

# Migration Update

May 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. Thanks go to Marek Gallo for writing up the Cypriot and Maltese parliamentary election campaigns. Claudia Masi submitted news items. Should you have any questions or comments, please contact Vít Novotný at [vn@martenscentre.eu](mailto:vn@martenscentre.eu).

- Gallup [measured](#) potential changes to the adult population through out- and in-migration, **based on expressed desire** of respondents worldwide. EU and non-EU countries in Europe are **more attractive** than they were. Data for 2023-25 show a potential for Europe’s population to grow 68% by migration, as opposed to 52% in 2015-17. There are significant country variations. Canada’s Potential Net Migration index has risen considerably whereas the US’ has declined.

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## **LABOUR IMMIGRATION**

Nearly 180,000 Indians [contributed](#) to Germany’s workforce in 2025 alone, representing a 656% increase over ten years. “Overall, Indian migrants in Germany are highly qualified, especially in the fields of science and technology. Their extraordinary ability is also reflected in their average income, which is higher than the average income of Germany,” according to German Commissioner for Multilateral Affairs Florian Lodi.

## **CHISINAU DECLARATION AND THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

On 15 May, ‘foreign ministers from the 46 Council of Europe member states... adopted [a political declaration](#) underlining and clarifying their views of the European Convention on Human Rights system, notably in the context of migration. The declaration was adopted by consensus at the annual session of the Council of Europe’s Committee of Ministers in Chişinău, Republic of Moldova.’

- ‘The text reaffirms member states’ deep and abiding commitment to the Convention, and their support for the independence of the European Court of Human Rights. It also notes the **need to balance the general interest of the community with individual rights**.
- With regard to migration in particular, the declaration notes that there are significant, complex migration-related challenges in various Council of Europe states and that failure to address these adequately **may weaken public confidence** in the system.
- The declaration underlines that states have the undeniable **sovereign right to control the entry and residence of foreign nationals**, and that it is both an obligation and a necessity for states to protect their borders in compliance with the Convention.
- Specific sections of the declaration focus on protections guaranteed under Article 3 (prohibition of torture and inhuman or degrading treatment or punishment) and Article 8 (right to respect for private and family life) of the Convention.’

Excerpts from the Declaration:

- The Convention system is **subsidiary to the safeguarding of human rights at national level**.... the Court has generally indicated **that it will not substitute its own assessment for that of the domestic courts, unless there are strong reasons for doing so**.
- The Committee of Ministers underlines the need to secure an effective, focused and balanced Convention system, where the States Parties effectively implement the Convention at national level, and where the Court can focus its efforts on identifying serious or widespread violations.

- The Court authoritatively interprets the Convention in accordance with relevant norms and principles of public international law, and, in particular, in the light of the Vienna Convention on the Law of Treaties. The Convention is interpreted as a living instrument, giving appropriate consideration to present-day conditions.
- The majority of migrants residing legally in the States Parties contribute positively to the receiving societies. Migrants' fundamental rights and freedoms must be respected and protected in accordance with the principle of non-discrimination.
- The inability to expel or extradite an individual convicted or charged with a serious offence can lead to significant challenges for States, including in relation to their fundamental duty to guarantee the right to everyone within their jurisdiction to **live in peace, freedom and security**.
- Where an individual is being expelled or extradited, the **quality of accessible healthcare** in the receiving State should only give rise to a real risk of treatment contrary to Article 3 in very exceptional circumstances described in the Court's case law.
- **National authorities** are in principle better placed than an international court to evaluate local needs and conditions. It is primarily for the national authorities to... assess whether there are relevant and sufficient reasons for expelling a foreign national that may pose a threat to public order and national security from their territory, including the weight they attach to the nature and seriousness of the crime committed by them.
- The concept of "**democracy capable of defending itself**," as developed in the case law of the Court, may be relevant when States Parties face instrumentalisation of migration. A hostile State or other actor cannot be allowed to undermine European democracies and the values on which the Convention is founded and to abuse the system that it was established to protect.
- It is important that States, including those that are exposed to mass arrivals, can pursue new approaches to address and **potentially deter irregular migration**. Amongst the forms of new approaches that have been envisaged by several member States are processing requests for international protection in a third country, third country "**return hubs**", and co-operation with countries of transit.
- States Parties are encouraged to consider ratifying Protocol No. 16 to the Convention to provide a possible avenue for the national courts to seek guidance of the Court on questions of principle concerning the interpretation and application of the Convention.

From the many commentaries on the Chisinau Declaration:

- [According to](#) law expert Daniel Thym speaking to *Die Welt*, 'there are two possible interpretations of the statement... The first, sceptical one: "The states' political will to bring about change was thwarted in the back rooms by legal experts in the Council of Europe's secretariat and the national ministries of justice. The tough language remains, but substantive changes have been avoided." The second interpretation: "What matters is not so much the small print, but the message to the Court and the national courts: dynamic interpretation must come to an end and state interests must be given greater

weight in future.” The repeated emphasis on case law would then essentially be a rhetorical ploy “to secure the approval of all governments – and the German SPD – which would not have supported an open challenge to the Court... At heart, the states want a reversal of the trend and are saying so between the lines.”

[According to](#) the FT, citing a Bonavero Institute of Human Rights report, ‘between 2016 and 2021, **3.5 per cent** — 922 — of all foreign national offenders being deported from the UK successfully appealed on human rights grounds’.

## **NEW PACT**

The European Commission [issued](#) a third report on the state of play on the Pact on Migration and Asylum's **implementation**.

- ‘EU agencies, in particular the European Union Agency for Asylum (EUAA), eu-LISA, Frontex, Europol and the European Union Agency for Fundamental Rights (FRA), continue to closely cooperate with the Commission and the member states to support the reform process.’
- ‘The Commission also continues to provide support to member states through the Technical Support Instrument. The instrument supports eight member states (Belgium, Czechia, Estonia, Ireland, Greece, Italy, Romania and Slovakia) to implement specific reforms outlined in their National Implementation Plans.’
- ‘The necessary national legislation is being put into place. In at least eleven member states (Austria, Croatia, Denmark, Estonia, France, Ireland, Italy, Luxembourg, the Netherlands, Finland and Romania) **draft legislation is in the parliamentary procedure**.
- Most other member states are in the **final stages of preparing the necessary proposals** (Belgium, Latvia, Lithuania, Spain and Sweden are in the final stages of drafting or have finalised the draft measures. Although Denmark is not bound by the Asylum Procedure Regulation, its new legal framework will include the possibility of activating the asylum border procedure if the need arises.)
- Five member states have already **adopted most of the relevant national legislation** (Czechia, Cyprus, Germany, Ireland and Slovakia).’
- 11 member states, including Bulgaria, Germany, Greece, Hungary, Italy and Poland, still lack the reception facilities and human resources needed for border procedures.
- See [the report](#) for a list of specific reforms undertaken (or not) by the individual member states.

## **EMPLOYER SANCTIONS DIRECTIVE**

The European Commission [issued](#) a Report on the implementation of the Employers Sanctions Directive.

- ‘Illegal employment... damages the EU economy causing losses in public finances, unduly depressing wages, worsening working conditions, creating unfair competition among economic actors and businesses, and significantly increasing the risks of exploitation of workers’.

- Although it remains difficult to quantify the extent of illegal employment of irregular migrant workers in the EU, Eurostat data gives some indications on its scale. The number of irregular migrant workers detected in the EU rose from 679,730 in 2021 to 1,265,350 in 2023, with **provisional estimates of 918,925** in 2024.
- There are wide discrepancies in how the legislation is applied across the 25 member states [concerned], including regarding administrative and criminal sanctions. On inspections, the information available on the coverage of key higher-risk sectors does not enable us to determine whether there is a sufficient level of enforcement of the Directive across member states.'

## **ENTRY-EXIT SYSTEM**

[According to](#) the fifth State of Schengen report issued by the Commission, since the launch of the Entry-Exit System (EES),

- the EES was fully deployed with all functionalities at all border crossing points in the Schengen area on 10 April 2026;
- the Schengen States registered more than 60 million entries and exits of third country nationals;
- 30,000 refusals of entry were recorded in the system due to lack of compliance with entry conditions. Among these cases, nearly 800 persons were considered a threat to internal security while almost 7,000 travellers were denied entry for having overstayed in the Schengen area.

Dublin-based **Ryanair** [has written](#) to transport ministers in all 29 Entry-Exit System (EES) countries calling for an immediate suspension of the EU's new biometric border-control scheme until at least September 2026. The low-cost carrier says the mandatory fingerprint and facial-image capture—now required for third-country nationals at Schengen external borders—has already produced passport-control queues of two to four hours at several Mediterranean airports during its first operational week.

Greece [rejected](#) reports of an exemption from biometric checks for British summer travellers.

## **RETURNS**

[According to](#) the European Commission, 'joint efforts... resulted in more effective returns of persons without a right to stay in the EU, with a 28% return rate in 2025 – the highest return rate in the past 10 years.' According to the fifth State of Schengen report, this was due to 'a slight upward trend in the effectiveness of national return systems [that] was observed in seventeen Schengen States'.

## **GAZANS**

The *Brussels Times* [reported](#) that 'around 1,000 Palestinians currently trapped in Gaza hold visas allowing them to travel to Belgium, but the Belgian government is not planning any new evacuation operations for now... A thousand visa holders remain inside the Palestinian enclave, including a Belgian baby just a few months old. Most visas were issued as part of family reunification procedures. However,

holding a Belgian visa does not automatically grant access to a government-organised evacuation.'

## **SYRIANS**

Since the end of January, Germany has **not been able to deport a single Syrian** criminal or Syrian citizens deemed as a security threat. The Syrian authorities have not issued the requisite documents. More than 11,000 Syrians in Germany are required to leave the country.

- More than 1.6 million Syrian refugees [have returned](#) from abroad since the fall of the Assad regime in December 2024. From Germany, however, there have so far only been around 4,000 assisted returns to Syria.
- In view of ongoing concerns about human rights violations and abuses, the volatile security situation, protracted and new internal displacement, community tensions, and the severe economic and humanitarian crisis, **UNHCR** does [not consider](#) it appropriate to deny international protection to Syrians and former habitual residents of Syria on the basis of an internal flight or relocation alternative

## **UK**

A decline in net migration: Migration [added 171,000 people to the UK's population last year](#), almost half the number seen in 2024. The figure is at its lowest level since 2012, excluding the Covid pandemic. The data also reveals that 93,525 people claimed asylum in the UK in the year to March 2026 - down 12% on the year prior, but still more than double that seen just before the pandemic.

## **GLOBAL**

The **US** remains by far the **largest source of international remittances**, followed by Saudi Arabia, Switzerland, and Germany. This according to the IOM's [World Migration Report 2026](#).

## **NATIONAL PARLIAMENTARY ELECTIONS**

### **Cyprus**

Cyprus held its parliamentary election on 24 May 2026. The **Democratic Rally** (DISY, EPP) [advocated](#) strict management of irregular migration within the new EU legal framework, faster processing of asylum applications, the conclusion of readmission agreements with third countries, and the introduction of deportation as a penalty for criminal offences DISY also wanted to pursue EU recognition of Syria as a safe country of return. The **Progressive Party of Working People** (AKEL, PEL) [called](#) for stronger EU support and a burden-sharing mechanism across member states, faster asylum processing, an integrated inclusion plan, and a revised employment strategy to combat labour exploitation. **National People's Front** (ELAM, ECR) [campaigned](#) for a stricter immigration policy, including enhanced border protection, closed pre-removal centres, cuts to the benefits for undocumented migrants, and accelerated deportation procedures following asylum rejections, [framing](#) uncontrolled irregular immigration as a demographic and security threat. The **Democratic Party's** (PES) programme [suggested](#) specialised policing units in high-

migration areas, Greek language programmes for migrant children prior to school integration, technology-enhanced Green Line controls, and greater EU burden-sharing. **Citizens for Cyprus** (ALMA, EDP) [proposed](#) a six-month deadline for asylum decisions, fully digitalising the migration department, and applying technology-based surveillance on the Green Line, while establishing a Migration Observatory for annual public accountability. See the results [here](#).

### Malta

Malta held a snap parliamentary election on 30 May 2026. The **Labour Party** (PL, PES) [campaigned](#) for speeding up the returns of individuals not eligible for asylum while maintaining a strict control over irregular migration, including strengthening the national asylum agency. The party also [called](#) for conditional working permits, including pre-departure courses, language learning and preference for labour migrants from within the EU. The **Nationalist Party** (PN, EPP) [framed](#) migration primarily as a population management challenge, with the number of foreign residents growing from 20,000 to around 170,000 over the last 13 years. Leader Alex Borg [proposed](#) a new population authority to publish labour market and capacity plans, a joint Armed Forces–Police task force targeting irregular arrivals and foreign criminals, and a mandatory Maltese language course for public-facing third-country workers. The party also [supported](#) a European migration governance framework combining border controls, action against human trafficking, and legal labour pathways. See the results [here](#).

## JUDICIAL OBSERVATORY

### **The European Court of Human Rights rules Poland acted unlawfully when it did not provide sufficient access to information concerning third-country nationals considered a threat to national security**

In its [ruling on 7 May](#), the Strasbourg court held that entering Adin Şener’s data in Poland’s Register of Undesirable Foreigners and the Schengen Information System (SIS) on undisclosed national-security grounds violated both Article 1 of Protocol No. 7 and Article 8 ECHR. The entry into these registers effectively expelled this long-term lawful resident and separated him from his Polish family. Şener, a Turkish national living in Poland since 1989 with a Polish wife and daughter, was lawfully resident when his details were secretly placed in the national register and SIS in July 2016, preventing his re-entry after a holiday despite a still-valid temporary permit. It held that this measure amounted to “expulsion” and that, although national security can justify restrictions, here the authorities never disclosed even a gist of the factual allegations, relied on blanket secrecy, and provided no individualised assessment balancing security interests against Şener’s rights, so he and his lawyer could not meaningfully contest the measure. Judicial review by the Warsaw Regional Administrative Court and the Supreme Administrative Court, which alone saw the classified material, was deemed an important safeguard but insufficient to counterbalance the near-total denial of information and effective legal representation, so the essence of his procedural rights under Article 1 of Protocol No. 7 was not preserved. Interpreting Article 8 in harmony with those procedural standards, the Court also found that the same flaws meant the interference with Şener’s established

private and family life in Poland was not “necessary in a democratic society,” leading to findings of violations of both provisions and an award of EUR 12,500 for non-pecuniary damage and EUR 2,706 in costs to his daughter, who was allowed to continue the case after his death.

### **The European Court of Human Rights declared inadmissible an asylum application by a person who claimed to live on the street in Belgium but in fact resided in the Netherlands**

The ECtHR [ruled](#) on 21 May that an application in the case of *Mouelhi v. Belgium* was inadmissible. The case concerned a Tunisian national who complained that he had not been provided with accommodation or material assistance in Belgium, as required by law, despite the final judgment of the Brussels French-Language Employment Tribunal. The Court found that the applicant’s conduct amounted to abuse of the right of individual application. It noted that the applicant had deliberately attempted to mislead it by submitting false information in support of his request for an interim measure, in which he had stated that he was reduced to living on the streets in Belgium, when it could be seen from the documents submitted later by the respondent Government that he had been accommodated as an applicant for international protection in the Netherlands for nearly five months. Moreover, he had not corrected this information in the application form submitted after requesting the interim measure nor when he had updated his file at the Court’s request. On the contrary, he had expressly reiterated that he was still having to sleep on the streets.

### **MARTENS CENTRE PRODUCTION**

V. Novotný, ‘Dealing with illegal stay: The perpetually unfinished business of EU immigration policy?’, [European View](#), 25/1, May 2026

### **SELECT EXTERNAL PUBLICATIONS**

J. Dennison, ‘Immigration threat perceptions: Experimental evidence of causes and consequences’ *Migration Studies*, 2/14, June 2026, mnag018, <https://doi.org/10.1093/migration/mnag018>

K. Pucek et al, *Between War and Return: Scenarios for the Future of Ukraine and Its Refugees*, [Clingendael](#), May 2026

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