

Migration Update

July-August 2023



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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. These news summaries are not subject to a formal editorial process. George Dimakos prepared the cases for the Judicial Observatory. Kristina Lazebna took stock of the Spanish general election campaign. Claudia Masi, Andris Petersons and Théo Larue contributed information items. Should you have any questions or comments, please contact Vít Novotný at vn@martenscentre.eu.

- After a decline in population in 2020 and 2021, the **EU's** total population [increased](#) in 2022, from 446.7 million on 1 January 2022 to 448.4 million persons on 1 January 2023. As during years prior to 2020, the **negative natural change was outnumbered by the positive net migration**. This population growth in 2022 can be largely attributed to the migratory movements post-COVID-19 and to the mass influx of displaced persons from Ukraine.
- International migrants [were](#) the only source of growth in the **US working-age population** in 2021 and 2022.

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TUNISIA, LIBYA, ITALY AND MALTA

Statistics

About [10 times more people](#) are **leaving Tunisia** in efforts to reach Europe than are leaving neighbouring Libya.

- More than 900 people [drowned](#) off Tunisia this year.
- Since the start of 2023, Tunisia [prevented](#) around **35,000 people from taking to the sea**, according to the Tunisian Forum for Economic and Social Right, an NGO, based on Tunisian Interior Ministry data.

Italy [has recorded](#) around 113,500 sea arrivals in the year to date, compared with around 55,800 in the same period last year, according to Interior Ministry data.

- On 9 July alone, [there were](#) 14 landings in Lampedusa, comprising 600 people. On 10 July, 12 overnight landings were recorded, with 571 passengers on board. Some of these boats were docked in the waters off the island by patrol boats of the Coast Guard and the Guardia di Finanza. Others managed to arrive directly. Among the passengers there were nationals from Mali, Guinea, Burkina Faso, Ivory Coast, Senegal, Bangladesh and Sudan. Most of the 12 boats sailed from Sfax in Tunisia; some reportedly started their journey from Zawia in Libya.
- In Italy on Friday 25 August [there were](#) 2,300 arrivals, more than 3,000 on Saturday, and almost 1,000 on Sunday. [On Lampedusa](#) alone on 25 August, 63 boats landed with a total of 1,826 people on them, a record in terms of the number of rescues and the total number of migrants. There were over 4,000 migrants at the reception centre on Lampedusa, among them 243 unaccompanied minors.
- In Trieste, near the border with Slovenia, mayor Roberto Dipiazza ... complained... [about an unprecedented](#) "invasion of migrants". "I have been dealing with problems related to migrants since the 1990s, I have seen everything and more, but I could not imagine such a thing. The city is in an emergency."

231 asylum seekers **reached Malta** by [boat so far](#) in 2023. During the same period in 2022, 75 people arrived in Malta by sea. According to UNHCR, 84% of arrivals in 2023 departed from Libya, while the remaining 16% departed from Tunisia. 'Malta continues to coordinate pushbacks of asylum seekers at sea to ensure that they are intercepted and returned to Libya.'

The number of migrants **reported dead or missing** in the Mediterranean Sea since the start of 2023 is already higher than the year-on-year figures for the previous four years, [reaching](#) 2,000 people so far.

EU-Tunisa Memorandum of Understanding

On 16 July, the President of the European Commission Ursula von der Leyen, the Italian PM Giorgia Meloni and the Dutch PM Mark Rutte, "in a Team Europe spirit", alongside the President of Tunisia, Kaïs Saïed, [agreed to implement a](#)

[comprehensive partnership package](#).... The [Memorandum of Understanding](#) covers five pillars: macro-economic stability, trade and investment, green energy transition, people-to-people contacts, and migration.... It will be implemented through the various strands of cooperation between the European Union and Tunisia, following the relevant regulations and applicable procedures.”

- The signing of the Memorandum of Understanding follows the European Commission commitment in June to [allocate](#) 105 million euros to curb undocumented immigration and 150 million euros in immediate support, plus, reportedly, a long-term loan of 900 million euros. However, the loan is **contingent on approving a loan** from the International Monetary Fund (IMF). The text of the Memorandum [does not mention](#) the EU’s long-term loan.
- On migration, “the EU is **considering** further support... for technical and vocational training through mobility programmes and to enhance the skills of the Tunisian workforce The EU is endeavouring to continue its efforts to better harmonise Member States’ practices for issuing short-stay Schengen visas to Tunisian citizens...
- ... Tunisia reiterates **its position not to be a country of settlement for irregular migrants**. It also reaffirms its position of guarding only its own borders...The two parties ... agree to work to further improve the coordination of search and rescue operations at sea and the implementation of effective measures to combat the smuggling of migrants and trafficking in human beings. The European Union shall endeavour to provide adequate additional financial support, in particular for the procurement, training and technical support necessary to further improve the management of Tunisia’s borders. The two parties agree to provide greater support for the return and readmission from the EU of Tunisian nationals in an irregular situation.
- The two parties agree to work towards the implementation of a Talent Partnership to promote legal migration, in the interests of both parties, according to the mutual needs of Tunisia and the EU Member States, and for the benefit of the sectors of activity and trades identified jointly.
- ‘The deal [will](#) now go to EU countries for a broader sign-off.’

General

According to [The Guardian](#), **Libyan border guards** have rescued dozens of migrants they said had been left **in the desert** by Tunisian authorities without water, food or shelter. Hundreds of people from sub-Saharan African countries were forcibly taken to desert and hostile areas bordering Libya and Algeria after racial unrest in early July in Sfax, Tunisia’s second largest city.

[According to](#) an Italian journalist, two patrol boats belonging to the Libyan Coast Guard **opened fire** on inflatable boats from the NGO ship Ocean Viking. These NGO vessels were engaged in the rescue of migrants.

- The journalist stated that it was a boat recently donated to Libya by the Italian government under an EU-funded programme that engaged in the shooting. Reportedly Italy provides the units without armament, but it is the Libyan authorities who proceed to arm the vessels.

LABOUR MIGRATION

‘A **global shortage of healthcare workers** is setting off a “bruising worldwide battle for talent”, as rich countries raid other nations’ medical systems for staff to care for their ageing populations. The competition has helped countries such as the US and Australia replace some nurses who quit in record numbers during the height of the COVID-19 pandemic. But it is also leaving hospitals in developing countries and some wealthier nations such as the UK worse off, as they lose staff to countries offering bigger pay-checks,’ [according to the WSJ](#).

- ‘**Australia** has been one of the most aggressive poachers, with offers of special bonuses and fast-tracked visas. An Australian advertising campaign in the British Isles this past winter featured workers with sunshine streaming through windows behind them. The campaign coincided with British nurses going on strike over pay, long hours and other concerns....
- The World Health Organization in March this year published a list of **55 countries—37 of them in Africa—with the most pressing health-workforce challenges**. These countries on average have just 15 health workers per 10,000 people, compared with 148 per 10,000 in high-income countries. The WHO has asked its members **not to actively recruit doctors** and nurses from these 55 nations without first sealing bilateral agreements to support the countries where they are recruiting.
- More than 70 countries have introduced laws in recent years to make it easier to hire health workers from abroad, according to the WHO. Other rich countries like **Germany** have made the recruitment of healthcare workers part of high-level trips to countries such as **Ghana, Brazil and Albania**.’

Italian PM Giorgia Meloni’s (ECR) government [said](#) it would issue **425,000 work permits to non-EU nationals** between 2023 and 2025, which Rome said was part of its plan to promote legal immigration to fill gaps in the labour market. The announcement followed repeated complaints from employers in various industries — including construction and tourism — about their acute difficulties in finding workers, as Italy’s economy rebounds from the pandemic shock.

- The Bank of Italy has also warned that a serious shortage of skilled workers, including in construction and IT, was threatening Italy’s ability to carry out its ambitious €200bn EU-funded post-pandemic recovery plan.
- Under its new increased quota system, Rome plans to gradually increase the number of new worker permits granted yearly, reaching 165,000 in 2025, while also expanding the categories of jobs for which foreign workers from outside the EU will be eligible.
- Prior to the COVID-19 pandemic, Italy granted fewer than 31,000 work permits a year to migrant workers from outside the EU.

Czechia’s new Government Committee for Strategic Investments [identified](#) the lack of workers as one of key **risks for the country’s competitiveness**. If the country managed to fill the existing 200,000 vacancies “there would be an annual income to the state budget of around forty billion crowns” [EUR 1.66 billion] according to the labour and social affairs minister Marián Jurečka (EPP).

- The government is preparing legislative changes to attract people... “from countries that are close to us in terms of culture and values, in an efficient, safe and at the same time faster way.” This in addition to attracting older and disabled indigenous people into the labour market.
- The government has also [proposed waving the Czech language test](#) for foreign doctors, dentists and pharmacists who apply for permanent residence in the country.

UKRAINIAN REFUGEES

There are currently more than 4 million registrations for temporary protection in the EU. On 30 June, the main EU countries hosting beneficiaries of temporary protection from Ukraine [were Germany](#) (1,133,420 people; 28% of the total), **Poland** (977,740; 24%) and **Czechia** (349,140; 9%). Germany has been the [main hosting country](#) since December 2022.

- [803,667 Ukrainian students](#) ‘have... been integrated in the member states national school systems’.

From 1 July, the **Czech** government [curbed access](#) to free accommodation for Ukrainian refugees to the maximum of 150 days on the obtaining of a residence permit. Vulnerable categories are exempt from this limit. Unlike previously, the amount of the humanitarian benefit would vary depending on age, the ages of children, disability and other criteria.

- Although two thirds of the adult Ukrainian refugees are working, seven out of ten [live below the poverty line](#). Nearly three-fifths of those employed are still in jobs below their qualifications.

The **Polish** government [suspended](#) payment of childcare benefits for thousands of Ukrainian war refugees due to them leaving the country. Suspending payments “does not involve losing the right to the benefit if the person returns to Poland within 30 days and this fact is recorded by the border guard.” Ukrainian refugees can receive the same benefits Polish citizens are entitled to, like child and family allowances, childbirth allowance, and pensions. An estimated 1.2 million Ukrainian citizens currently live in Poland.

RUSSIAN ARMY DESERTERS

On 20 July, the French National Court of Asylum [ruled](#) that **France** can, in principle, grant refugee status to Russian soldiers who have refused to fight in Ukraine. (The same ruling rejected the application of a Russian citizen, whose evidence was deemed insufficient). The decision was justified on the grounds that “a Russian national called up as part of this mobilisation is likely to commit, directly or indirectly, war crimes”.

- As of 31 July 2023, **Germany** has [granted](#) 83 out of 3,291 asylum applications from Russians of conscription age because of their refusal to participate in the war against Ukraine.
- No overall EU figures for asylum granted to Russian refuseniks exist.

BORDERS

Bulgaria and Greece

- The **Bulgarian** border police [prevented](#) 164,000 irregular crossing attempts in 2022, compared to 55,000 in 2021. Some 15,600 people [have](#) reached **Greece** by land and sea so far in 2023.

Poland

- In June 2023, officers from the Podlasie Branch of the Border Guard recorded more than [2,860 attempts to illegally](#) cross the Polish-Belarusian border. [According to one observer](#), this is the highest monthly count since 2021. About three thousand people are said to be currently present in the Belovezhskaya rainforest on the Polish side, sometimes aided by the local inhabitants. They are almost exclusively young men, capable of overcoming the border fence. The state of emergency, which in the past has sealed off the zone around the border, even for doctors, has ended.
- In the second half of August, Polish patrols around Dubicze Cerkiewne [were](#) attacked by an “aggressive group of foreigners, numbering around 20 people. They were on the Belarusian side. Some of them were masked, throwing stones and branches... The foreigners were also shooting from slingshots. A Border Guard service vehicle was damaged.”

Latvia

- Belarusian [provocations](#) on the Latvian border continued. In an incident at the beginning of August, the “Belarusian authorities helped illegal immigrants to scale the fence by ripping wires into a self-contained fence structure and later by closing the hole in the fence to prevent the men, who had entered Latvia illegally, from returning to Belarus. All the border crossers were intercepted, the men were prevented from entering Latvia illegally and returned to the country of departure, in accordance with the legal framework established by the state of emergency.”

ASIA

News emerged that during 2022, **Saudi authorities** were using [lethal force against Ethiopian migrants](#) who were trying **to enter the country from Yemen**. In December 2022, UN officials presented information about Saudi security forces shooting, shelling and abusing migrants, leaving many dead and wounded, according to US officials. The Human Rights Watch uncovered burial sites for the dead migrants.

- Interviewees told the HRW that sometimes migrants who could not afford to pay the smugglers’ fees were placed at the front of the group as “cannon-fodder” to test the safety of the route.
- Some attacks are reported [on Yemeni television](#), and many of those wounded end up in Yemeni hospitals.
- It is estimated that approximately [750,000 Ethiopians](#) already live and work in Saudi Arabia.

AFRICA

Since fighting erupted in **Sudan** in April, **947,000 people** have [fled the country](#) including South Sudanese, Ethiopian and Eritrean refugees who had sought shelter there. 3.6 million Sudanese are displaced within the country. **Chad, Egypt, South**

Sudan, Ethiopia, and Central African Republic are the main destinations of the refugees.

USA

The governor of the state of Massachusetts, Maura Healey (Democrats) [declared](#) a **state of emergency**, citing an influx of migrants seeking shelter at a time when the cost of housing — already in short supply — continues to rise. Many of the migrants are arriving by plane from other US states. During 8-10 August, 50 migrant families have landed in the state in need of shelter.

GLOBAL

Due to the registration of previously undocumented Afghan refugees, UNHCR figures indicate that **Iran** in 2022 [possibly became](#) the **world's main refugee-hosting country**.

NATIONAL ELECTION CAMPAIGNS

Spain

The 2023 Spanish general election took place on 23 July 2023. All 350 seats in the Congress of Deputies and 208 out of 265 Senate seats were up for re-election. The Partido Popular (EPP) expressed its support for the New Pact on Migration and Asylum in order to [control irregular migratory flows and labour migration](#). The party said it would like to adopt more inclusive admission criteria for foreign workers, simplify procedures for recognised employers and develop training and employment programmes to attract foreign talent. The Partido Socialista Obrero Español (PES) in its electoral programme expressed support for the need to [strengthen and reform the reception system](#) for asylum seekers and refugees. It announced a plan to activate integration programmes for [immigrant and refugee populations in rural areas](#). The Vox party (ECR) focused on tackling illegal immigration. One of its proposals was to mount a ["naval blockade"](#) in the Mediterranean and immediately transferring those who manage to cross to the nearest safe ports in their countries of origin and transit. The party also promised to close the so-called MENA centres, referring to unaccompanied migrant minors. The left-wing Sumar platform advocated for the [protection of the rights of immigrants and their families](#) and planned a comprehensive policy on human mobility that promotes mobility with rights, by establishing spaces for dialogue and collaboration between countries of origin, transit, and destination. Sumar wanted to change [a provision in the Law of Rights and Freedoms](#) so as to prevent immediate returns of those migrants who attempt to irregularly cross the land borders of Ceuta and Melilla. You can find the election results [here](#).

JUDICIAL OBSERVATORY

The European Court of Justice: A 'particularly serious crime' alone cannot revoke the refugee status

On 6 July 2023, the Court of Justice of the European Union (CJEU) issued three judgements in response to requests for preliminary rulings in cases [C-8/22](#), [C-663/21](#), and [C-402/22](#), all of which dealt with the revocation and/or rejection of refugee status. In the case C-8/22, Belgium had withdrawn the refugee status of XXX due to their conviction for aggravated theft and intentional homicide, committed with the intention of facilitating theft or ensuring impunity. In the case C-663/21, Austria had withdrawn the refugee status of AA due to convictions for offenses involving wounding, dangerous and threatening behaviour, property destruction, and drug-related offenses. In the case C-402/22, the Netherlands denied an application for international protection to M.A. because of convictions for sexual assaults, attempted sexual assault, and theft of a mobile phone. Austria, Belgium and the Netherlands [had each referred questions](#) about the interpretation of the Qualification Directive. The withdrawal of refugee status following a criminal offence is already regulated under EU law, but the details have not yet been determined.

The CJEU [clarified](#) that Article 14 (4) (b) of the [Qualification Directive](#) requires two separate conditions to be met. Firstly, the third-country national (TCN) must have been convicted of a particularly serious crime by a final judgment. Secondly, it must be established that the TCN poses a danger to the community of the member state where they are present. The court stated that meeting one of these conditions does not automatically satisfy the other. Authorities need to demonstrate that the threat posed by the TCN is genuine, present, and sufficiently serious, and that revoking refugee status is a proportionate measure in response to this threat.

The court emphasised the need to strike a balance between the public interest and the protection of refugees and to consider the consequences of return when making a return decision. Additionally, the CJEU stated that Article 5 of [the Return Directive](#) prevents the adoption of a return decision for a TCN if removal to the intended country of destination is precluded indefinitely due to the principle of non-refoulement.

Regarding conviction for a particularly serious crime (Article 14(4)(b)), the CJEU clarified that the term refers to a crime that undermines the legal order of the community. The seriousness of the crime is assessed by considering factors such as the prescribed and imposed penalties, the nature of the crime, any aggravating or mitigating circumstances, whether the crime was intentional, the extent of the harm caused, and the punitive measures applied.

European Court of Human Rights finds the conditions in the Moria camps in 2017 and 2018 amounted to inhuman or degrading treatment

On 13 June 2023, the European Court of Human Rights (ECtHR) rendered its verdict in the [case of H.A. and others v Greece, \(4892/18 & 4920/18\)](#). This case revolved around the living conditions of 67 third-country applicants residing in the Moria Camp (hotspot) and the inability of two applicants to reunite with their family member in Germany due to significant delays in asylum application registration in Greece. All the applicants registered their asylum claims between October and December 2017. The ECtHR struck off 43 cases, as these applicants had not maintained contact with their

lawyer, leading the Court to conclude that they had lost interest in their proceedings or were no longer interested in pursuing their applications.

The Court declared the living conditions in Moria between 2017 and 2018 to be inhuman and degrading due to severe overcrowding, resulting in significant hardships and a critical lack of essential necessities. The Court referred to multiple reports by NGOs, agencies and international organisations that described the situation in Moria as “shocking” due to lack of hygiene, overpopulation, and issues with the quality of food. In addition, the ECtHR determined that the applicants had no effective means of redress, thus establishing that Greece had violated Articles 3 (prohibition of torture or inhuman or degrading treatment) and 13 (right to an effective remedy) of the [European Convention on Human Rights](#) (ECHR). Based on the judgment, Greece needs to pay for the judicial expenses of the applicants and a list of monetary reparations based on an individual assessment of every case of the remaining applicants.

SELECT EXTERNAL PUBLICATIONS

V. Rietig and M. Walter-Franke, Conditionality in migration cooperation. Five ideas for future use beyond carrots, sticks, and delusions, [DGAP](#), July 2023

M. Wagner et al, Responding to displacement from Ukraine: Options to remain when EU temporary protection ends, [ICMPD](#), July 2023

M. Zavodny, Why the United States still needs foreign-born workers, [National Foundation for American Policy](#), July 2023