Migration Update

Wilfried **Martens Centre**
for European Studies

Migration Update April 2023

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. These news summaries are not subject to a formal editorial process. George Dimakos drafted the cases for the Judicial Observatory and researched the coverage of the Bulgarian parliamentary election. Alejandro Puigrefagut prepared material on Finland's parliamentary election. Claudia Masi contributed a news item. Should you have any questions or comments, please contact Vít Novotný at *vn@martenscentre.eu.*

- According to the 2022 Atlas of Migration, by the end of December 2022 there were more than **3.8 million beneficiaries of temporary protection in the EU**. 98% were Ukrainian citizens and the rest were third-country nationals. Data collected by Eurostat on beneficiaries of temporary protection is the best indicator to capture the number of those whose intention is to remain in a Member State for at least one year.
- Between 3.6 and 5.4 million people were internally displaced in Ukraine, while at least 7 million moved out of the country. The war thus displaced between 25% and 30% of the Ukrainian population (of approximately 41 million).

Contents

NEW PACT ON MIGRATION AND ASYLUM

On 20 April, the plenary of the European Parliament agreed [following lengthy deliberations] to enter into negotiations with the Council on the following bills:

- screening regulation
- asylum and migration management regulation
- crisis situations regulation
- long-term residency directive

'Following plenary's green light, MEPs may open talks on the final form of these legislative texts with the Council on those files for which the member states have already agreed on their own position, notably the screening procedure'. [The Council has yet to agree on negotiating mandates for the remaining bills].

- Here is the MEPs' record of the vote of 20 April.

Under the voluntary relocation scheme agreed in mid-2022, **884 people** have so far been relocated, spread out across **16 transfers** starting last August. Most were relocated from Italy (512), others were taken from Cyprus (335), Malta (3) and Spain (34). The numbers of relocated individuals by receiving country are as follows:

- Germany 678
- France 14
- Bulgaria 23
- Romania 21
- Croatia 10
- Luxembourg 5

At the time of the agreement on voluntary relocations, the member states pledged to relocate 8000 people.

ASYLUM, TEMPORARY PROTECTION AND RECEPTION

According to the UNHCR, **reception capacities for Ukrainian refugees** in Bulgaria, Czechia, Hungary, Moldova, Poland, Romania and Slovakia are stretched to different degrees, with Czechia's accommodation capacities described as 'exhausted'.

Following compulsory electronic re-registration, the **Czech** interior ministry announced that between the start of the war in Ukraine and 1 April, the government issued a total of 504,107 temporary protections. There are currently **325,742 persons** with temporary protection on the territory of Czechia. Approximately one third of the registered have returned to Ukraine.

- Temporary protection will cease to exist if the individual in question does not attend a meeting to issue them with a visa card to confirm a prolongation of temporary protection until March 2024.

- Some 2.5 thousand continue arriving in Czechia every week.

The EU is 'becoming increasingly worried about the surging number of requests lodged by asylum seekers who are, in principle, **ineligible for international protection**, such as nationals from **India, Bangladesh, Morocco, Egypt and Peru'**. In addition, 'asylum requests [include] citizens from countries considered official candidates to join the bloc, like **Turkey, Albania, North Macedonia and Moldova**…. The growing concern among member states came to the fore during a two-day informal meeting of interior ministers that took place in Stockholm [at the beginning of April].

The European Commission registered a **European Citizens' Initiative** entitled 'Ensuring a dignified reception of migrants in Europe'.

LABOUR MIGRATION

Over the past years, Romania, Bulgaria and Latvia have taken measures **to slow down the emigration of their health care personnel**. Health care staff have been leaving due to 'high stress, high workloads, low salaries, poor medical equipment.' The three countries mentioned are implementing policies to improve the working conditions, increase salaries and provide better equipment and structures. These measures have partly succeeded in retaining doctors and nurses. In Romania, they have led to a marked improvement of the ratio of doctors per 100 000 inhabitants.

Albanian companies and farmers have begun hiring workers from Asia to make up for the loss of labour due to mass emigration. Herb production, 'tourism, hospitality and manufacturing have all started engaging workers from Bangladesh, India, the Philippines, Kenya and even Afghanistan, utilising the refugees that found sanctuary in the country following the Taliban takeover. …In 2022, changes to residence permit laws also made it easier for foreigners to come and work in the country, including digital nomads' Over **700,000 Albanians** are estimated to have left in the last decade.

RESETTLEMENT

Since August 2021, Canada has resettled, with the IOM's assistance, **30 000 refugees from Afghanistan**.

IRREGULAR MIGRATION AND SMUGGLING

On 11 April, the **Italian** government announced a **state of emergency** on immigration following a "sharp rise" in flows across the Mediterranean, in a move aimed at better management of migrant arrivals and repatriation facilities. The state of emergency is backed by an initial funding of 5 million euros, the ministry for sea and civil protection said, and will last for six months.

- "Let it be clear, we are not solving the problem, the solution can only depend on responsible intervention by the European Union," said Nello Musumeci, the civil protection minister.

- The measure will allow the government to more quickly repatriate those not allowed to stay in Italy, boosting identification and expulsion orders, a government source said.
- The government, in office since October 2022, has pledged to curb mass immigration. However, some **31,300 migrants** have arrived in Italy so far in 2023, **up from around 7,900** in the same period last year.
- On 10 April, the Italian coastguard led rescue operations involving two boats carrying a total of **1,200 people** [and disembarking them in Italy].
- During 24 hours on 24-25 March, 2,000 arrived in Lampedusa, partly assisted by the humanitarian rescue ship Louise Michel and Coast Guard and Finance Police vessels. The government subsequently impounded Louise Michel.

According to *Malta Today*, criminal groups are using chartered flights operated by the **Syrian airline Cham Wings** between Damascus and Benghazi to smuggle people from **Bangladesh and Syria** into Libya from where they are assigned to boats for the dangerous sea crossing to Europe. The groups are charging migrants €1,500 each for the transfer between Syria and Libya. … Bangladeshis account for 15.2% of all arrivals in the Mediterranean, making them the third most common nationality.

- Cham Wings is owned by Syrian businessman Issam Shammout. On 20 July 2022, the EU lifted sanctions against Cham Wings, after the company was blacklisted in December 2021 for its alleged role in ferrying migrants seeking to cross illegally into Poland from Belarus that summer. However, a day later the EU placed Shammout on its sanctions list, calling him a "leading businessperson operating in Syria". Cham Wings, which does not operate to EU countries, remains subject to US sanctions.
- Benghazi in eastern Libya is the only entry point by air used by criminal networks that adopt this method of transferring migrants.

The charity Sea-Watch claimed that on 8 April, two merchant vessels were ordered by Malta **not to rescue** a migrant boat, and one of the vessels was asked "to only supply the boat with fuel." Sea-Watch added that a merchant vessel supplied fuel and water to the migrant boat but it did not rescue them "following orders from Malta."

According to the Council of Europe, citing Amnesty International, "**pushbacks** of refugees and migrants at the southern border [of **Hungary**] continued, reaching **157,879** cases by the end of December [2022].

BORDER MANAGEMENT
On 14 March, the European Commission issued a communication setting out the first-ever multiannual strategic policy cycle on European integrated border management for the next 5 years. Border control, supported through **large scale IT and inter-agency cooperation** to enhance migration governance and crisis preparedness, is listed as the first of the 15 priorities.

- 'This will be ensured by using state-of-the-art infrastructure and effective surveillance, such as cameras and drones; coherent and comprehensive

national and situational pictures, an efficient implementation of the European Border Surveillance system (EUROSUR) and sound risk analysis. EU information systems to manage external borders (Schengen Information System, Entry-Exit System, Visa Information System and European Travel Information and Authorisation System) and their interoperability will facilitate border crossings.'

Frontex issued a call to industry for remote and mobile **equipment for border checks**.

RETURNS

The 14 March Commission Communication on integrated border management (see under Border management above) includes, as a priority, '**a common EU system for returns**: better coordination between national authorities and European agencies is a core component on enhancing returns… Member States can make full use of the support available from Frontex for all phases of the return process. The **Return Coordinator** supported by the High-Level Network for Returns will coordinate the implementation of the operational strategy for more effective returns.'

On 16 March, the European Commission issued a *Recommendation on mutual recognition of returns decisions and expediting returns*. The Recommendation includes a section on incentives for voluntary return as well as a section on comprehensive approach to absconding.

During 2021 and 2022, **Sweden** expelled 1,100 **British nationals**. The Netherlands was responsible for the second-highest number of removals, at 720, followed by Malta (135) and France (115). The expulsions were due to late applications for post-Brexit residency by British citizens.

LIBYA

According to the International Organization for Migration (IOM), at least 529 migrants were reported dead and 848 others missing off Libya during 2022. More than 24,680 people were intercepted by the Libyan coastguard as they tried to leave.

Presenting a report on 27 March by a UN-commissioned fact-finding mission to Libya, investigator Chaloka Beyani said that EU assistance to Libya's migration department and the coastguard "has aided and abetted the commission of the crimes," including **crimes against humanity**.

- According to the mission's report, "migrants [in detention centres] described an ever-revolving door of capture, release, re-capture, escape, and interception. Typically, migrants made their way out of places of detention following the payment of ransom, a successful escape, or en masse discharge, only to be captured again by the same actor that had detained them or another group."
- The European Commission said it took the allegations "very seriously" but insisted that its work in Libya was vital and done in coordination with UN agencies like the IOM and UNHCR.

JAPAN

The number of foreign residents in Japan at the end of 2022 [rose](#) to hit a record high of 3,075,213.

- The total included 761,563 people from **China**, 489,312 from Vietnam and 411,312 from South Korea.
- The number of foreigners granted **refugee status** increased to **202**, while the number of those who were not granted refugee status but were allowed to stay in Japan on humanitarian grounds increased to 1,760. Both totals were the highest on record since Japan established a refugee recognition system in 1982.

MIGRATION IN NATIONAL ELECTORAL CAMPAIGNS

Finland

The Finnish parliamentary elections took place on 2 April 2023. The Finns Party (ID) consistently advocated for [reducing "harmful" immigration](#) that could "jeopardise the stability of the country". Although in favour of labour migration, the Finns Party stated its intention to limit non-European immigration and deny access to social welfare for newcomers. In one of the debates, the National Coalition Party (EPP) was in favour of [regulating labour migration](#) while limiting migrants' access to social benefits. The Social Democratic Party of Finland (S&D) campaigned for accepting immigration and [improving labour migration](#) to create a sustainable economy, without negatively impacting nationals. The results of the election are [here](#).

Bulgaria

Bulgaria's parliamentary election took place on 2 April 2023. Immigration did not feature highly during the electoral campaign. Emigration was a more prominent issue. The far-right party [Revival](#) (not affiliated) highlighted the issue of "brain drain" and the need to retain skilled professionals within the country: in the party's programme there are [several references](#) to that effect. The [PP-DB](#) coalition (EPP, Greens, Volt and others) mentioned in its programme that the issue of refugees required attention and support from the government and civil society. The election results can be found [here](#).

JUDICIAL OBSERVATORY

A Dutch court revokes the return decision to Romania due to potential summary removals

On 2 March 2023, a Dutch court in The Hague issued a judgment in two joined cases, [NL22.24529 and NL22.24530](#), concerning a Syrian national who had applied for a temporary asylum residence permit in the Netherlands on 27 June 2022, and has been rejected by the Dutch authorities. These authorities refused to process his application, claiming that Romania was responsible for processing it under the [Dublin Regulation](#) since the Syrian national entered the EU in Romania.

The asylum seeker appealed, arguing that he could be subjected to summary removals in Romania and that the principle of mutual trust [see the Dublin regulation] cannot be assumed in such cases. The plaintiff presented information from KlikAktiv, an NGO based in Belgrade, and [AIDA country reports](#) to support his arguments that

there were systemic errors in Romania's asylum procedure and that Romania collectively expels people to Serbia. The plaintiff also highlighted fundamental differences in the level of protection of Syrian asylum seekers between the Netherlands and Romania.

The court declared that summary removals in Romania constitute a fundamental flaw in the national asylum system and reach an exceptionally high threshold of seriousness as mentioned under the Dublin Regulation. The court also noted in its decision that the evidence suggested that such removals in Romania are not occasional but have been occurring for a long time and on a large scale. Finally, the court accepted the plaintiff's argument of the fundamental differences in the treatment and protection of asylum seekers between the Netherlands and Romania. The court revoked the return decision, called on the Dutch authorities to re-examine the plaintiff's application, and to pay the plaintiff 1,640 euros for judiciary expenses.

A German court revokes the return decision due to deteriorating reception conditions in Italy
In a judgment delivered on 23 February 2023, the Administrative Court of Düsseldorf ruled on a [case](#) involving a Pakistani national who was denied asylum in Germany and was facing deportation to Italy. The German authorities rejected the asylum application that Italy should be the member state responsible for the application.

The plaintiff argued that Italy did not respect the rights of asylum seekers under the EU Charter of Fundamental Rights and the European Convention on Human Rights. The court agreed with the plaintiff. It noted that the reception conditions for Dublin returnees had significantly deteriorated under the present Italian government. The Italian Ministry of Interior had requested a temporary suspension of Dublin transfers due to a shortage of reception facilities.

The court concluded that the Italian government acknowledged the lack of accommodation for Dublin returnees, and the primary living conditions were not met at the time of the hearing. Therefore, the decision to deport the Pakistani national to Italy was unlawful. Additionally, the court was uncertain if the transfer could be completed within the six-month transfer period required under the Dublin Regulation, given the current number of asylum applications in Italy and the lack of accommodation facilities available.

SELECT EXTERNAL PUBLICATIONS
K. Hooper, *What Role Can Immigration Play in Addressing Current and Future Labor Shortages*, [Migration Policy Institute](#), April 2023

A. Seele et al, *In a Dramatic Shift, the Americas Have Become a Leading Migration Destination*, [Migration Policy Institute](#), April 2023