

Migration Update

September 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. Kristina Lazebna prepared the cases for the Judicial Observatory. Claudia Masi contributed information items. Should you have any questions or comments, please contact Vít Novotný at vn@martenscentre.eu.

- By the end of June, EU+ countries received **519 000 applications for asylum**. Based on current trends, applications could exceed 1 million by the end of 2023, [according](#) to the EUAA.
- EU countries [issued](#) almost **3.7 million first residence permits** in 2022 to non-EU citizens [provisional data]. This was historically the highest volume of legal immigration. In addition, on 31 December 2022, there [were](#) **3.7 million registered beneficiaries** of temporary protection for people fleeing Ukraine.

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TUNISIA-ITALY

In the eight weeks since the signing of the EU-Tunisia Memorandum of Understanding, almost **31,000 people** departing from Tunisia [landed](#) in Italy [data from 12 September]. In the eight weeks prior to the memorandum, there were **19,000**.

Following criticism that the EU [had not yet paid](#) to the Tunisian government funds to support border management under the Memorandum of Understanding, the European Commission [announced](#) on 22 September the payment of almost **€127 million**, consisting of €60 million in budget support and an operational assistance package on migration worth around €67 million. These funds are not linked to the Memorandum of Understanding but to [earlier EU commitments](#).

In just two days of 19 and 20 September, nearly **8,000 illegal immigrants** [landed](#) on Lampedusa, an island of 6,000 inhabitants, [an Italian record](#). Clashes broke during a food aid distribution by the International Red Cross, and the municipality declared a state of emergency.

- Some of the migrants who arrived in Lampedusa [claim](#) not to have paid for their crossing of the Mediterranean, raising suspicions of a deliberate attempt at destabilisation [by Tunisian authorities].
- The Italian government [is transferring](#) migrants from Lampedusa by plane or by boat. The aim is to "distribute the arrivals as evenly as possible across the country to achieve a fair balance between regions and limit the impact on local communities", according to IM Matteo Piantedosi. The reception system is running out of steam: facilities are overcrowded, calls for tenders to manage new centres are being ignored, and mayors are panicking over the number of unaccompanied minors they have to take in.
- The government is trying to speed up **removals** by creating accelerated procedures for examining asylum applications for people from 17 countries considered safe. But removals, which are very difficult in the absence of agreements with the countries of origin, remain rather rare: 2,500 since the beginning of the year, as compared to 3,916 in 2022. The government [announced](#) the creation of new 'Identification and Expulsion Centres'.
- On 14 September, angry residents [blocked](#) a Red Cross lorry on its way to the hot spot. At issue was a report claiming that the authorities were planning to transform the former US military base in western Lampedusa, deserted since 1994, into a new camp.
- Italy appealed to its European partners for help.
- Already in December, the Italian government had stopped accepting the returns through the Dublin system. In response, and due to the high migration pressure in general, **Germany** during September [suspended](#) the reception of immigrants through the 2022 Voluntary Mechanism "until further notice". Likewise, **France** is [not preparing](#) to relocate migrants from Lampedusa. In a special resolution, the **Polish** government [condemned](#) relocation as a matter of principle. In contrast, **Portugal** [signalled](#) its willingness to relocate some migrants under the Voluntary Mechanism.

- On 18 September, **Austria** [announced](#) it would begin systematic border checks on the border with Italy.

So far this year, **charity rescue ships** [only rescued](#) 5,600 migrants out of 126,000 landing in Italy, i.e., some **4.4% of the arrivals**.

On 17 September, the European Commission [published](#) a '10-Point Plan for Lampedusa', which includes increased EUAA and Frontex support for Italy, transfers 'of people out of Lampedusa, including to other Member States using the voluntary solidarity mechanism' and stepping up returns.

- One measure reads: "Implement the EU-TU Memorandum of Understanding (MoU) and prioritise actions with immediate impact to address the current situation and accelerate the contracting of new projects under the MoU."

Patrick Stefanini, former Secretary General of the French Ministry of Immigration [said](#) to *Le Figaro*:

After the major migratory crisis of 2015 and 2016, we thought that the European Union had equipped itself with the means to respond to new crisis situations. This is not the case.

The **Memorandum of Understanding** with Tunisia, signed in July, was 'signed "without respecting the procedures". [According to La Stampa](#), a legal opinion of the Council of the EU [on the matter] ... challenges the fact that... Ursula von der Leyen--accompanied by Giorgia Meloni and former Dutch Prime Minister Mark Rutte--signed the agreement with Tunis without the prior authorisation of the Council, i.e., the other governments. The document also contains a warning that any agreements with other countries can no longer be signed without the prior approval of the other EU states.'

PERCEPTIONS OF HOSTING UKRAINIAN REFUGEES

Flash Eurobarometer from September [included](#) the question "Please tell me to what extent you agree or disagree with the following: The EU should continue.... Welcoming... people fleeing the war in Ukraine." Across the EU, 36% totally agreed, 40% tended to agree, 11% tended to disagree, and 8% totally disagreed.

- **Portugal and Finland** had the highest scores, with 93% and 90% totally agreed or tended to agree.
- **Czechia and Slovakia** had the lowest scores, both with 55% totally agreed or tended to agree.

TÜRKIYE

On 6 September, 'the European Commission and the Government of Türkiye [signed](#) a €781 million contract providing EU funds for a social safety net for the most vulnerable refugees. This contract is the biggest single EU contract ever signed with Ankara.

- The Social Safety Net (SSN) contract is a continuation of the Emergency Social Safety Net, the biggest humanitarian programme in the history of the

EU, which was launched in 2016. Over the next three years, the new EU funds will enable Türkiye to continue supporting the basic needs of around two million refugees while benefitting the local economy. Today's signature brings the total assistance under EU support to refugees and host communities in Türkiye close to **€10 billion since 2011.**'

LABOUR IMMIGRATION, WORKER RECRUITMENT AND SCHENGEN VISAS

Germany

German company managers and ministers are 'traveling far and wide in search of skilled workers. The head of the Munich transport company is hoping for bus drivers from Africa. Hospitals are searching in Vietnam and Kosovo. And Labour Minister Hubertus Heil, SPD, has been in Brazil, Ghana and India recruiting skilled workers...'

- [According to](#) Der Spiegel, labour migration has played a marginal role in Germany so far. Only **five percent of all immigrants** come to take up gainful employment. In classic immigration countries such as Canada, Australia or New Zealand, this proportion is between 40 and 50 percent.
- The Federal Employment Agency has commissioned a survey into why so many labour immigrants to Germany go back to their home country. A quarter of those surveyed left Germany again for professional reasons, for example because their qualifications were not recognised. Another quarter left because of residence issues. Almost half found it difficult to adjust after arrival. 51 percent of respondents said they had been discriminated against because of their ethnic origin or for other reasons. Individual immigrants reported that they had been refused entry to bars because of their nationality. "Such experiences of discrimination were named in particular by interviewees who had lived or stayed in eastern Germany."
- Chairwoman of the German government's Council of Economic Experts, Monika Schnitzer, calculated that around 1.5 million qualified immigrants are needed each year to compensate for the labour shortage which is due to Germans and foreigners emigrating and due to population ageing. In response, CDU leader Friedrich Merz warned against exceeding "the limits of our absorption capacity".

Poland

Poland's anti-corruption agency [began investigating](#) whether the country's new visa-granting system was not rigged to allow **hundreds of thousands of migrants from outside the EU** to come into Poland. The government dismissed the deputy foreign minister Piotr Wawrzyk over the matter.

- According to [one source](#), 350,000 visas issued over the past three years could have been involved. It was the US' [Central Intelligence Agency](#) that drew attention to the fact that Polish visas were being traded in the Middle East with the involvement of Polish intelligence officers. [According to](#) some reports, migrants used Polish multiple-entry visas to travel to Mexico and then enter the US.

- Already in May, a scandal [erupted](#) in **Uganda** over Polish work visas, which can be obtained at the Polish embassy in Nairobi, Kenya. More than 200 people were defrauded and are now accusing the Polish government of setting up a scheme with officials at the Nairobi outpost and middlemen arranging the visas to defraud them of thousands of dollars.
- According to *Visegrad Insight*, journalists discovered ‘that the new electronic visa application system...allowed for privileged access to some applicants, supported by specialised and well-connected recruitment companies. The newspapers said that, according to investigators, such privileged access could cost migrants between \$4,000 and \$5,000 for each visa.’ *Gazeta Wyborcza* reported that some of the migrants, brought into Poland by specialised temporary work agencies, were heading further west. It said German and Swedish authorities were investigating a spike in such migration and the role of temporary work agencies.
- ‘It is up to the consul to assess the immigration risk. If companies had a problem getting visas quickly at the consulate, they would come to the head office and say: "if you don't help us, the price of fruit will be 2-3 times higher, because without foreign workers we won't collect them". Every company came with a politician, they came from all sides of the political scene," [said](#) one official and added: “We found ourselves under pressure” ([from the deputy FM](#)).
- Germany [summoned](#) the Polish ambassador in response to allegations of massive visa fraud.
- Poland [granted](#) the largest number of temporary residence permits in the bloc in 2022 – 700,000, followed by Germany with 530,000. ... close to 150,000 came from Central Asia and the Middle East, including Iran and Pakistan.’

Hungary

According to [atlatszo.hu](#), companies linked to the governing party Fidesz [are profiting](#) from the recruitment of guest workers outside the EU.

ASYLUM AND RECEPTION

The high number of asylum applications so far in 2023 has increased the [asylum backlog](#) in **EU+** (EU, Norway and Switzerland). According to the EUAA, the number of cases awaiting decisions in the EU+ has increased **by 34 % from 2022**. In addition, approximately 4 million Ukrainians currently benefit from Temporary Protection. Syrians continued to lodge the most applications for asylum in the EU+ in the first half of 2023, as has been the trend for several years.

Belgium’s top administrative court [overturned](#) a government decision to refuse to provide shelter for single men seeking asylum, saying that the move contravenes the country’s migration laws. In August, Belgian Asylum State Secretary Nicole de Moor [EPP] said that a shortage of asylum housing was expected in coming months, and she wanted “absolutely to avoid children ending up in the streets this winter.” Instead, she said, single men would have to fend for themselves. The court ruled that the government’s decision does not respect the rights that all asylum seekers should enjoy while their application for international protection is being examined. State Secretary subsequently [confirmed](#) this policy had the support of Belgium’s PM Alexander De Croo [ALDE].

In addition to Ukrainian refugees, 'economic weakness in [Türkiye] and Pakistan is [prompting](#) many Syrian and Afghan refugees (along with a growing number of Turks) residing in those countries to set out for **Germany**'.

As asylum and migration pressure on German municipalities and regions continues, IM Nancy Faeser [PES] [rejected](#) the proposal for an upper limit for the number of refugees, brought forward by CSU's Markus Söder.

- "Upper limits are simply impossible to comply with because we have European law, international law, we cannot reduce the individual right to asylum alone," Faeser said, adding: "We are bound by the Geneva Refugee Convention, by the European Convention on Human Rights." Meanwhile, Söder called on Chancellor Olaf Scholz (SPD) to make the issue of migration a top priority.
- The Bavarian PM Söder had brought up the idea of an "integration limit" for the admission of refugees of about 200,000 people... He confirmed that the figure... was a guideline "within which integration in our country can still succeed". We need border protection, a stop to special admission programmes [resettlement] that only Germany is undertaking, repatriation and a change in incentives, for example in the citizen's income. Söder stressed that he was not in favour of abolishing individual asylum. "We need a turn towards a sustainable migration policy."
- By the end of August, the Federal Office for Migration and Refugees registered more than 204,000 initial applications for asylum - an increase of 77 per cent compared to the same period last year. In addition... more than one million people from Ukraine sought protection in Germany who do not have to apply for asylum.

IRREGULAR MIGRATION

Hungary-Slovakia-Poland-Germany-Czechia-Austria

During late August and September, thousands of irregular migrants began [gathering](#) in southern **Slovakia** before travelling to Germany via Czechia.

- Between 1 January and 4 September, the police [recorded](#) 24 520 cases of illegal migration from Hungary to Slovakia, compared to 779 in 2015 and 11 800 in 2022. The migrants are [said to be](#) from Syria, Tunisia, Algeria, Iran and Afghanistan although they claim to be Syrians and do not have any personal documents.
- One migrant [stated](#) that her route has led from Türkiye and Bulgaria to Serbia and Hungary, and that Slovakia was the first country to register people in her group. According to some observers, the fact that Slovakia has begun issuing documents confirming the stay on territory that has proved to be a pull factor.
- There is speculation as to the importance of the fact that for [several months](#), Hungary has been [releasing](#) hundreds of human smugglers from its prisons. It is [not known](#) how many people manage to overcome Hungary's southern border fence.
- The Slovak government has not initiated systematic border checks on the Hungarian border but is assisting the Hungarian police in reinforced patrolling on the southern border. The Slovak government [deployed](#) the army on its territory.

- [According to](#) official statistics, between January and August, **20.6 thousand** people managed to enter the **Polish territory from Belarus** [despite the recently erected border barrier].
- During September, **Germany deployed** hundreds of additional border police to the German-Polish border. On 27 September, the German government [announced](#) the introduction of **checks on Germany's borders with Poland and Czechia** 'in an attempt to curb an influx of asylum seekers.' IM Faeser told reporters in Berlin that "flexible spot checks" at the two borders would start "with immediate effect." She added that these controls would alternate between different border crossings to crack down on human traffickers but also aim to have "as little as possible impact on people and the economy."
 - Czech IM Vít Rakušan [not aligned] said that Czech police will cooperate with their German counterparts on the border checks. Faeser has sought a similar cooperation with Poland, but has not yet managed to reach an agreement.
 - Observers noted, however, that the German government [did not notify](#) the Commission of these systematic border checks.
- Germany [has been running](#) systematic border checks on the **Austrian** border for months, and the same applies to Austria's borders with **Hungary and Slovakia**.

France-UK

The UK [registered](#) the largest number of daily irregular boat arrivals. On 2 September, 872 migrants and 15 boats arrived in the UK amid calm weather conditions.

AZERBAIJAN-ARMENIA

Tens of thousands are fleeing Nagorno-Karabakh, an enclave in Azerbaijan inhabited mostly by ethnic Armenians that was seized by Azerbaijan's forces. By 27 September, and within several days, some **42,500 ethnic Armenians** had [fled](#) Nagorno-Karabakh for Armenia. This is third of the population of the enclave. Nagorno-Karabakh – internationally recognised as part of Azerbaijan - had been run by ethnic Armenians for three decades.

AFRICA

[According to](#) Le Monde, "**Frontex** has long had an informal presence in **Senegal, Mauritania and six other West African countries**, contributing to the transfer of migration data from these countries to the EU... Now Brussels intends to extend Frontex's activities beyond its own territory, onto the soil of sovereign African countries, former European colonies no less, in the absence of any oversight mechanism. To top it all off, the EU had even initially considered granting immunity to Frontex staff stationed in West Africa.

- ...In total, no fewer than **26 African countries** are receiving European taxpayers' money to stem the tide of migration, through 400 separate projects. Between 2015 and 2021, the EU has invested €5 billion in these projects [through the Emergency Trust Fund for Africa].

- Centuries ago, in order to divide up Africa and better plunder its resources, European empires drew the same borders that the EU is now in the process of fortifying.
- When it comes to outsourcing borders, Europe's policy in Africa is by far the most ambitious and best funded in the world.”

NATIONAL ELECTION CAMPAIGNS

Slovakia

In Slovakia, an influx of irregular migrants entering from Hungary became a major topic of the campaign ahead of the country's early parliamentary election on 30 September; it overshadowed other migration phenomena. The **Smer-Social Democracy party** [suspended from PES] [demanded](#) that the government close the crossing points on the Hungarian border; it criticised the fact that the government issued the migrants registration documents which attracted them to Slovakia. **Progressive Slovakia** [PS; ALDE] [called](#) for the reinforcement of the police presence around the premises where migrants are waiting for these certificates. The party said the government should assist Hungary in guarding its border with Serbia and also pressure Hungary to respect international agreements. The **Voice-Social Democracy** [candidate for PES membership] [argued](#) that the army should be more strongly present at the southern border, and called for a proper identification of the migrants before issuing them with registration documents. **OL'ANO and Friends** [EPP] [criticised](#) the EU for neglecting the protection of the EU's external border and called for the government to stop issuing registration documents to migrants. The **Christian Democratic Movement** [KDH; EPP] in its [election programme](#) warned against the risks of illegal immigration but also recalled the example of Poland as a country that has managed to fill job vacancies by recruiting workers from abroad. **Freedom and Solidarity** [SaS; AECR] [asked](#) for the migrants to be stopped at the Slovakia-Hungary border and criticised the lack of police capacity. The nationalist **Slovak National Party** [n/a] [called](#) for the “closure of the southern border.” You can find the election results [[here](#)].

JUDICIAL OBSERVATORY

The UK Court of Appeal declares as unlawful the government plan to deport asylum-seekers to Rwanda

On 29 June 2023, the UK Court of Appeal delivered its [judgment](#) on an appeal submitted by ten asylum-seekers from Syria, Iraq, Iran, Vietnam, Sudan and Albania who had arrived in the UK irregularly by crossing the English Channel from France in small boats.

The [central question](#) was whether there are substantial grounds for believing that the removal of these appellants and any individual to Rwanda pursuant to the agreement with the Government of Rwanda will give rise to a real risk of treatment contrary to [article 3](#) ECHR either (a) as a result of deficiencies in the asylum system with a consequent real risk of refoulement or (b) in Rwanda itself. Essentially, the appeal addressed the question of whether Rwanda qualifies as a "safe third country" for the purposes of asylum claims under UK law.

A majority of the Court of Appeal ruled that the [Government's plan to deport asylum-seekers to Rwanda was unlawful](#). The result is that a previous High Court's decision that Rwanda was a safe third country is reversed and that unless and until the deficiencies in its asylum processes are corrected removal of asylum-seekers to Rwanda will be [unlawful](#). The court concluded that [Rwanda is not a "safe third country"](#) even though assurances provided by the Rwandan government were provided in good faith. The judgment stated that "[there is a real risk](#) that persons sent to Rwanda will be returned to their home countries where they face persecution or other inhumane treatment when, in fact, they have a good claim for asylum". In an opposing opinion, the Lord Chief Justice (head of the Judiciary of England and Wales and the president of the Courts of England and Wales) asserted that the risk of refoulement was low as Rwanda has [no bi-lateral agreements](#) with any of the countries of origin of the asylum seekers (Iran, Iraq, Afghanistan, Syria, Vietnam, Sudan). He also said that monitoring would ensure there was no risk of a breach of article 3 in Rwanda itself.

[[No expulsions have yet taken place](#). A first flight scheduled for June 2022 was cancelled after the European Court of Human Rights called for a thorough review of the policy.]

The European Court of Justice rules that Hungary has failed to fulfil its obligations under the Asylum Procedures Directive

The European Commission initiated a case before the European Court of Justice (ECJ) asking the Court to declare that Hungary has failed to fulfil its obligations under Article 6 of [Directive](#) 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection, which oblige all member countries to have common procedures for granting asylum.

On 22 June 2023 the ECJ issued the [judgement](#) that by making an application for international protection subject to the prior submission of a declaration of intent at a Hungarian embassy located in a third country, Hungary has failed to fulfil its obligations on common procedures for granting and withdrawing international protection.

The [ECJ declared](#) that forcing third-country nationals or stateless persons, who reside in Hungary or who present themselves at the borders of Hungary, to go to the country's consulate in Belgrade or Kyiv in order to be able to return to Hungary in order to make an application for international protection constitutes a manifestly disproportionate infringement on their right to seek international protection upon their arrival and their right to remain in the territory during the examination of their application.

MARTENS CENTRE PRODUCTION

F. Reho et al, *Middle-Class Concerns and European Challenges: A Data-Driven Study from a Centre-Right Perspective*, [Martens Centre](#), 15 September 2023

SELECT EXTERNAL PUBLICATIONS

Future of Migrations to Europe, *Unlocking migration drivers: A close look at Ukraine, Senegal, Tunisia and Iraq*, [Nordregio](#), September 2023

J. De Leur et al, *What shapes solidarity in the EU? From compassion to solidarity fatigue: Factors sustaining or eroding solidarity towards refugees, asylum seekers and other migrants*, [Joint Research Centre](#), September 2023