlement and humanitarian admission programmes

Several EU Member States[287] made policy decisions on national resettlement programmes, including quotas, measures for vulnerable persons, and pledges for resettlement and humanitarian admission. Figure 11 shows a decrease in the total number of resettled third-country nationals compared to the two previous years. Germany welcomed most resettled third-country nationals (4 975), followed by France (2 825) and Norway (2 240).[288]

Figure 11: Resettled third-country nationals, by sex, EU and Norway, 2020-2023. Absolute number (and the share of total resettled third-country nationals).



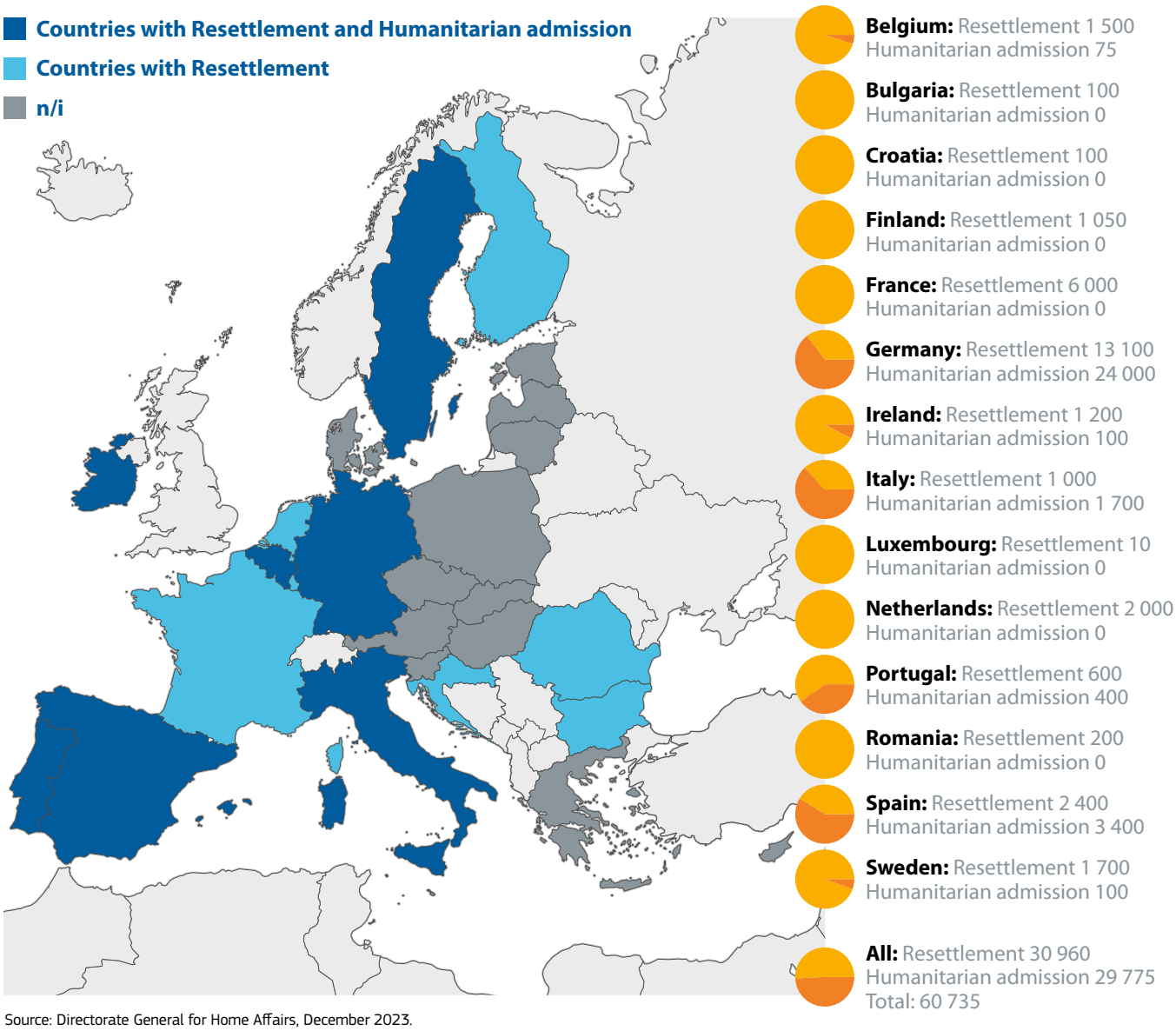
Source: Eurostat (migr_asyresa), date of extraction: 26 April 2024.

Four EU Member States reported changes to resettlement quotas (two reduced the numbers to be resettled compared to previous years,[289] one increased,[290] one renewed[291] their quota) and their related achievements in 2023. Germany raised its quota with 50 annual places. Finland decreased its quota to the original 1 050, following a temporary increase in 2022 in response to the situation in Afghanistan. Sweden reduced its quota from 5 000 to 900 and reduced the emergency quota from 500 to 50. It stated that two-thirds of the remaining quota would be prioritised for women, girls and LGBTQI persons.

Fourteen EU Member States submitted pledges for resettlement and humanitarian admission to be implemented in 2024-2025, as shown in Figure 12 below.[292]

287 DE, FI, FR, IE, MT, SE.
288 Eurostat, Resettled persons by age, sex and citizenship - annual data (migr_asryresa), date of extraction 28 May 2024.
289 FI, SE.
290 DE.
291 FR.
292 European Commission, Directorate-General for Migration and Home Affairs, 'Pledges submitted by the Member States for 2024-2025', 2023, https://home-affairs.ec.europa.eu/system/files/2023-12/Resettlement%20pledges%20submitted%20by%20Member%20States%20for%202024-2025_en.pdf, last accessed on 3 May 2024.

Figure 12: Pledges by EU Member States, 2024-2025



Source: Directorate General for Home Affairs, December 2023.

In its policy guidelines for the reception of resettled persons, France renewed its commitments for the resettlement programme for vulnerable refugees to 3 000 persons, specifically from nine first countries of asylum. It also organised additional missions in Türkiye in the immediate aftermath of the earthquake and opened a programme for women refugees from Afghanistan and their families. France is strongly committed to protecting vulnerable women by resettling isolated and particularly vulnerable refugee women, particularly victims of violence, exploitation or trafficking in human beings, via the Women in Danger scheme. At the GRF in December 2023, Ireland pledged to develop its community sponsorship programme and continue to support the arrival of refugees under safe and legal complementary pathways, particularly through labour and education opportunities.

Germany had launched the *Aufnahmeprogramm Afghanistan* humanitarian admission project in 2022, which, for the first time, included people at risk of persecution under the Taliban regime due to their sexual orientation and gender identity. The first queer people from Afghanistan were received in Germany in 2023 through this programme. Malta noted the successful implementation of the pledge for the resettlement of an Afghan national at risk, due to be resettled in 2022 but resettled in early 2023 after logistical issues. Italy noted that 182 persons had been resettled in 2023, mainly Afghans, followed by Syrians, Iraqis from Türkiye, Lebanon, Pakistan and Iran. Bulgaria reported accepting cases for resettlement from Türkiye. Belgium introduced measures to upscale and improve reception centres for resettled refugees, opening a dedicated reception centre in September 2023.

In December, Slovenia began a project to resettle 50 Syrian or Afghan nationals. Germany's pledge of resettlement places for 2024-2025 related to the initial admission countries of Kenya, Libya, Egypt, Lebanon, Jordan and Türkiye. It promised further admissions for particularly vulnerable Afghans.

Two EMN Member Countries[293] made legal or policy changes in relation to other developments in resettlement

293 IE, IT.

and humanitarian admission. Italy focused on changes to the protocol for humanitarian corridors with regard to evacuations from Libya, guaranteeing the arrival of 1 500 vulnerable people in need of international protection by the end of 2026 and enabling 900 people housed in the facilities of organisations of civil society to join the national reception system (if needed).

Led by Ireland, in cooperation with Belgium and Migration Policy Europe, the AMIF-funded project Building Capacity for Private Sponsorship in the European Union published research in 2023. It aims to build European, national, and local government and non-governmental stakeholders' capacity to design, implement, sustain and scale-up community sponsorship programmes for refugees.[294]

3.6.3. Resettlement of unaccompanied minors

Sweden reported that more comprehensive policy changes at national level had an impact on the resettlement of unaccompanied minors, because historic areas and countries of resettlement were not included in the countries prioritised for 2023. While the emergency quota had previously sometimes been used by UNHCR to present cases of unaccompanied minors, the latter was now earmarked for cases with a special interest to Sweden. This was part of the government's policy to prioritise integration and returns.

3.7 OTHER DEVELOPMENTS

In Luxembourg, the Asylum Law was amended to clarify that if beneficiaries of international protection in Luxembourg held international protection status in another Member State, they could not be removed to their country of origin, as it would contravene the principle of non-refoulement. Norway issued an instruction stating that women and girls from Afghanistan, after an individual assessment, could be granted refugee status within the context of the Refugee Convention to clarify how to assess asylum applications. In Poland, there was a change in authority of the second instance in matters of granting national forms of protection (residence permit for humanitarian reasons and tolerated stay permit), with competence transferred to the Commander-in-Chief of the Border Guard (from the Head of the Office for Foreigners).

In Estonia, the PBGB signed a cooperation agreement with UNHCR in August 2023, stipulating monitoring activities focusing on the entry of refugees to Estonia, their access to asylum and protection against non-refoulement. Additionally, UNHCR supported measures to enhance PBGB staff knowledge of refugee law and refugee protection standards. UNHCR has the right to oversee PBGB activities concerning individuals in need of asylum at the border points, at asylum interviews, and in accommodation centres.

Ireland developed a new information website with information in plain English, explaining the international protection process and basic concepts (such as refugee status, subsidiary protection, temporary protection, safe country) and providing statistics on international protection in Ireland.[295] In Portugal, the Observatory for Migration (OM) launched the 2023 Statistical Report on Asylum – Asylum Seekers and Beneficiaries of International Protection in Portugal. It presented key figures and highlighted trends in order to share reliable information and offer a complete picture of the current state of affairs in Portugal.

In Italy, the Decree-Law of 10 March 2023 introduced the concept of deferred *flagrante delicto* (being caught in the act of committing a crime) which applies to offences committed by applicants staying in a first reception centre, a temporary reception facility, a facility associated with the reception and integration system, or a return centre. The Decree states that if it is not possible to make an immediate arrest for reasons of public safety or security, the person can be arrested within 48 hours and immediately prosecuted. The draft Law of ratification and execution of the Protocol between the Government of the Italian Republic and the Council of Ministers of the Republic of Albania for the reinforcement of the collaboration on migratory matters was approved. The purpose of the Protocol is to build two reception centres in Albania where Italy can manage migrants who arrived by sea. This will allow bilateral cooperation on the management of asylum applications.

In November, Serbia developed a rulebook on the appearance and content of the travel document form for refugees.

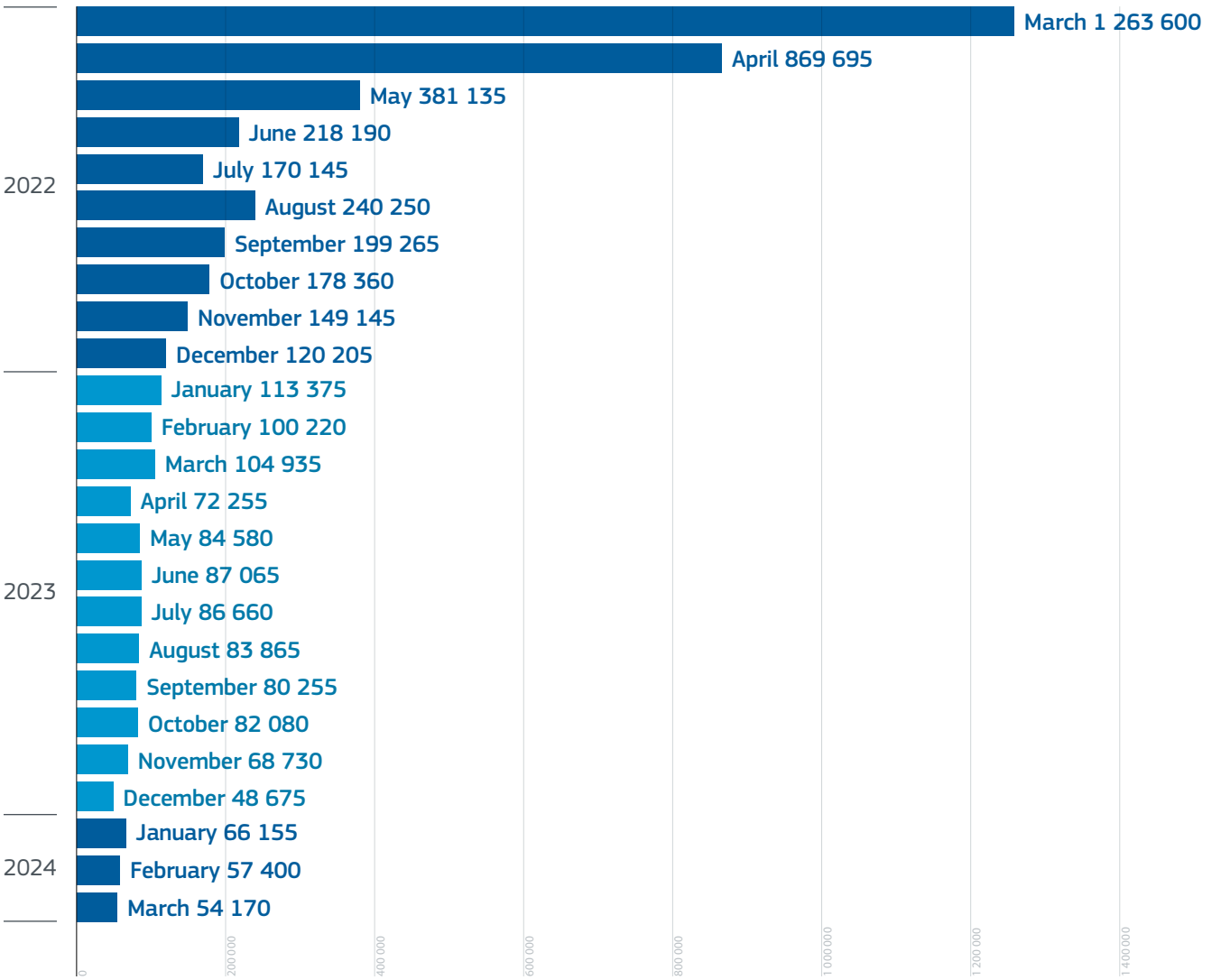
294 Government of Ireland, 'The CAPS-EU Resource Library, n.d., https://www.gov.ie/en/publication/5cc2d-resource-library/, last accessed on 25 April 2024.
295 Government of Ireland, 'International protection', n.d, https://www.gov.ie/en/campaigns/304ba-international-protection/, last accessed on 6 July 2024.

4. TEMPORARY PROTECTION AND OTHER MEASURES IN RESPONSE TO RUSSIA'S WAR OF AGGRESSION AGAINST UKRAINE

This chapter describes developments in temporary protection in the EU, together with measures in EMN Observer countries, and other measures to protect those fleeing Russia's war of aggression against Ukraine.

As the numbers of people fleeing Russia's war of aggression against Ukraine to reside in the EU remain high, 2023 was an important year for legal and policy developments at EU and national level. EMN Member and Observer Countries facilitated the integration of BoTP into receiving societies. This included actions in access to housing and access to education, the labour market and medical care.

Figure 13: Number of decisions providing temporary protection to people displaced from Ukraine due to Russia's invasion, EU and Norway, March 2022–March 2024



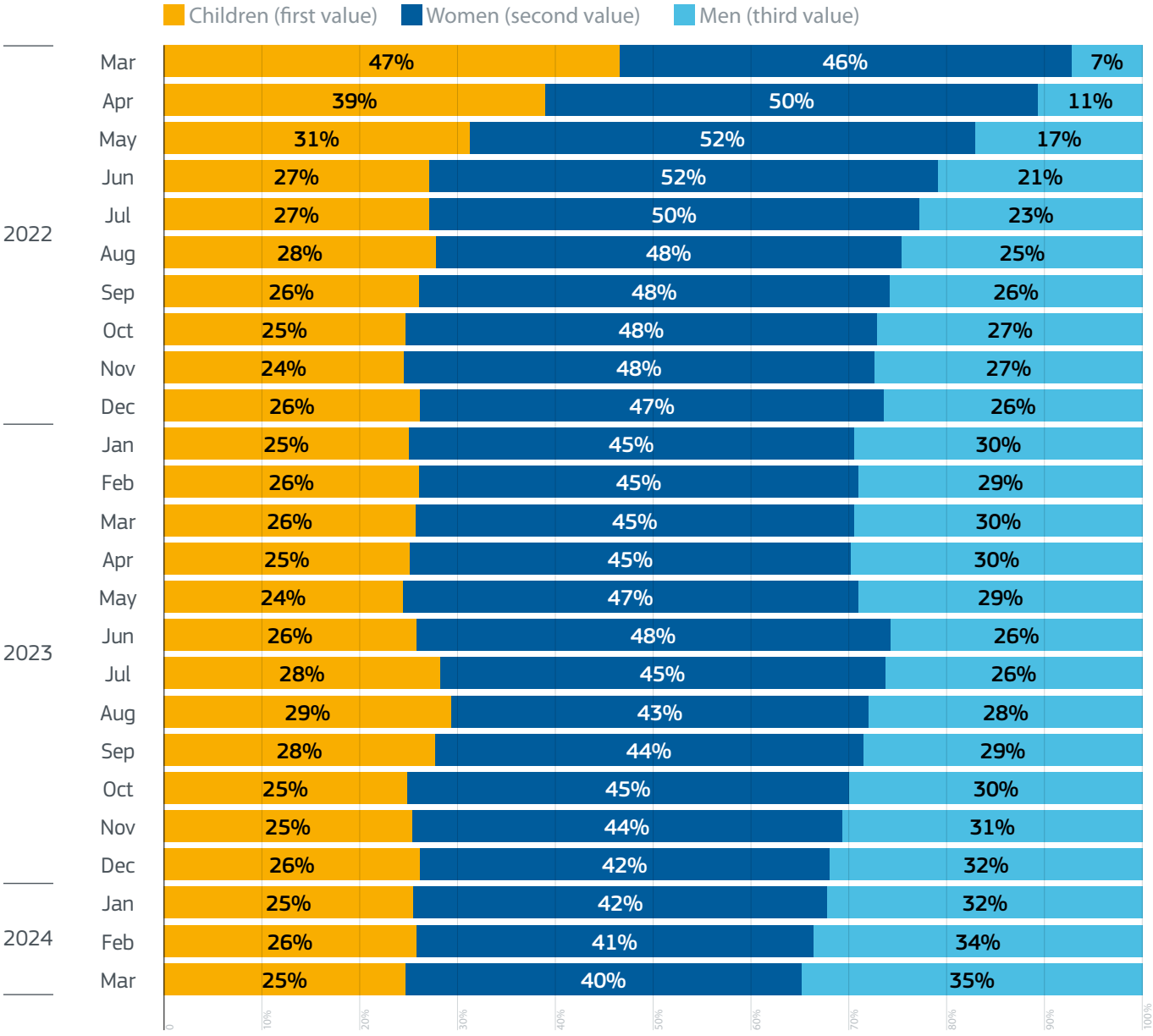
Note: March to July 2022, excluding Germany for which data are not available. March 2024 calculated with Romanian data available for February 2024.
Source: Eurostat (migr_asytpfm), date of extraction: 8 May 2024.

The major trend across both EMN Member[296] and Observer Countries[297] in 2023 was a gradual shift from the provision of comprehensive state support in housing and social welfare towards increased efforts to promote self-reliance among those fleeing Russia's war of aggression against Ukraine.

By 31 March 2024, 4.2 million non-EU citizens had temporary protection status in the EU.[298] With some fluctuations, the number of decisions providing temporary protection to third-country national BoTP in the EU and Norway reduced from 1 263 600 in March 2022 to 54 170 in March 2024 (see figure 13 above).[299] The main EU countries hosting BoTP from Ukraine at the end of March 2024 were Germany (1 301 790; 30.9% of the EU total), Poland (955 520; 22.7%) and the Czech Republic (364 375; 8.7%).[300]

See also figure 13 which gives the number of decisions providing temporary protection to third-country nationals displaced from Ukraine March 2022 - March 2024. In 2023 women and children still made up more than two thirds of the persons granted temporary protection.

Figure 14: Distribution by age and sex of decisions providing temporary protection to people displaced from Ukraine due to Russia's invasion, EU and Norway, March 2022–March 2024



Note: excluding Hungary for which data by sex and age are not available. March to July 2022, also excluding Germany for which data are not available. March 2024 calculated with Romanian data available for February 2024.
Source: Eurostat (migr_asytpfm), date of extraction: 8 May 2024.

296 AT, BE, CY, CZ, EL, FI, FR, HU, IE, LT, NL, PL.
297 NO.
298 Eurostat, People under temporary protection stable at 4.2 million', 2024, https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20240508-2, last accessed on 29 May 2024.
299 Eurostat (migr_asytpfm), date of extraction: 8 May 2024.
300 Eurostat, 'People under temporary protection stable at 4.2 million', 2024, https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20240508-2, last accessed on 19 June 2024. Eurostat (migr_asytpsm) Beneficiaries of temporary protection at the end of the month, monthly data, showing 4.213 million at the end of March 2024.

4.1 EU DEVELOPMENTS

At EU level, the main development in 2023 was the extension of temporary protection for persons fleeing Ukraine until 4 March 2025 across all EU Member States, in line with EU Council Implementing Decision 2023/2409,[301] adopted on 19 October 2023.[302]

Activated for the first time, the Temporary Protection Directive[303] allowed EU Member States to provide immediate and temporary protection as well as access to accommodation, education and training, social benefits, medical care, and access to the labour market.

On 8 March 2023, the European Commission released a Communication taking stock of the first year of the provision of temporary protection to those fleeing Russia's war of aggression against Ukraine.[304] It specified that the launch of the Solidary Platform Ukraine[205] had played a crucial role in responding to the unprecedented cooperation need following the activation and implementation of the Temporary Protection Directive. The Platform offered a flexible and informal framework for the quick adoption of soft policy documents (e.g. replies to Frequently Asked Questions (FAQs) made available online, SOPs). EU Member States and other stakeholders considered it good practice to replicate in the future. The Communication highlighted the role of the EU Migration and Preparedness and Crisis Blueprint Network in providing accurate data and evidence-based decision-making and allowing for a common situational awareness of the migratory implications of Russia's war of aggression against Ukraine.[305] The Network was complemented by other forums such as the Solidarity Platform, Integrated Political Crisis Response arrangements, and the EMN.

The European Commission identified a set of priorities for 2023, spanning education and vocational training, healthcare and social benefits, jobs, accommodation, and housing. On access to education and vocational training, priorities included scaling-up enrolment in schools by supporting regular exchanges on Member States' progress, challenges, and good practices; continuing to support teachers and schools with online materials, good practices and training courses; and continuing to encourage Member States to make full use of the skills and competences of displaced education workers from Ukraine. On access to healthcare and social benefits, the priorities focused on overcoming barriers to healthcare, through continuing targeted action, prioritising vaccinations of displaced children, and care for those in long-term treatment; continuing support for Ukrainian cancer patients, including through the continuation of medical evacuations; and deploying psychosocial and mental health support through agreements with the International Federation of the Red Cross and NGOs. On access to jobs, priorities included promoting swifter labour market integration of BoTP including by better use of the Talent Pool Pilot[306]; and supporting better understanding and comparability of Ukrainian qualifications with qualifications gained in the EU. On access to accommodation and housing, EUR 8 million in funding was mobilised to support and promote community sponsorship schemes.

Building on the Safe Homes guidance[307] 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 EU Member States and other stakeholders implementing hosting schemes.[308] Project activities started in February 2023 in 10 EU Member States: Belgium, France, Germany, Hungary, Ireland, the Netherlands, Luxembourg, Poland, Romania, and the Slovak Republic. They were to run until May 2024.

4.2 LEGAL STATUS

4.2.1. Extension and procedure of renewal of residence permits

The main development in 2023 was the extension of temporary protection for persons fleeing until 4 March 2025, as set out in the EU Council Implementing Decision 2023/2409 adopted on 19 October 2023. In the Czech Republic, several amendments to Act No 65/2022 on the temporary protection for people fleeing Ukraine were adopted to extend temporary protection until March 2025.

EMN Observer Countries also followed suit in prolonging temporary protection for BoTP. In Norway, the Ministry of Justice and Public Security proposed a change in the Immigration Act in December 2023, extending the period of temporary protection from three to five years, on an individual basis. In Moldova, a government decision

301 Council Implementing Decision (EU) 2023/2409 of 19 October 2023 extending temporary protection as introduced by Implementing Decision (EU) 2022/382 (europa.eu), https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202302409, last accessed on 26 March 2024.
302 Council of the EU, 'Ukrainian refugees: EU Member States agree to extend temporary protection', https://www.consilium.europa.eu/en/press/press-releases/2023/09/28/ukrainian-refugees-eu-member-states-agree-to-extend-temporary-protection/, last accessed on 10 March 2024.
303 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/TXT/?uri=CELEX%3A32001L0055&qid=1648223587338, last accessed on 2 June 2024.
304 Communication from the Commission to the European Parliament and the Council, 'Temporary protection for those fleeing Russia's war of aggression against Ukraine: one year on', 2023, 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 28 April 2024.
305 The Network responds to the need to provide an accurate, updated and joint situational picture as a basis for swift political and operational decision-making. It monitors cross-border movements from Ukraine into the EU, first reception and implementation of the Temporary Protection Directive, including trends of weekly registrations and in-depth information on access to education, employment and healthcare. Commission Recommendation (EU) 2020/1366 of 23 September 2020 on an EU mechanism for preparedness and management of crises related to migration, OJ L 317, 01/10/2020, pp. 26-38, https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32020H1366, last accessed on 2 June 2024.
306 EU Talent Pool Pilot, n.d., https://eures.europa.eu/eu-talent-pool-pilot_en, last accessed on 2 June 2024.
307 The 'Safe Homes' guidance was published by the European Commission in July 2022, advising EU Member States 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. More information can be found here: European Commission, 'Safe Homes guidance', https://home-affairs.ec.europa.eu/safe-homes-guidance_en, last accessed on 6 June 2024.
308 European Migration Network, Annual Report on Migration and Asylum 2022, https://home-affairs.ec.europa.eu/document/download/8bd5962d-ac8a-4b24-af00-2dbd-fa559c3e_en?filename=00_eu_arm2022_report.pdf, last accessed on 6 June 2024.

providing temporary protection for BoTP entered into force on 1 March 2023, with a validity period until 1 March 2024. Discussions on a further extension were expected to be concluded in early 2024. In Serbia, displaced persons from Ukraine received temporary protection until 18 March 2024. (See box 7).

4.2.2. Scope of persons eligible for temporary protection

Three EMN Member Countries[309] reported developments in 2023 on the scope of persons to whom temporary protection is provided in accordance with Council Implementing Decision 2022/382. Sweden widened the scope, Finland narrowed it. Moldova, which has a form of temporary protection under national law, also widened its scope.

In Sweden, as per the government's decision of 22 December 2023, the scope was widened to persons legally residing in Sweden on that date who had come to Sweden before 30 October 2021, including Ukrainian citizens as well as non-Ukrainian third-country nationals (and their family members) and stateless persons who had benefitted from refugee status or subsidiary protection in Ukraine before coming to Sweden. This was intended to increase the numbers of people eligible for protection and avoid the risk of deportation to Ukraine. Moldova had limited capacity to process the high numbers of asylum applications rapidly, thus temporary protection was offered to Ukrainian citizens residing in both 1) Ukraine and 2) Moldova before 24 February 2022, 3) stateless persons and nationals of third countries who had enjoyed international protection in Ukraine before the outbreak of war and who could not return safely to their country or region of origin, and 4) family members of the persons in categories one to three. In Austria, legal certainty was provided by the Constitutional Court ruling that Ukrainian nationals who had left Ukraine not long before 24 February 2022 were still resident in Ukraine on this cut-off date and were thus entitled to temporary protection in Austria.

As of 7 September 2023, Finland no longer provided temporary protection to third-country nationals and stateless persons who had resided in Ukraine on the basis of a temporary residence permit, in order to harmonise practices with other EU Member States and prevent secondary movement.

The Netherlands originally intended to end the temporary protection of third-country nationals who had had a temporary residence permit in Ukraine on 4 March 2023; however, this was put on hold by the Minister for Migration on 2 September 2023, meaning that the persons concerned were allowed, until further judicial clarification, to temporarily continue to benefit from the rights under the Temporary Protection Directive. In parallel, the Netherlands extended the temporary remigration policy, which provided that support and financial assistance could, under strict conditions, be provided to non-Ukrainian third-country nationals for reintegration in their country of origin.

4.2.3. Registration

Belgium, France, Italy, and the Slovak Republic reported developments on the registration of BoTP. Italy changed the location of registration – following the exceptional volume of registrations for international protection connected to Russia's war of aggression against Ukraine, the Ministry of the Interior was authorised to use one or more labour administration agencies. In the Slovak Republic, in response to a decrease in the number of temporary protection registrations, the large-capacity transit centre in Michalovce in the east of the country, near the Ukrainian border was closed. As of June 2023, only the equally large assistance centre in Bratislava was kept open for registering new applicants. Applications are also processed within regular office hours by foreign police departments. Belgium undertook an administrative change to make temporary protection rules more consistent with other immigration rules: a new circular on registration in the national register from 1 March 2023 provides that the municipality registers the beneficiaries on the date of their application for registration at the municipality, after a positive residence check, rather than at the municipality on the date of the issuance of the temporary protection certificate. In France, training on registering BoTP was offered to prefectures, responding to previous challenges due to lack of experience in providing such status.

4.2.4. Procedure of renewal of temporary protection

Given the high numbers of BoTP and the time and resources needed to extend their residence permits in the regular way, many countries adopted a simplified procedure in 2023. Renewal was automatic without any action needed from BoTP in 14 EMN Member and Observer Countries,[310] including those who reported using electronic IDs or a previous registration in the central population register.[311] Some other countries required BoTP to submit requests. In Sweden, temporary protection beneficiaries wishing to extend their residence permit had to submit an online request to the e-service of the Swedish Migration Agency between 1 February and 4 March 2023. In Finland, no separate registration or application procedure was required; rather, residence permits issued on the grounds of temporary protection will remain valid for as long as the temporary protection of persons fleeing Ukraine is in effect in the EU, according to a temporary amendment to the Aliens Act that entered into force on 19 January 2023. In four other countries,[312] BoTP had to request the renewal of their temporary protection status in person at municipalities,[313] police departments,[314] the General Department of Integration,[315] and, in Bulgaria, at the registration and reception centres of the State Agency for Refugees (before 1 April 2023, also at the Regional Directorates of the Ministry of Interior and the Directorate of the Interior in Sofia).

309 FI, NL, SE.
310 AT, CY, DE, EL, HU, IE, IT, LT, LV, NL, PL, PT, SK, and NO.
311 AT, EL, LT, SK.
312 BE, BG, EE, HR.
313 BE.
314 EE, HR.
315 LU.

4.3 RIGHTS

This section describes developments in the rights of persons fleeing Russia's war of aggression against Ukraine. It shows a shift from the provision of comprehensive state support towards greater self-reliance, particularly in the areas of accommodation and housing and social welfare. Developments in the access to medical care are also analysed in this section, demonstrating a shift towards more sustainable solutions. As regards the access to education and the labour market, the section reflects significant efforts of many of the responding countries to facilitate longer-term integration. The section also provides information on changes to other rights, such as family reunification.

Two countries reported strategic developments in relation to the access to rights for BoTP. At a strategic level, the Government Commissioner for Human Rights in the Czech Republic was tasked with coordinating the integration of BoTP to give a special focus, whilst the integration of other groups remained with the Ministry of Interior. Moldova started discussions on a national inclusion strategy targeting those fleeing Russia's war of aggression in Ukraine and intending to integrate into Moldova society, to be finalised in 2024.

4.3.1. Access to suitable accommodation and/or means to obtain housing

In 2023, the major trend in accommodation for BoTP was a shift from housing in reception facilities towards independent living and/or long-term housing solutions, with financial support from governments.[316] This was driven by the need to provide more sustainable solutions, given that many BoTP were staying longer in the EU. In Estonia, other drivers were budgetary constraints, a decreasing number of arrivals, and the need to ensure equal rights for BoTP and others seeking international protection. In Croatia, legislative changes on access to accommodation for BoTP meant that an individual's financial resources were not an obstacle to their right to accommodation. In December, Ireland announced revised supports for newly arriving BoTP, to be implemented in 2024 following the necessary legal amendments. This decision was taken in the context of a high number of arrivals from Ukraine, in accordance with an analysis showing Ireland's offering to be at a higher level than other Member States. It also enabled Ireland to continue to be able to meet its obligations under the Temporary Protection Directive. The changes related to accommodation and social welfare payments (see section 4.3.3): state accommodation would be limited to a maximum of 90 days in designated arrival centres, providing meals, laundry, and other services. Pledged accommodation schemes were unaffected.

In Finland and Norway, the shift to private accommodation was coupled with a gradual transfer of responsibilities from the central state to municipalities. Reception capacities including emergency housing for BoTP from Ukraine were maintained (for example, in the Netherlands) or expanded (Greece, Ireland, Italy).

4.3.2. Access to medical care, including mental health care

Developments were reported in access to medical care, mental health provision and public health interventions.

Given the ongoing crisis in Ukraine, there was a need to regulate healthcare in a better and more sustainable way for temporary protection beneficiaries. Eight countries[317] took action in 2023 or continued their efforts[318] to integrate BoTP into the regular healthcare system, in line with their vulnerabilities.[319] In Ireland, BoTP are automatically eligible for a medical card for the first year after arrival, after which time renewal of the card is means-tested in line with standard application procedures. This requirement for assessment of eligibility was confirmed in March 2023 and a three-month grace period was granted to ensure that BoTP (whose medical card was due to expire could maintain their eligibility pending completion of the standard means assessment process. In the Czech Republic, the state covers health insurance contributions for additional groups of individuals, including those unable to work due to disabilities, after the initial 150 days to which every BoTP is entitled. Lithuania decided that BoTP who did not work and were therefore not covered through compulsory health insurance would be reimbursed for essential medicine by the government to avoid their health deteriorating. The Slovak Republic approved an update to its contingency plan in response to the influx of persons from Ukraine on 28 June 2023, including access to psychosocial and medical support as well as material and legal support for temporary protection beneficiaries, with particular attention paid to those with specific needs (minors, people with disabilities).

Developments in mental health care were reported in the Benelux countries,[320] Greece and Ireland, where Ukrainian mental health professionals were mobilised by the state to provide free-of-charge mental health support and care through a telephone hotline,[321] online[322] and in-person[323] services. Luxembourg launched a new psychological unit.

Belgium and Ireland took measures to contain infectious diseases, especially tuberculosis and certain blood-borne viruses, in response to higher risks of missing vaccinations among displaced persons and refugee groups. This included the installation of mobile teams to encourage vaccination,[324] and the launch of a catch-up immunisation programme.[325]

316 BE, CY, CZ, EL, FI, FR, HU, IE, LT, NL, PL.
317 CZ, EE, FR, HR, IE, IT, SK, and MD.
318 AT, EL.
319 FR.
320 BE, LU, NL.
321 EL.
322 IE. Further funding was provided for the online counselling service started in 2022.
323 BE, NL.
324 BE.
325 IE.

4.3.3. Access to social welfare assistance and means of subsistence

Thirteen countries[326] reported developments regarding social welfare assistance and means of subsistence, with five moving towards mainstreaming and/or rationalising supports.[327]

Austria, the Czech Republic, Finland, and France reported a trend to steer BoTP towards self-reliance through integration in the labour market, while maintaining social welfare and/or subsistence assistance to groups of vulnerable persons and those in need. In France, the government continued the social inclusion of BoTP by providing better information on their social rights and encouraging them to become independent as quickly as possible and balance family obligations alongside job searching and working. The Czech Republic collected the most important principles and goals of refugee integration in the document, 'Priorities of adaptation and integration of BoTP 2024+' and limited financial supports by introducing new legislation on social protection.

Box 6: The Czech Republic introduced new legislation on social protection of BoTP

In the Czech Republic, new legislation on the social protection of Ukrainians with temporary protection was introduced by an amendment to Act No 66/2022 Coll, on measures in the field of employment and social security. As of 1 July 2023, humanitarian financial support was calculated individually by household. It is conceived as both a subsistence allowance and a housing allowance. All income and any savings are taken into account, including the household's employment income, bank account balance, subsistence minimum, and any housing allowance received.

For the first 150 days, an amount equal to the living minimum in the Czech Republic is provided. That amount is then reduced to the level of subsistence minimum in cases where the person is not trying to secure financial resources themselves but has no objective obstacles to work (i.e. not vulnerable, aged under 18, a student under 26, carer of a child under 6, a pregnant woman, aged 65+, disabled or carer of a disabled person). People with disabilities and children aged between six and 10 receive an increased allowance.

The humanitarian financial support may be indexed, i.e. increased by a multiple of the basic amount, to target more support to the most vulnerable.

Austria launched a new model for BoTP where basic care benefits are gradually reduced if the person's income exceeds the general exemption threshold of EUR 110 per month plus EUR 80 for each additional (nuclear) family member. In December 2023, Ireland announced changes altering the support offered to newly arriving BoTPs in the context of high numbers of arrivals (see section 4.3.1). Those newly arrived and availing of accommodation in a designated arrival centre would receive a weekly allowance of EUR 38.80 per adult and EUR 29.80 per child for daily expenses in lieu of standard social welfare payments. Beneficiaries living in independent or pledged accommodation would still be able to apply for social welfare payments in line with standard eligibility criteria. These changes required legislative change. Finland prepared to reduce its reception allowances for BoTP and asylum seekers to reduce expenditure. In Norway, the government proposed certain restrictions for child benefit to ensure that the number of people arriving was not higher than in the other Nordic countries.

By contrast, the Netherlands increased the financial allowance for BoTP in response to a rise in the cost of living.

In Italy and Latvia, the measures for providing support to BoTP from Ukraine were extended into 2024. Italy continued its reception activities for BoTP who had arranged independent accommodation, including social services offered by host municipalities. The national fund for asylum policies and services was increased, while reception and integration activities were extended from March to December 2023. Latvia released its Plan of Measures for the Provision of Support to the Civilian Population of Ukraine in the Republic of Latvia, including coordinated action and resources to be provided by state institutions, local governments, NGOs and business entities.

Legal changes in Croatia, Luxembourg and Moldova stipulated that BoTP were entitled to reception allowances under similar if not equal conditions to applicants for international protection. In the Slovak Republic, BoTP continued to be provided material need benefits under the same conditions as Slovak nationals.

4.3.4. Access to education for minors (including educational support)

Thirteen EMN Member and Observer Countries[328] worked to improve access to education for minors from Ukraine. Students from Ukraine are enrolled in preparatory Croatian language classes, while all primary and secondary school students from Ukraine are provided with free textbooks and other educational materials. Austria sought to enable pupils from Ukraine to progress from one school type to another (e.g. from primary school to secondary school).

In response to increased enrolment of children[329] and an acute shortage in school capacity,[330] additional (financial) supports were provided,[331] such as recruiting more teaching personnel or creating additional learning facilities,[332] and offering language classes,[333] remedial classes/additional needs supports,[334] non-formal education activities[335] and home-schooling.[336] Through cultural agreements with other states or non-profit associations, Luxembourg facilitates

326 AT, CZ, FI, FR, HR, IE, IT, LU, LV, NL, SK, and NO, MD.
327 CZ, FI, FR, IE and NO.
328 AT, BE, DE, EE, FR, HR, IE, LT, LV, NL, SK and NO, MD.
329 IE.
330 NL.
331 BE, DE, EE, IE, LT, LV, NL, SK.
332 BE, NL, and NO.
333 BE, FR, HR, LV.
334 LU.
335 LV.
336 BE.

access to public infrastructure for offering language and/or culture classes and has provided space to an Ukrainian NGO for the teaching of Ukrainian, while Ireland published updated guidelines for schools with the capacity to provide access to the Ukrainian curriculum. In the Czech Republic, special conditions for children's groups (a special form of pre-primary education which can serve as alternative to nursery or kindergarten) were extended in 2023, allowing BoTP to apply for an allowance to open a children's group at any time during the year.

Hungary opened two special schools dedicated to Ukrainian-speaking children. Lithuania launched two new branches of the International School of Ukraine, increasing their number to four (Vilnius, Kaunas, Klaipėda, Šiauliai).

4.3.5. Access to the labour market

Across 14 responding countries,[337] national laws and policies were amended to promote access to work for BoTP as part of strategic efforts to facilitate integration and self-reliance of BoTP. In Austria and Moldova, beneficiaries were allowed to take up employment without needing a work permit, while in Belgium, BoTP of working age were obliged to register with the Flemish PES. In Ireland, from March 2023, BoTP were eligible to take up community employment schemes after nine months (previously 12 months), which served to encourage uptake of the schemes and integrate participants into local communities. From 19 June 2023, BoTP were integrated into the mainstream labour market activation process applicable to all jobseekers, with supports varying depending on the length of time unemployed. Engagement with this process is now compulsory (previously voluntary). Croatia, Italy and Moldova simplified the recognition of foreign qualifications, including for medical personnel.[338] In Finland, municipalities received financial compensation to organise employment and integration services. Belgium, Latvia, Lithuania, the Netherlands, the Slovak Republic and Sweden took various measures to support individuals to find and take up employment, through financial allowances,[339] including for increased mobility,[340] skills assessment and training,[341] counselling and mentoring,[342] and language courses.[343]

In Sweden, the government allowed municipalities to offer Swedish language training for adults through Swedish for Immigrants (SFI) for BoTP protected by the Temporary Protection Directive. As of 1 June 2023, municipalities were formally allowed (but not obliged) to offer this language education to BoTP.

The Czech Republic changed its Employment Act to ensure better protection of foreign workers – including BoTP – from labour exploitation.

4.3.6. Access to other rights

EMN Member and Observer Countries also reported on access to education for adults, protection of BoTP from labour market exploitation and family reunification. Developments in adult education in several countries enabled access to language course[344] and/or to higher education.[345] Ireland renewed financial supports for access to further and higher education for the 2023/2024 academic year, at the same level as for 2022/2023.[346] In Finland, the National Agency for Education granted a special state subsidy of EUR 500 000 to allow BoTP to complete upper secondary education, including through enhanced Finnish/Swedish language training. On 22 February 2023, the Netherlands announced that Dutch municipalities were to receive EUR 15 million to offer Dutch language lessons to BoTP, while Sweden allocated SEK 100 million to municipalities to provide Swedish courses from spring 2023. Moldova approved the admission of 62 citizens of Ukraine to the first Bachelor's and second Master's cycle, respectively, with funding from the state budget. In the Czech Republic, accreditations for the retraining course 'Czech Language for Foreigners – for advanced Learners' were newly granted as of 1 March 2023, and digital skills training courses implemented through the Czech Labour Office were subsidised.

Family reunification was not subject to significant legal and/or policy changes in 2023. Only Belgium reported a significant development: the Council for Alien Law Litigation clarified that neither the Decision executing the Temporary Protection Directive nor the Temporary Protection Directive itself required the (third-country) spouse of a Ukrainian national to present additional evidence of the existence of the relationship in the context of family reunification, nor was the presence of the Ukrainian national in Belgium required.

4.4 OTHER DEVELOPMENTS

Besides developments related to temporary protection, EMN Member and Observer Countries also reported other developments to protect and assist those fleeing Russia's war of aggression against Ukraine. These included the protection of unaccompanied minors fleeing Russia's war of aggression against Ukraine, mobility between different EU Member States, and residence rights and legal status other than temporary protection. It also included support provided to persons who wanted to return to Ukraine.

Five EMN Member Countries[347] amended their laws to ensure that the best interest of the child was duly followed when organising accommodation and care for separated children BoTP, by appointing (Ukrainian) foster

337 AT, BE, CZ, FR, HR, IE, IT, LT, LV, PL, SE, SK, and MD.
338 IT, and MD.
339 BE, LV, SK. In LV, financial allowances were increased because of an increase in the minimum wage.
340 BE, SK.
341 BE, SE, SK.
342 BE, LT, SE, SK.
343 BE, CZ, HR, FI, NL (through funding from municipalities), SE.
344 CZ, HR, FI, NL (by funding municipalities), SE.
345 FI, HR, IE and MD.
346 Included the Temporary Tuition Fee Scheme, the Erasmus National Grant and the PLC Bursary for Displaced Persons (Ukraine). See https://www.gov.ie/en/publication/b95e5-ukraine-student-fees-and-financial-support-update/, last accessed on 24 June 2024.
347 CZ, EL, HR, IT, PL.

families[348] or finding other suitable accommodation with adult relatives or with social service providers.[349] Germany set up a coordination centre for children evacuated from Ukrainian orphanages and children's homes. Greece created a specialised reception mechanism for unaccompanied minors, including a coherent and effective referral pathway, registration of every unaccompanied or separated child arriving at Greek entry points by the police and other competent authorities, and collaboration with the Child Prosecutor Offices to streamline issues of parental care, custody, and guardianship, thus reducing the risks of trafficking and other forms of abuse. Changes were also made to the appointment of legal guardians[350] to ensure a rapid process.

Estonia reported concluding an agreement with the Finnish government to take in up to 100 persons per week who had fled Ukraine and previously stayed in Estonia. France enhanced the mobility rights of beneficiaries of temporary protection, allowing them to travel freely within the Schengen area and to Ukraine for a period of 180 days without losing their status. This was in line with an instruction to prefectures issued by the Directorate-General for Foreigners *(Direction Générale des Etrangers en France - DGEF)* on 10 February 2023. In November, Serbia developed a rulebook on the appearance and content of the travel document form for refugees, which also contained instructions on how to issue a travel document to BoTP. Lithuania extended the deadline for applications from Ukraine by an additional year to enable Lithuanian citizens, individuals of Lithuanian descent, those eligible to reclaim Lithuanian citizenship, and their family members fleeing the humanitarian crisis to enter Lithuania to stay.

In Bulgaria, the Draft Law amending and supplementing the Law on Asylum and Refugees was refined to allow BoTP to apply for international protection before their temporary protection expires. In Poland, as per a new provision under the Act on assistance to Ukrainian citizens in connection with the armed conflict, citizens of Ukraine registered as BoTP can obtain different types of temporary residence permit (a single temporary residence and work permit, an EU Blue Card or a residence permit for conducting business activity). In Luxembourg, BoTP carrying out salaried activities on the territory, with a monthly salary equivalent to at least the monthly rate of the minimum social wage of an unskilled worker, could submit an application to obtain a residence permit as a salaried worker as of 21 April 2023.

The Czech Republic reported the establishment of a legal basis for a programme of assisted voluntary return for citizens of Ukraine. However, at the end of year, a final government decision had yet to be made.

While Georgia does not offer temporary protection to persons fleeing the war in Ukraine, it now allows Ukrainian citizens to enter and stay without a visa for two years (previously one year), as per an amendment of Governmental Ordinance No 255 on Approval of the List of Countries whose Citizens may Enter Georgia without a Visa from 24 February 2023.

The different ways that EMN Observer Countries (except Norway) support those fleeing Russia's war of aggression in Ukraine are included in table 3 below.

Box 7: EMN Observer Countries' approaches to providing protection to those fleeing Russia's war of aggression against Ukraine

Norway, Montenegro and Serbia all provide a type of temporary protection to those fleeing Russia's war of aggression against Ukraine. In Serbia, the model is almost fully harmonised with the Temporary Protection Directive. The only difference is that the Serbian government is the authority competent for issuing a decision on a temporary protection situation.

Moldova has three forms of protection for Ukrainians fleeing the war: refugee status, humanitarian protection, and temporary protection. In 2023, the government approved the mechanism for implementing temporary protection for persons forcibly displaced from Ukraine, transposing several articles of Council Directive 2001/55/EC of 20 July 2001 on minimum standards for providing temporary protection in the event of a mass influx of displaced persons.[351]

Ukrainian citizens do not receive temporary protection in Armenia but, rather, are granted refugee status under the Law on Refugees and Asylum. Georgia similarly did not enable the Temporary Protection mechanism stipulated by the Law on International Protection, but grants humanitarian status, a form of international protection equivalent to subsidiary protection in EU. There is a also a two-year visa-free period for citizens of Ukraine to enter and stay in Georgia (see section 4.4).

348 CZ, HR.
349 HR, IT, PL.
350 IT, PL.
351 Article 4(1), Article 6, Article 8(1), Article 9, Article 10, Article 12, Article 13 and Article 14(1).

Table 3: Type of protection provided by Observer Countries to those fleeing Russia's war of aggression in Ukraine.

EMN Observer Country	Type of protection	Year	Under 18		18 and over		Total
			Male	Female	Male	Female	
Armenia	Refugee status	2022	50	59	53	127	289
		2023	38	34	47	99	218
Georgia	Humanitarian status	2022	58	52	77	180	367
		2023	16	16	28	70	130
Moldova	Temporary protection	2022	n/a	n/a	n/a	n/a	n/a
		2023	4 282	4 037	7 882	11 846	28 047
Montenegro	Temporary protection	2022	n/a	n/a	n/a	n/a	n/a
		2023	n/i	n/i	n/i	n/i	3 008
Serbia	Temporary protection	2022	140	138	205	632	1 115
		2023	31	36	129	207	403

Source: relevant authorities in the EMN Observer Country

'n/i' means no information

'n/a' means not applicable

Armenia note: Ukrainian citizens were not provided with temporary protection in Armenia. All of them were granted a refugee status as per Armenian Law on Refugees and Asylum, Article 6, Section 1, Clause 2 definition of a refugee, as: 2) a foreign citizen who is forced to leave his or her country of citizenship (or a stateless person who is forced to leave his or her country permanent residence) due to widespread violence, external attack, internal conflicts, massive human rights violations or other serious events disrupting public order.

Georgia note: In Georgia there is no protection scheme for Ukrainians similar to the EU's temporary protection status. Georgia has not enabled the Temporary Protection mechanism stipulated by the Law on International Protection. Even though the number of persons who fled the war in Ukraine has increased in Georgia, no mass influx has been identified and the number of applications on international protection made by citizens of Ukraine is also low. Consequently, asylum seekers from Ukraine are being granted Humanitarian Status (a form of international protection equivalent to subsidiary protection in EU). Ukrainian citizens may also enter Georgia through a visa-free regie. The period of stay was extended to two years in 2023.

Moldova note: The provision of temporary protection in Moldova was effective as of 1 March 2023.
Serbia note: 2022 total includes 8 people whose age was unknown; In 2023, temporary protection was provided for a total of 403 persons. The figures for 2023 only include persons who provided temporary protection for the first time. In the same period temporary protection was extended for total of 743 persons who were provided with temporary protection for the first time in 2022.

Montenegro and Serbia note: figures may also include non-Ukrainian nationals eligible for temporary protection.

Norway note: Norway is part of Eurostat data.

5. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

This chapter describes the legal and policy developments on unaccompanied minors, covering identification and registration, reception, status determination procedures and procedural safeguards, and transition to adulthood. It also covers developments in the protection of other vulnerable groups (excluding victims of trafficking in human beings; see chapter 10).

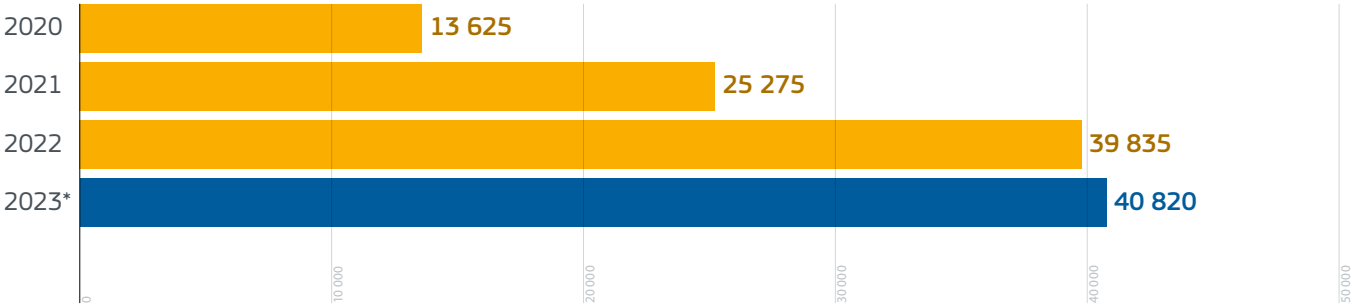
Eurostat data[352] show that in 2023, the total number of unaccompanied minors applying for asylum in EU Member States and Norway reached 40 820 persons, an increase of 3.0% on 2022 (39 835). The largest number was reported by Germany (15 270), which also registered the highest absolute increase compared to 2022. In absolute numbers, Germany was followed at some distance by the Netherlands (5 800) and Austria (4 945). More than 2 000 unaccompanied minors applied for asylum in three other countries – Bulgaria (3 845), Greece (2 670), and Italy (2 205). The majority of unaccompanied minors applying for asylum in 2023 were male (see figure 16 below).

Thirteen EMN Member Countries[353] reported legal and/or policy changes in 2023, mainly related to reception and accommodation of unaccompanied minors, with a focus on improving the effectiveness of child protection mechanisms, for example, through child-friendly reception and accommodation capacities and staff training. The legal representation or guardianship of unaccompanied minors also received significant attention, with all reporting countries aiming to improve the system and assure earlier appointment of legal guardians.

This chapter also describes developments targeting other vulnerable groups.[354] Nine EMN Member Countries focused new actions on members of LGBTIQ communities,[355] as well as on women, and protection from gender-based violence,[356] particularly female genital mutilation (FGM).[357] These actions included the creation of dedicated reception spaces, provision of legal advice, multi-stakeholder coordination for the early identification of problems, needs and appropriate solutions, and awareness-raising and training.

Figure 16 (below) shows that the number of unaccompanied minors in the EU and Norway has risen each year from 2020-2023, whilst in figure 17 the rate of rejections of applications for protection has gone down each year, meaning more unaccompanied minors have been awarded some type of international protection.

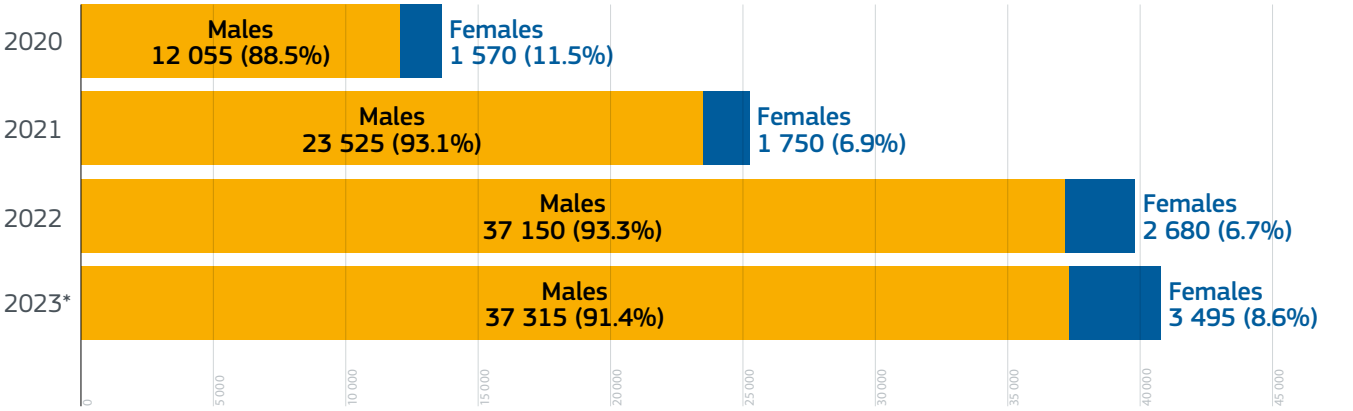
Figure 15: Unaccompanied minors applying for asylum, EU and Norway, 2020-2023



* 2022 data for Cyprus were used to calculate the EU total.
Source: Eurostat (migr_asyunaa and migr_asyappctza), date of extraction: 26 April 2024.

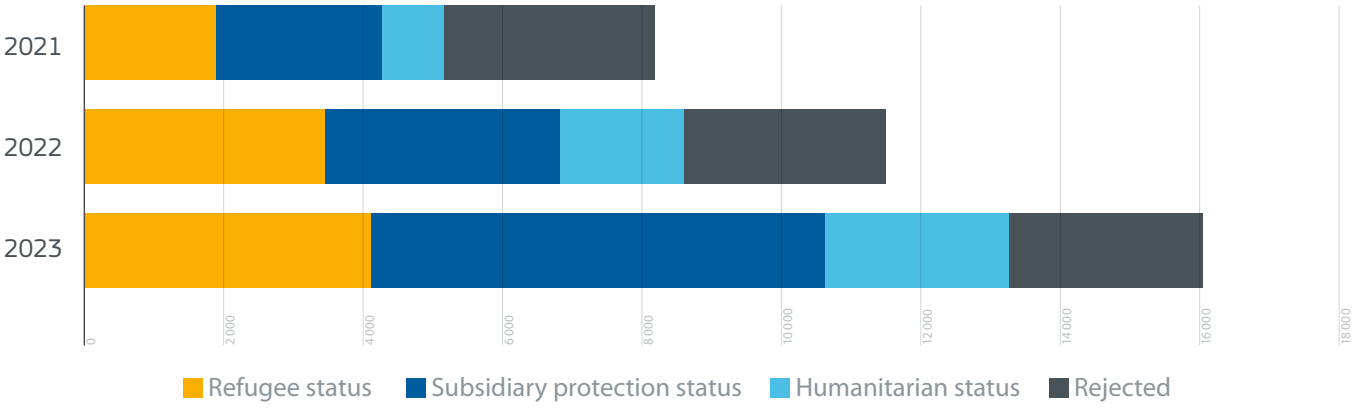
352 Eurostat: Asylum applicants considered to be unaccompanied minors by citizenship, age and sex - annual data, https://ec.europa.eu/eurostat/databrowser/view/migr_asyunaa/default/table?category=migr.migr_asy.migr_asyapp.migr_asyum, date of extraction 26 April 2024.
353 AT, BE, BG, CY, EL, FI, FR, HR, IE, IT, LU, MT, SK.
354 Includes disabled people, older people, LGBTIQ people, pregnant women, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape, or other serious forms of psychological, physical or sexual violence, such as victims of FGM.
355 BE, DE, FR, IE.
356 AT, EL, IE, IT, LU, MT.
357 FGM refers to all procedures which involve the partial or total removal of the external genitalia or other injury to the female genital organs, whether for cultural or any other non-medical reasons. EMN Glossary v.9.0 ec.europa.eu, last accessed on 19 June 2024.

Figure 16: Unaccompanied minors, by sex, EU and Norway, 2020-2023.
Absolute number (and shares of male and females of the total).



* 2022 data for Cyprus were used to calculate the EU total.
Source: Eurostat (migr_asyunaa), date of extraction: 26 April 2024.

Figure 17: First instance asylum decisions on applications lodged by unaccompanied minors, by outcome, EU and Norway, 2021-2023.
Absolute number (and the share of the total).



Year	Refugee status	Subsidiary protection status	Humanitarian status	Rejected
2021	1 880 (22.9%)	2 390 (29.1%)	880 (10.7%)	3 030 (36.9%)
2022	3 440 (29.9%)	3 375 (29.3%)	1 775 (15.4%)	2 910 (25.3%)
2023	4 105 (25.6%)	6 525 (40.6%)	2 635 (16.4%)	2 780 (17.3%)

Note: excluding Cyprus and Poland for which data are not available.
Source: Eurostat (migr_asyumdcfq), date of extraction: 26 April 2024.

5.1 EU DEVELOPMENTS

There were no major legal or policy developments at EU level solely dedicated to unaccompanied minors and vulnerable groups in 2023. However, in the larger context of the reform of EU migration and asylum systems in the New Pact on Asylum and Migration (see also chapter 3), in December 2023, the Spanish Presidency and the European Parliament agreed to exclude unaccompanied minors from the proposed mandatory procedure at the EU's external borders to assess whether applications for asylum are unfounded or inadmissible.[358]

Through the AMIF, the European Commission provided significant funding (€ 118 million) for projects to support

358 Council of the EU, 'The Council and the European Parliament reach breakthrough in reform of EU asylum and migration system', Press release, 20 December 2023, https://www.consilium.europa.eu/en/press/press-releases/2023/12/20/the-council-and-the-european-parliament-reach-breakthrough-in-reform-of-eu-asylum-and-migration-system/, last accessed on 10 March 2024.

unaccompanied minors and reception facilities at external borders.[359]

At EU level, the European Union Agency for Fundamental Rights (FRA) promoted training for guardians, including experienced professionals, volunteers and future guardians. Its training built on international and EU standards, in particular the UN Convention on the Rights of the Child, Council of Europe standards and EU law.[360] Together with the EUAA, FRA published two practical booklets to support guardians appointed to assist unaccompanied children, covering, respectively, an introduction to international protection, and the asylum procedure.[361]

5.2 IDENTIFICATION AND REGISTRATION OF UNACCOMPANIED MINORS

There were no major legal or policy developments in the identification and registration of unaccompanied minors at national level in 2023.

However, there were developments in relation to unaccompanied minors going missing in 2023. This reflected the importance of effective registration systems, which help to prevent children from disappearing and track missing children cases. Belgium reported new guidelines seeking to improve procedures and processes to prevent and react to such disappearances, while Greece's new guidelines aimed to ensure unified reporting of disappearances. Belgium also provided training on preventing disappearances aimed at legal guardians and an e-learning platform was under development. In Austria, the child protection concept published by the Federal Agency for Reception and Support Services in 2023 included safeguards for cases where unaccompanied minors go missing.

5.3 RECEPTION AND CARE OF UNACCOMPANIED MINORS

In 2023, the major focus of the reception of unaccompanied minors was to improve the effectiveness of child protection mechanisms. Three countries[362] implemented measures to deploy more trained staff with expertise and experience of unaccompanied minors. These included ensuring the availability of a child protection officer in each federal reception centre serving as a direct contact for unaccompanied minors[363] and capacity-building for judicial youth protection staff.[364]

Four countries[365] reported efforts and measures to increase their reception and/or accommodation capacity to relieve pressure on existing facilities. In Greece, these measures responded to the need for alternative forms of specialised care for all unaccompanied minors, as well as institutionalisation of the national framework for the accommodation of unaccompanied minors. This included the creation of additional places for unaccompanied minors and the expansion of appropriate housing options, including foster care[366] and semi-independent living.[367]

France implemented the 2023-2027 National Strategic Plan to strengthen its work with the most vulnerable groups, including unaccompanied minors, and roll out a national strategy for their assessment and care.

5.4 STATUS DETERMINATION PROCEDURES AND PROCEDURAL SAFEGUARDS FOR UNACCOMPANIED MINORS

This section covers different elements of the status determination procedure, including age assessment, family reunification, guardianship, and procedural safeguards for unaccompanied minors. Age assessment is the process by which authorities seek to establish the chronological age, or age-range of a person in order to determine whether or not they are a minor. Its result influences the person's rights in relation to family reunification, guardianship and procedural safeguards. Age is a key indicator of special protection needs and unaccompanied minors usually benefit from broader support systems.[368]

359 European Commission, Migration and Home Affairs: Commission provides over EUR 250 million of additional funding to reinforce border security and migration management, Commission provides over EUR 250 million of additional funding to reinforce border security and migration management - European Commission (europa.eu), last accessed on 10 March 2024.
360 FRA, 'Training for guardians of unaccompanied children out now', Press release, 2 March 2023, https://fra.europa.eu/en/news/2023/training-guardians-unaccompanied-children-out-now, last accessed on 10 March 2024.
361 FRA, 'Key support for guardians protecting unaccompanied migrant children', Press release, 12 October 2023, https://fra.europa.eu/en/news/2023/key-support-guardians-protecting-unaccompanied-migrant-children, last accessed on 10 March 2024.
362 AT, EL, FR.
363 AT.
364 FR.
365 BE, BG, IT, LU. In Luxembourg, several additional facilities in both long- and short-term accommodation for UAMs were created.
366 EL, IT.
367 EL.
368 Belonging to certain age groups triggers the application of special/additional procedural guarantees during international protection procedures, as well as special reception conditions (e.g. the right to be placed in suitable and safe accommodation, the right to education and specific healthcare, the limitation of administrative detention for migration purposes in exceptional cases, and the obligation to look first for viable alternatives to detention). For children, or while there are doubts about the applicant's age, the best interests of the child (BIC) must be given primary consideration throughout the procedure (European Asylum Support Office (EASO), 'Practical Guide on Age Assessment', Second Edition, 2018, https://euaa.europa.eu/sites/default/files/easo-practical-guide-on-age-assesment-v3-2018.pdf, last accessed on 27 April 2024).

5.4.1. Age assessment

Three EMN Member Countries[369] reported developments in age assessment, driven by the need to balance a high workload for applications of persons claiming to be minors[370] and an adequate approach in emergency situations.[371] Bulgaria drafted SOPs for age assessment. The State Agency for Refugees, together with the State Agency for Child Protection, developed and adopted an instruction on the terms and conditions for assessing the age of a foreigner seeking protection. In Italy, the launch of the implementation of the Protocol of 20 July 2020, ratified by the government, the regions and local authorities, determined that the age of an unaccompanied minor is to be assessed through an interview led by a professional social worker and, if necessary, with the help of a cultural mediator, a psychological and neuropsychiatric assessment, and a paediatric examination. In Cyprus, an amendment to the Refugee Law (No 86(I)/2023) stipulated that unaccompanied minors who refused to participate in an age assessment procedure would be registered as adults but could still submit additional information on their minority and/or request a medical examination to determine their age at any subsequent stage.

5.4.2. Family reunification

Legal developments in family reunification were reported by Belgium and Croatia. As part of an overall reform of the national migration and asylum system, Belgium's Council of Ministers approved a package of measures in March 2023, which foresees granting children who have come of age during or shortly after their recognition as refugees a three-month deadline to apply for family reunification with their parents (previously one year). The package of measures also foresees that parents of minor children who themselves have not obtained international protection, whilst their child has, can receive a separate right of residence with clear conditions, thus providing for more legal certainty.

In Croatia, an amendment to the International and Temporary Protection Act aimed to improve the chances of unaccompanied minors being reunited with their family members and thereby fulfilling the best interests of the child. It stipulated that the legal guardian of an unaccompanied child would, as soon as possible after submitting an application for international protection, take all necessary actions to find family members and reunite the child with them, as long as it was in the child's best interests.

5.4.3. Guardianship

National developments in guardianship were reported by eight EMN Member Countries.[372] The common aim was to improve the guardianship system and ensure that guardians and/or ad hoc administrators could be appointed earlier, at least on an interim basis. In Belgium, this was done by increasing the number of guardians and improving working conditions, while Luxembourg accelerated the appointment procedure for ad hoc administrators. France implemented procedures for supporting a trusted third party, for long-term and voluntary foster care by a third party, and for the appointment of a trusted person for minors, including unaccompanied minors. Greece established a complaints mechanism for minors and launched training programmes for guardians, as did the Slovak Republic. In Finland, the Finnish Immigration Service produced guidelines on how to guide, plan and supervise the system of representation (guardianship) for unaccompanied minors. Additional staff and training for guardians were approved in Belgium, Cyprus, Spain and the Slovak Republic, with funding from AMIF.[373]

5.4.4. Procedural safeguards

Austria and Belgium reported developments in procedural safeguards for unaccompanied minors in status determination procedures. The Austrian Federal Administrative Court published guidelines on the best interests of the child in asylum and aliens' law, outlining the key criteria for assessing the best interests of the child, as a working aid for judges. In Belgium, the guardianship service now attends the registration of unaccompanied minors by the Immigration Office at the arrival centre to speed up follow-up of vulnerable children's cases and to ensure that minors are duly informed about guardianships and age determination tests.

In Lithuania, the Law on Legal Status of Foreigners was changed to ensure the best interest of the child when implementing provisions in relation to martial law, a state of emergency, or an extreme situation due to a mass influx of foreigners, with specific safeguards for unaccompanied minors. The provisions of law do not apply to unaccompanied minors who are seeking asylum, unless there are reasonable doubts as to their age.

5.5 TRANSITION TO ADULTHOOD

Reaching majority age is a transformational time, particularly for unaccompanied minors, whose rights, services and benefits can change considerably. Six EMN Member Countries[374] reported relevant legal and/or policy developments. Four[375] expanded or maintained supports to unaccompanied minors following the transition into adulthood, whereas Italy modified support following transition, as per a Decree Law from 10 March 2023,[376] and Finland planned to reduce supports.

The most significant developments were reported in Greece and France (see box 8).

369 BG, CY, IT.
370 CY.
371 IT.
372 BE, BG, EL, FI, FR, LU, MT, SK.
373 European Commission, Migration and Home Affairs, 'Commission provides over € 250 million of additional funding to reinforce border security and migration management', Press release, 20 November 2023, https://home-affairs.ec.europa.eu/news/commission-provides-over-eur-250-million-additional-funding-reinforce-border-security-and-migration-2023-11-20_en, last accessed on 10 March 2024.
374 BE, EL, FI, FR, IE, IT.
375 BE, EL, FR, IE.
376 Decree-Law no. 20 of 10 March 2023, https://www.gazzettaufficiale.it/eli/id/2023/05/05/23A02665/sg, last accessed 21 June 2024.

Box 8: Transition to adulthood – new developments in Greece and France

In Greece, from 29 March 2023, a new provision in the Migration Code (Law 5038/2023) granted a 10-year residence permit to adult third-country nationals or stateless persons who had entered Greece as unaccompanied minors and successfully completed at least three classes of Greek secondary school education in Greece before turning 23 years of age. The aim was to encourage and recognise minors' efforts to integrate into the Greek community through education.

France took a different approach, focusing instead on improved coordination and increased financial resources. Support for young people leaving child welfare services was strengthened by 1) mobilising the various institutional stakeholders involved in their path to independence within a departmental body; and 2) providing financial support of € 50 million to maintain care for young adults under the child welfare system.

Measures in Belgium and Ireland focused on training and education to improve supports to unaccompanied minors transitioning to adulthood. In Belgium, Fedasil implemented its policy for young adults aged 18-21, which involved pilot projects on professional orientation and training, psycho-education, and support from intercultural mediators. In Ireland, education support was offered for eligible applicants for international protection through funding for further and higher education (under the 2023/2024 international protection student support scheme).

In Finland and Italy, legal changes reduced the support services for unaccompanied minors reaching majority age. For those who had arrived in Finland as unaccompanied minors, the age limit for receiving after-care in adulthood was planned to be lowered from 25 to 23 years of age under a draft government proposal. In Italy, the Decree-Law from 10 March 2023 introduced a maximum period (one year) for the residence permit that could be obtained by a former unaccompanied minor who has already reached adulthood, with the aim of preventing irregular migration. This amendment does not change the rule of administrative continuity for those who have reached the age of majority.

5.6 OTHER VULNERABLE GROUPS

Eight EMN Member Countries[377] introduced legal and/or policy changes for other vulnerable groups[378] residing on their territory in 2023.

Most developments were in response to the needs of LGBTIQ third-country nationals, either because these groups had not been sufficiently considered before[379] or to ensure that new LGBTIQ action plans[380] and LGBTIQ inclusion strategies[381] were applied to migrant populations. Belgium created seven dedicated reception places for LGBTIQ applicants for international protection, following cases of homophobic violence and discrimination in collective reception centres. The German Act on Accelerating Asylum Court Proceedings and the Asylum Procedure (*Gesetz zur Beschleunigung der Asylgerichtsverfahren und Asylverfahren*) came into effect on 1 January 2023, providing for special legal advice for queer and vulnerable persons. The German government's national action plan for the acceptance and protection of sexual and gender diversity (*Aktionsplan Queer leben*) also includes measures to improve the situation of LGBTIQ refugees. In March 2023, experts from civil society, the *Bundesländer* and federal ministries started to meet regularly in a working group to implement these measures.

In France, protection officers were trained on vulnerability issues, with a particular focus on the needs of LGBTIQ asylum seekers. On 12 September 2023, Ireland launched a report[382] setting out new recommendations to support members of the LGBTIQ community living in international protection accommodation. This report was commissioned to ensure that LGBTIQ applicants are supported and treated sensitively, in line with an objective in the National LGBTI+ Inclusion Strategy.[383]

Migrant women were another vulnerable group that received particular attention in 2023, notably in relation to gender-based violence. Two countries, Ireland and Austria reported specific developments related to (potential) victims of FGM (see Box 9):

Box 9: Measures to enhance support for (potential) FGM victims

Ireland's national police and the Border Management Unit at Dublin Airport conducted an awareness-raising campaign, Operation Limelight, on the national law on FGM on 27-28 October 2023. This was repeated in Kerry Airport in December 2023. The campaign was in accordance with the implementation plan of the Third National Strategy on Domestic Sexual and Gender-Based Violence from 2022, which recognises FGM as a form of DSGBV and sets out actions to improve supports and services for victims. In Austria, the Federal Chancellery extended support for another year (until the end of 2024) for the nationwide coordination office to support women affected by or at risk of FGM.

377 AT, BE, CY, DE, EL, IE, IT, MT.
378 Other vulnerable groups include disabled people, older people, LGBTQI people, pregnant women, persons with serious illnesses, persons with mental disorders, and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of FGM. Victims of human trafficking are covered in chapter 10.
379 BE.
380 DE.
381 IE.
382 Department of Children, Equality, Disability, Integration and Youth, 'LGBTI+ people living in International Protection Accommodation Services (IPAS) accommodation: Best practices & lived experiences', 12 September 2023, https://www.gov.ie/en/publication/10bc1-lgbti-people-living-in-international-protection-accommodation-services-ipas-accommodation-best-practices-lived-experiences/, last accessed on 10 June 2024.
383 Government of Ireland, 'National LGBTI+ Inclusion Strategy 2019-2021', 2019, https://www.gov.ie/en/publication/bab0fe-launch-of-the-lgbti-inclusion-strategy-2019-2021/, last accessed on 30 May 2024. Action 23 provides that 'LGBTI+ asylum seekers are supported and treated sensitively within the International Protection Process and Direct Provision System'.

Greece organised two workshops on the identification and prevention of gender-based violence and abusive behaviour, and published a handbook with guidelines for frontline staff in the asylum services on protecting and supporting disabled women and girls. Italy's 'Practical guide on mitigating the risk of gender violence and the protection mechanisms of minors in the reception system' was issued by the Department of Civil Protection, supported by UNHCR and the United Nations Children's Fund (UNICEF). Malta's third national strategy on gender-based and domestic violence foresaw the launch of extensive research within migrant communities to inform future policy development.

In Belgium, the State Secretary for Asylum and Migration sent a circular on the residence rights protections for victims of domestic violence, who are permitted to stay on the basis of family reunification but who do not yet have autonomous residence rights in Belgium. The action contributes to legal certainty and lowers barriers to reporting incidents of domestic violence.

In compliance with a government decision, Moldova held information sessions at accommodation centres on preventing and combating gender-based violence, legal measures to be taken against the aggressor, legal provisions on the protection of survivors, serious effects of gender-based violence on women, and post-traumatic stress compensation mechanisms.

Three EMN Member Countries[384] took actions to improve the overall protection of vulnerable populations, mostly through the creation of working groups and the development of SOPs. In Cyprus, SOPs were developed on vulnerability identification, assessment and referral, while Estonia created a vulnerability assessment working group in the PBGB. On 27 June 2023, Greece established a General Secretariat for Vulnerable Persons and Institutional Protection within the Ministry of Migration and Asylum, as per a Presidential Decree.[385]

384 CY, EE, EL.
385 Presidential Decree 77/2023 (Government Gazette A' 130/27-6- 2023).

6. INTEGRATION AND INCLUSION OF MIGRANTS

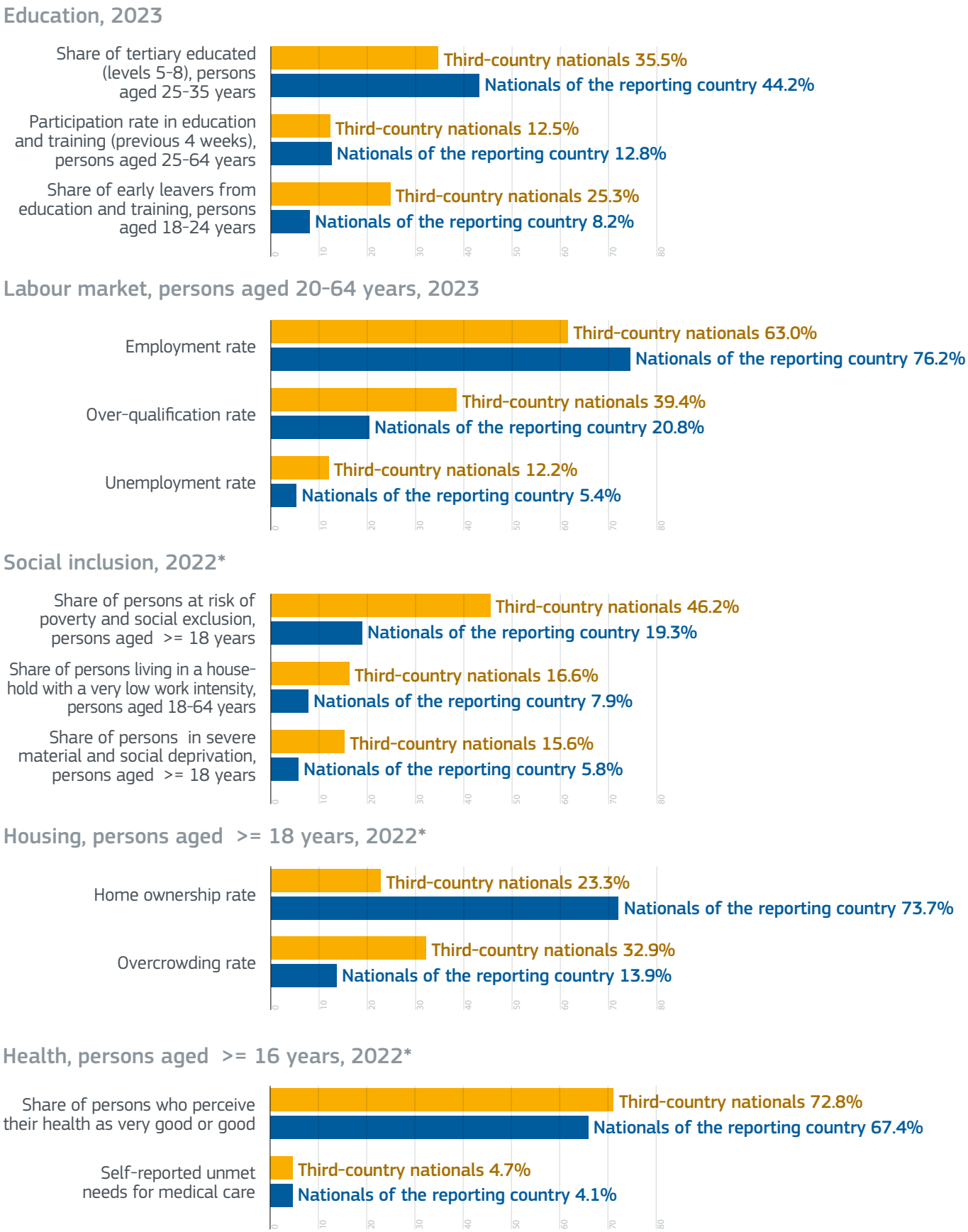
This chapter examines developments in the integration and inclusion of migrants, which were largely driven by the need for improved participation of third-country nationals in the societies and labour markets of their host countries, as well as improved anti-discrimination and anti-racism actions. Nearly all EMN Member and Observer Countries[386] reported measures to increase the integration and inclusion of migrants in 2023, including amending national strategies to integrate beneficiaries of international protection,[387] making certain integration services available to more groups of migrants,[388] speeding up processes for the recognition of qualifications,[389] enhancing access to and/or the quality of language and civic education,[390] and improving foreign students' access to services previously reserved for national students.[391] Several EMN Member and Observer Countries identified local language proficiency as a key enabler for successful integration in the labour market and increasing civic engagement.[392]

Eleven EMN Member Countries increased the involvement of various stakeholders by allocating more and/or different integration actions to local actors and municipalities.[393] Digital tools were introduced to make language and civic integration provisions more available and flexible.[394]

Figure 18 (below) details integration indicators in the EU on education, labour market, social inclusion, health and housing, comparing third-country nationals with nationals of the reporting country. There are significant differences, for example in housing, with third-country nationals on average having less home ownership and being more likely to live in overcrowded conditions. However, on health, slightly more third-country nationals believe their health to be good or very good, as compared to nationals of the same country.

386 AT, BE, BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, NL, PL, PT, SE, SI, SK, and NO, GE, MD.
387 DE, FR, HR, LT, and NO.
388 AT, BE, DE, PT.
389 AT, BE, BG, DE, EE, EL, FI, FR.
390 AT, BE, CY, DE, EE, EL, IE, FR, HR, IT, LU, LV, NL, SE, SI, SK, and GE, MD, NO.
391 PL.
392 AT, BE, CZ, DE, EE, FI, FR, EL, IE, LU, NL, PT, SI, SE, and GE.
393 AT, BE, CY, CZ, EE, FR, IE, IT, LT, LU, PT.
394 AT, BE, DE, EE, MT, and NO, GE, MD.

Figure 18: Integration indicators EU (education, labour market, social inclusion, health and housing)



* Data for 2023 was not available at time of writing.
Source: Eurostat (edat_lfs_9911, trng_lfs_12, edat_lfse_01, lfsa_ergan, lfsa_eoqgan, lfsa_urgan, ilc_peps05n, ilc_lvhl15n, ilc_mdsd15, ilc_lvho15, ilc_lvps15, hlth_silc_24 and hlth_silc_30), date of extraction: 26 April 2024.

6.1 EU DEVELOPMENTS

During 2023, the EU continued to implement its 2021-2027 Action Plan on Integration and Inclusion,[395] which provides a common policy framework to support Member States to develop their national migrant integration policies.

The EU long-term resident status grants non-EU nationals access to several rights including a stable residence status, the ability to work and change job freely, and access to social security rights, and positively contributes to migrants' integration. In September 2023, the EU Agency for Fundamental Rights (FRA) published a report which revealed that the granting of the EU long-term resident status is being underused by EU Member States.[396] The Council of the EU agreed their negotiating mandate for updating the EU Long-Term Residents Directive in November 2023, and together with the co-legislator, the European Parliament, the two reached a political agreement in December 2023 (see chapter 2).[397]

As part of the European Year of Skills[398] (see chapter 2), the EU proposed several measures to facilitate the recognition and assessment of third-country nationals' skills and qualifications. The Skills and Talent Mobility Package, also mentioned in chapter 2,[399] was adopted by the European Commission in November 2023 to facilitate mobility within the EU and increase the EU's attractiveness to outside talent. It aims to improve the comparability of third-country nationals' qualifications with EU qualifications by developing national capacity to simplify and expedite the recognition of third countries' qualifications and skills. Participants at the eighth European Migration Forum recommended more effective cooperation between public and private labour markets to minimise the obstacles to matching job vacancies with migrants' skills.[400] The Urban Agenda Partnership for the Inclusion of Migrants and Refugees, co-chaired by the European Commission (DG HOME) and the City of Amsterdam, invited new candidates to join the partnership, targeting: public authorities at local, national or European level; EU agencies; civil society organisations, foundations and think tanks; as well as organisations representing the interests of migrants and/or refugees. The future actions of the Partnership will be based on the Action plan on Integration and Inclusion 2021-2027 of DG HOME.[401]

The European Commission, together with the Swedish and Spanish Presidencies of the Council of the EU, organised two plenary meetings of the European Integration Network in 2023, addressing respectively the challenges of accommodation and sustainable labour market integration of migrants.[402]

6.2 NATIONAL INTEGRATION STRATEGY

Over half of the EMN Member Countries and one Observer Country[403] reported updates in relation to their national or regional integration strategies in 2023. Developments were driven by the need to coordinate integration processes between stakeholders,[404] facilitate integration processes for persons granted (or applying for) international protection,[405] ensure migrants' local language proficiency,[406] emphasise individual responsibility in the integration process,[407] include a broader group of people and ensure everyone can participate in society,[408] and promote the labour market integration of migrants.[409] The first draft of Cyprus' National Action Plan for Integration and Social Inclusion 2024-2026 was approved by the Ministry of the Interior and aims to design integration activities and promote social inclusion. Slovenia adopted its first strategy for the integration of non-EU foreigners, stressing integration as a 'two-way street' and the importance of linguistic integration. In line with a Programme for Government commitment, Ireland launched a public consultation in October 2023 to inform the development of a new migrant integration strategy (the previous integration strategy ended in 2021). In Luxembourg, the Law on Intercultural Living Together entered into force on 1 January 2024 and applies to everyone residing and working in Luxembourg.

Five EMN Member Countries introduced new strategies on the integration of beneficiaries of international protection,[410] and applicants for international protection.[411] Croatia published the Protocol for the Integration Process of Persons Granted International Protection, targeting all stakeholders involved in integrating people granted

395 European Commission, 'Action plan on Integration and Inclusion 2021-2027', n.d., https://home-affairs.ec.europa.eu/policies/migration-and-asylum/legal-migration-and-integration/integration/action-plan-integration-and-inclusion_en, last accessed on 27 March 2024.
396 FRA, 'Improving migrant integration through stronger EU laws', News, 6 September 2023, https://fra.europa.eu/en/news/2023/improving-migrant-integration-through-stronger-eu-laws, accessed on 28 March 2024.
397 Council of the EU, 'Legal migration: Council settles on negotiating position for review of Single Permit Directive', Press release, 8 June 2023, https://www.consilium.europa.eu/en/press/press-releases/2023/06/08/legal-migration-council-settles-on-negotiating-position-for-review-of-single-permit-directive/, accessed on 27 March 2024.
398 The European Year of Skills runs until 9 May 2024. For an overview of initiatives, see https://year-of-skills.europa.eu/index_en, last accessed on 10 June 2024.
399 European Commission, 'European Commission adopts Skills and Talent Mobility Package', 16 November 2023, https://migrant-integration.ec.europa.eu/news/european-commission-adopts-skills-and-talent-mobility-package_en, last accessed on 27 March 2024.
400 European Commission, 'European Migration Forum: Addressing Common Challenges', News, 20 December 2023, https://home-affairs.ec.europa.eu/news/european-migration-forum-addressing-common-challenges-2023-12-20_en, last accessed on 27 March 2024.
401 European Commission, 'Invitation for expressions of interest: Urban Agenda Partnership for the Inclusion of Migrants and Refugees', News, 19 September 2023 https://migrant-integration.ec.europa.eu/news/invitation-expressions-interest-urban-agenda-partnership-inclusion-migrants-and-refugees_en, last accessed on 06 June 2024.
402 European Integration Network, 'European Integration Network meeting: Matching skills with opportunities', 22 November 2023, https://migrant-integration.ec.europa.eu/news/european-integration-network-meeting-matching-skills-opportunities_en, last accessed on 29 February 2024.
403 AT, BE, CY, CZ, DE, FI, FR, HR, IE, IT, LU, MT, SE, SI, and MD.
404 CZ, FR, HR, IT.
405 DE, FR, HR, LT, and NO,
406 BE, DE, EE, FR, SI.
407 FI, SE.
408 LU.
409 AT, BE.
410 DE, FR, HR, LT and NO.
411 DE.

international protection. It also established the Coordination for Integration of the City of Zagreb programme, including a local-level action plan. Germany granted asylum seekers access to integration courses, including language courses, regardless of their prospects of staying in the country. Germany is also working to improve the flexibility of vocational language courses and to introduce tailored on-the-job courses that suit the individual migrant's workplace situation and focus on language skills required by employers and employees. It has an action plan to accelerate the integration of beneficiaries of international protection into vocational training and the labour market after the completion of these integration courses, with the medium-term goal of achieving sustainable labour market integration by using on-the-job skills training opportunities. France identified four priorities in 2023 for integration policies for newly arrived foreign nationals (including those legally residing in the country, and beneficiaries of international protection) related to the Comprehensive and Individualised Support for Refugees (AGIR): the refugee support programme and its local links with existing support schemes; integration of foreign nationals through language and employment; involvement of the host society; and effective coordination in partnership with local authorities, in particular through territorial reception and integration contracts. Norway updated its dedicated website[412] to include information for all newly arrived refugees and immigrants in Norway.

In some cases, updating national integration policies and procedures was motivated by results from evaluations or studies.[413] Cyprus developed a toolkit to measure social cohesion based on the findings of the 'Building structures for Intercultural Integration in Cyprus' project.[414] Lithuania enhanced oversight of legal migration and integration processes by creating an integration monitoring system to better handle data on individuals benefiting from legal migration and international protection.[415] In Austria, the Social Cohesion and Segregation: Taking Stock of Integration and Disintegration in Austria report marked the start of a process at federal, provincial and municipal level to counteract social segregation.

The Czech Republic, Estonia, Finland and France adopted changes in the redistribution of responsibilities between national, regional and local level. Finland approved a new Integration Act in April 2023, which will streamline and improve integration services and give municipalities more responsibility in promoting integration.[416] Austria introduced digital certificates for integration and language tests to reduce costs and waiting times. Others introduced digital information services for newly arrived migrants.[417]

6.3 INVOLVEMENT OF STAKEHOLDERS

Eleven EMN Member Countries involved different stakeholders to foster integration processes,[418] such as financing translation services for Arab-speaking residents in Luxembourg (taken over by the Ministry for Family Affairs, Integration and the Greater Region from an NGO), strengthening the involvement of municipalities in improving the quality of social integration services,[419] increasing the involvement of NGOs to encourage participation in integration pathways,[420] and strengthening cooperation between employment services and asylum reception institutions.[421] Drivers behind strengthening the involvement of certain stakeholders ranged from ensuring a major acceleration of mutual communication between government and NGO representatives during times of crisis,[422] to ensuring a bottom-up approach to integration.[423]

6.4 PRE-DEPARTURE/POST-ARRIVAL INTEGRATION PROGRAMMES

Measures related to pre-departure and post-arrival programmes aimed to reduce the burden on integration structures in receiving countries,[424] provide guidelines on available programmes for professional and civic-linguistic training[425] and offer online access to civic integration courses.[426]

In Germany, pre-departure measures were enshrined in the revised Skilled Immigration Act of 2023, to be offered to skilled migrants from selected third countries as of 2026. Measures will include advisory services on legal migration to Germany, language courses and courses on civic orientation (see chapter 2). This was driven by Germany's objective to become a more attractive country of destination for

412 Norwegian Government, www.nyinorge.no, last accessed on 31 May 2024.
413 AT, BE, CY, DE, EE, FR, LT, LU, MT, SE.
414 The project 'Enhancing structures and policies for intercultural integration in Cyprus' was introduced in partnership with the Intercultural Cities Programme and the European Commission's Directorate-General for Structural Reform Support (DG REFORM). It was implemented in partnership with the Civil Registry and Migration Department of the Ministry of Interior of the Republic of Cyprus, https://www.coe.int/en/web/interculturalcities/intercultural-integration-in-cyprus, last accessed on 27 March 2024.
415 The data on individuals being integrated were collected in a decentralised manner, making it difficult to draw conclusions about the long-term success of integration. This issue of monitoring was highlighted in the National Audit Office's study (https://www.valstybeskontrole.lt/LT/Product/24169, last accessed on 27 March 2024).
416 Finnish Government, https://valtioneuvosto.fi/-/1410877/kotoutumislain-kokonaisuudistus-nopeuttaa-maahanmuuttaneiden-kotoutumista-ja-tyollistymista?languageId=en_US, last accessed on 2 April 2024.
417 EE and NO.
418 AT, BE, CY, CZ, EE, FR, IE, IT, LT, LU, PT.
419 EE, IT, LT, LU.
420 FR, MT.
421 BE, CZ.
422 CZ.
423 CY.
424 DE.
425 IT.
426 BE, MT.

labour migrants from third countries. Germany has also set up different model projects offering pre-departure measures for those seeking to migrate to Germany as skilled workers, via family reunification, or as migrants entitled to protection under resettlement and humanitarian reception programmes (developed together with the IOM).[427]

Malta initiated a project to offer visa applicants access to online services in their country of origin to support their subsequent integration in Malta.[428] Similarly in Belgium, the Flemish Integration and Civic Integration Agency launched a new digital learning platform where newcomers can follow their social orientation course online. A few months later, the first pilot project 'Civic Integration Abroad' was launched, which initially targeted people coming to Belgium through family reunification who had already received their residence permits to provide opportunities for civic integration abroad.

6.5 PRE-INTEGRATION MEASURES FOR INTERNATIONAL PROTECTION APPLICANTS

Four EMN Member Countries adopted measures to improve international protection applicants' access to employment[429] and access to certified language courses[430] (see also chapter 3 on international protection). The second year of the International Protection Integration Fund in Ireland provided funding for community-based projects targeting applicants for international protection.

6.6 EDUCATION AND TRAINING

Twenty one EMN Member and Observer Countries[431] introduced or amended integration measures in education and training to facilitate integration of migrants into the school system and labour market,[432] strengthen the autonomy and independence of adult beneficiaries of international and temporary protection,[433] and address inequalities reproduced by the public education system.[434]

Measures included standardising language certification in adult education to ensure that language tests and certificates are recognised in the same way across adult education centres,[435] digitalising language packages to enhance flexibility in attending classes,[436] improving access and quality of local language courses by offering additional professional development courses for language teachers teaching migrant children,[437] increasing numbers of language course places available for adult migrants,[438] introducing a new digital assessment process,[439] and providing additional lessons for migrant children in primary and secondary school.[440] Luxembourg passed two laws that focus on different aspects of children's education: 1) the Law of 17 July 2023 created the School Integration and Welcoming Service (SIA), which replaced the Schooling Service for Foreign Children (SECAM), which aims to improve the integration of new pupils into school and society by focusing on individual advice; 2) the Law of 20 July 2023, which stipulates compulsory education until 18 years of age, that respects and supports diversity and is integrated in the fight against discrimination. Additionally, Luxembourg tasked the missions of its national language institute to meet the growing demand for language courses and certification, facilitate integration and social cohesion, and contribute to the employability of migrants. Cyprus introduced the 'Learning Greek in Preschool Programme', which provides extra support in the form of training for pre-school teachers of children with a migrant background. Estonia introduced several programmes supporting municipalities and local educators in the transition to primarily Estonian language education, including increasing the amount of Estonian language courses, improving the quality of teaching, enhancing the accessibility of Estonian language learning, increasing teacher salaries in Ida-Viru County, and increasing funding for language development programmes. This transition was motivated by an objective to strengthen national identity and promote social integration.[441]

Five EMN Member and Observer Countries developed or expanded existing digital learning platforms accessible to migrants.[442] In Belgium, the Flemish Integration and Civic Integration Agencies introduced a new digital teaching package for newcomers to take their social orientation course online, increasing flexibility in attending classes and allowing for an adapted pace of learning. The Austrian Integration Fund updated and expanded its Free Language Portal, a learning platform offering online courses for all

427 IOM Germany, https://germany.iom.int/resettlement-and-humanitarian-admission, last accessed on 3 May 2024.
428 Project led by the Human Rights Directorate (HRD) with the support of the IOM and DG REFORM.
429 BE, DE, IE, NL.
430 MT.
431 AT, BE, CY, DE, EE, EL, FR, HR, IE, IT, LT, LU, LV, NL, PL, SE, SI, SK, and NO, GE, MD.
432 BE, HR, FR, LU, LV, NL.
433 EL, NL.
434 LU.
435 Flanders (BE) introduced a standardised test for Dutch as a second language in the Centres Basic Adult Education and the Centres for Adult Education (reducing discrepancies between the previous individual tests).
436 In Austria, the free Language Portal with live online courses for all language levels was updated and expanded, https://sprachportal.at, last accessed on 29 April 2024. In Flanders (BE), the Flemish Integration and Civic Integration Agency and the urban Integration and Civic Integration Agencies launched a new digital teaching package where newcomers can take their social orientation course online, https://www.vlaanderen.be/en/guidance-for-newcomers-civic-integration-path, last accessed on 29 April 2024.
437 CY, EE, LU (not restricted to language teachers).
438 EE, IT.
439 AT.
440 HR.
441 On the transition to Estonian language education, see: https://www.hm.ee/en/node/234, last accessed on 28 March 2024.
442 AT, BE, DE and GE, MD.

language levels (from literacy level to C1).[443] In Georgia, online language courses were made available for all asylum seeker children and those with international protection status.

Four EMN Member Countries amended their compulsory civic integration programmes.[444] France introduced a legal civic commitment requirement with which foreigners had to comply to be eligible for a renewed residence permit.[445] By reducing barriers to the integration contract (*le contrat d'intégration républicaine* - CIR) for signatories attending scheduled training courses, France committed to supporting the development of childcare solutions.[446] Sweden explored ways to make civic orientation compulsory with an increased focus on the fundamental values of Swedish society, including a final test. Belgium (Flanders) implemented a participation pillar in the Flemish civic integration programme, which creates a tailored 40-hour programme to strengthen participants' social networks. From September 2023 onwards, individuals signing a civic integration contract in Flanders had to pay for social orientation and Dutch as a second language courses and tests, motivated by increasing participants' commitment to complete the courses.

6.7 LABOUR MARKET AND SKILLS

Seven EMN Member Countries and Georgia[447] implemented/changed measures to improve the recognition of skills and academic qualifications of third-country nationals to harness their skills and improve their access to the labour market. The main drivers were acute skills shortages and overqualification among workers with foreign qualifications. Measures included interministerial meetings to promote cooperation and sharing information across ministries,[448] offering vocational language training,[449] giving vocational education and training (VET) schools the right to recognise non-formal education,[450] offering individual counselling and tailored services for foreigners,[451] and online processing of applications for foreign diploma recognition.[452] In Belgium, the latter development was driven by the increase in applicants from Ukraine, while in Germany it reflected the implementation of the Online Access Act,[453] as well as offering counselling for persons abroad. Through the services provided by Work in Finland, which is part of the Talent Boost programme for 2023-2027, employers were offered language training for their international staff, training in leading a multicultural working community, and mentoring programmes. All aimed to lower the threshold for international recruitment (including foreign talent already residing in the country).[454]

Austria and Belgium established integration services for skilled workers, such as offering a central point of contact for workers, their families and interested companies to ensure their long-term integration into society.[455] Belgium allocated financial support to establish 'expat centres' or dedicated websites[456] to improve welcoming policies for (economic) migrants.

Some measures attempted to target specific vulnerable groups. In Germany, the MY TURN project aimed to improve the long-term integration of women with migration experience and foreign citizenship into the labour market and to counteract possible (further) entrenchment of dependence on social support services. In the Netherlands, the government presented an action plan to provide beneficiaries of international protection with paid work.

The need to ensure the compatibility of work and language acquisition was emphasised by six EMN Member Countries.[457] The Czech Republic granted advanced Czech language learners access to subsidised training courses to help their digital skills and competencies in order to improve their position in the labour market. To promote the labour market integration of migrants in the care sector, additional funds to support initiatives like the Migrants Care project were announced in Austria. The Migrants Care project offered comprehensive advice services, as well as language courses and workshops to assist with specialist training in the care sector to promote labour market integration.[458]

443 At the end of November 2023, a new free online course format specific to jobs in care and personal assistance became available on the portal.
444 BE, FR, NL, SE.
445 The commitment requires individuals to respect the principles of France, freedom, equality, fraternity, and human dignity, to respect its symbols as defined in Article 2 of the French Constitution, i.e. the national emblem, the national anthem and the Republic motto, and to respect the secular nature of the Republic.
446 Instruction NOR IOMV2303177J on the 2023 priorities of the integration policy for newly arrived foreign nationals, including refugees, https://www.seine-et-marne.gouv.fr/contenu/telechargement/57590/482575/file/Instrcution%20du%208%20f%C3%A9vrier%202023.pdf, last accessed on 20 June 2024.
447 AT, BE, CZ, DE, FI, FR, LU, and GE.
448 AT.
449 DE, HR. Germany is offering a large variety of vocational language courses to a wide range of third-country nationals, either prior to taking up employment or while in employment. The aim is to facilitate earlier entry into employment and gain full access to the labour market. See: https://www.bmas.de/EN/Labour/Skilled-labour-and-migration/Vocational-Language-Courses/vocational-language-courses.html, last accessed on 29 April 2024. In Croatia, vocational training in English is provided for adult migrants to increase their integration in the labour market.
450 In Georgia, 11 vocational schools gained the right to recognise non-formal education in 2023 within 11 areas: business and administration; ICT; personal services; engineering; security services; education; healthcare; architecture and construction; agriculture; production and processing; art.
451 The Czech Republic provides expert individual advice in the recognition of diplomas and qualifications, within the services of the network of specialists at the Labour Office.
452 BE, DE. Germany piloted a digitalised application process for the recognition of foreign qualifications in seven federal states through the online platform Recognition in Germany. See: https://www.anerkennung-in-deutschland.de/html/en/index.php, last accessed on 29 April 2024.
453 German Federal Ministry of Interior and Community, Online Access Act: https://www.digitale-verwaltung.de/Webs/DV/EN/home/home-node.html last accessed on 7 July 2024
454 Part of government programmes, the initiative aims to address labour shortages and research and development needs through work- and study-based immigration and better labour market integration of third-country nationals already in Finland. See: https://www.workinfinland.com/en/tyonantajat/, last accessed on 29 April 2024.
455 AT, BE.
456 In 2023, the website 'Your future in Flanders, let's make it work' was officially launched. It is a soft-landing page, where economic migrants can find information on all aspects of life in Flanders (work, education, housing, etc.).
457 AT, CZ, EL, FR, MT, SE.
458 Migrants Care, https://www.freiewohlfahrt.at/migrants_care, last accessed on 29 April 2024.

6.8 BASIC SERVICES

Twelve EMN Member States and two Observer Countries reported developments in access to basic services for third-country nationals, including access to social protection,[459] social security,[460] housing,[461] healthcare,[462] and banking services.[463]

Increased access to social security involved enhancing third-country nationals' access to pensions from another EU country,[464] training public service staff on the rights of foreign nationals,[465] and legal amendments giving persons with a temporary residency permit and subsidiary protection status equal access to social allowances as permanent residents.[466] Italy ratified an agreement with Moldova to guarantee the exportability of pensions and payments for occupational accidents and diseases, in a bid to ensure legal certainty in the protection of legal rights for those working in both countries. The Constitutional Court in Belgium annulled several amendments to the Flemish Decree on Social Protection, including increasing the length of the legal residence condition from five to 10 years. The Court held that these modifications reduced access to social protection without reasonable justification. Sweden appointed an inquiry to review migrants' qualification for social security benefits and financial assistance and to propose a new model for qualification; this aims to strengthen the driving forces behind finding work quickly and becoming self-sufficient. The Netherlands allowed municipalities to be more flexible in providing (financial) support to beneficiaries of international protection with social assistance benefits (*bijstandsuitkering*). The objective was to relieve persons of financial stress and worries that might hinder their civic integration.

Tenants in social housing in Flanders (Belgium) were required to prove Dutch language proficiency at level A2 within two years of tenancy (previously A1). Additionally, tenants of working age were required to register as jobseekers with the Flemish Public Service for Employment and Vocational Training (VDAB), unless exempt due to disability or equity reasons. The objective was to facilitate tenants' transition to the private housing market by improving their language skills and employment, primarily driven by the long waiting lists for social housing. In Austria, the Living and Housing Cost Equalisation Act made additional financial resources available to those eligible for social assistance and the minimum benefit system. This was intended to help the target group to cover additional expenses incurred due to inflation. In Greece, many beneficiaries of international protection with disabilities do not receive support from their families or from another supportive network. Accordingly, Greece implemented the Supported Living Houses programme, offering adult beneficiaries of international protection with disabilities more access to living and care services, as well as recreational and social activities.[467] Luxembourg collaborated with the Cécile Ginter Foundation and Caritas to develop two affordable housing projects for long-term safe and affordable housing for vulnerable families and individuals in challenging situations to stabilise their situation and socially include them.

The Czech Republic incorporated migrant minors' access to healthcare into the public health insurance system, while the abolition of a monopoly on healthcare for foreigners from third countries made the market for private healthcare more favourable for foreigners. In the Slovak Republic, holders of scholarships (including university students, researchers, and university teachers) from selected publicly funded scholarship programmes and schemes for a period exceeding one month were entitled to public health insurance.

6.9 ACTIVE PARTICIPATION OF MIGRANTS AND RECEIVING SOCIETIES IN INTEGRATION

Four EMN Member Countries undertook initiatives to strengthen the active participation of migrants.[468] These related to strengthening migrants' social networks,[469] facilitating migrants' access to sport,[470] better understanding of the issues migrants' face through coordination measures,[471] and coordinating migrants' and refugees' integration councils.[472] Luxembourg carried out extensive campaigns to ensure that legally residing third-country nationals were aware of and exercised their active and passive voting rights in municipal elections. Three EMN Member Countries explored new ways to provide funding for NGOs and local authorities to support and initiate integration activities with local communities of migrants.[473] Germany increased funding for migrant organisations to become more competent partners in civic and political discourse. A civic service initiative in France matched young foreigners with French volunteers to improve language proficiency and develop social relations, self-confidence and planning for the future.

459 BE.
460 FR, IT, LV, NL, SE.
461 AT, BE, EL, FR, IE, LU, SE, and NO, MD.
462 CZ, SK.
463 FR.
464 IT.
465 FR.
466 LV.
467 The project aimed to improve the quality of life of people with disabilities who need support services and facilitate the transition from institutional care to care in the community.
468 BE, EL, FR, HR.
469 BE.
470 FR. The aim is to strengthen the development of sport as one of the components of the integration pathway through cooperation with the Ministry of Sport, particularly in the context of the 2024 Paris Olympic and Paralympic Games. See: http://intranet.immigration.gouv.fr/sites/default/files/cyberlettre/2023-05-Lettre-DGEF-TOTEM.pdfl, last accessed on 28 May 2024.
471 HR.
472 EL.
473 CZ, FR, IE.

6.10 FIGHTING RACISM AND DISCRIMINATION

Several EMN Member and Observer Countries initiated anti-discrimination initiatives in 2023, targeting migrants directly or indirectly.[474] Five EMN Member Countries adopted national and regional action plans against racism and discrimination.[475] In January 2023, France's government presented a new National Plan to Combat Racism, Antisemitism, and Discrimination on Grounds of Origin, driven by the 1.2 million incidents of racist or antisemitic discrimination or attacks taking place yearly in France. Ireland published its National Action Plan Against Racism 2023-2027 (NAPAR); developed by an independent Anti-Racism Committee. It introduced the Ireland Against Racism Fund 2023, which provides funding 'for national and local initiatives that aim to combat racism and foster racial equality and community cohesion'.[476]

Others expanded their anti-discrimination action plans by implementing equal opportunities actions,[477] or introduced a new comprehensive strategy to strengthen fundamental human rights and freedoms by adopting a human rights action plan.[478] Spain introduced a Strategic Framework for Citizenship and Inclusion against Racism and Xenophobia (2023-2027), which aimed to increase the inclusion of migrants and asylum seekers in society, driven by the need to combat migrant smuggling and trafficking in human beings.

Five EMN Member Countries implemented or improved measures to combat racism and discrimination by passing new laws,[479] increasing penalties for hate crime or related offences,[480] improving responses to online cybercrime and hate speech towards migrants,[481] or strengthening laws/measures against discrimination in the workplace (to which migrants are disproportionally subjected).[482] Belgium introduced several amendments to existing legislation, including enhanced protection against retaliation for those reporting, witnessing or helping in cases of discrimination. Others adopted measures to implement the EU Anti-racism Action Plan 2020-2025,[483] such as consulting with stakeholders to design a national action plan against discrimination.[484] The Federal Government Commissioner for Anti-Racism in Germany published the report 'Racism in Germany: Current situation, fields of action, measures' in January 2023. It is the first federal document to give a comprehensive overview of government actions to combat racism, as well as the Commissioner's measures, such as setting up a council of experts to develop a working definition of racism for public services, or supporting community-based counselling in migrant organisations and other community facilities.[485] Moldova held several events (including cultural activities) promoting the eradication of discrimination towards ethnic minorities and strengthening inter-ethnic relations.

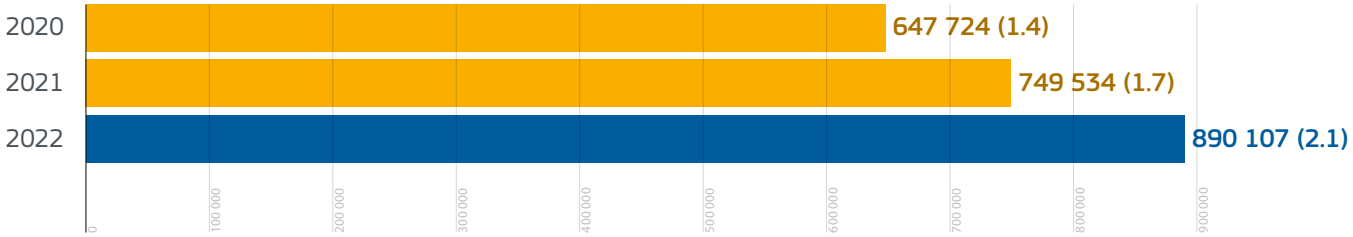
474 AT, BE, CZ, DE, EE, ES, FI, FR, HR, IE, IT, LT, LV, LU, MT and GE, MD.
475 BE (no 'national' action plan, but several contributions were made by different regions and communities in 2023 to achieve a national action plan against racism), HR, FR, IE, LV.
476 Department of Children, Equality, Disability, Integration and Youth, Minister Joe O'Brien announces Ireland Against Racism funding call, Press release, 2 May 2023, https://www.gov.ie/en/press-release/b890b-minister-joe-obrien-announces-ireland-against-racism-funding-call/, last accessed on 28 March 2024.
477 LT.
478 GE.
479 BE, LU.
480 AT (e.g. for displaying National Socialist symbols and other banned symbols in Austria), LU.
481 In the Czech Republic the new National Agency against Terrorism, Extremism and Cybercrime responds to online cybercrime, as well as hate crimes and hate speech in general.
482 BE, FI, LU.
483 EU Anti-racism Action Plan 2020-2025, https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combatting-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025_en, last accessed on 2 June 2024.
484 EE, IT.
485 See: https://www.ohchr.org/en/news/2023/11/experts-committee-elimination-racial-discrimination-commend-germany-national-action, last accessed on 29 April 2024.

7. CITIZENSHIP AND STATELESSNESS

This chapter examines the acquisition of citizenship and statelessness. Twelve EMN Member and Observer Countries,[486] reported legal and policy developments in this area in 2023. Key trends included national authorities' measures to simplify the citizenship acquisition process through updated and clearer legislation and/or by introducing more user-friendly tools.[487] Most changes were implemented to overcome administrative backlogs, provide easier eligibility criteria for certain categories (e.g. minors), and provide swifter decisions on each case (e.g. through digitalisation, clear guidelines to support all applicants).[488] National policy changes on statelessness were driven by the need to align national legislation with international requirements, as well as the overarching objective of reducing statelessness in the future.[489] The EU has pledged to introduce measures aiming to improve the overall availability of data for stateless individuals, amongst others, that will help to inform policy making and reporting.

A growing number of third-country nationals acquired EU or Norwegian citizenship, moving from 647,724 individuals in 2020, to 890 107 (of whom 864 469 acquired EU citizenship and 25 638 Norwegian citizenship) recorded in 2022 (see figure 19). Among them, Morocco remains the most common country of origin for third-country nationals acquiring EU or Norwegian citizenship, followed by Syria and Albania (see figure 20).[490]

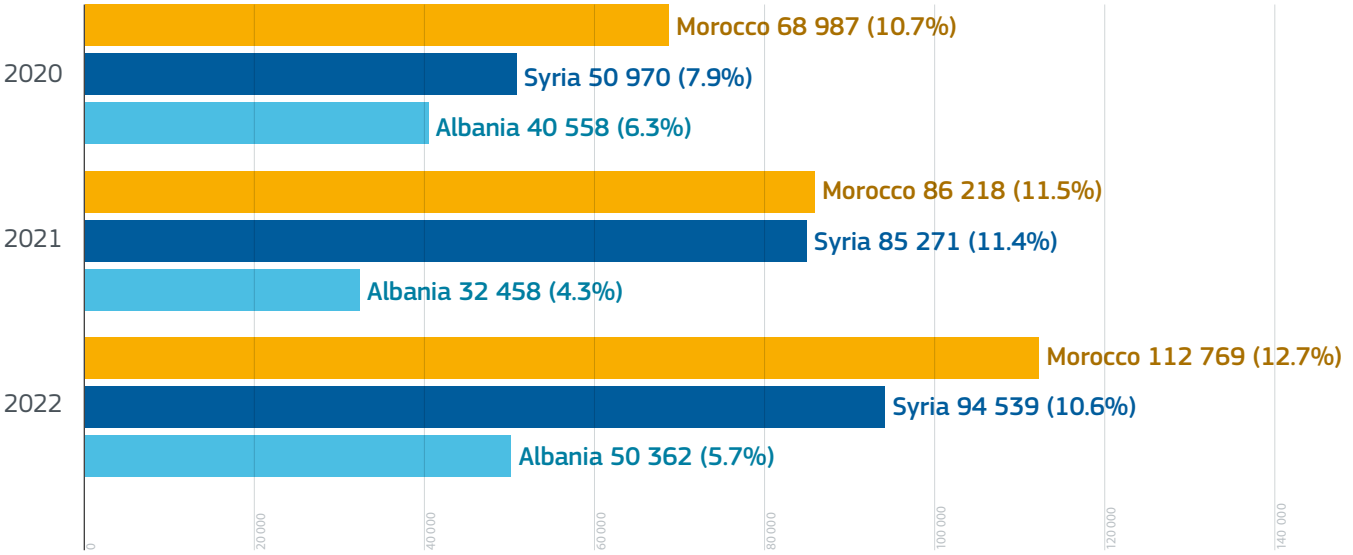
Figure 19: Third-country nationals who acquired citizenship, EU and Norway, 2020–2022. Absolute number (and the number per 1 000 people).



Data for 2023 was not yet available at the time of writing this report.
Source: Eurostat (migr_acq and migr_pop1ctz), date of extraction: 8 April 2024.

486 BE, CZ, DE, EE, FR, IE, IT, LU, NL, and GE, MD, UA.
487 DE, IE, IT, NL and GE, MD.
488 BE, CZ, DE, EE, FR, IE, IT, and MD.
489 CZ, IT, NL and GE, MD, UA.
490 Eurostat (migr_acq), date of extraction: 8 April 2024.

Figure 20: Top 3 countries of previous non-EU citizenships of persons acquiring citizenship, EU and Norway, 2020-2022



Data for 2023 was not yet available at the time of writing this report.
Source: Eurostat (migr_acq), date of extraction: 8 April 2024.

7.1 EU DEVELOPMENTS

Policy and processes regarding the acquisition of citizenship and the recognition of statelessness are not matters in which the EU institutions have a competence. However, a number of developments took place at European level in 2023 that impact on these policy areas, for example through the coordination of data.

As part of the 2023 GRF, the EU pledged to ensure accurate inclusion of forcibly displaced persons, stateless individuals, and host communities in censuses and surveys.[491] This will help improve the availability and precision of nationally produced data and evidence used to inform the design of programmes and policies to improve the protection and wellbeing of these vulnerable populations. This commitment also aims to support the implementation and assessment of the Global Compact on Refugees and the 2030 Agenda for Sustainable Development. EU Member States report migration statistics to Eurostat (governed by Regulation (EC) No 862/2007,[492] amended in 2020 for better data collection), and the data gathered are used for monitoring purposes under the Global Compact.[493] The EU also supports the UNHCR – World Bank Joint Data Centre on Forced Displacement (JDC) financially and collaboratively. Efforts include financing projects such as Lives in Dignity – EU Global Facility and supporting coordination through the Expert Group on Refugee, IDP and Statelessness Statistics (EGRISS).[494] The EU collaborates with the OECD to produce joint indicators of immigrant integration.[495] To enhance data on migration and displaced populations, the EU will financially support the inclusion of forcibly displaced and stateless children in national statistical systems through the International Data Alliance for Children on the Move (IDAC) from 2024-2026.[496] Additionally, it will continue monitoring the UNHCR – World Bank JDC programme.

7.2 ACQUISITION OF CITIZENSHIP

New developments in national legislation on the acquisition of citizenship show a clear trend towards reducing barriers and loosening stringent criteria to apply for citizenship and naturalisation.[497] In Belgium, the eight-day window to appeal revocation of citizenship was deemed unfairly short.[498] Georgia amended its Law on Citizenship to allow applicants to reapply for citizenship after only six months (previously one year). Factors prompting these

491 Global Compact on Refugees, 'Multistakeholder Pledge: Inclusion of Forcibly Displaced and Stateless Persons in National Statistical Systems and Surveys', https://globalcompactrefugees.org/multistakeholder-pledge-inclusion-forcibly-displaced-and-stateless-persons-national-statistical, last accessed on 27 March 2024.
492 Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers, Regulation - 862/2007 - EN - EUR-Lex (europa.eu), last accessed on 26 March 2024.
493 Regulation (EU) 2020/851 of the European Parliament and of the Council of 18 June 2020 amending Regulation (EC) No 862/2007 on Community statistics on migration and international protection, Regulation - 2020/851 - EN - EUR-Lex (europa.eu), last accessed on 26 March 2024.
494 EGRISS, Overview of activity, n.d., https://egrisstats.org/about/, last accessed on 26 March 2024.
495 OECD, Indicators of immigrant integration, 2023, https://www.oecd.org/en/publications/indicators-of-immigrant-integration-2023_1d5020a6-en.html, last accessed 20 June 2024
496 IDAC, Overview of project, n.d., https://data.unicef.org/resources/international-data-alliance-for-children-on-the-move/, last accessed on 27 March 2024.
497 BE, DE, FR, IE, IT, NL and GE.
498 Belgian Federal Justice Service, *Loi portant dispositions diverses en matière civile et judiciaire* (1), https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=fr&caller=summary&pub_date=23-12-27&numac=2023048423, last accessed on 8 March 2024.

developments include court rulings, as in Belgium,[499] or political decisions, as in Sweden.[500]

Italy adopted less stringent criteria for the acquisition of citizenship, with residence and income prerequisites applied more flexibly where the deadline for the evaluation of the application was about to expire. In passing the Law of 23 August 2023 on Intercultural Living Together, which entered into force on 1 January 2024, Luxembourg changed its legislation on citizenship. As this new law also repeals the Reception Law,[501] the Welcome and Integration Contract (CAI)[502] that used to be able to be taken into account when applying for Luxembourgish nationality by option,[503] was also repealed. The CAI was replaced by the Citizen's Pact. [504]

Similar changes were evident in naturalisation eligibility criteria across the EMN Member Countries. This refers to the possibility to acquire citizenship by spending a minimum number of years living and working in a country, by marrying a partner who is already a citizen of that country, or by descent. Germany, Ireland, and the Netherlands all changed their naturalisation eligibility criteria for adults and/or minors.

Germany published draft legislation to modernise its citizenship law, including providing for naturalisation after five or three years instead of eight, and provides a significant example of making the path to citizenship more accessible (see Box 10).

Box 10: Germany updates its Citizenship Law

To integrate foreign residents living on national territory into German society, on 23 August 2023, the federal government submitted a draft of a new Citizenship Law that streamlines the process to receive German nationality.[505] Key changes include: a reduction of the residence period required to apply for citizenship from eight to five years, which can be further reduced to three years in specific cases where the applicant demonstrates that they have made considerable integration efforts; children born on German soil to at least one parent, who have been legally residing in Germany for five years or longer and have a permanent right of residence, will automatically receive German citizenship; individuals with multiple nationalities will be allowed to obtain German nationality and retain the other(s).[506]

Ireland amended the Irish Nationality and Citizenship Act 1956, reducing the period of reckonable residence for children born in Ireland to non-Irish parents from five years to three years in order for an application for naturalisation to be made on their behalf.[507] A further amendment prescribed a period of allowable absence from the State when calculating the one-year continuous period of residence required immediately prior to making the application. It can now include an absence of 70 days (in total, with a possible further 30 days in exceptional circumstances). A period of absence was not previously set down in legislation.

In the Netherlands, the period of residency is no longer reset in cases of a change of personal data (identity and/or nationality) in the Municipal Personal Records Database when considering the five-year residency necessary to be considered for naturalisation. This change is the result of two rulings by the Administrative Jurisdiction of the Council of State.

Belgium and Germany reported new exceptions to the language requirements to acquire citizenship for specific groups of applicants. A Constitutional Court ruling in Belgium declared that in the case of persons who are illiterate, language barriers can represent an obstacle to citizenship for applicants required to achieve at least level A2 (writing and speaking) in one of the three official languages.[508] In Germany, changes in the new Citizenship Law meant individuals with disabilities would be permitted to achieve a lower level (B1) of spoken language to be considered for German citizenship.[509]

In 2023, France and Ireland introduced an online process to apply for citizenship. In Ireland, this targeted more efficient processing, as part of the overall aim to modernise the immigration service. In France, it streamlined operations in order to reduce administrative backlogs and fraud attempts, and to support applicants through a clearer, guided process.

Not all EMN Member or Observer Countries intended to design and apply looser criteria for naturalisation and citizenship. In Finland, the Finnish government launched legislative projects in 2023 to tighten naturalisation, including plans to introduce a mandatory citizenship test as part of the application process. Legislative amendments are still under discussion.[510] Similarly, in an attempt to confer a higher value on Swedish citizenship, Sweden decided to apply more stringent citizenship requirements, including a

499 On 23 March 2023, the Belgian Constitutional Court issued a preliminary ruling (No 53/2023) arguing that the obligation to fulfil the written component of the language requirement in view of acquiring citizenship has disproportionate consequences for illiterate persons. Other examples of rulings by the Constitutional Court that had an impact on citizenship include: No 12/2023, No 13/2023, No53/2023.

500 The Swedish government imposed more stringent requirements for acquiring citizenship to increase the value of citizenship as a legal institution. This is part of the government's efforts to promote integration.

501 Official Journal Grand Duche' of Luxembourg, Reception Law, https://legilux.public.lu/eli/etat/leg/loi/2008/12/16/n5/jo, last accessed 6 July 2024.

502 Luxembourg Guichet, Welcome and Integration Contract, https://guichet.public.lu/en/citoyens/immigration/nouveau-resident-luxembourg/arrivee-luxembourg/contrat-accueil-integration.html, last accessed 6 July 2024.

503 There are three ways to obtain Luxembourgish nationality: (1) by naturalisation, (2) by reclaiming nationality, (3) and by option (https://gouvernement.lu/en/dossiers.gouv_mj%2Ben%2Bdossiers%2B2020%2Bnationalite-luxembourgeoise.html). The 'option procedure' is possible in 10 cases https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement/option.html#accordionItem-accordionitem_services_en_ligne_et_formulaires). To determine, which case applies, a decision tree can be used (https://guichet.public.lu/dam-assets/catalogue-pdf/citoyens/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement/option/schema-decisionnel-en.pdf), last accessed on 27 May 2024.

504 Law of 23 August 2023 relating to intercultural living together and modifying the amended law of 8 March 2017 on Luxembourgish nationality, https://legilux.public.lu/eli/etat/leg/loi/2023/08/23/a545/jo, last accessed on 6 March 2024.

505 The law was passed by the Bundestag in January 2024 and will enter into force on 27 June 2024.

506 *Entwurf eines Gesetzes zur Modernisierung des Staatsangehörigkeitsrechts*, https://www.bmi.bund.de/SharedDocs/pressemitteilungen/EN/2023/05/staatsangehoerigkeitsrecht.html, last accessed on 7 March 2024.

507 Section 8 of the Courts and Civil Law (Miscellaneous Provisions) Act 2023 inserts a new section 15B into the Irish Nationality and Citizenship Act 1956, https://www.irishstatutebook.ie/eli/2023/act/18/enacted/en/print#part2, last accessed on 5 March 2024.

508 On 23 March 2023, the Belgian Constitutional Court issued a preliminary ruling (No 53/2023) arguing that the obligation to fulfil the written component of the language requirement to acquire citizenship has disproportionate consequences for illiterate persons.

509 *Entwurf eines Gesetzes zur Modernisierung des Staatsangehörigkeitsrechts*, https://www.bmi.bund.de/SharedDocs/pressemitteilungen/EN/2023/05/staatsangehoerigkeitsrecht.html, last accessed on 5 March 2024.

510 Ministry of Interior, Reform of the Nationality Act, https://intermin.fi/-/kansalaisuuslain-uudistaminen-kaynnistyy-sisaministeriossa?languageId=en_US, last accessed on 8 March 2024.

longer residence period (now eight years), an 'honest lifestyle' and lack of any criminal charges, and a test showing in-depth knowledge of Swedish culture and language. [511]

7.3 STATELESSNESS

Some of the changes and initiatives reported by EMN Member Countries on statelessness referred to the need to fine-tune unclear legislation,[512] or adapt national legislation to align with international standards.[513] Key developments included the institution of a formal procedure to officially recognise the statelessness status in the Netherlands and Portugal, and the proposal to introduce a new right of residence for stateless persons in Belgium.

At the 2023 GRF, Ireland committed to actively explore the introduction of a statelessness determination procedure by using a provisional determination procedure on a limited pilot basis in 2024.[514] Italy and UNHCR co-signed a pledge to adopt judicial tools to create a connection between the recognition of international protection status and statelessness. Italy also started to implement an innovative policy allowing stateless individuals and refugees to enter the country for seasonal work and self-employment.[515] To prevent situations of actual statelessness, Italy introduced the possibility to acquire citizenship at birth (*iure soli*) for specific categories (such as a child born on Italian territory of a parent whose condition of statelessness existed at the time of birth, even if formal recognition occurred later, or a child born on Italian territory of parents both recognised as refugees before the child's birth, who cannot transmit citizenship to the minor *iure sanguinis).*

In September 2023, the Belgian government submitted a draft law to amend the Immigration Law to introduce a new right of residence for stateless persons.[516] According to the draft law, in the event of a positive decision by the Immigration Office, a five-year residence permit would be granted to the stateless person, who would then be entitled to family reunification under the same conditions as recognised refugees. In case of a negative decision, a non-suspensive appeal for annulment could be opened before the Council for Alien Law Litigation (CALL). During the procedure, the Office of the Commissioner General for Refugees and Stateless Persons could issue an opinion on the situation of the stateless person, which is not subject to appeal.

Both the Netherlands and Portugal established a statelessness status. In 2023, Portugal introduced a procedure to determine the status of statelessness, specific guarantees for applicants, and an entity competent to assess and decide the matter. The procedure introduced by the Netherlands is set out in Box 11.

Box 11: The Netherlands introduces a statelessness determination procedure

The Netherlands passed a new law to formally recognise a statelessness status.[517] In line with the Convention on the Status of Stateless Persons,[518] a civil judge or (in specific (evident) cases) the IND can assess the stateless status of an individual. Previously, there was no process in place to officially identify an individual as stateless. Due to insufficient documentation, some stateless persons were previously registered with 'nationality unknown' in the Aliens' records or Municipal Personal Records Database (BRP). In parallel with the introduction of the new Statelessness Determination Procedure Act, an amendment of the Netherlands Nationality Act and Passport Act allows undocumented minors born stateless in the Netherlands and staying on Dutch national territory to obtain Dutch citizenship after five years of stable residence, provided that no other nationality can be obtained. The recognition of stateless status does not lead to any residence permit.

Georgia, Moldova, and Ukraine also reported changes to their procedures concerning stateless persons. In Georgia, the length of residence required by a stateless individual to apply for naturalisation halved, from 10 to five years. In an attempt to reduce statelessness across the country, Moldova adopted Law 142/2023 to grant Moldovan nationality to children of foreign-born parents born on national territory who would otherwise be stateless.[519] In Ukraine, the Cabinet of Ministers amended a previous resolution on migration to update and improve the procedure for recognising a stateless person in order to cover persons whose statelessness status was determined in the absence of a statelessness document.

511 Government Offices of Sweden, 'Government measures to strengthen Swedish citizenship', 2 June 2023, https://www.government.se/articles/2023/06/government-measures-to-strengthen-swedish-citizenship/#:~:text=Government%20measures%20to%20strengthen%20Swedish%20citizenship%201%20Amended,society%20...%204%20Withdrawal%20of%20Swedish%20citizenship%20, last accessed on 5 March 2024.
512 CZ.
513 NL.
514 Pledge ID GRF-08496 on 11 December 2023, https://globalcompactrefugees.org/pledges-contributions, last accessed on 30 May 2024.
515 UNHCR, 'Italy joins top league of countries reducing statelessness', n.d., https://www.unhcr.org/ibelong/italy-joins-top-league-of-countries-reducing-statelessness/, last accessed on 7 March 2024.
516 *Projet de loi modifiant la loi du 15 décembre 1980 sur l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers et la loi du 12 janvier 2007 sur l'accueil des demandeurs d'asile et de certaines autres catégories d'étrangers sur la politique de retour proactive*, https://www.dekamer.be/kvvcr/showpage.cfm?section=flwb&language=fr&cfm=flwbn.cfm?lang=N&dossierID=3599&legislat=55, last accessed on 29 April 2024.
517 Adoption of the new Statelessness Determination Act, https://www.eerstekamer.nl/nieuws/20230606/eerste_kamer_stemt_in_met, last accessed on 6 March 2024.
518 UN, Office of the High Commissioner for Human Right, Convention on the Status of Stateless Persons, n.d., https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-relating-status-stateless-persons, last accessed on 15 March 2024.
519 Citizenship Law 142/2023, amending Law 1024/2000, https://monitorul.gov.md/ro/monitorul/view/pdf/2730/part/1#page=4, last accessed on 28 May 2024.

8. BORDERS, VISA AND SCHENGEN

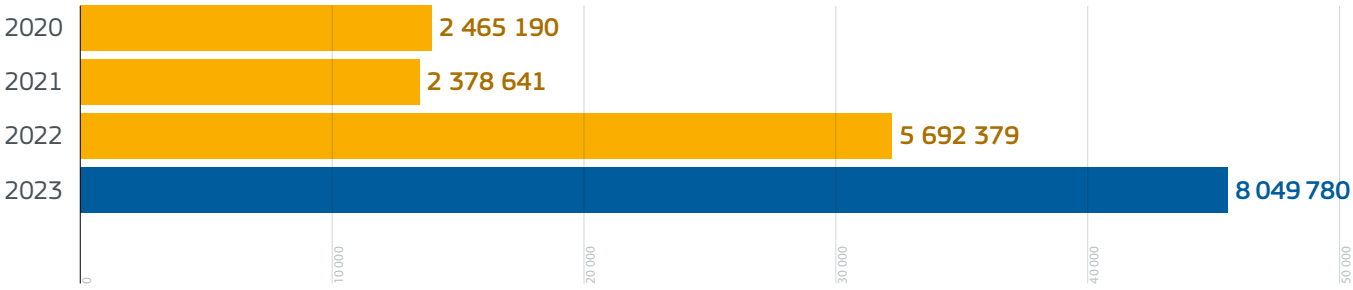
This chapter examines developments related to border management and visa policy, as well as developments concerning the Schengen area.

In 2023, the EU witnessed steady developments in external border management, visa requirements and the Schengen area. Efforts to enhance external border management included further steps towards implementation of the EES and the ETIAS. Internal border controls were adjusted in response to security risks and increased migratory flows, reflecting the ongoing commitment to ensuring security and compliance with Schengen rules. Updates to visa policies included Kosovo's nationals becoming exempt from Schengen visas and the issuance of multiple-entry visas for several nationalities residing in Oman, Kuwait and Bahrain.[520] Preparations were underway in several EU countries for further digitalisation of the visa issuance process, with a planned introduction of an EU visa application platform and visas in digital format by 2028.[521] Schengen governance was reinforced through the admission of Croatia to the Schengen area, adoption of the 2023 State of Schengen report, the strengthened Schengen Barometer+, establishment of a common methodology for the Schengen Scoreboard, and implementation of the first comprehensive Schengen evaluations in Estonia, Finland, Latvia and Lithuania. The first phase of Schengen accession for Bulgaria and Romania was completed in December 2023, setting the path for these countries to join the Schengen area from 31 March 2024 through the lifting of internal border controls at air and sea borders.

Figure 21 (below) gives the number of Schengen uniform short-stay visas issued in the EU and Norway from 2020–2023, with a rise of over two million short-stay visas issued from 2022 to 2023.

Figure 22 gives the total annual number of illegal border crossings detected at the external borders of the Member States of the EU and Schengen Associated Countries from 2020–2023 with a rise from 126 310 in 2020 to 385 771 in 2023.

Figure 21: Number of Schengen uniform short-stay visas issued, EU and Norway, 2020–2023

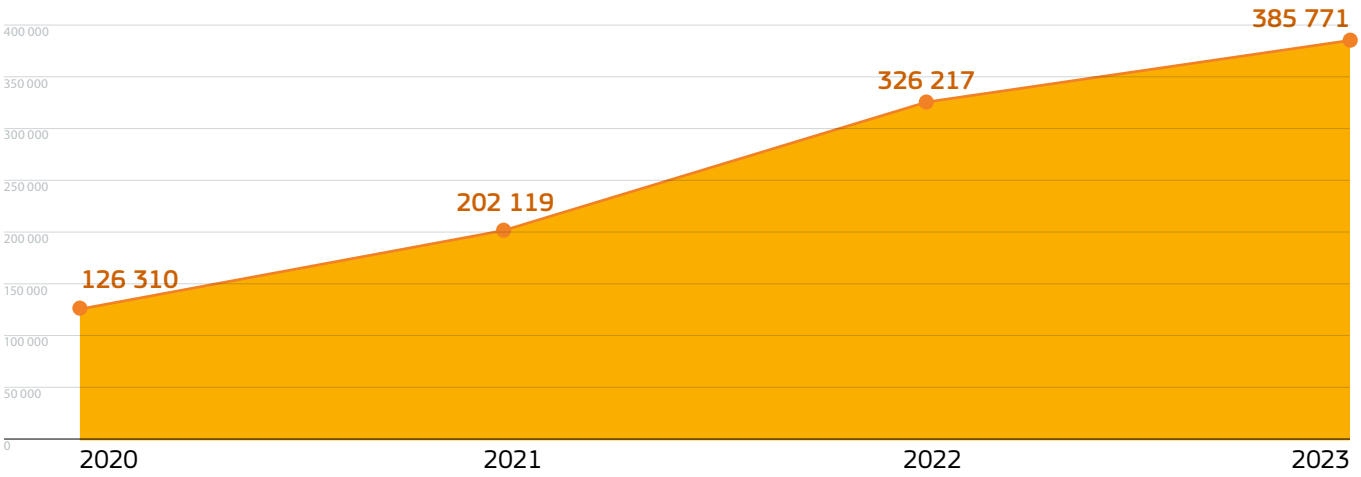


Note: Uniform short-stay visas (C visas) entitle the holder to stay in the territories of all Schengen States for up to 90 days within a 180-day period. Such visas may be issued for the purpose of a single entry or multiple entries.
Source: Directorate-General for Migration and Home Affairs, date of extraction: 8 May.

520 The nationalities that benefitted from this update were: Omani nationals residing in Oman; Bahraini, Saudi, Kuwaiti, Omani, and Qatari nationals residing in Bahrain; Kuwaiti nationals residing in Kuwait; all applying for short-stay visas in Oman, Bahrain, and Kuwait, respectively. Commission Implementing Decision of 29 March 2023, establishing adapted rules on the issuing of multiple-entry visas to Omani nationals residing in Oman and applying in Oman for short stay visas, COM(2023) 2063 final, https://home-affairs.ec.europa.eu/system/files/2023-03/Commission%20Implementing%20Decision%20establishing%20adapted%20rules%20on%20the%20issuing%20of%20multiple-entry%20visas%20to%20Omani%20nationals.PDF, last accessed on 28 March 2024; Commission Implementing Decision of 14 July 2023, establishing adapted rules on the issuing of multiple-entry visas to Bahraini, Saudi, Kuwaiti, Omani, and Qatari nationals residing in Bahrain and applying in Bahrain for short-stay visas, COM(2023) 4674 final, https://home-affairs.ec.europa.eu/system/files/2023-07/Commission%20Implementing%20Decision%20C%282023%294674%20_en.pdf, last accessed on 28 March 2024; Commission Implementing Decision of 8 September 2023, establishing adapted rules on the issuing of multiple-entry visas to Kuwaiti nationals residing in Kuwait and applying in Kuwait for short-stay visas, COM(2023) 6004 final, https://home-affairs.ec.europa.eu/system/files/2023-09/C-2023-6004_en.pdf, last accessed on 28 March 2024.

521 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 2022/0132 (COD), https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX-:52022PC0658, last accessed on 28 March 2024.

Figure 22: Total annual number of illegal border crossings detected at the external borders of the Member States of the EU and Schengen Associated Countries, 2020–2023



Frontex, FRAN data, updated as of 4 June 2024.

Countries outside the Schengen area – Ireland and Serbia - introduced changes to align with visa policies in the Schengen area, whilst Georgia and Moldova changed or clarified visa policies to boost tourism and bilateral relations or to simplify processes and reduce irregular migration respectively.

8.1 EU DEVELOPMENTS

In 2023, the continued delivery of the European Commission initiative to reinforce the governance of the Schengen area was maintained through the establishment of the second annual Schengen cycle, which informed political decision-making and ensured technical follow-up at European and national level.[522] Overall, the priorities of the second Schengen cycle included: consolidating Schengen governance; strengthening EU external borders to address pressure and establishing effective integrated border management; enhancing the effectiveness of return systems, as well as internal security to fight organised crime and drugs trafficking; completing the Schengen area with the admission of Bulgaria and Romania; phasing out long-lasting internal border controls; and improving the use of EU visa policy tools.[523]

After its establishment in 2022, the Schengen Council brought together Ministers for Home Affairs four times in 2023 to ensure strategic coordination and promote good functioning of the Schengen area.[524]

The strengthened Schengen Barometer+ was presented in March 2023, addressing the need for improved EU situational awareness, preparedness and facts-based policy-making.[525] To increase transparency and engagement, the European Commission, together with EU Member States, developed the common methodology for the Schengen Scoreboard, a tool for visualising the level of implementation of remedial actions stemming from Schengen evaluations. The European Commission also continued its outreach at national level through the Schengen Coordinator and their national counterparts.[526]

The European Commission updated key tools underpinning the Schengen evaluation and monitoring mechanism. It adopted the new Schengen Evaluation Guide to promote a harmonised culture of evaluations and enhance transparency in line with the new Regulation. The Schengen evaluations questionnaire[527] was also revised to include new legal and operational developments.

The new Schengen evaluation and monitoring mechanism allows for revisits, verification visits, unannounced and thematic evaluations for targeted follow-up of EU Member States. The European Commission carried out the first verification visit to Belgium in February 2023 and France in November 2023, allowing it to monitor progress on the management of external borders.

In 2023, Schengen area updates primarily related to evolving security challenges and streamlining visa processes. The European Commission adapted visa rules for citizens of some third countries, including Kosovo, whose nationals would be exempt from visa requirements when crossing the external borders of EU Member States in the Schengen

522 European Commission, DG HOME, '2023 State of Schengen: achievements and key priorities', 2023, https://home-affairs.ec.europa.eu/news/2023-state-schengen-achievements-and-key-priorities-2023-05-31_en, last accessed on 13 March 2024.
523 Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions on the State of Schengen report 2023, COM/2023/274 final, https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52023DC0274, last accessed on 13 March 2024.
524 Ibid.
525 Ibid.
526 Ibid.
527 C(2023) 3000 final.

area from January 2024.[528] Long-validity multiple-entry Schengen visas for Omani nationals residing in Oman and Kuwaiti nationals residing in Kuwait were adapted, making it easier for these nationals to travel within the Schengen area and reducing the number of applications to be processed.[529]

Similarly, the European Commission implemented a decision to establish adapted rules for issuing multiple-entry visas to Bahraini, Saudi, Kuwaiti, Omani, and Qatari nationals residing in Bahrain and applying in Bahrain for short-stay visas.[530] Part of the EU's relationship with Bahrain, this update facilitated the issuance of long-validity multiple-entry visas while reducing the number of visa applications and simplifying travel within the Schengen area for the nationals concerned.[531]

Amending regulations on the digitalisation of visa procedures were adopted by the European Parliament and the Council in November 2023, enabling the setup of an EU visa application platform and introducing visas in digital format from 2028, marking a significant step towards modernising visa procedures.[532]

8.2 SCHENGEN GOVERNANCE

8.2.1. Schengen Governance

The 2023 State of Schengen report identified challenges, good practices and priority areas, showcasing EU Member States' actions in external border management, visa policy, police cooperation, large-scale information systems, return, and data protection.[533] The 2023 report served as the basis for the Schengen Council to exchange views, allowing Ministers to agree key areas of attention for the 2023-2024 Schengen cycle.[534] These areas included lifting border controls with Bulgaria and Romania, making return systems more effective, boosting law enforcement cooperation to fight organised crime and drug trafficking, and strengthening work on migration and border management.[535]

8.2.2. Schengen evaluations

In 2023, the European Commission launched the third generation of the newly adopted Schengen evaluation and monitoring mechanism by conducting the first periodic evaluations of Estonia, Finland, Latvia, and Lithuania. These evaluations targeted more streamlined and comprehensive country assessments, allowing for the development of strategic and targeted recommendations and stronger Schengen governance.[536] Overall, seven EU Member States received Schengen evaluation missions during 2023.[537] These evaluations aimed to ensure compliance with the Schengen *acquis* and identify areas for improvement. After Croatia joined the Schengen area and became a full member of the Schengen Agreement as of 1 January 2023, it underwent a Schengen evaluation of common visa policy. EU Member States continued to implement recommendations identified by previous Schengen evaluations. The European Commission updated its monitoring application to facilitate Member State reporting obligations. It also concluded the first thematic Schengen evaluation of all EU Member States' best practices in national capability to fight drug trafficking, particularly at seaports. Onsite visits were carried out in Antwerp, Zeebrugge, Hamburg, Marseille, and Rotterdam.

Box 12: Decision on the accession of Bulgaria and Romania to the Schengen area

In December 2023, the Council of the EU unanimously agreed on the accession of Bulgaria and Romania to the Schengen area. Accordingly, as of 31 March 2024, Schengen rules are fully applied in both countries, with controls at the internal air and sea borders lifted.[538] Controls at the internal land borders remain in place between Bulgaria, Romania and other Schengen Member States until a decision is taken by the Council. Bulgaria and Romania successfully accomplished the Schengen evaluation process, as set out in their

528 Regulation (EU) 2023/850 of the European Parliament and of the Council of 19 April 2023 amending Regulation (EU) 2018/1806 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (Kosovo (This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the International Court of Justice (ICJ) Opinion on the Kosovo declaration of independence.), https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1704791942297&uri=CELEX%3A32023R0850, last accessed on 13 March 2024.

529 Commission Implementing Decision of 29 March 2023, establishing adapted rules on the issuing of multiple-entry visas to Omani nationals residing in Oman and applying in Oman for short stay visas, COM(2023) 2063 final, https://home-affairs.ec.europa.eu/system/files/2023-03/Commission%20Implementing%20Decision%20establishing%20adapted%20rules%20on%20the%20issuing%20of%20multiple-entry%20visas%20to%20Omani%20nationals.PDF, last accessed on 13 March 2024. Commission Implementing Decision of 8 September 2023, establishing adapted rules on the issuing of multiple-entry visas to Kuwaiti nationals residing in Kuwait and applying in Kuwait for short stay visas, COM(2023) 6004 final, https://home-affairs.ec.europa.eu/system/files/2023-09/C-2023-6004_en.pdf, last accessed on 13 March 2024.

530 Commission Implementing Decision of 14 July 2023, establishing adapted rules on the issuing of multiple-entry visas to Bahraini, Saudi, Kuwaiti, Omani, and Qatari nationals residing in Bahrain and applying in Bahrain for short stay visas, COM(2023) 4674 final, https://home-affairs.ec.europa.eu/system/files/2023-07/Commission%20Implementing%20Decision%20C%282023%294674%20_en.pdf, last accessed on 13 March 2024.

531 Ibid.

532 Regulation (EU) 2023/2685 of the European Parliament and of the Council of 22 November 2023 amending Council Regulation (EC) No 1683/95 as regards the digitalisation of the visa procedure, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202302685, last accessed on 28 March 2024; 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 2022/0132 (COD), https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022PC0658, last accessed on 28 March 2024.

533 European Commission, DG HOME, '2023 State of Schengen: achievements and key priorities', 2023, https://home-affairs.ec.europa.eu/news/2023-state-schengen-achievements-and-key-priorities-2023-05-31_en, last accessed on 13 March 2024.

534 Council of the EU, 'Justice and Home Affairs Council, 8-9 June 2023', 2023, https://www.consilium.europa.eu/en/meetings/jha/2023/06/08-09/, last accessed on 13 March 2024.

535 Ibid.

536 Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions on the State of Schengen report 2023, COM/2023/274 final, https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52023DC0274, last accessed on 13 March 2024.

537 BE, EE, FI, FR, HR, LT, LV.

538 European Commission, 'Schengen area', n.d., https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/schengen-area_en#:~:text=On%2030%20December%202023%2C%20the%20Council%20unanimously%20agreed,both%20Member%20States%20will%20start%20applying%20Schengen%20rules, last accessed on 13 March 2024.

Treaties of Accession.[539] Since then, both countries have continuously contributed to functioning of the Schengen area, demonstrating a strong record of achievement in upholding Schengen rules.[540] Bulgaria strengthened the management of external borders through efficient border surveillance and systematic border checks. Romania demonstrated high-quality border management, particularly in the fight against irregular migration and trafficking in human beings.[541]

8.2.3. Schengen cycle

In 2023, EU Member States and the European Commission worked towards increased coordination to combat common challenges in the framework of the Schengen cycle. The effective functioning of the Schengen governance framework is the collective responsibility of all Schengen States, EU institutions and agencies. During the year, Ministers of the Schengen Member States regularly met in the Schengen Council to discuss these common issues. In March 2023, the Schengen Council called for stronger monitoring of the EU's visa-free regimes, in response to increased irregular arrivals of third-country nationals via the Western Balkans. In response, the European Commission presented a proposal for the revision of the Visa Suspension Mechanism. In view of the increased activities of migrant smugglers and the political momentum on return, the October and December 2023 Schengen Councils agreed common actions to combat migrant smuggling and make the return system more effective.

The Schengen cycle was reinforced through further development of its policy tools. For instance, the scope and structure of the Schengen Barometer+ was consolidated in 2023 through a consultation with the Justice and Home Affairs (JHA) Agencies, all EU Member States and the Schengen Council.[542] Its design was improved to inform better decision-making at the Schengen Council, allowing for a more efficient joint response and an opportunity for a strategic assessment of risks, vulnerabilities and challenges.

The Schengen Scoreboard is an essential tool of the Schengen cycle, visualising the level of implementation of recommendations stemming from Schengen evaluations. To establish a transparent, objective, and common methodology and structure for the Schengen Scoreboard, the European Commission organised several workshops in 2023 to gather feedback and suggestions from EU Member States. The new Scoreboard, aligned with the structure of the new integrated Schengen evaluation reports, will ensure coherence and facilitate political understanding of the results of the evaluations.

8.2.4. External dimension

Updates focused on the digitalisation of the Schengen visa application procedure, representing steady steps towards modernisation and efficiency. They were in line with the EU's policy to encourage the digitalisation of public services within the '2030 Digital compass'[543] (with the introduction of the EU visa application platform and digital visas, a target for 2028),[544] and were part driven by the 2023 New Pact on Migration and Asylum's objective of digitalising visa procedures.

Four EMN Member Countries established measures related to external borders and visa applications.[545] The Netherlands implemented an exemption for seafarers to the nationally imposed airport transit visa (ATV) requirement for Türkiye, harmonising Dutch Schengen visa policies with the visa policy for the Caribbean parts of the Netherlands. Previously, the ATV requirement for Turkish travellers had created significant obstacles for this group when travelling to the Dutch overseas territories. France's requirement of an ATV for Uzbek nationals reflected coordinated efforts to address emerging migratory flows transiting through the Schengen area. In the first quarter of 2023, Belgian consular posts blocked the issuance of economic migration visas in Türkiye and Morocco due to suspicions of incorrect visa applications. During 2023, Sweden moved the processing of visas for applicants residing in Great Britain from the embassy in London to the Swedish Migration Agency.

8.2.5. External Schengen border management

EU Member States continued to work on implementing new IT architecture and systems ensuring the security of citizens and travellers.[546] The EES[547] will register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Schengen States and travelling for short stays. To date, almost all EU Member States have upgraded their border control systems to align with EES requirements. The main updates included: national legislation amendments to harmonise

539 Ibid.
540 Communication from the Commission to the European Parliament and the Council, 'Making Schengen stronger with the full participation of Bulgaria, Romania and Croatia in the area without internal border controls', COM/2022/636 final, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022DC0636&qid=1669020880751, last accessed on 16 May 2024.
541 Ibid.
542 The Schengen Council is an initiative of the French Presidency of the Council of the EU established in the framework of the Justice and Home Affairs Council in Mixed Committee Format (i.e. involving also the Schengen Associated Countries Iceland, Norway, Switzerland and Liechtenstein) and dedicated to discussing at high political level issues related to Schengen, bringing all relevant actors to the discussion, in particular the Agencies. European Commission, Communication from the Commission to the European Parliament, The European Council, the European Economic and Social Committee and the Committee of the Regions, State of Schengen Report 2022, https://home-affairs.ec.europa.eu/system/files/2022-05/State%20of%20Schengen%20Report%202022_en.pdf#:~:text=8%20The%20Schengen%20Council%20is%20an%20initiative%20of,actors%20to%20the%20discussion%2C%20in%20particular%20the%20Agencies, p.2, last accessed 20 June 2024.
543 Regulation (EU) 2023/2667 of 22 November 2023 amending Regulations (EC) No 767/2008, (EC) No 810/2009, (EU) 2017/2226, (EC) No 693/2003 and (EC) No 694/2003 and the Convention Implementing the Schengen Agreement as regards the digitalisation of the visa application procedure, https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L_202302667, last accessed on 13 March 2024.
544 Regulation (EU) 2023/2685 of the European Parliament and of the Council of 22 November 2023 amending Council Regulation (EC) No 1683/95 as regards the digitalisation of the visa procedure, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202302685, last accessed on 13 March 2024; 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, 2022/0132 (COD), https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022PC0658, last accessed on 28 March 2024.
545 BE, FR, NL, SE
546 European Commission, DG HOME, 'Schengen, borders and visa', n.d., https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa_en, last accessed on 28 March 2024.
547 European Commission, 'Entry/Exit System (EES)', n.d., https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/smart-borders/entry-exit-system_en#:~:text=The%20Entry%2FExit%20System%20%28EES%29%20will%20be%20an%20automated,each%20time%20they%20cross%20an%20EU%20external%20border, last accessed on 13 March 2024.

and operationalise EES requirements;[548] upgrading national systems to connect to automated border control tools and implementation of interoperability architecture;[549] and adaptation of infrastructure at airports and border crossing points with the installation of biometric equipment and training of staff.[550] ETIAS will be an automated online system for identifying irregular migration, security or public health risks associated with visa-exempt third-country nationals travelling to the EU prior to their arrival.[551] Fourteen EU Member States carried out changes ahead of the launch of ETIAS in 2025, such as aligning national legislation.[552] In 2023, the renewed SIS entered into force.[553] EU Member States reported operationalising the updated system, e.g. adding new alerts on return (see chapter 11) and enhancing functionalities.[554] Other updates included legal amendments for data transfer[555] and harmonisation of national regulations with SIS requirements.[556]

Box 13: France's new Border Operation Headquarters

France created the Border Operations Headquarters (EMOF) under the aegis of the National Border Police Directorate (DNPAF). The aim is to ensure better coordination between authorities involved in managing external borders. The EMOF will become the national reference for border surveillance and control and will enable French services to share good practice in surveillance and control at external borders.

European Integrated Border Management (EIBM) is the national and international coordination and cooperation among authorities and agencies involved in border security and trade facilitation to establish effective, efficient and coordinated border management at external EU borders in order to achieve open, well controlled and secure borders.[557] During 2023, eight EU Member States implemented measures to ensure effective cooperation and coordination in relation to EIBM.[558] Efforts were made to align national strategies with the multiannual strategic policy cycle for EIBM set by the European Commission and the operational strategy established by Frontex.[559] Throughout 2023, six EU Member States engaged in external border management through other initiatives.[560] For example, Austrian decision makers called for stronger EU support to increase the effectiveness of external border controls, the Netherlands established a prohibition on ethnic profiling during border controls by the Royal Netherlands Marechaussee, and others introduced/started the parliamentary consultation process for legislative amendments to reinforce border surveillance and control.[561]

8.2.6. Situation at the internal borders

In 2023, nine EU Member States responded to security risks arising from increased migratory flows by extending, reintroducing, or introducing internal border control or surveillance measures.[562] Slovenia extended temporary controls with Croatia and Hungary to curb increased migrant smuggling and lower the terrorism threat level along the Western Balkan region. The Czech Republic and France reintroduced controls to counter migratory flows. Hungary, although not reintroducing internal border controls, extended the police presence along its border with the Slovak Republic to enhance the detection of illegal migration. To contain irregular migration, authorities in Germany and the Slovak Republic introduced temporary checks or internal border controls with neighbouring countries. Austria reintroduced temporary checks at land borders with Hungary and Slovenia and introduced temporary checks at land borders with the Slovak Republic and Czech Republic in response to new checks in neighbouring Member States. Poland introduced border controls with the Slovak Republic due to intensified migration pressure along the Balkan route. Lithuania reintroduced border controls to guarantee internal security and public order during a North Atlantic Treaty Organization (NATO) summit. Portugal did the same during Youth World Day, with national inter-agency cooperation and information exchange proving key. Cooperation at European level (in particular with Spain for enhanced manpower and information exchange) was also important, with advanced risk analysis used to minimally hinder legitimate border crossings.

In Luxembourg, a bill implementing Regulation 2018/1862 will regulate the conditions under which competent national authorities will have access to SIS data. Once this bill is approved, the police will be allowed to query the Common Identity Repository (CIR) to identify a person using biometric data during an identity check.

548 DE, IT, HR, LU, NL.
549 BE, CY, CZ, MT.
550 LV, PL, SE.
551 EMN, 'EMN Glossary: ETIAS', version 10.0, n.d., https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/european-travel-information-and-authorisation-system-etias_en, last accessed on 24 June 2024.
552 BE, CY, CZ, DE, EE, FI, HR, IT, LT, LU, LV, MT, NL, SE.
553 EMN, 'EMN Glossary: SIS', version 10.0, n.d., https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/schengen-information-system-sis_en, last accessed on 29 April 2024.
554 European Commission, 'Schengen Information System', n.d., https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/schengen-information-system_en#:~:text=The%20Schengen%20Information%20System%20%28SIS%29%20is%20the%20most,system%20for%20security%20and%20border%20management%20in%20Europe, last accessed on 13 March 2024; CY, CZ, EE, FR, LT, LU, LV, MT, PL, SE, SI.
555 CY, EE, LT.
556 CZ, EE, LU, LV, NL.
557 EMN, 'EMN Glossary: EIBM', version 10.0, n.d., https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/european-integrated-border-management_en, last accessed on 28 March 2024; Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624, last accessed on 31 May 2024. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019R1896, last accessed on 31 May 2024.
558 BE, CZ, DE, EE, FR, LU, MT, PT.
559 CZ, EE, LU, MT, PL.
560 AT, FR, LT, LU, LV, NL.
561 LV, LT, LU (Bill. 8305).
562 AT, CZ, DE, FR, HU, PL, PT, SI, SK.

8.3 OTHER DEVELOPMENTS IN BORDER MANAGEMENT AND VISA POLICY

8.3.1. Developments in border management (not related to Schengen acquis)

2023 saw several other developments in border management across EMN Member Countries.[563] Estonia made internal legislative amendments, transferring maritime patrol responsibilities to the Estonian Navy to enhance situational awareness. It also completed a significant portion of its Southeastern border infrastructure to protect the EU's external border. Similarly, Finland started the construction of the Eastern border barrier fence,[564] and implemented border closures in response to increased irregular entries between Finland and Russia. As a result of the regulation established by the EU after the start of Russia's war of aggression against Ukraine, Latvia enhanced cooperation between border authorities and introduced procedures for refusing entry to vehicles from the Russian Federation.[565] Using legal amendments, Portugal restructured its border control system, transferring relevant competences from the former Portuguese Immigration and Borders Service to the Borders and Foreigners Coordination Unit (UCFE) within the Internal Security System (SSI), the Public Security Police, and the National Republican Guard. Sweden enacted legislation granting increased police authorisation near its border areas to counter illegal stays and cross-border crime. Hungary constructed 12.75 kilometres (km) of new border barrier at the Serbian-Hungarian border section. It also upgraded the technical equipment used for border surveillance and modernised its command centre.

8.3.2. Developments in agreements or other forms of bilateral cooperation with third countries

EMN Member and Observer Countries continued to strengthen their border management operational capacity through agreements or bilateral cooperation with third countries.[566] Austria reported a collaboration with Denmark to establish a new training centre for Tunisian border protection, enhancing border guards' skills and regulating migration flows. France extended its cooperation with the UK on the management of the Franco-British area to limit the number of illegal crossings through increased surveillance. Due to Russia's ongoing war of aggression against Ukraine, as well as the political situation in Belarus, Lithuania terminated its cross-border cooperation with Belarus in 2023, ending the cross-border cooperation agreement signed by both countries in 2006. Lithuania and Moldova signed bilateral agreements to exchange expertise in border management.

8.3.3. Legal or policy developments in visa policy falling under national competences

Countries outside the Schengen area[567] introduced changes to align with visa policies in the Schengen area. Ireland introduced visa and transit visa requirements for Bolivian nationals to align with the UK and the Schengen area.

In July 2023, due to continued pressure on the international protection system, Ireland extended its temporary suspension of the Council of Europe Agreement on the abolition of visas for refugees, to be reviewed in 12 months. In the meantime, refugees will be required to apply for visas under normal arrangements.

Georgia expanded its visa-free travel opportunities by concluding bilateral agreements with Paraguay, Armenia, and Peru, and lifting visa requirement for citizens of China to boost tourism and bilateral relations. Moldova changed its visa and invitation regulations to simplify processes and reduce irregular migration, including clarifying the regulatory framework regarding overstay for different types of visa. Serbia introduced visa requirements for citizens of India, Bolivia, and Cuba to align with EU visa policy and combat irregular migration.

EU countries in the Schengen area implemented measures in their visa policies.[568] Italy introduced amendments to streamline visa procedures, while Latvia established amendments to facilitate long-stay visas for young people. Other countries exempted certain nationals from visa requirements, showing a trend in exemptions for diplomatic and service passport holders. For example, Sweden exempted Indonesian diplomats to strengthen diplomatic relations, with additional exemption agreements signed between the Czech Republic, Uzbekistan, and Mongolia for diplomatic or service passport holders. Certain EU Member States[569] adjusted their existing visa policy requirements. For instance, after accessing Schengen, Croatia adjusted its national legislation on national visas. Due to Croatia's accession to Schengen, Bulgaria amended its legislation to recognise certain visas and residence permits issued by Croatia. Lithuania also implemented amendments to optimise visa issuances, and the Czech Republic centralised long-term visa processing in new centres in Dresden and opened new visa outsourcing centres in Doha and Tunis for processing Schengen visas.

Table 4 provides national data on the number of visas (Schengen short stay and national long stay visas) issued by EU Member States and Norway in 2023. France issued the highest number of visas in total at 2 440 125, the majority of which were short stay visas. Poland issued the highest number of long-stay visas, at 438 857.

563 EE, FI, HU, LV, PT, SE.
564 Finnish Border Guard (RAJA), 'Eastern border barrier fence', n.d., https://raja.fi/en/the-eastern-border-barrier-fence, last accessed on 31 May 2024.
565 Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014R0833, last accessed on 28 March 2024.
566 AT, FR, LT.
567 IE, RS.
568 BG, CZ, HR, IT, LT, LV, SE.
569 BG, CZ, HR, LT

Table 4: Visas issued (Schengen short stay and national long stay visas), 2023

	Total for all visas issued	(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)		
		Issued to third country nationals coming directly from a third country	Issued to third country nationals resident in another EU country	Subtotal for short-stay visas	Issued to third country nationals coming directly from a third country	Issued to third country nationals resident in another EU country	Subtotal for long-stay visas
Belgium	184 289	n/i	n/i	142 703	n/i	n/i	41 586
Bulgaria	165 697	141 176	0	141 176	23 946	575	24 521
Czechia	125 672	114 052	6	114 069	10 569	1 034	11 603
Germany	n/i	n/i	n/i	n/i	n/i	n/i	n/i
Estonia	15 647	n/i	n/i	8 870	n/i	n/i	6 777
Ireland	138 502	n/a	n/a	87 177	n/i	n/i	51 235
Greece	563 921	535 247	3 617	538 864	24 810	247	25 057
Spain	1 062 326	892 545	n/i	892 545	169 781	n/i	169 781
France	2 440 125	2 128 403	16 275	2 144 678	289 486	5 961	295 447
Croatia	68 556	n/i	n/i	29 993	n/i	n/i	38 563
Italy	1 194 284	960 872	1 815	962 687	230 180	1 417	231 597
Cyprus	n/i	n/i	n/i	92 626	n/i	n/i	n/i
Latvia	33 602	n/i	n/i	18 687	n/i	n/i	14 915
Lithuania	38 873	n/i	n/i	26 952	n/i	n/i	11 921
Luxembourg	18 083	13 432	196	13 628	3 983	472	4 455
Hungary	300 679	220 572	1 152	221 724	78 360	595	78 955
Malta	51 727	18 376	2 926	21 302	24 256	6 169	30 425
Netherlands	622 370	539 470	5 140	544 610	n/i	n/i	77 760
Austria	210 410	n/i	n/i	174 530	n/i	n/i	35 880
Poland	545 541	103 935	1 358	106 684	426 521	11 823	438 857
Portugal	279 862	n/i	n/i	173 927	n/i	n/i	105 935
Slovenia	18 708	17 973	46	18 019	648	41	689
Slovakia	20 556	10 912	693	11 605	8 725	226	8 951
Finland	77 490	72 001	1 759	73 760	n/i	n/i	3 730
Sweden	130 926	n/i	n/i	128 682	n/i	n/i	2 244
Norway	111 859	n/i	n/i	94 580	n/i	n/i	17 279

Statistics are not available for or were not provided by Denmark and Romania.

Short stay visa: the authorisation or decision of an EU Member State with a view to transit through or an intended stay on the territory of one or more or all the EU Member States of a duration of no more than 90 days in any 180-day period. Definition (from the EMN Glossary 7.0).

Long stay visa: the authorisation or decision issued by one of the EU Member States in accordance with its national law or European Union law required for entry for an intended stay in that EU Member State of more than three months. Definition (from the EMN Glossary 7.0).

'n/i' means no information.

'n/a' means not applicable.

Note for Czechia: during 2023, 11 'C' visas were issued at Czech airports and these are included in the subtotal and total. However, it is not possible to identify the residency of the recipients. Furthermore, exact numbers for subcategories for short stay visas are not available; estimates are made based on the percentage share of the total number of national visas.

Data for the number issued to third-country nationals resident in another EU Member State concern issued visas for which foreign nationals applied at appropriate Visa and Consular Sections in another EU Member State.

Source of short stay visas: Ministry of Foreign Affairs of the Czech Republic and Directorate of Foreign Police Service (visas issued at airports)

Source of national visas: Department for Asylum and Migration Policy of the Ministry of the Interior of the Czech Republic.

Note for Germany: this information will be available later in the year.

Note for Greece: According to the Visa Code, a visa could be issued to a third country national who does not reside within the jurisdiction of the consular Authority. In such a case, the applicant should be legally present in said area of jurisdiction and should be in a position to provide justification for not applying for a visa at the consular Authority in the area of his/her usual residence.

Note for Ireland: national 'C' visas. Ireland does not issue Schengen visas.

Source for France: Division for the valorisation of administrative sources, Department for studies, statistics and documentztion (DSED), General Directorate for foreign nationals in France (DGEF)/ministry of the Interior and Overseas Territories, 18 March 2024.

Note for the Netherlands: Information on short stay visa is provided by the Ministery of Foreign Affairs. The distinction between EU and non-EU is made based on the website: https://www.rijksoverheid.nl/onderwerpen/europese-unie/vraag-en-antwoord/ welke-landen-horen-bij-de-europese-unie-eu. The country of location where the visa application was submitted is used. Only visa applications with decision 'positive' or 'VTBG' and current status 'issued' are shown. Applications made in Aruba, Curacao and St. Maarten (Dutch part) fall under NON EU. Information on Longstay visa (D-visa) is provided by the Immigration and Naturalisation Service: METIS. And includes the granted visas and the visas granted after appeal. The provided data can differ from previous or following publications due to changes and repairs of procedures in the registration system INDIGO.

Note for Poland: Data are provided by the Ministry of Foreign Affairs and the Border Guard. For the subtotals data are provided by the Ministry of Foreign Affairs.

Note for Sweden: the number includes LTV visas.

Source for Slovakia: Ministry of Foreign and European Affairs of the Slovak Republic.

Source for Finland: Finnish Ministry for Foreign Affairs, Finnish Immigration Service.

Source: statistics provided by EMN National Contact Points.

9. IRREGULAR MIGRATION

In 2023, the EU and EMN Member and Observer Countries continued their efforts to prevent irregular migration and irregular stay and combat migrant smuggling.

Eurostat data[570] show that in 2023, 119 255 persons were refused entry to the EU and Norway (16.5% lower than in 2022). Most of those refused entry came from Ukraine (15.4% of the total number of people refused entry), Albania (11.6%) and Moldova (8.2%).[571] Additionally, 1 268 710 persons were found to be illegally present in the EU and Norway in 2023, reaching the highest number since 2020.[572] Syrian (19.9% of the total number of people found to be illegally present), Turkish (6.6%) and Moroccan (6.1%) were the main third-country nationalities found to be illegally present in the EU and Norway.

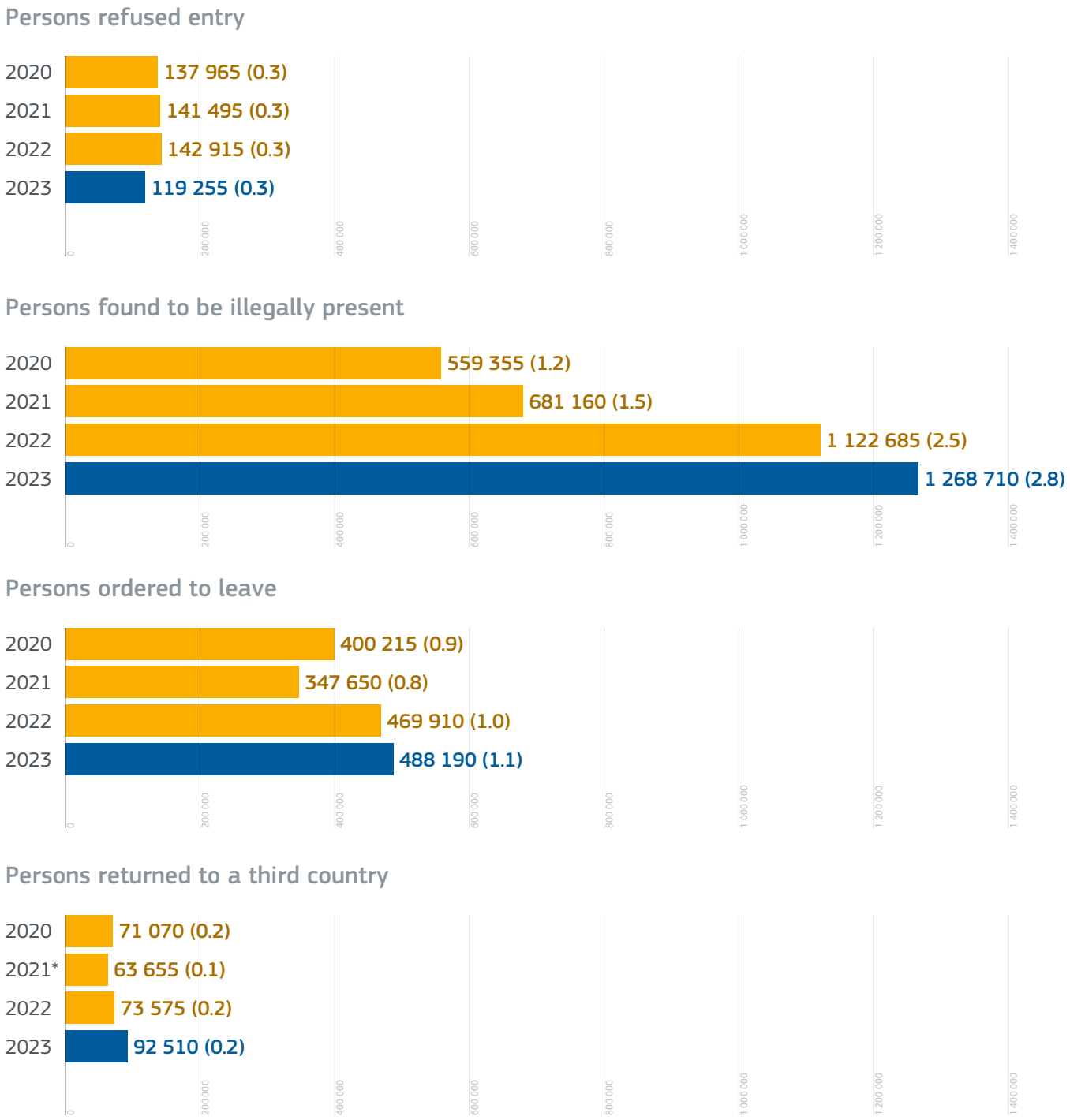
In response to an increase in irregular migration, most EMN Member and Observer Countries adopted legal, policy and/or operational measures, undertook institutional changes, or reinforced cooperation partnerships to combat unauthorised entry and migrant smuggling. Seven EMN Member and Observer Countries introduced new measures to prevent, identify and investigate the fraudulent acquisition and use of false travel documents (e.g. through training or operational changes),[573] and four EMN Member Countries introduced new information actions aiming to deter potential irregular migrants, by emphasising the risks of and alternatives to irregular migration.[574] Cooperation with third countries of origin and transit was reinforced and/or consultation processes established by 13 EMN Member and Observer Countries[575] to prevent irregular migration, particularly countries along the Western Balkan route, as well as the Central and Western Mediterranean routes.

Three EMN Member Countries adopted specific measures to prevent irregular stay and combat its facilitation,[576] and five EMN Member and Observer Countries introduced measures to prevent and tackle the misuse of legal migration channels (e.g. by reinforcement of compliance with legal requirements, or suspension of some types of visas or visa-free regimes).[577] Several countries reinforced existing interinstitutional cooperation, passed laws, or adopted legal amendments to combat undeclared work and the illegal employment of (ir)regularly staying third-country nationals.[578]

Three EMN Member Countries[579] improved access to services for migrants in an irregular situation and two EMN Member countries introduced legal amendments granting access to legal solutions for irregularly staying migrants in exceptional circumstances.[580]

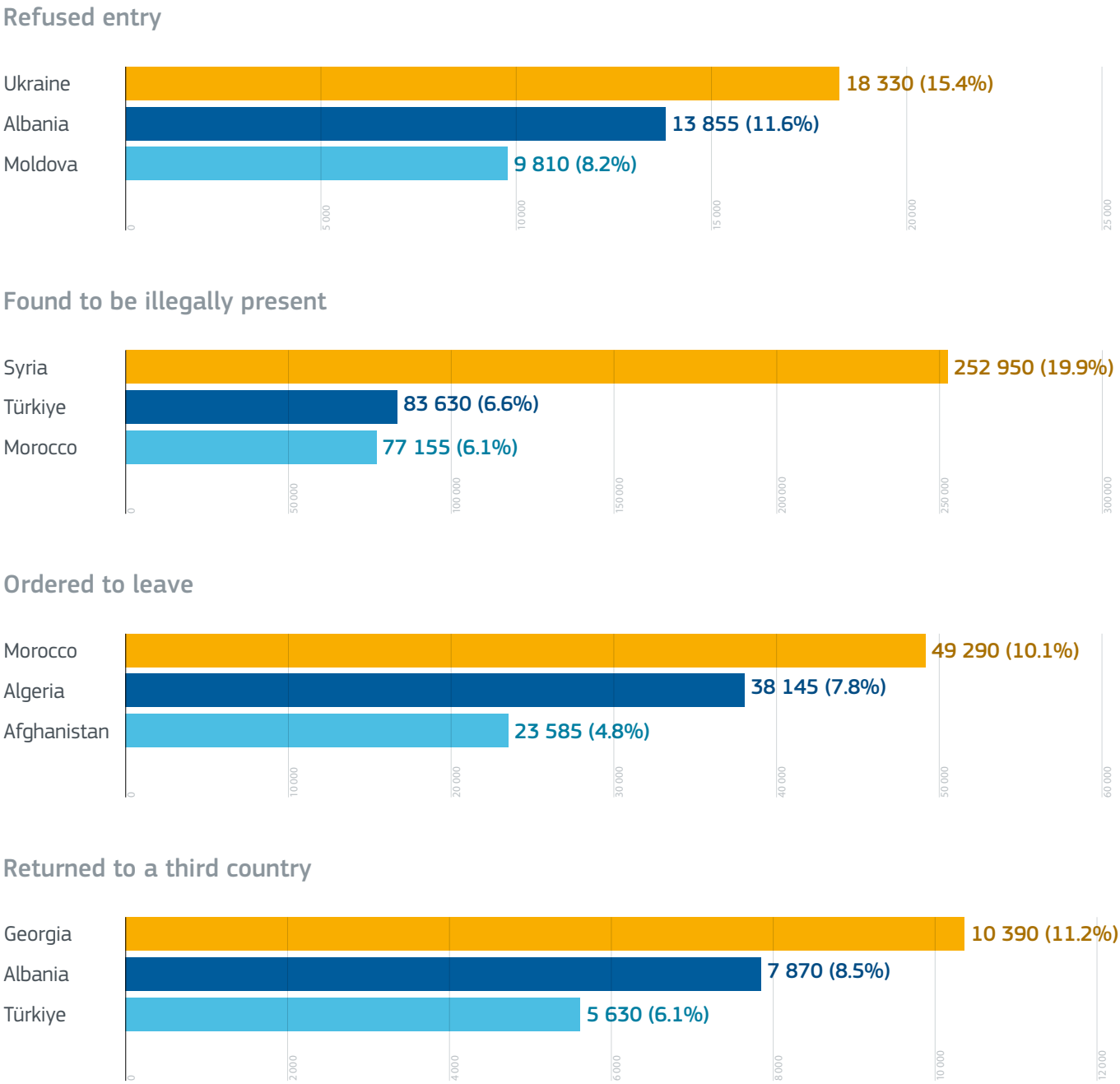
570 Eurostat (migr_eirfs, migr_eipre, migr_eiord, migr_eirtn and demo_gind), extraction date 6 May 2024.
Eurostat collects data on all migration control measures, which include data on returns. Chapter 11 focuses specifically on return.
571 Eurostat (migr_eirfs, migr_eipre, migr_eiord and migr_eirtn), extraction date 6 May 2024.
572 Eurostat (migr_eirfs, migr_eipre, migr_eiord, migr_eirtn and demo_gind), extraction date 6 May 2024.
573 BG, CY, DE, FI, LT, SE, and RS.
574 AT, BE, ES, FI.
575 AT, BE, BG, DE, EE, ES, HU, IT, LU, NL, SE, and GE, RS.
576 IT, SE, SK.
577 BE, EE, FI, and MD, RS.
578 CY, CZ, EE, LT, LU.
579 BE, FI, LT.
580 LT, LU.

Figure 23: Third-country nationals subject to immigration law enforcement, EU and Norway 2020-2023. Absolute number (and the number per 1 000 people).



* Excluding Lithuania.
Source: Eurostat (migr_eirfs, migr_eipre, migr_eiord, migr_eirtn and demo_gind), date of extraction: 6 May 2024.

Figure 24: Top 3 countries of citizenship of third-country nationals subject to immigration law enforcement, EU and Norway, 2023.
Absolute numbers (and the shares in the respective totals).



Source: Eurostat (migr_eirfs, migr_eipre, migr_eiord and migr_eirtn), date of extraction: 6 May 2024.

9.1 EU DEVELOPMENTS

Combating migrant smuggling remained a key priority for the EU and its Member States in 2023.[581] On 28 November 2023, the European Commission launched a Call to Action on a Global Alliance to Counter Migrant Smuggling,[582] which sought to enhance international cooperation for the prevention and response to migrant smuggling, and find alternatives to irregular migration (e.g. promoting legal pathways, addressing the root causes of irregular migration, and working on effective return and reintegration).

581 Europol, 'Criminal Networks in Migrant Smuggling', 2023, https://www.europol.europa.eu/publications-events/publications/criminal-networks-in-migrant-smuggling#downloads, last accessed on 19 February 2024.
582 European Commission, 'Call to Action on a Global Alliance to Counter Migrant Smuggling', 2023, https://home-affairs.ec.europa.eu/document/download/60f6cc08-c7ee-46db-bee5-689562d34436_en?filename=Call-to-action-global-alliance-to-counter-migrant-smuggling_en_1.pdf, last accessed on 19 February 2024.

A new legislative package was adopted in November 2023 to reinforce the existing EU legal framework to prevent and combat migrant smuggling. As part of the package,[583] the European Commission presented a proposal for a new Directive laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit and stay in the Union[584] that would replace the current EU legal framework to prevent and fight migrant smuggling.[585] This proposal included a clearer definition of smuggling offences, better harmonisation of sanctions and stringent penalties for migrant smuggling offences, an expansion of Member States' jurisdictional reach (e.g. to boats sinking in international water), reinforcement of Member States' capacity to fight and prevent migrant smuggling, and improved data collection and reporting. The new legislative package included a proposal for a Regulation to reinforce the role of the European Union Agency for Law Enforcement Cooperation (Europol) and inter-agency cooperation in the fight against migrant smuggling and trafficking in human beings.[586] This proposal foresees the establishment of a European Centre Against Migrant Smuggling (building on the success of the European Migrant Smuggling Centre[587]) and more financial and human resources for Europol to reinforce its role in fighting migrant smuggling and trafficking in human beings.

At the end of 2023, the European Parliament and the Council of the EU reached an agreement on five proposals of the New Pact on Migration and Asylum in the EU (see chapter 1).[588] This included the adoption of a Regulation introducing a screening of third-country nationals at the external borders ('the Screening Regulation), which aimed to strengthen control at EU external borders and to ensure efficient management of irregular migration. The Regulation sought to ensure rapid identification of the correct procedure (asylum or return) applicable to persons entering the EU without fulfilling the entry conditions (i.e. those who wish to request international protection during border checks; people brought ashore in search and rescue (SAR) operations at sea; and those apprehended within the territory of the EU having eluded controls at the external borders). An update of the Eurodac Regulation was also agreed as part of the Pact. The new Regulation expanded the Eurodac database to include new biometric data, such as facial images, and will include, *inter alia*, information on third-country nationals illegally staying in the EU or illegally crossing external borders, thus helping to track unauthorised movements and irregular migration.

In October 2023, the European Commission adopted a proposal for a Regulation to amend the current Visa Suspension Mechanism.[589] It proposes a revision to the mechanism to better prevent and respond to risks related to irregular migration to the EU from visa-free countries (see chapter 8).

To respond to the continuous number of migrants irregularly reaching the EU through the Mediterranean and Atlantic routes, in June 2023, the European Commission presented an EU Action Plan for the Western Mediterranean and Atlantic routes.[590] The Action Plan identifies two main pillars: i) strengthening cooperation with partner countries (i.e. preventing irregular migration by combating smuggling of migrants and trafficking in human beings; border management; return, readmission and reintegration; fostering protection and enhancing legal pathways; promoting labour migration and talent partnerships); and ii) ensuring more effective border management, SAR and return procedures, and smoother and faster voluntary solidarity. An EU Action Plan for the Eastern Mediterranean migration route[591] was presented in October 2023, complementing the EU Action Plans for the Western Mediterranean and Atlantic routes and Central Mediterranean route.[592] This Action Plan has four main objectives: i) preventing irregular departures, combating migrant smuggling and trafficking in human beings, as well as providing legal migration pathways; ii) strengthening border management along the Eastern Mediterranean route; iii) enhancing return and readmission cooperation; and iv) ensuring efficient migration management, improving asylum procedures and supporting sufficient reception capacity.

In 2023, EU agencies, particularly Frontex,[593] Europol (primarily through the European Migrant Smuggling Centre)[594] and the European Union Agency for Criminal Justice Cooperation (Eurojust)[595] continued to play a key role in preventing irregular migration and combating migrant smuggling in the EU.

583 European Commission, 'EU Stepping up the Fight Against Migrant Smuggling', Factsheet, 23 November 2023, https://ec.europa.eu/commission/presscorner/detail/en/fs_23_6082, last accessed on 19 February 2024.
584 Proposal for a Directive of the European Parliament and of the Council laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit and stay in the Union, and replacing Council Directive 2002/90/EC and Council Framework Decision 2002/946 JHA, COM/2023/755 final, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2023%3A755%3AFIN, last accessed on 19 February 2024.
585 Council Directive 2002/90/EC defining the facilitation of unauthorised entry, transit and residence, OJ L 328, p. 17, https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex-%3A32002L0090, last accessed on 6 June 2024; and 2002/946/JHA: Council framework Decision of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit, and residence, OJ L 328, p. 1, https://eur-lex.europa.eu/eli/dec_framw/2002/946/oj, last accessed on 6 June 2024.
586 Proposal for a Regulation of the European Parliament and of the Council on enhancing police cooperation in relation to the prevention, detection and investigation of migrant smuggling and trafficking in human beings, and on enhancing Europol's support to preventing and combating such crimes and amending Regulation (EU) 2016/794, COM/2023/754 final, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023PC0754, last accessed on 19 February 2024.
587 Europol, 'European Migrant Smuggling Centre', n.d., https://www.europol.europa.eu/about-europol/european-serious-and-organised-crime-centre-esocc/european-migrant-smuggling-centre-emsc, last accessed on 28 May 2024.
588 European Commission, 'What is the New Pact on Migration and Asylum of the EU?', n.d., https://home-affairs.ec.europa.eu/policies/migration-and-asylum/new-pact-migration-and-asylum_en, last accessed on 19 February 2024.
589 Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2018/1806 as regards the revision of the suspension mechanism, COM/2023/642 final, EUR-Lex - 52023PC0642 - EN - EUR-Lex (europa.eu), last accessed on 19 February 2024.
590 European Commission, DG HOME, 'EU Action Plan for Western Mediterranean and Atlantic Routes', n.d., https://home-affairs.ec.europa.eu/document/download/b5aef566-afca-4b90-bc01-0c3d0a7f67d5_en?filename=EU%20Action%20Plan%20for%20the%20Western%20Mediterranean%20and%20Atlantic%20routes.pdf, last accessed on 19 February 2024.
591 European Commission, DG HOME, 'EU Action Plan for the Eastern Mediterranean route', n.d., https://home-affairs.ec.europa.eu/eu-action-plan-eastern-mediterranean-route_en, last accessed on 19 February 2024.
592 European Commission, DG HOME, 'EU Action Plan for the Central Mediterranean', n.d., https://home-affairs.ec.europa.eu/eu-action-plan-central-mediterranean_en, last accessed on 19 February 2024.
593 Frontex, '2023 in brief', 2023, https://www.frontex.europa.eu/2023-in-brief/, last accessed on 28 May 2024.
594 Europol, 'European Migrant Smuggling Centre', n.d., https://www.europol.europa.eu/about-europol/european-serious-and-organised-crime-centre-esocc/european-migrant-smuggling-centre-emsc, last accessed on 28 May 2024.
595 Eurojust, 'Migrant smuggling', n.d., https://www.eurojust.europa.eu/crime-types-and-cases/crime-types/migrant-smuggling, last accessed on 28 May 2024.

9.2 PREVENTING THE ARRIVAL OF IRREGULAR MIGRANTS

This section provides an overview of legal, policy and operational developments implemented by EMN Member and Observer Countries in 2023 to prevent irregular migration and combat migrant smuggling.

9.2.1. Identifying and monitoring irregular migration routes

Two EMN Member Countries reported developments in the identification and monitoring of irregular migration routes in 2023. Following an increase in the number of irregular arrivals through the Western Balkan route, the Slovak Republic, intensified the exchange of information on irregular migration with neighbouring countries (on a weekly basis) as well as in the context of Frontex analytical networks and the Blueprint Network.[596] In addition to statistical data, the Slovak Republic provided Blueprint and Frontex with analytical qualitative information on transit migration inside Schengen (weekly, monthly, ad hoc). Austria reopened its embassy in Iraq (Baghdad), which strengthened its early-warning system for irregular migration.

9.2.2. Combating facilitation of unauthorised entry (migrant smuggling)

Most countries introduced operational,[597] legislative,[598] policy[599] and/or institutional changes[600] or reinforced cooperation partnerships[601] to combat the facilitation of unauthorised entry and migrant smuggling. These changes were primarily driven by the increase in irregular migration and the growing involvement of migrant smuggling networks facilitating unauthorised entry.

Operational changes introduced in response to an increase in irregular migration flows included the stepping-up of border management capabilities and the reinforcement of border controls.[602] Poland and Hungary reinforced their border surveillance capabilities by constructing new border barriers. Poland built electronic fences at the borders with Russia and Belarus, while Hungary constructed 12.75 km of the barrier at the Serbian-Hungarian border. Hungary also upgraded the technical equipment used for border surveillance and modernised its command centre.

Five EMN Member Countries reinforced or established new border controls.[603] To respond to the high number of irregular migrants arriving as part of secondary movements along the Western Balkan route, the Czech Republic, in cooperation with neighbouring EU Member States, introduced police controls along the border with the Slovak Republic. Cyprus established a sub-directory of 200 police officers to monitor the so-called Green Line, the main route for unauthorised entry to the country. In view of Russia's war of aggression against Ukraine and the resulting threats to national security, Lithuania reinforced border checks for people traveling from Belarus and Russia.

Information exchange and cooperation on migrant smuggling among EU Member States and relevant EU agencies (particularly Frontex and Europol) continued in 2023, notably through the European Multidisciplinary Platform Against Criminal Threats (EMPACT). To enhance the exchange of information and operational cooperation against the facilitation of unauthorised entry and migrant smuggling, nine EMN Member Countries[604] reinforced their cooperation with other EMN Member Countries. Austria and Romania signed a bilateral action plan to combat smuggling activities. Among other things, the plan foresees the possibility to carry out joint patrols on the Romanian border with Hungary and the provision of mutual assistance through the deployment of police and contact officers. An action plan was also signed between Austria and Bulgaria to prevent and combat irregular migration. Austria supported Hungary (as well as Serbia and North Macedonia) with border checks, either directly through the deployment of Austrian police officers or through the provision of technical assistance. The Slovak Republic participated in a joint investigation team to identify and prosecute a migrant smuggling network operating along the Western Balkan route.

During 2023, six EMN Member and Observer Countries[605] introduced legislative changes to prosecute smugglers, establish more stringent sanctions for smuggling activities, and/or counter irregular migration. Latvia amended its criminal law to foresee stricter penalties for offences related to the facilitation of irregular migration. The Czech Republic criminalised aiding and abetting unauthorised stay, covering not only irregular migration to/through the territory of the Czech Republic, but also to/through the territory of other Schengen countries. Bulgaria amended its Criminal Code on irregular border crossing, irregular stay, and migrant smuggling to, *inter alia*, allow for the confiscation of vehicles used for the purpose of migrant smuggling and increase the sanctions foreseen for the perpetrators of this crime. Due to the influx of irregular migration at its coasts, in January 2023, Italy adopted urgent measures to prevent irregular migration in territorial waters, allowing the government to limit or prohibit the transit and stopover in territorial waters of non-governmental ships engaged in SAR operations. Italy also modified its criminal law to increase the penalties for migrant smuggling and facilitation of irregular migration, and introduced a new criminal offence punishing those who promote, direct, organise, finance, or transport foreigners or carry out other acts to illegally procure entry in the State territory[606] whenever this causes injury or death.

596 The EU, its Member States and agencies should work together as network to ensure the adequate exchange of information relevant for the two stages of the Migration Preparedness and Crisis Blueprint. Commission Recommendation of 23.9.2020 on an EU mechanism for Preparedness and Management of Crises related to Migration (Migration Preparedness and Crisis Blueprint), C(2020) 6469 final, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32020H1366, last accessed 10 June 2024.
597 CY, CZ, HU, IT, LT, PL.
598 BG, CZ, IT, LT, LV, and UA.
599 BE, DE, NL.
600 BE, EL, FR.
601 AT, BG, EE, FI, HU, LT, LV, PL, SK.
602 CY, CZ, HU, IT, LT, PL.
603 AT, CY, CZ, FR, LT.
604 AT, BE, BG, EE, FI, HU, LT, LV, SK.
605 BG, CZ, IT, LT, LV, and UA.
606 Or of any other State of which the person is not a citizen or does not hold a permanent residence permit.

Box 14: Lithuania's new law for the non-admission of migrants irregularly crossing the border during a state of emergency

On 25 April 2023, Lithuania's parliament passed legislation providing for the non-admission of migrants who illegally cross its border during a state-level emergency. The non-admission of irregularly crossing migrants is possible only in the border area up to 5 km inland from the border. This provision would not apply if the third-country national was fleeing armed conflict or persecution or seeking to enter the territory for humanitarian purposes.

Belgium, Germany and the Netherlands introduced changes at policy and/or strategic level to combat migrant smuggling. Germany adopted a new strategy to fight serious and organised crime, while the Netherlands established a new Human Smuggling Policy Framework 2023-2026.[607] In Belgium, a Special Parliamentary Commission on trafficking and smuggling of human beings adopted 100 recommendations for all stakeholders involved in combating trafficking in human beings and migrant smuggling.

To enhance the response against migrant smuggling and to better coordinate national efforts to combat this crime, Belgium, France, and Greece undertook institutional reforms. Greece created the position of a National Coordinator against Smuggling at the Ministry of Migration and Asylum; the role is responsible for planning, cooperation, coordination and implementation of national and EU policies to combat this type of crime. Belgium appointed a National Operational Coordinator for human trafficking and smuggling within the Federal Public Service (FPS) Justice. France created the Office for Combating Migrant Smuggling (OLTIM),[608] with the aim of: strengthening the fight against transnational criminal networks facilitating illegal entry, residence and circulation within the national territory; dismantling organised structures illegally employing third-country nationals and false document offices linked to these activities; identifying illegal financial flows generated by these activities; and seizing criminal assets.

9.2.3. False travel documents

Seven EMN Member and Observer Countries[609] increased their efforts to prevent, identify and investigate the fraudulent acquisition and/or use of false travel documents.

Four EMN Member Countries[610] developed training or awareness-raising campaigns to increase authorities' expertise on document verification and identification of forged documents. Six EMN Member and Observer Countries[611] introduced operational changes to increase their capabilities to identify forged documents or the fraudulent acquisition of travel documents. Bulgaria purchased new equipment for the detection of forged documents. Germany amended the laws on identity and document verification to enhance the security features in electronic documents (i.e. biometric data). Finland continued to expand the use of the ProfID (Profiling of False Identity Documents) database, with the view to implementing it at the Eastern border and at the National Bureau of Investigation. To respond to an increase in the number of third-country nationals in an irregular situation traveling by shuttle bus from Latvia to Lithuania using false or forged travel documents, the Lithuanian State Border Guard stepped up random checks inside the country. Serbia established a working group for prosecuting fraud and the falsification of documents.

9.2.4. Preventing irregular migration through information provision

Four EMN Member Countries[612] sought to prevent irregular migration through new information campaigns for aspiring migrants to raise awareness of existing risks,[613] alternative legal pathways,[614] and potential prospects in countries of origin and transit[615] (see box 15).

Box 15: Initiatives to prevent irregular migration: provision of information to potential migrants

Austria, Finland, Germany, and Greece participated in two projects implemented by the ICMPD to deliver information campaigns targeting potential migrants in Iraq and Pakistan considering irregular pathways to Europe. Austria also co-funded a project targeting aspiring migrants along the Eastern Mediterranean and Western Balkan routes to provide them with information on the risks of irregular migration, the reality of life in Europe for a migrant in an irregular situation, the situation in transit countries, and steps to find alternatives.

Due to the risk of instrumentalisation of migration at the Finnish border with Russia and the high increase in the number of asylum seekers arriving in the country through that border, Finland implemented several communication campaigns targeting the countries of origin and transit of potential migrants considering entering Finland via Russia. Similarly, in response to an increase in the number of asylum applicants and victims of trafficking in human beings from Nigeria, Belgium launched a prevention and information campaign against trafficking in human beings and migrant smuggling.

Spain started a project to support orderly and regular migration through the promotion of legal pathways targeting eight African countries (Cape Verde, Egypt, Ethiopia, Ghana, Morocco, Nigeria, Senegal and Tunisia).

607 Government of the Netherlands, 'Letter to the House of Representatives on Policy Framework on Tackling Human Smuggling 2023-2026', 19 October 2023, https://www.rijksoverheid.nl/documenten/kamerstukken/2023/10/19/tk-beleidskader-aanpak-mensensmokkel-2023-2026, last accessed on 27 May 2024.
608 In force from early 2023.
609 BG, CY, DE, FI, LT, SE, and RS.
610 BG, CY, FI, SE.
611 BG, DE, FI, LT, SE, and RS.
612 AT, BE, ES, FI.
613 AT, BE, FI.
614 AT, BE, ES, FI.
615 AT, BE.

9.2.5. Cooperation with third countries to prevent irregular migration

Thirteen EMN Member and Observer Countries[616] began consultation or established and/or reinforced cooperation with third countries of origin and transit of migrants to enhance border control and prevent irregular migration, and, to a lesser extent, to promote legal migration pathways (see chapter 12).

To prevent irregular migration along the Western Balkan route, five EMN Member and Observer Countries[617] concluded bilateral or multilateral agreements with countries in the region or reinforced existing cooperation. Austria, Hungary, and Serbia signed a Memorandum of Understanding (MoU) to strengthen cooperation on preventing irregular migration and migrant smuggling. Hungary deployed police officers to the Serbian side of the Serbian-North Macedonian border and Italy ratified a Protocol with Albania to reinforce collaboration on migratory matters, including the prevention of irregular migration.

Three EMN Member Countries reinforced cooperation with countries along the Central and Western Mediterranean routes to prevent irregular migration and combat migrant smuggling.[618] Given the high number of Moroccan applicants for international protection and the spread of migrant smuggling networks, Austria signed a cooperation agreement with Morocco to reduce irregular migration and facilitate the return of Moroccan nationals. Italy strengthened its cooperation with Tunisia to reinforce border patrolling and reduce irregular migration by creating legal migration pathways (i.e. a MoU allows annual entry of up to 4 000 non-seasonal Tunisian workers). Spain deployed four police officers to Mauritania to reinforce the capacity of law enforcement authorities to combat migrant smuggling and trafficking in human beings.

Cooperation was also reinforced with countries in other geographical areas. To tackle irregular migration from India, Austria, Hungary, and Italy increased their cooperation with India in 2023: Hungary deployed document expert liaison officers to its embassy in New Delhi, while Austria and Italy each signed a Migration and Mobility Partnership Agreement with India. Austria and Bulgaria reinforced their cooperation with Iraq to combat irregular migration. Luxembourg initiated parliamentary consultation processes for the approval of the Framework Agreements on Comprehensive Partnership and Cooperation between the EU and Thailand and the EU and Malaysia which aimed, *inter alia*, to prevent and fight irregular migration. In view of the importance of Niger as a transit country for irregular migration and trafficking, the Netherlands started conversations with the country to enhance their cooperation to combat irregular migration, improve border control and combat human trafficking. However, following the coup d'état in Niger in July 2023, the implementation of the bilateral migration partnership was put on hold as the Dutch government made clear it does not want to cooperate with the forces affiliated to the coup. Georgian police attachés were deployed to Ireland and Israel to prevent irregular migration, and, in the case of Israel, to enhance cooperation and ensure the adequate functioning of the visa-free regime.

Box 16: German Special Commissioner for Migration Agreements

In 2023, Germany appointed a Federal Government Special Commissioner for Migration Agreements with responsibility for concluding partnership agreements with the main countries of origin of migrants to reduce irregular migration while upholding human rights and promoting legal migration pathways.

9.3 PREVENTING IRREGULAR STAY

This section includes an overview of developments and efforts to tackle the misuse of legal migration channels, combat the facilitation of irregular stay, and prevent the employment of irregularly staying migrants.

9.3.1. Preventing and tackling irregular stay through the misuse of legal migration channels

In 2023, seven EMN Member and Observer Countries,[619] introduced measures to prevent and tackle the misuse of legal migration channels. These primarily related to reinforcing monitoring of compliance with legal requirements for residence permits or suspending some types of visas or visa-free regimes with some countries.

Estonia and Finland reinforced the monitoring of third-country nationals' compliance with legal requirements for residence in their territories. Estonia implemented its Migration Supervision Database (MIGIS), an automated migration surveillance IT solution used by officials to monitor compliance with legal residence requirements and prevent misuse of legal channels and irregular stay. In September 2023, the Finnish Immigration Service introduced an automatic post-decision monitoring system for student residence permits to verify that students still met the requirements for the type of residence permit granted. Sweden increased monitoring of potential misuse of residence permits for study, whilst the Czech Republic limited the range of persons eligible to apply for long-term residence for family reunification, excluding most[620] adult third-country nationals including dependents, to combat misuse of the family reunification permit by third-country national students (see also section 2.5).

Belgium and Serbia suspended existing visas or visa-free regimes with certain countries to prevent the misuse of these legal channels. Serbia suspended visa-free regimes with Cuba, Bolivia and India, (both short and long stay visas), given the high number of individuals misusing these

616 AT, BE, BG, DE, EE, ES, HU, IT, LU, NL, SE, and GE, RS.
617 AT, HU, IT, NL, and RS.
618 AT, ES, IT.
619 BE, CZ, EE, FI, SE and MD, RS.
620 An application can still be submitted by a parent or other close relative in the ascending line of an adult asylum seeker who applied for international protection as a minor, within three months of the day the asylum seeker was granted protection.

schemes and overstaying. In the first quarter of 2023, the Belgian consular posts in Türkiye and Morocco suspended issuing (long stay) economic migration visas due to suspicions of incorrect visa applications (see chapter 8).

Although there were no specific developments to tackle the misuse of legal migration channels, national courts in the Netherlands limited the measures the IND could take to prevent the misuse of family reunification permits (see Box 17).

Box 17: The Netherlands changed its guidelines to investigate potential misuse of family reunification permits

As a result of national case-law, there is no longer a legal basis for the IND to conduct simultaneous hearings to investigate whether third-country nationals have committed fraud or abuse of rights when there is a suspicion of a marriage of convenience. Although the case-law referred only to marriages of convenience, the IND also stopped simultaneous hearings to investigate whether third-country nationals had committed fraud or an abuse of rights in cases of a partnership of convenience, adoptions of convenience, or recognition of a child by convenience. Simultaneous hearings for other reasons continued (e.g. to investigate whether conditions for a residence permit are met).

9.3.2. Preventing irregular stay and combatting its facilitation

Italy, the Slovak Republic, and Sweden adopted specific measures to prevent, combat and/or sanction irregular stay. The National Council of the Slovak Republic Committees, for example, discussed a proposal to amend the Act on Residence of Foreigners to suspend the issuance of a certificate[621] for remaining in the country to migrants in an irregular situation who cannot be returned due to administrative barriers. The issuance of these certificates was identified as one of the 'pull factors' for the 2023 increase in the number of migrants irregularly entering the territory. Sweden introduced measures to increase the monitoring of the potential misuse of residence permits for international students for the purpose of study (see also chapter 2).

Lithuania and Poland implemented measures to respond to new threats stemming from Russia's war of aggression against Ukraine. In Lithuania, the State Border Guard Service undertook more thorough checks on the documentation of individuals transiting through their territory to ensure that Russian citizens met the criteria and did not pose a threat to Lithuania's national security, public order, public policy, internal security, public health, or international relations. Poland introduced a legislative amendment to extend to 10 years (previously five years) the entry ban where a person is believed to pose a threat to national security, public security, public order and the Polish interest, or when there is a fear that the foreigner may conduct terrorist acts or espionage or is suspected of having committed one of these crimes.

9.3.3. Preventing the employment of irregularly staying migrants

In 2023, six EMN Member Countries[622] and Moldova adopted measures to prevent the employment of irregularly staying migrants or regularly staying migrants without a work permit. In two cases, these measures consisted of the reinforcement of interinstitutional cooperation to combat undeclared work and the illegal employment of irregularly staying third-country nationals.[623] Estonia began to use MIGIS, which facilitated the creation of risk profiles and planning and reporting of labour inspections. In Cyprus, the Labour Inspectorate and the police signed an MoU to enhance coordination on prevention and response to the employment of migrants in an irregular situation. The Aliens and Immigration Unit, in cooperation with the Department of Labour Inspection, implemented a campaign for joint checks to combat undeclared work and illegal employment.

Other countries[624] introduced legal amendments to their labour laws to prevent and sanction undeclared work and the illegal employment of migrants. Luxembourg passed a law to prohibit the employment of legally staying third-country nationals without a work permit (see Box 18).

Box 18: EMN Member Countries introduce measures to combat illegal employment of third-country nationals

The Czech Republic, France and Luxembourg all introduced measures to this end in 2023.

To close a legal loophole, Luxembourg modified its Labour Code to add to the prohibition on employing irregularly staying third-country nationals, an additional prohibition to employ legally staying third-country nationals without a work permit. The amendment specifies fines for employing third-country nationals in an irregular situation, as well as the retroactive payment of unpaid social security contributions and taxes. The fines for employing illegally staying third-country nationals were increased and the aggravating circumstances for trafficking in human beings were extended to include the employment of illegally staying third-country nationals.

The Czech Republic amended its labour law to ensure more effective labour inspections and prevention of illegal employment (e.g. new criteria to determine illegal work, an increase in the deposit for employment intermediaries to strengthen their responsibility, and increased penalties for illegal employment and related offences).

Meanwhile, the French government published a national plan in May 2023, to combat illegal employment in France for the period 2023-2027. The plan contains 34 measures to combat fake documentation and fraudulent legal statuses, tackle human trafficking, improve monitoring of illegal employment, introduce new penalties for employers, and provide for compensation for damage caused by illegal employment[625] (see also chapter 2).

621 A document stating the identity of the person and the fact that that person is non-returnable.
622 CY, CZ, EE, FR, LT, LU.
623 CY, EE.
624 CZ, LU, and MD.
625 Government of France, 'Plan national de lutte contre le travail illégal (2023-2027)', https://travail-emploi.gouv.fr/IMG/pdf/pnlti_23_27.pdf, last accessed on 9 March 2024.

9.4 ACCESS TO SERVICES AND LEGAL SOLUTIONS FOR IRREGULARLY STAYING MIGRANTS

Five EMN Member Countries reported new developments on access to services and/or legal solutions for irregularly staying third-country nationals in 2023.[626]

Belgium, Finland, and Lithuania implemented changes that impacted access to services by migrants in an irregular situation. In Finland, a legislative amendment entered into force on 1 January 2023 expanding the right to healthcare for irregularly staying adult migrants from urgent healthcare to necessary non-urgent health services. Belgium reinforced the Conex Network, a multi-stakeholder network[627] to connect with irregularly staying migrants. It grants access to local information and services, aiming to enhance understanding and support informed decision-making. Additionally, Fedasil, in close partnership with Caritas International, launched an integrated information point or one-stop shop in Brussels as a central hub for migrants (including those in irregular stay) to obtain information and facilitate referrals to vital services. The Belgian Immigration Office's 'Alternatives to Detention' department also expanded its individual case management (ICAM) system to all Belgian regions to assist irregularly staying migrants in finding long-term solutions (see Box 19).

Greece introduced a special resident permit for migrants in an irregular situation already present in the country who could be eligible provided they met the following cumulative conditions: 1) they have a declaration of a job offer from an employer in Greece for their employment under the status of dependent work or provision of services or work; 2) they resided in Greece until 30 November 2023 without a residence permit, continue to reside in Greece and had completed at least three continuous years of residence in Greece prior to submitting an application; 3) they submit their application by the end of 2024.[628]

Lithuania and Luxembourg introduced legal amendments granting access to legal solutions to irregularly staying migrants in exceptional circumstances. Luxembourg amended the Immigration Law to introduce – alongside the current residence authorisation for exceptionally serious humanitarian considerations – a residence permit based on exceptional grounds where a third-country national has ties with Luxembourg due to their prolonged stay in the country and their removal would disproportionately affect their personal and family life. In view of the difficulties faced by nationals of some countries (primarily Belarusians) to obtain travel documents from their embassies after their travel documents expire, Lithuania amended the Law on the Legal Status of Foreigners to allow for the issuance of a temporary residence permit to foreigners who are unable to leave Lithuania for humanitarian reasons and thus risk becoming irregularly staying migrants.

Box 19: Belgium expands its individual case management (ICAM) system for irregularly staying migrants

In 2023, the Belgian Immigration Office ICAM network expanded its reach and became operational in all Belgian regions. ICAM coaches provide proactive and effective assistance to individuals who have been issued an Order to Leave the Territory. Through individual case management trajectories, they work with migrants in an irregular situation to explore sustainable solutions, such as legal stay or voluntary return.

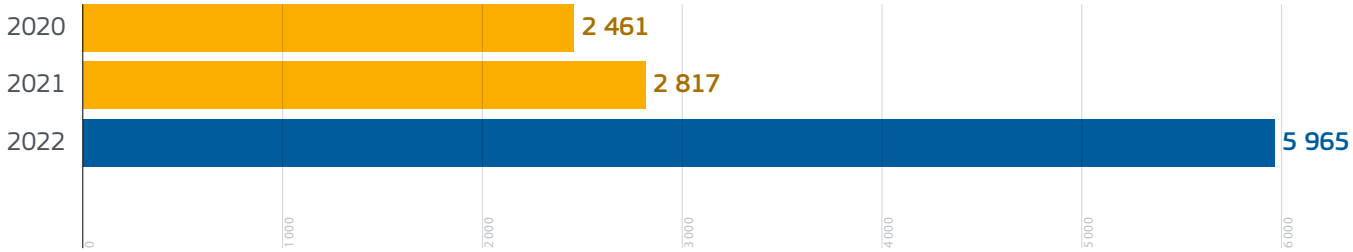
626 BE, EL, FI, LT, LU.
627 Developed by IOM, Caritas, and several cities and municipalities, such as Anderlecht, Antwerp, Ghent and Charleroi.
628 Article 193 of L. 5078/2023 (GG A'211).

10. TRAFFICKING IN HUMAN BEINGS

This chapter looks at the main measures reported by EMN Member and Observer Countries related to ensuring a coordinated approach to trafficking in human beings,[629] enhancing victim support and identification,[630] implementing agreements on combating trafficking in human beings, and measures in response to Russia's war of aggression against Ukraine.[631] Awareness-raising and training were also a focus,[632] including on child trafficking. As in other areas, cooperation with different stakeholders was deemed important. This happened through reaching out to third countries[633] to prevent irregular departures from source and transit countries, close cooperation with relevant international actors[634] or through individual roles, such as Sweden's Ambassador at Large for Combating Trafficking in Persons, who played an important role in driving and facilitating cooperation, and the national coordinator in Croatia, who actively participated in the work of the informal network of national coordinators for combating trafficking in human beings in Southeast Europe.

Eurostat data show that nearly 6 000 victims of trafficking from third countries were registered in the EU and Norway in 2022, double the figure reported in 2021.[635]

Figure 25: Number of third-country nationals victims of trafficking in human beings registered in EU and in Norway, 2020-2022



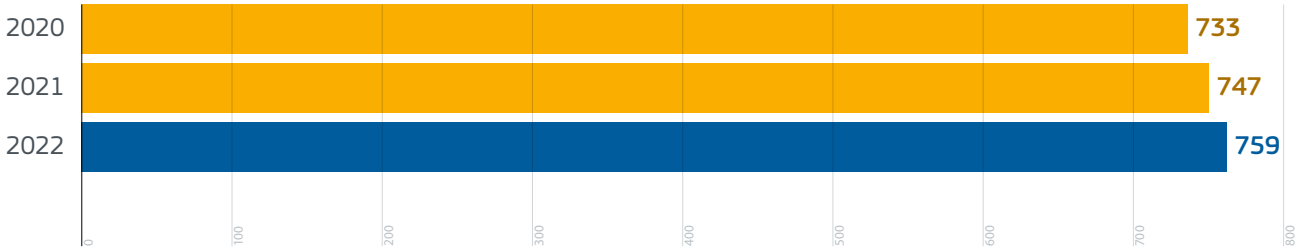
Data for 2023 was not available at the time of writing this report.
Excluding Sweden and Norway for which data are not available.
Source: Eurostat (crim_thb_vctz), date of extraction 8 April 2024.

Third-country nationals represented 63% of the victims of trafficking in human beings identified in the EU.[636] For the first time, the number of registered third-country national victims of trafficking for labour exploitation in the EU was nearly as high as the number of victims trafficked for sexual exploitation, each accounting for 41% of victims.[637] Trafficking in human beings for other purposes – criminal activities, forced begging, organ removal and others – represented 18% of all victims. As of December 2022, the majority of victims of trafficking in human beings were women and girls (63%), but the proportion of adult and minor male victims is increasing (37%).[638]

The number of residence permits issued to victims of trafficking in human beings showed a minor increase compared to previous years (see figure 26).

629 BG, CY, DE, EL, FR, HU, MT, LU, LV, NL, PL, PT, SE, SK and GE.
630 AT, BG, DE, EE, FR, IT LT, PL, EE, SE, SK, and UA, MD.
631 AT, BE, FI, FR, HU, IE, PL and MD.
632 AT, BG, DE, EE, EL, FI, FR, HU, IE, IT, LT, LU, LV, MT, PL, PT, SE, SI, SK, and GE, UA.
633 AT, BE, DE, EE, FI, FR, HR, HU, IT, LU, LV, MT, NL, PL, SE, SI, and GE, MD.
634 FR, SE.
635 Data for 2023 was not available at the time of writing this report.
636 Eurostat, crim_thb_vctz, https://ec.europa.eu/eurostat/databrowser/bookmark/bf1e8d9f-3a17-4a2f-95be-f274c105afbb?lang=en, date of extraction 8 April 2024.
637 Eurostat, crim_thb_vexp, https://ec.europa.eu/eurostat/databrowser/bookmark/bd3dcf78-03fb-4d94-afb9-e914c72699a0?lang=en, date of extraction 13 May 2024.
638 European Commission, Questions and Answers – Trends, challenges and revision of the EU Anti-Trafficking Directive, https://ec.europa.eu/commission/presscorner/api/files/document/print/en/qanda_22_7780/QANDA_22_7780_EN.pdf#:~:text=Trafficking%20in%20human%20beings%20remains%20a%20crime%20with,victims%20%2833%25%29%20increased%20as%20compared%20to%202017-2018%20%2823%25%29., last accessed 10 June 2024.

Figure 26: Number of first residence permits issued to victims of trafficking in human beings, EU and Norway, 2020–2022



Data for 2023 was not available at the time of writing this report.
Source: Eurostat (migr_resoth), date of extraction: 8 April.

10.1 EU DEVELOPMENTS

On 9 June 2023, the Council agreed its position on the proposal to update[639] the 2011 Council Directive on preventing and combating trafficking in human beings and protecting its victims.[640] Forced marriage and illegal adoption were explicitly included as types of exploitation in the position. It also agreed that EU Member States should make it a criminal offence to knowingly make use of services involving victims of trafficking in human beings.[641] The adoption of the position enabled the beginning of negotiations with the European Parliament. The European Commission assisted the Swedish and Spanish Presidencies in those negotiations throughout 2023.

The EU Anti-Trafficking Coordinator continued to support and monitor the implementation of the EU Anti-Trafficking Directive (2011/36/EU), the EU Strategy on Combating Trafficking in Human Beings (2021-2025), and the Common Anti-Trafficking Plan to prevent trafficking of those fleeing Russia's war of aggression against Ukraine.

In June, the EU Anti-Trafficking Coordinator and Eurojust organised the first in-person meeting[642] of the Focus Group of specialised prosecutors against trafficking in human beings. The meeting brought together prosecutors from across the EU to exchange views, experiences, and best practices in complex offences of trafficking in human beings. It focused on the need to address the online dimension of trafficking in human beings and conduct exhaustive financial investigations.

In connection with EU Anti-Trafficking Day on 18 October, the European Commission launched an EU-wide awareness-raising campaign 'End Human Trafficking. Break the Invisible Chain',[643] providing information to potential victims and making victims visible.

In other developments, part of the European Commission's new legislation to prevent and fight migrant smuggling was a proposal for a Regulation to reinforce Europol's role in fighting migrant smuggling and trafficking in human beings, including reinforcing a European Centre against Migrant Smuggling (see chapter 9).[644]

10.2 NATIONAL STRATEGIC POLICY DEVELOPMENTS

Five EMN Member Countries approved new action plans to counter trafficking in human beings,[645] while others finalised or negotiated theirs.[646] In December 2023, France presented its third National Plan to Combat the Exploitation and Trafficking in Human Beings 2024–2027 after recommendations following its universal periodic review.[647] Ireland also published its Third National Action Plan to Prevent and Combat Human Trafficking 2023-2027 in November 2023, to further strengthen its whole-of-government approach to combating human trafficking. A key aim of the action plan is to take a more victim-centred approach.

639 Proposal for a Directive of the European Parliament and of the Council Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022PC0732, last accessed on 4 April 2024.
640 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:32011L0036https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0036https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0036https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0036, last accessed on 4 April 2024.
641 Council of the EU, 'Fighting human trafficking: Council agrees position for stronger rules', Press release, 9 June 2023, https://www.consilium.europa.eu/en/press/press-releases/2023/06/09/fighting-human-trafficking-council-agrees-position-for-stronger-rules/, last accessed on 18 March 2024.
642 Eurojust, 'Prosecutors specialised in human trafficking met at Eurojust to increase judicial cooperation', June 2023, https://www.eurojust.europa.eu/news/prosecutors-specialised-human-trafficking-met-eurojust-increase-judicial-cooperation, last accessed on 30 May 2024.
643 European Commission, 'End human trafficking. Break the invisible chain', 27 March 2024, https://home-affairs.ec.europa.eu/whats-new/communication-campaigns/end-human-trafficking-break-invisible-chain_en, last accessed 2 May 2024.
644 European Commission, DG HOME, 'Commission reinforces EU rules and launches a Global Alliance to Counter Migrant Smuggling', News, 28 November 2023, https://home-affairs.ec.europa.eu/news/commission-reinforces-eu-rules-and-launches-global-alliance-counter-migrant-smuggling-2023-11-28_en, last accessed on 18 March 2024.
645 CY, FR, IE, NL, SI.
646 AT, DE, FI, HR, MT, PT.
647 UNHCR, 'Human Rights Council Adopts Universal Periodic Review Outcomes of France, Tonga and Botswana,' 29 September 2023, https://www.ohchr.org/en/news/2023/09/human-rights-council-adopts-universal-periodic-review-outcomes-france-tonga-and, last accessed on 4 April 2024.

Box 20: National programmes to fight trafficking in human beings

The Netherlands renewed its 'Together against trafficking in human beings' programme

The Netherland's programme 'Together against trafficking in human beings', which is included in the Coalition Agreement of the government before the elections in November 2023, was shared with the House of Representatives on 18 October 2023. The programme covered four action points: increasing societal awareness of trafficking; increasing the willingness of victims to report; enhancing cooperation; and improving data-sharing between relevant implementing organisations. The government reserved an annual budget of EUR 2 million for the programme, which will be implemented by public institutions such as municipalities, police, the public prosecution service, NGOs and different ministries.

Finland finalised its 'Finland fights human trafficking' programme/Action Plan (2021-2023)

Finland allocate EUR 1.7 million to the implementation of the National Action Plan. One of its major goals and achievements was to mainstream combating trafficking in human beings within government activities in other policy areas, such as the prevention of violence against women, the grey economy and economic crime, and protection of children's rights. The purpose was to strengthen the impact and effectiveness of the government's work and to include combatting trafficking in human beings more comprehensively in the structures and daily activities of a broad range of authorities. According to the Government Anti-Trafficking Coordinator[648] the number of broader authorities participating in anti-trafficking work increased, improving how cases of trafficking in human beings are dealt with (e.g. in civil aviation, the employment authorities, and the private sector).

Belgium completed a major review to evaluate legislation and policy in the fight against human trafficking and smuggling. The ensuing report included 100 recommendations to inform the initiatives to be included in the next action plan.

In Greece, Article 35 of Law 5058/23 established the appointment of special investigators for cases of trafficking in human beings.[649]

The Slovak Republic, Moldova and Ukraine worked on national programmes for the prevention and combating of trafficking in human beings. The Ukrainian Cabinet of Ministers approved a plan to strengthen institutional capacity, policy coordination and cooperation among the actors involved, Moldova adopted a government decision, and the Slovak national programme was submitted to the government for deliberation.

In Estonia, the new Victim Support Act came into force, changing the status of presumed victims. For the first time, psychosocial assistance is provided for as a service in the Act.

10.3 DETECTION AND IDENTIFICATION OF VICTIMS

This section summarises action in the detection and identification of victims. It also explores training, awareness-raising, and cooperation measures. The main driver behind EMN Member and Observer Countries' actions were to improve and enhance victim identification.[650] This led to the introduction of different types of training, increasing the effectiveness of actions to fight trafficking in human beings, as well as amendments to legislation. Some EMN Member and Observer countries also increased cooperation at national level, driven by the need for improved coordination between different authorities.[651]

10.3.1. National referral mechanisms

Five EMN Member Countries revised or published legislation to update their national referral mechanism to identify victims of trafficking in human beings.[652] To align policy with EU objectives, the Czech Republic revised the functioning of the national reference mechanism. The revision was formally implemented in December 2022 by amending the relevant internal administrative act of the Ministry of the Interior, with the changes put into practice in 2023. The Estonian Ministry of Justice started to update its referral and assistance guidelines for victims of trafficking in 2023, as per the Victim Support Act. Finland and France started to create national referral mechanisms based on their 2021 action plan and 2024-2027 national plan, respectively. In Ireland, the proposed revisions contained in the Criminal Law (Sexual Offences and Human Trafficking) Bill 2023 will (when enacted) widen the range of competent authorities to whom victims could report, and also provided that NGOs were trusted partners within the national referral mechanism, making it easier for possible victims to report.

Hungary, Italy, Latvia and Spain reported other developments in their national referral mechanisms.[653] Hungary reported the establishment of a National Coordination Mechanism for Victim Assistance (NÁKOM), while the Latvian centre MARTA organised dedicated training on how to improve the referral of victims in Latvia.

10.3.2. Training and awareness-raising

Nineteen EMN Member Countries, Georgia and Ukraine reported (an increase in) training and awareness-raising actions in 2023 to enhance the ability of professionals to detect victims of trafficking in human beings and to inform the general public.[654] Belgium renewed its annual Blue Heart Campaign, with a new 24-hour hotline. Austria and Greece organised an annual conference on

648 Information to EMN FI by email 13 June 2024.
649 Article 35 of Law 5028/23 (GG A' 54), https://ministryofjustice.gr/wp-content/uploads/2023/03/Nomos_5028_2023.pdf, last accessed on 20 June 2024.
650 AT, BG, DE, EE, FR, IT LT, PL, EE, SE, SK, and UA, MD.
651 CY, EE, FR, MT, UA.
652 BE, CZ, EE, HR, IE.
653 EL, HU, IT, LV.
654 AT, BG, DE, EE, EL, FI, FR, HU, IE, IT, LT, LU, LV, MT, PL, PT, SE, SI, SK, and GE, UA.

Combating Trafficking in Human Beings to coincide with EU Anti-Trafficking Day in order to raise awareness and promote knowledge-sharing. France also organised an event on that day to present data related to all forms of exploitation and trafficking in human beings, including administrative data and the results of a survey on associations providing support to victims.

Some training specifically targeted child trafficking. Ireland used the occasion of EU Anti-Trafficking Day to launch a training module on child trafficking for the security industry, developed with the Private Security Authority, the official regulatory body for the security industry. This was a training module to help door supervisors and security guards to recognise signs of trafficking and report concerns to the authorities. To improve victim identification, the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth extended the funding for ECPAT[655] Germany, which presents workshops enhancing professionals' awareness and promoting the Federal Cooperation Concept 'Protection and help in cases of trafficking and exploitation of children'.

Many of the developments in training aimed to increase professionals' awareness and detection of trafficking in human beings.[656] In Germany, the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking, funded by the Federal Ministry of Labour and Social Affairs, carries out training for different groups of professionals, particularly the staff of the financial control of undeclared work (FKS). Similarly, in Lithuania, the State Labour Inspectorate organised training for all inspectors on identifying victims of trafficking for labour exploitation, collecting and reporting information to police officers. In Belgium, specialised anti-trafficking inspectors from the National Social Security Offices (NSSO) participated in various training. The Estonian Academy of Security Sciences started a three-year ISF-supported project in cooperation with its College of Justice, including developing a virtual learning tool and a series of training courses for specialists working in the field of prevention, detection, identification and assistance of victims of trafficking in human beings.

In 2023, Malta, Poland, Slovenia and the Slovak Republic launched awareness-raising campaigns. Led by the HRD, Malta's campaign used social media posts, bus wraps, billboards, and bus shelter posters to ensure that the public knew the possible signs of trafficking in human beings.

Portugal pursued a national strategy of holding joint training actions in partnership with civil and police institutions to present its national referral mechanism, identify indicators to flag presumed victims of trafficking in human beings, and raise awareness and vigilance against child trafficking.

Italy and Sweden developed manuals to share knowledge. The Swedish Migration Agency participated in developing a handbook for embassies and diplomatic missions on how to prevent, identify and assist victims of trafficking in human beings. Published by the Council of the Baltic Sea States (CBSS), it filled a gap in specialised tools available for diplomatic staff.[657]

10.3.3. Measures on cooperation between national authorities

New developments on cooperation between national authorities took place in 2023. National authorities in 14 EMN Member and Observer Countries worked to improve coordination and exchanges of information.[658]

Luxembourg determined the composition of a committee to strengthen the fight against the exploitation of prostitution, pimping (procuring), and trafficking in human beings. This was driven by the need to create a multidisciplinary consultation body, bringing together different administrations, services, and other actors directly involved in monitoring prostitution in Luxembourg.

Hungary's Minister of the Interior and Latvia's State Labour Inspectorate tasked the authorities and the police/border guard to carry out joint inspections. In Cyprus and Poland, collaboration between different national authorities led to the adoption of legislation or agreements. In Cyprus, the labour inspectorate signed a Memorandum of Cooperation with the Office of Combating Trafficking in Human Beings at the Ministry of Justice for the prevention and fight against trafficking in human beings. In certain circumstances, inspections were to be jointly performed. The Memorandum aimed to address some identified shortcomings in the coordination and cooperation between important national authorities.

10.3.4. Measures on cooperation between (Member) States

Several cooperation measures were reported by EMN Member Countries and Georgia in 2023. They aimed to improve and establish cooperation between different countries or EU/international organisations (e.g. Europol, Organisation for Security and Co-operation in Europe (OSCE)) to strengthen joint efforts to combat trafficking in human beings. Germany intensified its direct cooperation with Bulgaria to combat trafficking in human beings in the framework of a joint working programme between the responsible ministries. A bilateral referral mechanism was finalised in 2023. Germany also held the Presidency of the Task Force for Trafficking in Human Beings until July 2023, as a member of the CBSS.

Georgia's need for capacity-building led to a second simulation-based training, led by the Ministry of Justice and with the financial support of the OSCE and the Embassy of Switzerland in Georgia.

Other types of cooperation included memberships in international councils,[659] conferences, workshops, and monitoring activities,[660] as well as participation in joint action days.[661]

Belgium, Bulgaria and France reported the joint European action days held in 32 European countries to combat

655 Although the full name is no longer used by the organisation, ECPAT stands for "End Child Prostitution and Trafficking".
656 AT, BG, DE, EE, HU, IE, LT, LU, PT, SE, SK and GE, UA.
657 Developed as a joint project between the Secretariat Task Force against Trafficking in Human Beings of the Council of the Baltic Sea States (CBSS TF-THB), Child10, the Swedish Ambassador for Combating Trafficking in Persons, and the Swedish Ministry for Foreign Affairs.
658 BG, CY, DE, EL, FR, HU, MT, LU, LV, PL, PT, SE, SK and GE.
659 DE, LV, SE.
660 MT, SE and UA.
661 BE, BG, FR.

trafficking in human beings for the purposes of labour exploitation, to support awareness-raising.

10.3.5. Other

Other developments related to the implementation of legal measures and frameworks, support of victims, government inquiries, and conferences and training.[662]

In 2023, Lithuania implemented a legal framework that prohibited the entry of individuals who intended to cross or had crossed the European Union's external border at unauthorized locations or at authorized crossings without adhering to the proper border crossing procedures, with certain exceptions.

In Sweden, the government opened an inquiry into a possible exit programme for adults subjected to prostitution and victims of trafficking in human beings for sexual purposes.

As part of the implementation of the measures in the international section of the new 2024–2027 plan, France is working with institutional players in certain geographical areas (Balkans, Colombia, Côte d'Ivoire, Morocco) to consider the outlines of enhanced collaboration on victim protection, involving public institutions and civil society.

On 20 June 2023, OSCE and the Portuguese Commission for Citizenship and Gender Equality (CIG) jointly developed in-country discussions to identify best practices and opportunities to enhance prevention and responses against trafficking in human beings in the context of the flows of people from Russia's war of aggression against Ukraine.

10.4 PROTECTION OF VICTIMS

This section describes developments concerning the reflection period, with some EMN Member Countries further defining the concept, extending the period, providing guidelines, and the protection of victims from third countries, through the implementation of new laws, legislative amendments and other steps to ensure victim support. The section further mentions developments in the protection of third-country national minors, such as the development of national action plans and working groups to support victims, as well as the provision of information to third-country national victims, for example through telephone assistance and publishing of awareness raising materials.

10.4.1. Reflection period and/or legal residence

2023 saw developments in the reflection period focussing on defining the scope and duration of the reflection period and providing guidelines around it.[663] Due to a lack of personalised support for victims – and following the evaluation of the Council of Europe, Cyprus implemented a particularly prominent change in the national reporting mechanism concerning the management of a person from the reasonable suspicion that they may be a victim of trafficking until their final recognition as a victim and the initiation of criminal proceedings. In Italy, the national referral mechanism was approved in December 2023 and tackled the issue of the reflection period. Lithuania's Ministry of the Interior proposed an amendment to enhance support for victims of trafficking in human beings, as no third-country national had used the reflection period since 2012. It focused on granting victims a 30-day reflection period to decide whether or not to cooperate with the authorities, simplifying the application process through direct submission to the Migration Department with NGO support, and ensuring pre-trial investigations follow updated inter-agency guidelines. In the Netherlands, following a CJEU ruling, the Minister for Migration introduced a reflection period of 90 days for all victims of trafficking in human beings, except those who had previously sought asylum in another EU Member State, who were granted a reflection period of 30 days. Previously, the reflection period was only offered to presumed victims without lawful residence in the Netherlands. This procedure is temporary, with a permanent policy change still to be communicated to the House of Representatives.

In Austria, the Federal Office for Immigration and Asylum updated its internal guidelines for staff with responsibility for decisions under the Dublin III Regulation and added a chapter on trafficking in human beings. The new chapter described the protection obligations of public authorities, including the need to carry out an individual assessment of each case to determine whether the transfer posed a serious risk of re-traumatisation or re-trafficking.

10.4.2. Developments in the protection of third-country national victims

Developments in the protection of third-country national victims were reported by 13 EMN Member and Observer Countries.[664] The Czech Republic, Finland, Luxembourg and Slovenia made legislative changes.[665] Driving factors included increased support for victims, strengthening support mechanisms, and alignments with EU policy directives. Luxembourg passed the Law of 28 March 2023, which introduced into the Penal Code an aggravating circumstance for a crime or misdemeanour committed with a discriminatory motivation. The Law of 28 March 2023 intends to make criminal justice responses more effective, including for victims of trafficking in human beings. Luxembourg passed another law introducing partial legal aid, making litigation more accessible for individuals who were previously just outside financial thresholds linked to the 'social inclusion income' (REVIS).[666] Legislative amendments to improve the status of victims of trafficking in human beings entered into force on 1 January 2023 in Finland. From that date, help provided through the assistance system for victims of trafficking in human beings no longer depended on the progress of criminal proceedings related to trafficking in human beings and assistance was instead based primarily on an assessment of the victim's

662 BG, FR, LT, LV, PT, SE, SI and MD.
663 AT, CY, EE, FI, IT, LT, NL, SE.
664 AT, CY, CZ, FI, IE, IT, LU, SE, SI, PL and GE, MD, UA.
665 CZ, FI, LU, SI.
666 Law of 7 August 2023 on the organisation of legal aid, https://legilux.public.lu/eli/etat/leg/loi/2023/08/07/a542/jo, last accessed on 20 June 2024.

individual situation. In the Czech Republic, an amendment meant that a victim of trafficking in human beings was not always removed from the relevant support programme once a court had made a final decision that the person had been trafficked. They could remain in the programme in cases where they had been referred to civil proceedings for compensation, ensuring that victims were provided with legal aid after the criminal proceedings had ended, increasing the possibility of obtaining compensation.

To assist more victims, Poland's Ministry of the Interior and Administration increased the financing for the National Intervention and Consultation Centre for victims of trafficking in human beings by almost 40% in 2023.

Austria, Cyprus, Moldova, and Ukraine undertook programmes, projects and information sessions in 2023.[667] Austria's Federal Ministry of Social Affairs, Health, Care and Consumer Protection funded various projects in 2023, such as victim protection for trafficked men.

Cyprus, Ireland and Georgia took measures to increase victim support. Georgia and Ireland reported new accommodation units and shelters for victims of trafficking in human beings. In Georgia, this was an effort to strengthen protection mechanisms. In Ireland, as part of a transition to a new model of accommodation for international protection applicants, a dedicated accommodation unit for victims of trafficking was established and the first residents moved in in December 2023. Due to a lack of individual support for victims, Cyprus's Social Welfare Services employed two dedicated professionals to provide social rehabilitation services to victims of trafficking based on an individualised assessment.

10.4.3. National legal or policy developments on the protection of third-country national minors

In the context of a lack of protection and growing exploitation of minors, Belgium, Luxembourg and Poland reported legal developments for the protection of minors. In 2023, the Federal Judicial Police of Belgium, together with relevant national and international partners, developed a European strategic analysis of minors' exploitation. The document was to serve as a baseline analysis for the EMPACT 2024-2025 action plan on the exploitation of minors. Poland adopted a National Plan to Counter Crimes Against Sexual Liberty and Vice Against Minors. The plan introduced high standards for protecting minors from abuse. Third-country national minors who are (alleged) victims of trafficking would also benefit from the measures.

In Austria, a training course on child trafficking was offered to employees of the Federal Office for Immigration and Asylum for the first time in order to improve identification, protection and awareness.

10.4.4. Provision of information to (presumed) third-country national victims

Eight EMN Member and Observer Countries published new materials and organised information campaigns.[668] Drivers included the facilitation of procedures, implementation of government decisions, and legislative amendments. The NGO La Strada Czech Republic prepared preventive videos and online seminars on labour exploitation for Ukrainian refugees, in cooperation with the Ministry of the Interior. These are presented at relevant educational events. In Moldova, information campaigns and information sessions took place at Refugee Accommodation Centres hosting BoTP.

Italy and Belgium strengthened their telephone assistance for potential victims of trafficking in human beings and witnesses. The Italian toll-free number provides audio messages that are useful for illiterate and semi-literate persons, easily shared and used by the Anti-trafficking Projects and the Street and Contact Units, and available on a dedicated website. In Finland, to align with legislative amendments, a communications specialist was established at the National Assistance System for victims of human trafficking (national expert authority). The role is responsible for communications and for coordinating training for the National Assistance System.

10.5 COOPERATION WITH THIRD COUNTRIES

Eighteen EMN Member and Observer Countries reported cooperation with third countries.[669] Malta increased its outreach with certain third countries, particularly Libya, as well as Tunisia, Egypt, Côte d'Ivoire, Nigeria, and Bangladesh, to prevent irregular departures from source and transit countries. The prevention of trafficking in human beings was one of the main points in the discussions. Sweden and France continued to cooperate closely with relevant international actors, such as the United Nations Office on Drugs and Crime (UNODC) and the OSCE. Sweden's Ambassador at Large for Combating Trafficking in Persons played an important role in driving and facilitating cooperation. Austria led a global campaign to combat trafficking in human beings for the purposes of sexual exploitation, begging and criminality; 'Operation Global Chain' was implemented in 44 countries and coordinated by Europol, Frontex and Interpol. Finland reported increased cooperation with China in efforts to build trust and information sharing between China and EU Member States. It aimed to enhance the rights of Chinese victims of trafficking in human beings, who are considered suspects under Chinese legislation.

In Croatia, the national coordinator actively participated in the work of the informal network of national coordinators for combating trafficking in human beings in Southeast Europe, attending meetings and exchanging good practices with other national coordinators. Estonia's Ministry of Justice implemented an ISF-supported project, 'Prevention of serious undercover crime', targeting Uzbek nationals working in Estonia. A short guidance on working rights in Estonia will be compiled for Uzbek nationals. Several capacity-building and collaborative activities (e.g. workshops,

667 AT, CY and MD, UA.
668 BE, CZ, EL, FR, MT, PL, SE, and MD.
669 AT, BE, DE, EE, FI, FR, HR, HU, IT, LU, LV, MT, NL, PL, SE, SI, and GE, MD.

working sessions) took place in Georgia to strengthen international cooperation with other countries on the prevention, detection and elimination of trafficking in human beings. Germany began the UNTOC-Review Mechanism, which is a peer review process. Germany was reviewed by Canada and Suriname and was tasked with reviewing the US, together with Paraguay. The process is expected to be finished by 2030.

Luxembourg introduced two bills for cooperations with Thailand and Malaysia on the prevention of illegal migration, smuggling of migrants and trafficking in human beings and ways to combat networks of traffickers and to protect victims of trafficking in human beings.[670]

Portugal hosted a technical visit from a delegation from Kosovo, organised by the Council of Europe, Directorate-General for Democracy, Anti-Trafficking Division. The visit focused on data collection and the exchange of experiences and good practices between national entities. Portugal also received a courtesy visit from the East Timor Commission to Combat Human Trafficking. The objective was to establish communication channels with Portuguese bodies and to strengthen cooperation on preventing and combating trafficking in human beings.

10.6 BENEFICIARIES OF TEMPORARY PROTECTION

Eight EMN Member and Observer Countries reported developments in the fight against trafficking in human beings among BoTP.[671] Belgium joined an upcoming European operational task force (OTF) that investigated the activities of a Ukrainian criminal organisation active in Northern Europe. Due to their vulnerable situation, Ukrainian women and children could be at high risk of trafficking in human beings. In France, UNHCR made French, English, Ukrainian and Russian versions of awareness-raising booklets on trafficking in human beings available for adults and children since the start of Russia's war of aggression against Ukraine. In 2023, these tools were updated and widely distributed in digital and paper versions. Ireland's national police force delivered specific training to the frontline Ukraine response teams at the Ukraine Transit Centre in Dublin in May 2023. The Finnish Government Anti-Trafficking Coordinator continued to organise regular meetings for the most relevant central operative authorities, ministries and other authorities. These meetings began in 2022 and are seen as an effective and necessary way to prevent trafficking in human beings.

Poland's prime minister signed a new order establishing the Inter-Ministerial Committee for Counteracting Trafficking in Human Beings within the Ministry of the Interior and Administration.

670 Bills 8285 and 8288 on approving and executing the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, firstly with the Kingdom of Thailand, and secondly with the Government of Malaysia.
671 AT, BE, FI, FR, HU, IE, PL and MD.

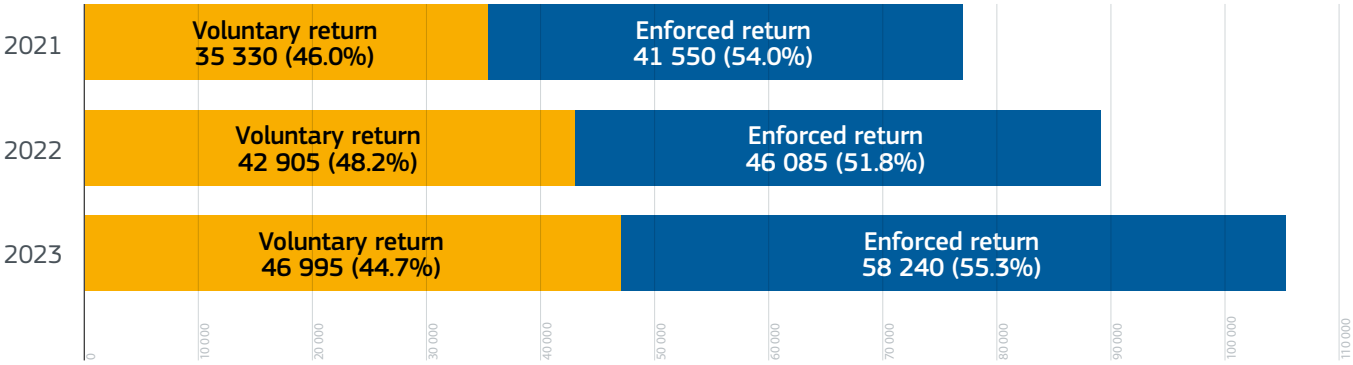
11. RETURN AND READMISSION

This chapter covers an overview of legal, policy and operational developments implemented in 2023 on return and readmission, including: changes in legislation and policy on forced returns and entry bans; cooperation on joint return operations; measures to improve uptake of assisted voluntary return programmes; and actions on return counselling and reintegration assistance.

In 2023, EMN Member Countries, Norway, Georgia, Ukraine, and Serbia continued their activities to improve the effectiveness and efficiency of return procedures. Actions to enhance measures on forced[672] and (assisted) voluntary returns[673] and entry bans[674] were particularly widely reported among EMN Member Countries. Cooperation on return and reintegration was crucial, both at EU level and with third countries. At EU level there was significant cooperation by EMN Member Countries with Frontex on the Reintegration Assistance Tool (RIAT), the EU Reintegration Programme (EURP), as well as on joint return operations.[675] Cooperation with third countries on return or reintegration management,[676] however, was by far the most widely reported measure taken on return. Bilateral agreements on readmission progressed throughout the year with countries from across the globe, whilst three EMN Member and Observer Countries[677] specifically reported increased cooperation with Iraq on returns after enhanced engagement at EU level in the context of Article 25a visa measures.[678]

The highest number of returns outside EU in 2023 were reported for Georgian, Albanian and Turkish nationals, followed by nationals of Moldova and Serbia.[679] With respect to previous years, both the number of voluntary and enforced returns increased.

Figure 27: Third-country nationals who left the territory, by type of return, EU and Norway, 2021-2023. Absolute number (and the share within the total).

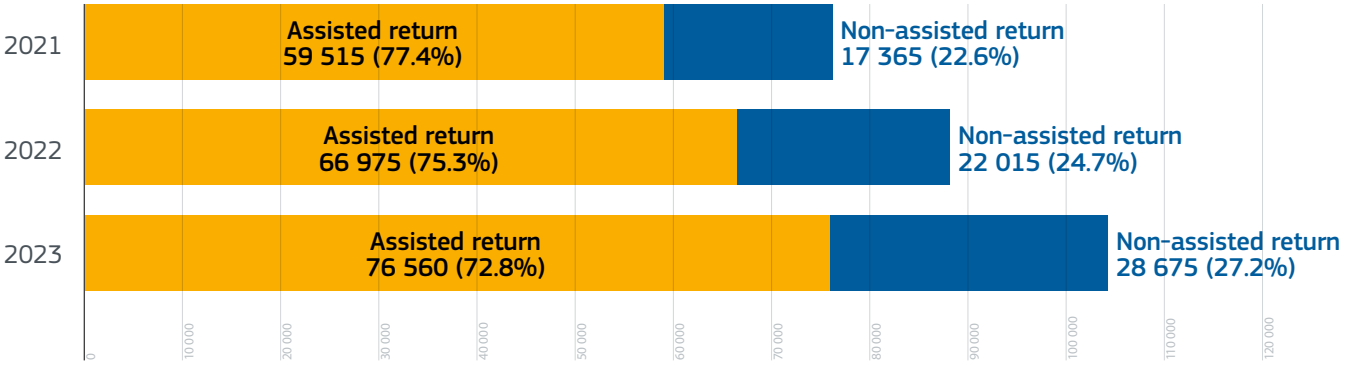


Source: Eurostat (migr_eirtn1), extraction date 8 April 2024.

The number of assisted returns equally showed an increase in absolute figures, although the share of third-country nationals who benefited from assisted return showed a small decline with respect to the previous year.

672 BE, CY, CZ, EE, EL, FI, FR, HR, IE, IT, LT, LU, NL, PL, SE, SI, and NO, RS.
673 AT, BE, BG, DE, EE, ES, FI, FR, IE, IT, MT, NL, PL, PT, SE, SI, SK, and GE.
674 FR, EE, NL, LU.
675 AT, BE, CY, EL, FI, LT, LV, SE and MD.
676 AT, BE, BG, CZ, DE, EE, EL, FI, FR, LT, LV, MT, PL, SE, SI, SK, and NO, GE, MD, UA.
677 AT, SE and NO.
678 The revised Visa Code introduced a possibility to use visa leverage towards third countries with whom cooperation on readmission was insufficient. Article 25a defines restrictive measures on short-stay visas the Commission may propose to the Council to temporarily impose on the non-cooperating third countries.
679 Eurostat (migr_eirtn1), date of extraction 8 April 2024.

Figure 28: Third-country nationals who left the territory, by type of assistance received, EU and Norway, 2021–2023.
Absolute number (and the share within the total).



Source: Eurostat (migr_eirtn1), extraction date 8 April 2024.

11.1 EU DEVELOPMENTS

The return of irregularly entering or staying third-country nationals remained high on the policy agenda at EU level. In January 2023, the European Commission presented the policy document 'Towards an operational strategy for more effective returns,' stressing the importance of effective, swift, sustainable returns in line with European values and fundamental rights.[680] It promoted a similar approach to Team Europe,[681] including through the work of the Return Coordinator and the High-Level Network for Return. Previously used in the EU's response to COVID-19 and in its development work (see chapter 12), a Team Europe approach to returns meant joining forces at EU and national level to ensure a coordinated and effective approach.

On 7 March 2023, the upgraded SIS entered into operation, regulating the use of SIS for the return of illegally staying third-country nationals.[682] From that date, EU Member States[683] and Schengen Associated Countries could use SIS to exchange information on third-country nationals' return decisions and monitor whether third-country nationals with return decisions had left the territory of the EU. This paved the way for easier mutual recognition of return decisions, an opportunity emphasised by the European Commission's Recommendation on the mutual recognition of return decisions and expediting returns when implementing Directive 2008/115/EC of the European Parliament and of the Council, also from March 2023.[684]

The EU Action Plan for the Western Mediterranean and Atlantic routes[685] and the EU Action Plan for the Eastern Mediterranean migration route[686] were presented in 2023. Both contained measures to enhance return, with a focus on the implementation of readmission with partners in the two regions, as well as on irregular migration (see chapter 9), and legal migration, amongst others.

The European Parliament and the Council of the EU agreement on five proposals of the New Pact on Migration and Asylum in the EU[687] from December 2023 included the adoption of the Screening Regulation to strengthen control at the EU's borders and ensure rapid identification of the correct procedure (asylum or return) applicable to persons entering the EU without fulfilling its entry conditions. Negotiations led to the agreement on the Asylum Procedure Regulation[688] in early 2024, bolstering the link between a negative asylum decision and return, as well as the Regulation establishing a return border procedure.[689]

Finally, the new Samoa Agreement governing EU relations with the Organisation of African, Caribbean and Pacific States (OACPS) was signed in November 2023, following expiry of the Cotonou Partnership Agreement. It included a more far-reaching article on cooperation on returns and

680 European Commission, 'Towards an Operational Strategy for More Effective Returns', COM(2023) 45 final, https://eur-lex.europa.eu/resource.html?uri=cellar:3cc3cecc-9bd8-11ed-b508-01aa75ed71a1.0001.02/DOC_1&format=PDF, last accessed on 9 June 2024.
681 European Commission, 'International Partnerships: Team Europe initiatives', n.d., https://international-partnerships.ec.europa.eu/policies/team-europe-initiatives_en, last accessed on 2 April 2024.
682 European Commission, 'Schengen Information System', n.d., https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/schengen-information-system_en#:~:text=The%20Schengen%20Information%20System%20%28SIS%29%20is%20the%20most,system%20for%20security%20and%20border%20management%20in%20Europe, last accessed on 20 June 2024.
683 Except CY and IE. BG and RO joined the Schengen area on 31 March 2024.
684 Commission Recommendation (EU) 2023/682 of 16 March 2023 on mutual recognition of return decisions and expediting returns when implementing Directive 2008/115/EC of the European Parliament and of the Council, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32023H0682, last accessed on 20 June 2024.
685 European Commission, DG HOME, 'EU Action Plan for Western Mediterranean and Atlantic Routes', n.d., https://home-affairs.ec.europa.eu/document/download/b5aef566-afca-4b90-bc01-0c3d0a7f67d5_en?filename=EU%20Action%20Plan%20for%20the%20Western%20Mediterranean%20and%20Atlantic%20routes.pdf, last accessed on 19 February 2024.
686 European Commission, DG HOME, 'EU Action Plan for the Eastern Mediterranean route', n.d., https://home-affairs.ec.europa.eu/eu-action-plan-eastern-mediterranean-route_en, last accessed on 19 February 2024.
687 European Commission, DG HOME, 'What is the New Pact on Migration and Asylum of the EU?', 21 May 2024, https://home-affairs.ec.europa.eu/policies/migration-and-asylum/new-pact-migration-and-asylum_en, last accessed on 19 February 2024.
688 Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202401348, last accessed on 29 May 2024.
689 Regulation (EU) 2024/1349 of the European Parliament and of the Council of 14 May 2024 establishing a return border procedure, and amending Regulation (EU) 2021/1148, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202401349, last accessed on 29 May 2024.

readmission, underlining the right of any EU or OACPS country to return any irregularly staying third-country national to their country of origin, and the obligation for any EU or OACPS country to accept the return and readmission of their nationals.[690]

11.2 FORCED RETURN

Under the Return Directive, EU Member States can enforce a return decision if no voluntary departure period has been given or if this period has run out and the third-country national has not returned.[691]

Developments at EU level[692] (including on Schengen), were notable drivers for change in national forced return legislation and policy in 2023. Other drivers included the need to make return procedures more effective,[693] to improve coordination,[694] to react to high numbers of people arriving or staying irregularly,[695] new national government programmes to tighten legislation on migration,[696] to improve public safety,[697] to provide clarity on grey areas in legislation,[698] to provide guidance or training,[699] and in response to case-law.[700] Eighteen EMN Member and Observer Countries reported developments on forced return in 2023.[701]

Legislative changes on forced return were reported by six EMN Member States[702] and amongst other things were intended to enable the digital issuance of notices related to return,[703] the rapid execution of return decisions,[704] or to change the responsible authority for particular aspects of return.[705] .

Strengthening immigration legislation on public safety was important in Finland, France and Ireland. Finland's Ministry of the Interior launched a legislative project to implement more stringent provisions on detention and entry bans to increase security and make returns more effective.[706] In Ireland, an amendment to the Immigration Act 1999 removed the option for voluntary return from persons convicted of serious offences, or who may pose a risk to security of the State, to prevent such persons from returning to Ireland once deported.[707]

Legislative changes and measures on entry bans occurred in the Netherlands, Luxembourg, and France. Estonia changed its practices on implementation of entry bans limited to the territory of Estonia.

In the Netherlands amendments affected the policy on entry bans in two ways: 1) the sustainability and proportionality test (*duurzaamheids- en proportionaliteitstoets*)[708] was revised when lifting a declaration of undesirability or entry ban because return would risk a breach of Article 3 of the European Convention on Human Rights (ECHR); 2) from June onwards, the IND was able to send copies of an entry ban or pronouncement of undesirability directly to the authorised or legal representative of a third-country national or the last known address of the person involved or, as a last resort, publish the entry ban in the Government Gazette. Previously, entry bans and pronouncements of undesirability delivered in-person would sometimes reach third-country nationals with a delay.

To improve the identification of third-country nationals who do not have the right to stay in Sweden and return them to their countries of origin, the Swedish government proposed some amendments to internal controls. These included increased use of biometrics, the abolition of a limitation period for a decision of removal, the renewal of a re-entry ban, and reinforced exchange of information between competent enforcement authorities.

Box 21: Cooperation on joint operations on return with Frontex

In 2023, eight EMN Member Countries and Moldova cooperated on joint operations to improve the effectiveness of returns.[709] Almost all charter returns organised by Austria during the year were carried out as Frontex Joint Return Operations (JROs). Cyprus participated in 14 JROs coordinated by Frontex; Greece in six (mainly for citizens of Georgia and Pakistan), Latvia in two (Nigeria, Georgia) and Lithuania in five JROs (Democratic Republic of Congo, Nigeria, Uzbekistan). Moldovan officials were observers in two return operations organised by Frontex, to improve institutional know-how.

Croatia's Ministry of the Interior signed an MoU with Frontex, and the Frontex Management Board adopted a

690 Council of the EU, Samoa Agreement, Article 78, https://www.consilium.europa.eu/en/policies/samoa-agreement/, last accessed on 2 April 2024.
691 Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, Article 8, https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32008L0115#:~:text=Directive%202008%2F115%2FEC%20of%20the%20European%20Parliament%20and%20of,Member%20States%20for%20returning%20illegally%20staying%20third-country%20nationals, last accessed on 2 April 2024.
692 CZ, EE.
693 FI, PL, SE, SI.
694 EL and RS.
695 BE, CY.
696 FI.
697 FI, FR, IE.
698 IT, LU.
699 EE, PL.
700 BE, NL.
701 BE, CY, CZ, EE, EL, FI, FR, HR, IE, IT, LT, LU, NL, PL, SE, SI, and NO, RS.
702 FI, FR, IE, IT, LU, PL.
703 IE.
704 IT.
705 PL (the authority of the second instance in matters of return and expulsion of citizens of a European Union Member State and their family members from the Head of the Office for Foreigners to the Com-mander-in-Chief of the Border Guard).
706 Ministry of the Interior, 'Ministry of the Interior to prepare amendments to provisions on detention and entry bans in the Aliens Act', 2 October 2023, https://intermin.fi/-/sisaministeriossa-valmistellaan-muutoksia-ulkomaalaislain-sailoonottoa-ja-maahantulokieltoa-koskeviin-saannoksiin?languageId=en_US, last accessed on 3 April 2024.
707 In Ireland, a deportation order requires a person to leave the State and thereafter to remain outside the State.
708 With the sustainability and proportionality test the Dutch competent authority – in brief - checks if, in case of a return of the third-country national involved, the return would lead to a risk of a violation of Article 3 ECHR (no one shall be subject to torture or degrading treatment.). If, for this reason, the risk has a lasting impact impeding return, the withholding of a residence permit to the third-country national is considered disproportional.
709 AT, BE, CY, EL, FI, LT, LV, SE and MD.

Decision[710] on Ireland's request to participate in certain Frontex activities, particularly training and workshops. Croatia wanted more direct support from Frontex and sought to benefit from its additional capacity and knowledge. For Ireland, participating in Frontex training helps to meet or exceed established standards in joint return operations.

To improve cooperation on returns more generally, Greece introduced the position of National Coordinator for Returns, responsible for the coordination and implementation of national and EU returns policy. Serbia adopted SOPs to ensure coordination when implementing readmission agreements, while Finland reported closer Nordic cooperation on returns at ministerial and operational level.

Accompanying expelled third-country nationals on commercial flights to a joint flight carries a high risk of failure, while arranging a charter flight imposes a disproportionately high financial burden. Accordingly, when transporting third-country nationals for deportation, Lithuania began to transfer them by land (car or bus), with an escort, to the airport of another EU Member State for joint flights.

11.3 (ASSISTED) VOLUNTARY RETURN AND REINTEGRATION

Voluntary return was reported as the preferred option for EMN Member Countries and Georgia. Countries may run assisted voluntary return programmes, as well as providing return counselling and reintegration assistance.

Eighteen EMN Member and Observer Countries[711] reported measures or plans to increase voluntary returns in 2023. Working in partnership was highlighted by many EMN Member Countries, particularly with IOM,[712] as was countering misuse of reintegration programmes.[713]

11.3.1. (Assisted) voluntary return

Four EMN Member Countries changed the management or resourcing of their voluntary return and reintegration programmes in 2023.[714] In Germany, the Federal Office for Migration and Refugees (BAMF) prepared to take over the management of the national voluntary return programme from IOM (remains a service partner) and to be responsible for processing applications and organising voluntary returns. Italy changed to a single service provider, IOM, to avoid fragmentation, while Austria worked with multiple partners (IOM, the European Technology and Training Centre (ETTC), French Office for Immigration and Integration (OFII)). In Ireland, a new dedicated Voluntary Returns Unit staffed by specialists was set up in the Department of Justice Immigration Service Delivery Repatriation Unit. The Repatriation Unit also continued to fund the IOM on assisted voluntary return and reintegration cases. France radically overhauled its voluntary return programme, aiming to make it more attractive, while introducing a system of gradually decreasing aid allocated in three phases. This included increasing initial amounts of aid and distinguishing between nationalities.

Luxembourg[715] and Sweden each intended to develop return houses or centres to accommodate people subject to a return decision. Sweden aimed to enable the Swedish Migration Agency to work actively to motivate asylum seekers whose application to return voluntarily had been refused, while Luxembourg sought to provide an alternative to detention (see section 11.4).

Austria provided a brochure to those considering returns, while IOM ran information sessions and an awareness campaign on the benefits of voluntary return in Bulgaria. The new Voluntary Return Unit in Ireland promoted voluntary returns to individuals and organisations.

In Poland, the Office for Foreigners no longer covered the cost of food for third-country nationals in connection with a voluntary return to a country where they had a right to enter or transfer. This responsibility was transferred to the Border Guard, which assumed responsibility for organising voluntary returns.

Frontex's Return Escort and Support Officers (FRESO) help national authorities in all phases of the return operation, including escorting persons who have received a return decision from national authorities and identifying/assisting vulnerable groups or families with children. The FRESO team in Austria was expanded to 14, with a further extension underway to support the expansion of voluntary return.

The Community of Portuguese-Speaking Countries (CPLP) met to share the state of play on document security and to identify gaps, best practices and challenges including in the area of voluntary returns. They sought better cooperation to pursue safe and secure mobility between CPLP Member States and, eventually, a future common document security policy.

11.3.2. Return counselling

Eleven EMN Member Countries introduced new measures on return counselling in 2023.[716] As part of its initial steps towards creating binding quality standards at federal and state levels, Germany published guidelines for return counselling centres as a basis for advisory services. Estonia produced an internal handbook on return counselling for the PBGB, while Frontex organised training on return counselling in Croatia. Portugal began to implement the Frontex Joint Reintegration Counselling programme.

710 Frontex Management Board Decision 17/2023 on Ireland's request to participate in, and contribute financially to, Frontex activities in 2023, 27 April 2023, https://prd.frontex.europa.eu/document/management-board-decision-17-2023-of-27-april-2023-on-irelands-request-to-participate-in-and-contribute-financially-to-frontex-activities-in-2023/
711 AT, BE, BG, DE, EE, ES, FI, FR, IE, IT, MT, NL, PL, PT, SE, SI, SK, and GE.
712 AT, BE, EL, IE, IT, PL.
713 BE, FR.
714 DE, IE, IT, PL.
715 Government of Luxembourg, 'Accord de coalition 2023-2028', Press release, 16 November 2023, p. 188, https://gouvernement.lu/dam-assets/documents/dossier/formation-gouvernement-2023/accord-coalition.pdf, last accessed on 20 June 2024.
716 BE, BG, DE, EE, ES, EL, FI, HR, PT, SE, SI.

11.3.3. Reintegration assistance

Thirteen EMN Member Countries and Moldova introduced measures on reintegration assistance support.[717]

Box 22: Widespread take-up of the EU Reintegration Programme

Almost all EMN Member Countries had taken up the Frontex Reintegration Assistance Tool (RIAT) by the end of 2023, allowing them to access and participate in the EU Reintegration Programme (EURP), providing individual reintegration assistance to returnees in their countries of origin. EURP support is offered to both voluntary and non-voluntary returnees and includes short-term support for the period immediately following return, as well as long-term support for needs such as housing and employment advice. Bulgaria, Cyprus and Slovenia took an active role in the EURP in 2023, while Estonia, Finland, Hungary, Lithuania, Malta, Poland and Portugal all adopted the EURP during the year. In Finland and Malta, this meant broadening their services and offering return counselling for non-voluntary returnees for the first time. Portugal began to implement Frontex's Return Mobility Programme.

Belgium, France, Italy and the Netherlands introduced measures targeting different groups for voluntary returns. Reasons included responding to concerns of the general public or and avoiding misuse,[718] focusing on returns to specific countries,[719] or using newly available options under the EURP.[720]

Six EMN Member Countries implemented measures on the finance provided to individuals for voluntary return in 2023.[721] Spain increased its budget for voluntary returns overall, while Slovenia funded services through the AMIF. Bulgaria focused on bigger cash incentives to promote voluntary return. Finland and France planned to raise the initial amount of voluntary return assistance provided, then decrease the amount in stages to incentivise earlier return. To improve cooperation on returns with Iraq and increase the number of returnees, Austria and Sweden offered additional incentives for voluntary return to Iraq, which in Austria formed part of a package of measures to promote voluntary return.

In other developments, Norway reported that one of the main goals of its new return strategy for 2023-2029 was to ensure sustainable return and reintegration. Germany opened the Ghanaian-European Centre for Jobs, Migration, and Development in Accra, Ghana to provide information and support to those seeking work or education opportunities in Europe or West Africa and to help returnees from Europe or other countries to reintegrate into Ghanaian society (see box 4; chapter 2). Other reintegration measures focused on learning, for example, Moldova took part in the Budapest Process Working Group meeting on return and reintegration, held in Istanbul, Türkiye.

11.4 DETENTION AND ALTERNATIVES TO DETENTION

11.4.1. Detention

Policy and legislative changes in detention in 2023 were driven by a need to increase the efficiency of returns,[722] increase security in detention centres,[723] comply with detainees' rights,[724] clarify provisions on the risk of absconding,[725] improve the management of the phenomenon of illegal residence of third-country nationals,[726] and increase the period of detention possible in national law.[727] A judgment by the Supreme Court in Estonia ruled that detention centres' internal rules on the use of mobile phones were unconstitutional, while the Administrative Jurisdiction Division of the Council of State in the Netherlands ruled that procedures for informing third-country nationals being placed in detention were insufficient. Detained foreign nationals have the right to know why they are being detained, how to challenge the detention, and how to obtain legal assistance. To meet the information obligation, the foreign national must now be informed in writing in a language they understand, rather than verbally.

Conditions in the detention centres themselves were also subject to (plans for) improvement, for example the creation of more appropriate conditions for returnees with special needs,[728] or to move away from prison-like conditions.[729]

France, Norway, and Georgia reported other developments to improve the conditions for detainees pending return. France extended the deadline for adapting reception standards in administrative detention facilities in Mayotte for four years (i.e. to the end of 2027) to be in line with those in mainland France. Norway made a minor change in the regulation on the detention of minors so that the forced return of families with children could be carried out 'the day after' the apprehension, providing time to arrange better outbound transport. In Georgia, provisions were introduced to support detainees' rights, establishing

717 BE, BG, CZ, DE, EE, FI, HU, IT, LT, MT, PL, PT, SE and MD.
718 BE, FR. France focused its assisted return efforts on nationalities subject to visa requirements, whose return to the Schengen area after expulsion was deemed to be more difficult. Foreign nationals from visa-exempt third countries (e.g. Georgia, Albania, Moldova) would only be eligible for assisted return if the return order was accompanied by an entry ban to avoid misuse of the system.
719 IT. Citizens of third countries with visa exemptions were included, but there was a focus on Bangladesh, Pakistan, Nigeria, Egypt, Tunisia, Morocco and Côte d'Ivoire.
720 CZ, DE, NL (because of an extension of Frontex's EURP, as well as improving return cooperation with partner countries, NL announced that from 1 July 2023, migrants from Algeria, Belarus, Egypt, Lebanon, Mongolia, Morocco, Türkiye and Tunisia could apply for voluntary return and reintegration assistance after being temporarily excluded from the reintegration programme).
721 AT, BG, ES, FI, FR, SE.
722 CZ, FI, LU.
723 CY, HU, IT, PL, SE, and NO.
724 EE, NL.
725 LU.
726 LU
727 FI (planned), IT.
728 LT, LU (planned), PL.
729 HU.

procedures for photographing and notifying the relevant investigation body of any bodily injuries found on detainees by the medical personnel of the Migration Department at the Temporary Accommodation Centre (TAC).

11.4.2. Alternatives to detention

Six EMN Member Countries implemented or planned policy or legislative changes on alternatives to detention,[730] in a bid to release pressure on detention centres,[731] balance restrictions on third-country nationals with a risk of absconding,[732] and ensure authorities' access to migrants who had received a return order.[733] Alternatives introduced included a financial guarantee,[734] granting temporary leave from detention centres,[735] investigating electronic surveillance measures,[736] and individual case management[737] (see chapter 9).

In response to a ruling by the Constitutional Court, Lithuania introduced several changes in law, including an alternative to detention. Foreigners accommodated by the State Border Guard Service and obliged not to leave the territory of the accommodation facility may now request permission for temporary leave from the head of the accommodation facility.

Plans for 'return houses' as semi-open facilities were confirmed in the Coalition Agreement 2023-2028 in Luxembourg.[738] These centres are intended to free up space in reception structures and function as an alternative to detention for irregular migrants until their return, where detention is not required or not possible. However, no suitable building location was found in 2023.

11.4.3. Cooperation with countries of origin and transit

Cooperation with third countries on return or reintegration management was the most widely reported measure on returns introduced[739] or planned[740] by 21 EMN Member and Observer Countries. The German federal government established a Special Commissioner for Migration Agreements in 2023, highlighting the importance of such agreements. Measures were largely driven by a high presence or increase of irregularly arriving or staying third-country nationals from specific countries, as well as the need to expand the legislative basis, for example on readmission, or to increase cooperation on migration more generally, including returns.

Three EMN Member and Observer Countries[741] reported increased cooperation with Iraq on returns following enhanced engagement at EU level in the context of Article 25a of the Visa Code.[742]

Bilateral agreements on readmission progressed throughout 2023 with countries from across the globe. Uzbekistan was a focal country for EMN Member Countries,[743] as were Tajikistan,[744] Kazakhstan,[745] Kyrgyzstan,[746] the Democratic Republic of Congo,[747] Bosnia and Herzegovina,[748] Kosovo,[749] Armenia,[750] Azerbaijan,[751] Ukraine,[752] Malaysia and Thailand (parliamentary consultation phase).[753] In other developments on readmission, the Slovak Republic joined the Readmission Case Management System (RCMS) with Georgia.

Georgia enacted bilateral readmission agreements with Spain, Iceland and the United Kingdom. Moldova had ongoing developments on readmission with several countries.[754]

Box 23: Developments on readmission agreements for Ukraine

The ongoing development of readmission agreements was important for Ukraine throughout 2023 to expand its international treaty base on readmission and included many countries.[755] At the same time, Ukraine suspended its readmission agreements with Belarus and Russia, following Russia's war of aggression against Ukraine.

Other bilateral actions included Austria's migration dialogue with Somalia and Senegal, which included discussions on returns. Return and reintegration were key components of the joint declaration signed between Austria and Morocco, as well as the Migration and Mobility Partnership Agreement between Austria and India which came into force in September 2023 (see chapter 2, chapter 9 and chapter 12). Germany highlighted its holistic Migration and Mobility Partnership Agreement with India, as well as an agreement with Georgia to facilitate labour migration to Germany and work more closely on return. Estonia organised information days on legal pathways and returns for embassies.

730 BE, HU, IT, LT, LU, SE.
731 IT.
732 LT.
733 SE.
734 HU, IT (for asylum seekers in an accelerated procedure).
735 LT.
736 SE.
737 BE.
738 Government of Luxembourg, 'L'accord de coalition 2023-2028 (*Lëtzebuerg fir d'Zukunft stäerken*)', Press release, 20 November 2023, https://gouvernement.lu/dam-assets/documents/dossier/formation-gouvernement-2023/accord-coalition.pdf, last accessed on 20 June 2024.
739 AT, BE, BG, CZ, DE, EE, EL, FI, FR, LT, LV, MT, PL, SE, SI, SK, and NO, GE, MD, UA.
740 LU.
741 AT, SE and NO.
742 Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), Article 25(a)(2), https://eur-lex.europa.eu/eli/reg/2009/810/oj, last accessed on 06 July 2024.
743 CZ, EE, PL.
744 EE, PL.
745 EE.
746 EE, LT, PL.
747 LT.
748 LT.
749 LT.
750 AT, BE, LU.
751 LT.
752 BE, LU, LT, LV.
753 LU.
754 EU, Germany, Armenia, Iceland, Côte d'Ivoire, Qatar, UK, Uzbekistan.
755 Serbia, Kazakhstan, Armenia, Lebanon, Libya, Georgia, Tajikistan, Azerbaijan, Bosnia and Herzegovina, Afghanistan, China, Iran, India, Sri Lanka, Bangladesh, Iraq, Nigeria, Vietnam, Pakistan.

Table 5. Bilateral agreements on readmission, enacted or planned by EMN Member Countries in 2023

With EMN Observer Countries			With other third countries									
Armenia	Georgia	Ukraine	Azerbaijan	Bosnia and Herzegovina	Democratic Republic of Congo	Kazakhstan	Kosovo	Kyrgyzstan	Malaysia	Tajikistan	Thailand	Uzbekistan
AT BE LU	ES	BE LU LT LV	LT	LT	LT	EE	LT	EE LT PL	LU	EE PL	LU	CZ EE PL

Source: EMN National contact points

12. MIGRATION AND DEVELOPMENT

This chapter examines new measures on migration and development. In 2023, 13 EMN Member and Observer Countries adopted new migration and development measures in various policy areas.[756] These included skills development and talent partnerships,[757] safe return and reintegration,[758] climate change adaptation,[759] humanitarian aid,[760] food security,[761] socioeconomic integration and job creation,[762] and trade and investment.[763] Nine EMN Member Countries adopted integrated approaches considering the complex relationship between migration and development cooperation.[764] Seven EMN Member Countries reported their ongoing commitment to addressing the root causes of irregular migration and forced displacement in countries of origin.[765] Developments in four EMN Member Countries emphasised the important contribution of circular migration to sustainable development, both in origin and destination countries,[766] while four EMN Member and Observer Countries underscored the key role of diasporas in facilitating skills transfer, financial remittances, and intercultural dialogue.[767]

12.1 EU DEVELOPMENTS

As a leading donor of development and humanitarian aid, the EU addressed the root causes of instability, displacement, and irregular migration in partner countries in 2023. It reported moving from short-term humanitarian responses to longer-term development strategies and holistic solutions to the multidimensional challenges related to forced displacement and irregular migration.[768]

The EU continued to support integrated development and migration approaches around the world. It participated actively in regional support platforms to enhance dialogue and cooperation among countries of origin, transit and destination.[769] At the GRF, the EU made collective pledges in support of the humanitarian-development-peace nexus, global stability, and durable solutions to major displacement crises.[770] Within the Rabat Process,[771] the EU contributed to technical meetings, providing expertise on voluntary return and reintegration and advocating for youth empowerment as a catalyst for development.

The EU also mobilised resources through funding instruments such as the EU Global Gateway,[772] the EU Trust Fund for Africa (EUTF for Africa),[773] the new Neighbourhood, Development, and International Cooperation Instrument (NDICI-Global Europe), the Migration Partnership Facility (MPF), the Regional Development and Protection Programme (RDPP), and the Team Europe initiatives for coordinated and balanced migration management measures in various priority regions.[774]

756 AT, BE, DE, EE, FR, IE, IT, LU, NL, SE, SK, and NO, MD.
757 BE, DE, EE, IE.
758 BE, DE, FR, SE, and, NO, MD.
759 FR, IE, IT, LU (signed MoU with Costa Rica), SE, SK.
760 AT, SK, and NO.
761 IE, IT, SK.
762 BE, DE, EE, IT, LU (signed MoU with Costa Rica).
763 BE, IT, SK.
764 AT, BE, DE, EE, IE, IT, LU, NL, SE.
765 AT, EE, IE, IT, LU (signed MoU with Costa Rica), SE, SK.
766 AT, BE, IE, IT.
767 BE, FR, IT, and MD.
768 European Commission, 'Report on Migration and Asylum', COM/2023/219 final, https://commission.europa.eu/system/files/2023-01/report-migration-asylum-2022.pdf, last accessed on 19 June 2024.
769 GCR, Intergovernmental Authority on Development in the Horn of Africa; Comprehensive Regional Protection and Solutions Framework in Central America; and Solutions Strategy for Afghan Refugees.
770 European Commission, DG HOME, '2023 Global Refugee Forum: The EU announces resettlement pledges', 15 December 2023, https://home-affairs.ec.europa.eu/news/2023-global-refugee-forum-eu-announces-resettlement-pledges-2023-12-15_en, last accessed on 21 March 2024.
771 Rabat Process, Euro-African Dialogue on Migration and Development, n.d., https://www.rabat-process.org/en/activities, last accessed on 7 March 2024.
772 Joint Communication: The Global Gateway, JOIN(2021) 30 final, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021JC0030, last accessed on 19 June 2024.
773 EUTF website, https://trust-fund-for-africa.europa.eu/index_en, last accessed on 7 March 2024.
774 European Commission, 'Report on Migration and Asylum', COM/2023/219 final, pp. 24-25, https://commission.europa.eu/system/files/2023-01/report-migration-asylum-2022.pdf, last accessed on 19 June 2024.

12.2 NATIONAL MIGRATION AND DEVELOPMENT STRATEGIES

In 2023, 11 EMN Member and Observer Countries adopted new strategies and initiatives to facilitate synergies between migration and development in their cooperation policies.[775] Seven EMN Member Countries and Norway explicitly linked international development cooperation policies to migration-related issues.[776] For instance, the programme of the Austrian Development Agency increasingly considers the issue of migration, and Austria adopted a new humanitarian aid strategy in 2023 to address the root causes of migration and (forced) displacement. France launched a new Migration and Development Strategy (2023-2030) to deliver on the Joint Valletta Action Plan (JVAP) and the Cadiz Action Plan, as part of the Rabat Process. Italy adopted Strategic Guidelines on the Migration-Development Nexus, laying down strategic goals and mobilising resources for actions. Belgium introduced a new 'migration marker' to monitor projects and programmes implementing the migration and development nexus in its Official Development Assistance (ODA) database (see Box 24).

Box 24: Belgium's new 'migration marker' to assess development outcomes

The introduction of a new migration marker in Belgium's ODA database aims to classify migration-related development actions into three categories: (1) actions that have a specific goal and at least one outcome and indicator linked to migration (marker 1); (2) actions that target migration as their main goal (marker 2); and (3) actions that integrate migration as a transversal issue (marker T). The marker excludes in-donor-refugee costs or humanitarian aid for refugees. It ultimately helps the Belgian Development Cooperation to track progress in its thematic strategy on migration and development and to monitor the use of funding for migration-related development initiatives.

The Netherlands passed a law enabling its membership of the ICMPD. In Sweden, the adoption of the strategic policy document 'Development Assistance for a New Era: Freedom, Empowerment, and Sustainable Growth' served as a reform agenda for stronger synergies between development assistance and migration policy. Norway revamped its humanitarian and development funding programmes, with an increased focus on integrating migration partnerships into development cooperation strategies.

Seven EMN Member and Observer Countries reported according extra attention to the synergies between return and reintegration policies in development-based migration.[777] Germany broadened the scope of its Centres for Migration and Development (see Box 21) in partner countries to advise on legal migration routes to Europe that mutually benefit both origin and destination communities, rather than focusing only on return and reintegration advisory services. Sweden streamlined the need to include refugees, internally displaced people, and returnees in development cooperation programmes. Austria's new strategy for humanitarian aid envisages support for refugees, internally displaced people and host societies by providing humanitarian aid in the countries of origin. It also aims to minimise the causes of displacement.

Box 25: Germany's innovative approach to intra-regional mobility through the Centres for Migration and Development

The Centres for Migration and Development initiative was launched by the Federal Ministry for Economic Cooperation and Development (BMZ) in 2023 and reflected a new approach to migration policy in Germany. It aimed to provide comprehensive guidance on migration opportunities, both to and from Germany and Europe, as well as within regions of origin. Initially conceived to advise on return and reintegration, existing centres (in Egypt, Ghana, Iraq, Morocco, Nigeria, Pakistan, and Tunisia) were adapted to this new approach, while new centres were set up in Indonesia and Jordan. The initiative recognised the positive impact of migration on economic development, both in the partner countries and in Germany. By creating a more balanced and dynamic migration system, the centres seek to foster mutual benefits for all stakeholders (see also Box 4, chapter 2).

Four EMN Member Countries prioritised cooperation programmes linking climate change to migration and forced displacement.[778] Ireland prioritised finance to increase climate resilience and prevent forced displacement due to extreme weather events in third countries. The Slovak Republic highlighted climate change as a cause of forced migration in its cooperation strategy.

Strengthening trade and investment relationships was another strategic policy area for three EMN Member Countries aiming to boost socioeconomic development in partner countries.[779]

France strengthened its cooperation with third countries in the fight against human trafficking and smuggling, facilitating the return and readmission of illegal migrants, and improving the governance of migration in third countries.

12.2.1. Skills and Talent Mobility Partnerships

As also reported in chapter 2, EMN Member Countries continued to promote skills and talent mobility initiatives as part of their cooperation agendas, contributing to mutual and sustainable development for both origin and destination countries.[780] In the framework of the talent partnership initiative, Belgium has been implementing EU-funded mobility schemes with key partner countries and key stakeholders. In May 2023, Belgium's

775 AT, BE, DE, EE, FR, IT, NL, SE, SK, and NO, MD.
776 AT, BE, DE, FR, IT, NL, SE, and NO.
777 AT, BE, DE, FR, SE, and NO, MD.
778 FR, IE, IT, SK.
779 BE, IT, SK.
780 BE, DE, EE, IE.

Development Agency Enabel launched the Project for Entrepreneurial Mobility (PEM) N'zassa in Belgium, with EU co-funding to support the internationalisation and professional mobility of 120 entrepreneurs from Côte d'Ivoire (see Box 22). IOM's Displaced Talent for Europe (DT4E) 2.0 project was accepted under the AMIF programme to upscale existing labour pathways for displaced talent in Belgium and Ireland and to open new complementary routes in France and the Slovak Republic.[781] The THAMM project with Morocco and Tunisia was extended for another year to allow for full deployment of the Global Skills Partnership Approach and to address labour shortages in strategic Belgian sectors.[782] (See also chapter 2 for information on bilateral migration agreements and chapter 3 on complementary pathways).

Box 22: Belgium's Development Agency, Enabel, launches new PEM N'zassa mobility project with Côte d'Ivoire

Based on the experience with PEM WECCO, a circular migration project with Senegal, supported by the Migration Partnership Facility,[783] PEM N'zassa is a new initiative to strengthen entrepreneurial ties between Côte d'Ivoire and Belgium. The project's main goal is to support the growth and internationalisation of small and medium-sized enterprises (SMEs) in Côte d'Ivoire by providing them with opportunities for temporary mobility and business partnerships with Belgian companies. The project targets four key sectors: agri-food, green economy, digital economy, and cultural and creative industries. During the first 42-month pilot phase, the project will offer tailored mobility programmes to 120 Côte d'Ivoire entrepreneurs, providing access to training, coaching, networking and market opportunities in Belgium. The project will also reach out to 300 entrepreneurs in Côte d'Ivoire through customised training and coaching services.[784]

Estonia started the EU-funded Digital Explorers II project to address unemployment and talent shortages in developing countries (a migration driver). The project aimed to bring 20 Kenyan university students to Estonian companies for a four-month IT internship and training at Tallinn University. The project was to host another six people from Kenya to learn about Estonia's e-government, education, and labour market architecture, with a focus on IT. The Ireland Fellows Programme 2023-2024 is a mobility programme that awarded 206 students from 42 partner countries scholarships to study Master and PhD programmes at 17 Higher Education Institutions in Ireland. The aim was to equip high-potential professionals with skills to use in their home countries.

12.2.2. Cooperation with key players and strategic partnerships

Five EMN Member Countries described bilateral and multi-partner agreements with countries of origin and key international players to support migration and development cooperation.[785] Belgium amended its bilateral programme in Burkina Faso to promote holistic solutions to protracted displacement in the Centre East and Centre North Regions, in close collaboration with public authorities and local organisations. Luxembourg signed an MoU with Costa Rica to cooperate *inter alia* on social cohesion, climate resilience and human rights. The Netherlands launched the Dutch-Africa Strategy 2023-2032 to further develop its bilateral relationships with key countries of origin and transit in policy areas such as migration governance and socioeconomic inclusion. Italy adopted the Italy-Africa strategic plan: Mattei Plan to renew its partnership with African countries aiming to promote long-lasting development solutions in education, health, water, energy, and adaptation to climate change.

Three EMN Member Countries[786] made commitments and pledges in international forums to raise awareness of the linkages between development cooperation and migration. Belgium pledged the systematic inclusion of forcibly displaced people in development cooperation programmes at the GRF in 2023. At the same time, Ireland pledged its support for the full implementation of the Global Compact on Refugees (GCR), primarily by addressing the structural causes of irregular migration and forced displacement and safe complementary pathways through education and labour opportunities.[787] The French Presidency of the Global Forum on Migration and Development (GFMD) for 2022-2024 set six strategic themes for dialogue: impact of climate change on human mobility, human rights and migration, multi-level governance, diasporas, labour migration, and culture and discourse.

Germany and the Slovak Republic reported development interventions as part of the Team Europe initiatives. The Slovak Republic joined as a partner in the Investing in Young Business in Africa – Supporting Entrepreneurial Ecosystem Development (IYBA SEED) project, which aims to improve the business environment in sub-Saharan Africa.[788] Germany also leveraged Team Europe funding to open the Ghanaian-European Centre for Jobs, Migration, and Development in Accra, Ghana.[789] The centre provided information and support for people seeking work or education opportunities in Europe or West Africa. It also helped migrants returning from Europe or other countries to reintegrate into Ghanaian society.

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12.2.3. Engaging diaspora communities in development

Four EMN Member and Observer Countries involved diaspora groups in their countries in development cooperation activities.[790] Belgium partnered with Luxembourg, *Zidicircle*, Entrepreneurs for Entrepreneurs, the National Bank of Belgium and IOM to launch the O-REMIT project.[791] The project explores the financial habits of diaspora groups in Belgium and fosters opportunities in their countries of origin by providing low-cost alternatives for remittances and possibilities for investment of savings. Migrants in Belgium sent € 6.4 billion in remittances to their home countries in 2020, showing that migration can be an important lever for development.[792]

Italy established the Italian Coordination of Diasporas for Cooperation in Development, bringing together more than 100 diaspora associations in nine regional networks. Its main objectives were to promote cooperation in development and foster global citizenship education. The coordination was created as an outcome of IOM's DRAFT the Future! Towards a Diaspora Forum in Italy project.[793] Italy also reported the second phase of the MOBI-TRE project to enhance the capacities of Tunisian diaspora communities in Italy and support their positive contribution to the social and economic recovery of Tunisia.[794]

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For more information

EMN website: http://ec.europa.eu/emn
EMN LinkedIn page: https://www.linkedin.com/company/european-migration-network
EMN Twitter account: https://twitter.com/emnmigration
EMN YouTube channel: https://www.youtube.com/@EMNMigration

EMN National Contact Points

Austria www.emn.at/en/
Belgium www.emnbelgium.be/
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Estonia www.emn.ee/
Finland emn.fi/en/
France www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3/Le-reseau-europeen-des-migrations-REM2
Germany www.bamf.de/EN/Themen/EMN/emn-node.html
Greece emn.immigration.gov.gr/en/
Hungary www.emnhungary.hu/en
Ireland www.emn.ie/
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Luxembourg emnluxembourg.uni.lu/
Malta emn.gov.mt/
The Netherlands www.emnnetherlands.nl/
Poland www.gov.pl/web/european-migration-network
Portugal rem.sef.pt/en/
Romania www.mai.gov.ro/
Spain www.emnspain.gob.es/en/home
Slovak Republic www.emn.sk/en
Slovenia www.gov.si/
Sweden www.emnsweden.se/
Norway www.udi.no/en/statistics-and-analysis/european-migration-network---norway#
Georgia migration.commission.ge/
Republic of Moldova bma.gov.md/en
Ukraine dmsu.gov.ua/en-home.html
Montenegro www.gov.me/mup
Armenia migration.am/?lang=en
Serbia kirs.gov.rs/eng