

# Migration Update

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*The purpose of these news summaries is to provide a factual base for migration debates within the European centre-right. [Vít Novotný](#) is responsible for the selection of information items from the media, governments and social media. The value of these summaries is in the categorisation of information items and in listing those items that readers might have missed. Facts and opinions are conveyed as they are reported. Original comments are kept to a minimum. Thanks go to Davide Marcantoni for writing up the ECtHR court case for the judicial observatory.*

*These news summaries are not subject to a formal editorial process. Should you have any questions or comments, please contact Vít Novotný at [vn@martenscentre.eu](mailto:vn@martenscentre.eu)*

Between 24 February and 27 April **5,372,854** people [fled](#) Ukraine.

- Of these, some [4.6 million](#) refugees from Ukraine entered the EU. The remaining ones escaped to Russia, Moldova and Belarus.

More than **one million Ukrainians** [returned](#) from abroad between 24 February and 16 April.

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## UKRAINE

### Temporary protection

[According to](#) the European Union Agency for Asylum (EUAA), about **2.3 million persons fleeing Ukraine** have registered for temporary protection in the EU+ (EU, Norway, Iceland and Switzerland).

- A partial country breakdown for temporary protection registrations as of 22 April is provided [here](#). [This information has been collected from public sources.]
- Between 11 and 17 April, 99% of the registrations for temporary protection [covered Ukrainian nationals](#). Among other registered nationalities, the most prominent remained **Russians (340) and Belarusians (127)**. In the same week, 68% of the registered persons were female.
- Since the activation of temporary protection on 4 March 2022, EU+ countries 'have been **adopting the necessary national legislation** to ensure adequate implementation, configuring electronic systems and gradually reporting to the EUAA. However, data on registrations for temporary protection are still incomplete. Registrations included in [EUAA] analysis cover both those conducted under the TPD and similar provisions under national law.'

Beneficiaries of temporary protection [obtain](#) a residence permit for an initial duration of between one and three years, the right to take up employment as well as access to medical treatment, accommodation and social welfare.

**Denmark, Iceland, Norway and Switzerland** have introduced [provisions](#) similar to temporary protection introduced in March 2022 by the EU-26 (EU without Denmark).

[According to](#) the Hungarian Helsinki Committee, the Hungarian government transposed the Council Decision on triggering temporary protection incorrectly in that it excluded nationals of third countries who possessed permanent residence permits in Ukraine and could not return to their country of origin.

### Accommodation

Municipal governments in several countries, including [Germany](#), reported being overwhelmed by the need for accommodation.

### Solidarity Platform

Commissioner Johansson [stated](#) that Germany, France and Spain offered to accept Ukrainian refugees from Czechia and Poland if the refugees were interested. [No information has been published on the potential beneficiary countries accepting the offer.]

### Recognition of qualifications

On 5 April, the European Commission [published](#) a recommendation on the recognition of qualifications for people fleeing Russia's invasion of Ukraine. The recommendation urges the member states to **reduce formalities** and encourages them 'to ensure that professionals enjoying temporary protection.... can access jobs

that correspond to their qualification level by relying on an efficient, rapid and well-functioning system of recognition of their professional qualifications.'

### **Moldova**

The Republic of Moldova is organising, in collaboration with the UNHCR, IOM and EU member states, [free transportation by plane](#) directly from Moldova to selected EU countries, where support is organised and where refugees can register for temporary protection. Towards the end of April, flights were departing to **France, Latvia, Austria, Germany, Spain and Norway**. Flights are preceded by a screening interview, medical assessment and security assessment.

The EU is [providing](#) the following **financial assistance to Moldova**:

- €8 million in humanitarian assistance.
- €15 million to support the processing of refugees and the secure transit and repatriation of third-country nationals.
- €15 million to support the EU Border Assistance Mission (EUBAM).
- Through the EU Civil Protection Mechanism, 18 countries (17 member states plus Norway) have offered shelter items, energy supply and medical aid. The Commission has also mobilised medical equipment from the rescEU medical stockpiles hosted by Hungary and the Netherlands.

### **Council of Europe Development Bank (CEB)**

The CEB is [providing](#) €400,000 to the Czech government to assist early integration of refugees from Ukraine.

- The CEB has so far approved almost €2.8 million in grants from its Migrant and Refugee Fund (MRF) to the offices of the IOM in the frontline countries.

### **Russians**

EU members continued to make it difficult for the citizens of Russia to emigrate. The **Polish** consulate [stopped](#) issuing visas to the inhabitants of the Kaliningrad enclave and the **Lithuanian** authorities were creating administrative difficulties at the Kaliningrad border.

[At least partly as a result of emigration of young professionals] the Federal Penitentiary Service [was considering](#) engaging IT specialists serving their sentences in **correctional centres** to work remotely for commercial companies.

### **Europol**

On 1 April, Europol [announced](#) it had operational teams in Lithuania, Poland, Romania, Slovakia and Moldova, with an upcoming deployment planned to Hungary.

- Teams 'comprised of Europol specialists and guest officers support the national authorities with secondary security checks and investigations at the European external borders to identify criminals and terrorists trying to enter the EU in the refugee flow and exploit the situation.'

## Public opinion

In an Ipsos [global poll of 27 countries](#), 74% of respondents agreed that their country should take in Ukrainian refugees from the current conflict. Sweden scored the highest, with 89%, Israel the lowest with 59%.

In a [STEM poll](#) in Czechia, **73% of respondents** agreed that it is right that their country accept Ukrainian refugees. This high support is said to be influenced by anti-Russian sentiments among the Czech population.

- At the same time, 70% of respondents considered that the arrival of refugees will lead to a weakening of the social security of Czech citizens, 53% feared increased unemployment, 51% feared a general weakening of the cohesion of Czech society and 47% saw refugees as a threat to Czech society.
- 60% did not think that Czechia could take care of 250,000 refugees in the long term.

## LEGAL IMMIGRATION

On 27 April, the European Commission [published](#) a set of proposals to **attract skills and talent to the EU**. The overall aim is to 'strengthen cooperation with non-EU countries and improve overall migration management in the long term.' The set of proposals includes:

- a **revision of the Single Permit Directive** to streamline application procedures for combined work and residence;
- a **revision of the Long-Term Residents Directive** to
  - make it easier to acquire EU long-term residence status by simplifying the admission conditions, for instance by allowing the cumulation of residence periods in different member states;
  - to enhance the rights of long-term residents and their family members, including improvements to family reunification and facilitated intra-EU mobility;
- operational cooperation at EU level between member states as well as with partner countries to speed up the adoption of **Talent Partnerships**;
- the first EU-wide platform and matching tool, an **EU Talent Pool**, to make the EU more attractive for non-EU nationals looking for opportunities and to help employers;
  - a specific web-based Talent Pool pilot project is being launched in response to the need to accommodate those **fleeing Ukraine's invasion by Russia**, in order to match them with potential employers across the EU, so as to facilitate their labour market integration in the EU; there will be no admission criteria and people can upload their profiles from within the EU.

**Italy** [launched](#) the digital nomad visa. Countries such as Portugal, Croatia, Greece, Estonia, Romania and Malta already have such schemes.

## UK, DENMARK AND RWANDA

The **UK and Rwanda** signed a [Memorandum of Understanding](#) for the provision of an asylum partnership arrangement.

- The objective is to create a mechanism for the relocation of asylum seekers whose claims are not being considered by the UK to Rwanda, which will process their claims and settle or remove individuals after their claim is decided, in accordance with **Rwanda domestic law**, the Refugee Convention and current international standards.
- The UK will be responsible for the initial screening of asylum seekers, before relocation to Rwanda. This process will start without delay after the prospective relocated person arrives in the UK and has come to the attention of UK authorities.
- The UK will arrange the relocated individual's transport to Rwanda and will ensure that all the necessary authorisations have been obtained.
- For those recognised as refugees by Rwanda, Rwanda will grant the relocated individual refugee status.
- For those relocated individuals who are neither recognised as refugees nor do they have a protection need or other basis upon which to remain in Rwanda, Rwanda will only **remove** such a person to a country in which they have a right to reside. If there is no prospect of such removal occurring for any reason, Rwanda will regularise that person's immigration status in Rwanda.
- The Participants will make arrangements for the UK to **resettle a portion of Rwanda's most vulnerable refugees in the UK.**

**Denmark** [was](#) also in talks with Rwanda about setting up a new procedure for transferring asylum seekers to the East African nation.

- Denmark had signed a diplomatic agreement with Rwanda in 2021 on asylum and political matters but subsequent negotiations on the specifics of asylum processing have not resulted in concrete policies.

## JUDICIAL OBSERVATORY

### **North Macedonia did not breach the European Convention on Human Rights when it forced a group of individuals to return to Greece**

On April 5, 2022, the European Court of Human Rights issued the [judgement](#) A.A. and Others v. North Macedonia 55798/16, 55808/16, 55817/16 et al. The ruling concerned a group of Afghan, Iraqi and Syrian refugees who crossed the border between Greece and North Macedonia in March 2016. North Macedonia's authorities forced the migrants to return to Greece without examining their individual circumstances. The migrants applied to the Court alleging the violation of Art.4 of Protocol No.4 (Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.), in addition to Art.13 of the European Convention on Human Rights. The Court ruled that there was no violation of the rights stated in the Art.4 of Protocol

No.4 of the Convention. In fact, it highlighted that the applicants put themselves in an unlawful situation and the expulsion could be legally pursued by North Macedonian authorities (see paragraphs 130/131/132 of the judgement). An accompanying [information note](#) stated that: “the applicants in the present case had not even alleged that they had ever tried to enter North Macedonian territory through legal means. Hence, the Court was not persuaded that they had had the required cogent reasons for not using the Bogorodica or any other border crossing point at the material time”. In addition, “it had in fact been the applicants who had placed themselves in jeopardy by participating in the illegal entry into Macedonian territory, taking advantage of the group’s large numbers. The lack of individual removal decisions had been a consequence of their own conduct.”

### **Border checks at internal borders need to be periodically justified**

The Court of Justice of the European Union [ruled](#) on 26 April that where there is a serious threat to its public policy or internal security, a member state may reintroduce border control at its borders with other members, but without exceeding a maximum total duration of six months. The judgement was delivered in response to a claim by NW, who challenged the fact that Austrian authorities had requested to see his passport when he was crossing into Austria from Slovenia in August and November 2019. The Court clarified that where there is a serious threat to its public policy or internal security, a member state may introduce checks at its internal borders for 6 months, but the state has to demonstrate the need for these checks every 6 months. In the present case, Austria did not demonstrate the existence of a new threat, with the result that the two border control measures to which NW was subject would be incompatible with the Schengen Borders Code. The CJEU referred the case back to the Regional Administrative Court in Styria that requested a preliminary judgement in this case.

### **MARTENS CENTRE PUBLICATIONS**

A. P. Debattista, '[Scrapping Golden Passports](#)', Martens Centre blog, 8 March 2022

V. Novotný, '[Ukrainian Refugees and the EU's Absorption Capacity](#)', Martens Centre blog, 6 April 2022

### **SELECT EXTERNAL PUBLICATIONS**

L. Rasche, '[Ukraine: A paradigm shift for the EU's asylum policy?](#)', Hertie School Jacques Delors Centre, 23 March 2022

Deutsche Welle, '[How the EU spent billions to halt migration from Africa](#)', DW 12 April 2022

Martin Ruhs, 'Who cares what the people think? Public attitudes and refugee protection in Europe', '[Politics, Philosophy & Economics](#)', April 2022