Migration Update
February 2026

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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. In this issue, Krystian Schneyder assisted with the write-up of the court ruling. Should you have any questions or comments, please contact Vít Novotný at *vn@martenscentre.eu*.

- Frontex, the European Border and Coast Guard Agency, currently has around 8,000 officers, according to Commissioner Magnus Brunner, answering a parliamentary question. At the end of September 2025, Frontex reported having 1,239 'deployable category', statutory staff employed by Frontex, 880 'selected category', staff seconded from member states for a long term, and 4,946 'nominated category', staff from member states provided to Frontex for short-term placements.

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NEW PACT

Council decisions on the annual solidarity pool for 2026
EUobserver published further details on the pledging debate in the Council last December. '**Germany** pledged the most [places] with **4,555**. In an email to *EUobserver*, Germany's interior ministry confirmed **not a single one is a relocation**. Germany has instead reached agreements with Greece and Italy to take over the asylum cases of people who first entered those countries before traveling on to Germany' [the so-called responsibility offsets].

The plenary of the European Parliament and subsequently the Council approved two laws, each amending the Asylum Procedure Regulation 2024/1348. The laws are as follows:

Safe countries of origin
On 10 February 2026, the Parliament agreed to create a (first ever) EU list of safe countries of origin, 'to enable faster processing of asylum requests.' 408 MEPs were in favour, 184 against and 60 abstained. According to the voting record on the Parliament website, the breakdown of the vote was as follows:

Group	Yes	No	Abstention	Did Not Vote
EPP	167	2	7	11
S&D	25	89	7	14
Renew	23	3	41	8
PfE	71	0	0	13
ECR	72	1	0	6
Verts/ALE	1	43	3	6
The Left	0	42	0	4
NI	24	4	2	2
ESN	25	0	0	2

The Council voted on the final bill on 23 February. According to the register of public votes, the vast majority of member states were in favour. **Belgium and Hungary abstained** and Denmark did not vote.

According to one analyst, 'the rule will become mandatory for member states, instead of an option. [Also,] it will be possible to designate a non-EU country of origin as '**safe**' in part, either geographically (exceptions for 'specific parts of its territory') or for some groups of people ('clearly identifiable categories'). Recent Court of Justice judgments have confirmed that such designations are not possible under the 2013 Directive'.

The safe countries list is based partly on assessments by the EU asylum agency that the Commission has not published. According to a critic, a Liberal MEP, 'the Commission should be required to publish these assessments so that civil society and the public can better understand the real situation in the countries proposed for the list.'

Concept of a safe third country

The plenary of the Parliament also voted on the a proposal to create an EU concept of a safe third country. According to the voting record on the Parliament website, 396 MEPs voted in favour, 226 against and 30 abstained. The breakdown of the vote by group was as follows:

Group	Yes	No	Abstention	Did Not Vote
EPP	168	8	1	10
S&D	20	93	8	14
Renew	16	33	18	8
Verts/ALE	1	46	0	6
The Left	0	42	0	4
ECR	73	0	0	6
PfE	71	0	0	13
ESN	24	0	0	3
NI	23	4	3	2

The Council voted on the final bill on 23 February. According to the register of public votes, the vast majority of member states were in favour. **France, Portugal and Spain** voted against. Denmark did not vote.

'Except for certain rules that can be frontloaded, the EU list of safe countries of origin and the amendments to the safe third country concept will begin to apply on **12 June 2026**, at the same time as the rest of the migration and asylum pact.'

European Asylum and Migration Management Strategy

On 29 January, the European Commission presented The European Asylum and Migration Management Strategy, which 'sets out the EU's political objectives on asylum and migration and will serve as a compass with concrete priorities for the next five years.' The strategy has five priorities:

1. Stepping up migration diplomacy
2. Strong EU borders to enhance control and security
3. A firm, fair and adaptable asylum and migration system
4. More effective return and readmission
5. Labour and talent mobility to boost competitiveness.

'The Strategy also promotes the full use of the potential of digitalisation and Artificial Intelligence in asylum and migration management, setting up this year a **Forum on AI in migration**....To support the implementation of this Strategy, the Union will make strategic use of Union funding as set out in the Commission's proposals for the next **Multiannual Financial Framework 2028-2034.** This includes a proposal to dedicate an overall amount of at least **€81 billion to home affairs** policies and a **Global Europe instrument**, designed to match a more strategic approach to

international partnerships, in alignment with the EU's strategic interests, including on migration. EU Agencies will provide reinforced operational support to member states. All actions under the Strategy are rooted in the respect of fundamental rights in accordance with the Charter and align with our international obligations.

The Asylum and Migration Management Regulation requires member states to have national strategies in place to ensure their capacity to effectively implement their asylum and migration management systems. It also requires the Commission to draw up a long-term European Asylum and Migration Management Strategy setting out the strategic approach to ensure the consistent implementation of national strategies at Union level.'

EU VISA POLICY STRATEGY

On 29 January 2026, the European Commission adopted 'its **first-ever EU Visa Strategy.** It sets out a framework for a visa policy that is more strategic and that advances the EU's long-term interests**,** allowing it to be better equipped for growing mobility as well as the consequences of regional instability and geopolitical competition'.'

The Visa Strategy is built on three key pillars:

1. Strengthening the EU's security, including:

- ✓ A modern system for granting visa-free status to partner countries, including a new assessment framework with clear criteria to evaluate potential candidates (in 2026).

- ✓ Stronger monitoring of existing visa-free regimes under the reformed Visa Suspension Mechanism to ensure continued compliance and prevent misuses of visa-free travel:

  'The European Commission's monitoring of visa-free regimes [currently 64] reveals significant challenges to the EU's security, border and migration management due to various forms of abuse of the visa exemption. These can include the **misuse of asylum procedures**, with nearly a quarter of 2024 asylum applications in the EU coming from visa-free travellers, and a significant proportion of these applications being unfounded. Another issue is **visa-free nationals overstaying** their authorised stay and remaining in the EU illegally.'

- ✓ Stronger visa leverages by upgrading the existing Article 25a mechanism, which allows the EU to take targeted visa measures in cases of lack of cooperation on return and readmission.

- ✓ Possible targeted restrictive visa measures to suspend, refuse or restrict visa applications in response to hostile actions by third countries that undermine EU security, as part of the Visa Code revision, in consultation with Member States.

✓ New measures to strengthen travel document security to counter fraud, with new harmonised definitions and sanctions at EU level for document fraud

2. **Boosting prosperity and competitiveness:** The Strategy puts forward new measures to support the EU's global competitiveness, attract and retain talent, and make legitimate travel easier, faster and more predictable…. and includes 'multiple entry visas with a longer validity for trusted travellers, to stimulate economic activity and reward visitors with a proven travel history and a common list of verified companies, to facilitate visa processes for business travellers invited by trusted sponsors.'

3. **Modern visa tools:** deploying advanced digital tools to modernise visa and border management.

The Visa Strategy is accompanied by the Commission's *Recommendation on attracting talent for innovation*. See all documents here.

ASYLUM

In **Spain**, at least 218,731 people are waiting for a decision on their asylum application, even though in 2025 the number of resolutions increased by 67 percent to 160,663, the highest figure since 1992. New asylum requests in 2025 went down by 14 percent.

Sweden's government said it planned to make all asylum seekers live in migrant reception centres while their cases are processed, in a further tightening of immigration regulations. People will have to prove that they have moved to the centres, or risk losing their benefits, and also agree to travel restrictions.

STUDENT MIGRATION

In **France** in 2025, the primary reason for issuing residence permits was student status, with **118,000**, three out of ten initial permits, issued in 2025. Student immigration was the largest category of residence permit issued in France for the fourth consecutive year. According to one commentator, 'this long-term trend is the result of...the 'Welcome to France' strategy, implemented since 2019, which sets a target of 500,000 foreign students in France by 2027. This quantitative imperative pays little attention to the level of the students, or to the migratory opportunism observed with certain nationalities. Eight years after obtaining their first 'student' status, 61% of Algerians still have a valid residence permit in France, two-thirds of them for family reasons.' Family and humanitarian migration followed closely as second and third largest categories with 93,000 and 91,000 permits issued, respectively.

In the year to June 2025, student migration was the largest category of arrivals in the **UK**. Visa grants or detected arrivals granted to students amounted to **436,000**. This figure was far ahead of family and work immigration, with 183,000 and 174,000 permits respectively.

ITALY-ALBANIA

Following a transformation of the facility in Gjadër to an Italian detention centre, 183 migrants were placed there between April and October 2025. According to an investigative report, 'most of them were sent back to Italy after court rulings. Five of them were eventually put on a plane from Albania to their home country of Egypt.... In October 2025, 21 migrants were still detained in Gjadër.' The journalists 'identified €259 million in expenditure for the first two years of the project. During that period, 256 people were detained in the facility. That is €1 million per asylum seeker.'

BORDERS

A report by a consortium of NGOs recorded '80,865 pushbacks' at EU external borders. 'In 2025, the Libyan coast guard, financially and logistically supported by the EU, prevented 27,116 people from reaching EU borders. Poland pushed back 14,754 asylum seekers, followed by Bulgaria whose authorities have executed 13,568 pushbacks.'

LIBYA

Migrants, refugees and asylum-seekers in Libya are enduring 'ruthless and systematic human rights violations, including killings, torture, sexual violence and trafficking', according to a new report published by the UN human rights office, OHCHR. Among other findings, 'thousands are intercepted at sea through dangerous methods and forcibly disembarked and returned to Libya, which is considered by UN entities and the authorities of various third States as unsafe for disembarkation.

SURVEYS

According to the Autumn 2025 Eurobarometer published in February, 'majorities of Europeans say they are 'highly worried' about a range of security and safety-related issues, starting with active conflicts and wars near the European Union (72%)... followed by terrorism (67%), natural disasters made worse by climate change (66%), cyber-attacks from non-EU countries (66%) and **uncontrolled migration flows (65%)**. Overall, at least three-quarters of citizens express strong or moderate concern about each of the nine security and safety-related issues tested in the survey.'

RUSSIA

Russian authorities 'are importing labour from Cuba, India, North Korea and Sri Lanka. [In 2025 the government] issued **240,000 work permits** to foreigners,' according to *The Economist*. According to Reuters, Central Asians still made up the majority of some 2.3 million legal foreign workers not requiring a visa in 2025.

AFGHANIS

A total of **5.4 million people** have returned to Afghanistan since October 2023, mostly **from Pakistan and Iran**, UNHCR's Afghanistan representative Arafat Jamal said. Pakistan launched a sweeping crackdown in 2023 to expel migrants without documents, urging those in the country to leave of their own accord to avoid arrest

and forcible deportation and forcibly expelling others. Iran also began a crackdown on migrants at around the same time. Since then, millions have streamed across the border into Afghanistan, including people who were born in Pakistan decades ago and had built lives and created businesses there. In 2025, 2.9 million people returned to Afghanistan... It was "the largest number of returns that we have witnessed to any single country." According to official Iranian figures, there are still 6.1 million Afghanis in the country, of which 2 million are 'unauthorised'.

US

The US experienced **net negative migration**—an estimated loss of some 150,000 people—in 2025… according to calculations by the Brookings Institution, a public-policy think tank. The total in-migration was between around 2.6 and 2.7 million in 2025, down from a peak of almost 6 million in 2023… The US saw **675,000 deportations and 2.2 million "self-deportations" in 2025**, according to data from the Department of Homeland Security.

- The total [of US citizens] living in Portugal has jumped more than 500% since the Covid pandemic and grew by 36% in 2024 alone, official data there showed. In the past 10 years, the number of American residents has nearly doubled in Spain and the Netherlands, and more than doubled in Czechia.
- Last year, more Americans moved to Germany than Germans moved to America.

According to AP, 'federal judges around the country are scrambling to address a **deluge of lawsuits** from immigrants locked up under the Trump administration's mass deportation campaign. Under past administrations, people with no criminal record could generally request a bond hearing before an immigration judge while their cases wound through immigration court unless they were stopped at the border. President Donald Trump 's White House reversed that policy **in favour of mandatory detention.** Immigrants by the thousands have been turning to federal courts by using another legal tool: habeas corpus petitions. Prolonged detention has become more common in President Donald Trump's second term, at least partly because a new policy generally prohibits immigration judges from releasing detainees while their deportation cases wind through backlogged courts.

JUDICIAL OBSERVATORY

A regional court in Poland rules that depriving three Afghan asylum-seekers of liberty was unlawful

The applicants, all Afghan nationals, had crossed first the Polish–Belarusian border and later the Polish–German border during 2025. After entering Germany, they were returned to Poland, where the Polish Border Guard detained them. While being held in a facility in Kętrzyn pending deportation proceedings, the individuals expressed their intention to apply for international protection. The Border Guard, however, refused to register their applications, invoking provisions that temporarily suspended the right to asylum in the border area. On appeal, the Regional Court in Olsztyn ruled that the applicants could not be deprived of their liberty for the purpose of return, as removals may not be carried out against persons who have declared their intention

to seek asylum. The court further noted that even if the suspension of the right to asylum were deemed lawful, the relevant provisions did not allow for their application outside the Polish–Belarusian border zone. The court emphasised that core elements limiting a constitutional right — such as the right to seek asylum under Article 56(2) of the Polish Constitution — cannot be delegated to executive regulations. It criticised the national legislative framework for enabling the government, through secondary legislation, to determine the scope, duration, and practical implications of such restrictions. The court also recalled that both international and EU law prohibit the blanket suspension of access to asylum procedures, citing the 1951 Refugee Convention, the Charter of Fundamental Rights, Article 5 of the 2008 Return Directive, and Article 9 of the 2013 Asylum Procedures Directive, which guarantees applicants the right to remain in the territory of a member state until a decision on their application is issued. The migrants were subsequently released from the centre. Currently, their representatives are awaiting further action to ensure that their applications for international protection are registered and properly considered. Links to the rulings, VII Kz 58/26, VII Kz 51/26 and VII Kz 55/26, are here.

SELECT EXTERNAL PUBLICATIONS

H. R. Kennedy, *Migration and the European Convention on Human Rights: Legal requirements and proposals for reform*, European Parliamentary Research Service, February 2026

R. Moodley, 'Bridging the gap between principle and practice: the 'right to asylum' under Article 18 EU Charter and its implications for the EU Resettlement Regulation', *International Journal of Refugee Law*, eeaf047, https://doi.org/10.1093/ijrl/eeaf047, January 2026

R. Ballester and Y. Caspar, *Taking Back Control from Brussels: The renationalization of the EU migration and asylum policies*, MCC--European Studies, January 2026