

# EMN BULLETIN

May 2021

The EMN Bulletin provides policymakers and other practitioners with updates on recent migration and international protection policy developments at EU and national level. The 34th edition provides information from January to March 2021, including the (latest) relevant published statistics.

The Bulletin is organised by policy theme. You can directly access your area of interest by clicking on one of the following themes:

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## SPECIAL NOTE: EMN Publications and events

In March 2021, the EMN welcomed Georgia and the Republic of Moldova to the EMN with observer status. An EMN National Contact Point (NCP) has been established in each of the respective Ministries. The working arrangement represents an important step towards reinforced cooperation in the areas of migration and asylum. For the first time, the EMN Bulletin now also includes recent developments from both Georgia and Moldova.

In January 2021, a joint EMN OECD Inform on “The impact of COVID-19 on forced and voluntary return procedures and policy responses” was [published](#). This formed the last in a series of [five EMN OECD Informs](#) published as of June 2020, focussing on the effects of the pandemic in different areas of migration. The publication was presented in a public webinar.

Moreover, the EMN [published](#) a report “Children in Migration” setting out the state of implementation at the national level in 2019 of the 2017 Commission Communication on the protection of children in migration. The report was launched together with a webinar on “Access to housing and education for children in migration: challenges and good practices” in March, which can be viewed [here](#).

The EMN Glossary app is now also available in Greek! Download the app [here](#) for Android and [here](#) for iOS.

## 1. GENERAL POLICY DEVELOPMENTS

### EU DEVELOPMENTS AND UPDATE

- The Commissioner for Home Affairs, Ylva Johansson, [attended](#) the opening ceremony of the Summit of the Global Forum on Migration and Development, hosted by the United Arab Emirates. The discussion addressed issues related to the governance of labour migration, the promotion of skills, the role of new technologies for empowering people, as well as the need to tackle the gaps in migrant protection and undertake different approaches to deal with irregular migration through partnerships.

- A new partnership on the integration of migrants was [launched](#) between the EU Commission and the Committee of the Regions, to increase cooperation and support to EU cities, regions, and rural areas. This partnership is a follow-up to the Action Plan on Integration and Inclusion 2021-2027 that the Commission adopted in November 2020.
- In March 2021, the first comprehensive [EU Strategy on the Rights of the Child](#) was adopted to improve the rights of children both within the EU and across the world. The European Commission also proposed a European Child Guarantee for EU Member States.

#### NATIONAL DEVELOPMENTS

- **Austria:** Created in 2019, the [Federal Agency for Reception and Support Services](#), is as of 1 January 2021, also in charge of legal assistance and return counselling, in addition to material reception conditions.
- **Estonia:** At the end of January, a new Government was formed by the Reform Party and the Centre Party after the resignation of the previous Prime Minister together with the former Government earlier in the same month. Mr Kristian Jaani was appointed as the new Minister of the Interior. The former position of the Minister of Population was abolished. According to the new Coalition Agreement migration is strongly related to the local labour market needs. Estonia is open for experts and skilled workforce. At the same time emphasis is put on support services to integrate foreign specialists coming to Estonia.
- **Ireland:** The Department of Justice [published](#) the Justice Plan 2021 and a wider three-year Department of Justice Statement of [Strategy 2021-2023](#) which outlined a range of objectives to reform immigration services with the overall goal of delivering ‘a fair immigration system for a digital age’.
- **Latvia:** On 5 February 2021, the COVID-19 emergency situation was prolonged until 6 April 2021 as amendments to the Cabinet Order No. 655 “[Regarding Declaration of the Emergency Situation](#)” came into force.
- **Lithuania:** On 1 January, the [amendments](#) to the Law on Citizenship entered into force giving grounds for all minors (until 18 years old) who acquired Lithuanian citizenship by birth to claim their right to dual citizenship, regardless of when they acquired the citizenship of another country.
- **Georgia:** Following approval of the 2021-2030 Migration Strategy of Georgia (Ordinance #810 of the [Government of Georgia dated 30 December 2020](#)), on 26 January 2021 the [State Commission on Migration Issues](#) (SCMI) [adopted](#) the Action Plan for 2021. It includes 114 activities derived from the seven sectoral priorities of the Strategy concerning migration management, facilitation of legal migration, fight against illegal migration, reintegration, engagement of diaspora, development of asylum system and integration of foreigners.

## 2. INTERNATIONAL PROTECTION INCLUDING ASYLUM

#### EU DEVELOPMENTS AND UPDATES

- In a blog article [published](#) on 24 March 2021, Commissioner Johansson pointed out that EU contributions amounted to over a quarter of a billion euros dedicated to the construction of new reception centres in Greece. The EU contributions were dedicated to building reception centre on Lesbos and Chios for a cost estimated at EUR 155 million and a further EUR 121 million for the construction of smaller centres on the islands of Samos, Kos and Leros.

#### LATEST RELEVANT STATISTICS

- On 15 March 2021, Eurostat [published](#) statistics on asylum seekers for the fourth quarter of 2020. The number of first-time asylum applicants in the EU-28 for the fourth quarter dropped by 5% compared with the previous quarter and by 38% in comparison with the same quarter of 2019. In the last quarter of 2020, 37% of first instances decisions on asylum applications were positive. The top 3 nationalities of asylum applicants were Syrians, Afghans and Pakistanis, lodging 17 490, 13 995 and 5 280 applications respectively. Afghans (an increase of 2 810 in applicants when compared with the third quarter of 2020) contributed most to the overall increase in first-time asylum applicants in absolute terms.

#### NATIONAL DEVELOPMENTS

- **Austria:** On 25 February 2021, the Austrian Federal Office for Immigration and Asylum [published](#) its annual statistics 2020. Despite COVID-19-related travel restrictions, there was a slight increase in applications (+10% compared to the previous year). There was, however, a drop in the number of

applications for international protection per month between March and April 2020 due to the COVID-19 restrictions, which only recovered by June 2020.

On 1 January 2021, the United Kingdom of Great Britain and Northern Ireland [was added](#) to the list of safe countries of origin.

- **Belgium:** On 22 March 2021, the Office of the Commissioner General for Refugees and Stateless Persons ([CGRS](#)) launched a new website: [asyluminbelgium.be](#) providing information in nine languages about the asylum procedure in Belgium including audio-supported content and videos.



- **Bulgaria:** The State Agency for Refugees with the Council of Ministers (SAR) has had the main responsibility for protecting the health of asylum seekers on the territory of the Republic of Bulgaria since the beginning of the COVID-19 epidemic. The measures during the epidemic have focused on prevention. Measures were taken to ensure that messages about the prevention and early detection of the disease reach everyone in an appropriate language. Consultations were held on identification of high-risk groups. The anti-epidemic measures taken by SAR follow the development of the epidemic situation and the ministerial orders.

- **Croatia:** Croatia cooperated with EASO through its participation in the EASO mission in Malta within the reporting period. Since December 2015, officials from the Directorate for Immigration, Citizenship and Administrative Affairs of the Ministry of the Interior have been continuously providing assistance and support to the Member States most affected by the migrant crisis: Cyprus, Greece, Italy and Malta, as part of the EASO missions. Croatia's mission in Malta is part of this continuous support. Funds have also been allocated within the Asylum, Migration and Integration Fund (AMIF) for equipping a reception center for applicants of international protection, in order to improve their quality of life.

- **Estonia:** In January 2021, the Estonian Refugee Council [concluded](#) a mapping of the possibilities for supporting the mental health of refugees. In addition to the mapping, leaflets aimed at refugees to raise awareness on mental health and where to find help were published in [Estonian](#), [English](#), [Russian](#), [Turkish](#) and [Arabic](#).

- **Finland:** A study commissioned by the Government [investigated](#) the impacts of amendments made to the Aliens Act in 2015–2019 on the status of people applying for and receiving international protection. According to the study, the legislative amendments made to improve the efficiency of the asylum process have weakened the position of applicants, as they seem to have increased the need for appeals and subsequent applications.

According to the Finnish Immigration Service resettlement statistics, [published](#) in March 2021, the COVID-19 pandemic affected the selection of quota refugees. The report revealed that refugees were interviewed remotely for the first time, while only one selection mission took place in March 2020 in Ankara, Turkey. Finland accepted 730 quota refugees in 2020, mainly originating from Syria and the Democratic Republic of the Congo.

[Finnish Immigration Service](#) decided to reduce reception centre capacity by terminating contracts with two reception centres and reduce the number of beds in seven other reception centres. The accommodation capacity for asylum seekers will decrease by 700 beds in total.

- **France:** On 7 January 2021, the decree related to the implementation of the 2021-2023 national reception plan for asylum seekers and the integration of refugees (SNADAR) [was](#)

### Judgment of the European Court of Justice [Case C-441/19](#)

The judgment concerns return decisions and the investigation into adequate reception facilities for unaccompanied minors in the State of return (Directive 2008/115/EC) – especially article 6(1) and Article 8(1). It was ruled that Member States must undertake an assessment of the best interests of the child in the context of return decisions, regardless of the age (above or below 15 years old) and could not be treated as adults. Moreover, Member State should ensure that there are adequate reception facilities, otherwise the minor cannot be returned.

[published](#). The SNADAR's two main focuses for the next three years will be the creation of 4 500 additional accommodation places and an orientation towards other regions.

On 24 February 2021, an instruction on the reception policy for resettled refugees for 2021 was [published](#). According to a regional distribution key, the reception objectives for 2021 have been set at 3 800 refugees to be received over the year 2021.

The annual statistics on immigration, asylum and the acquisition of French citizenship, [published](#) in January, indicate that the number of persons who have been granted an international protection status dropped by 33.5% in 2020 compared with 2018. The statistics were published by the General Directorate for Foreign Nationals in France (DGEF) of the Ministry of the Interior.

- **Ireland:** [New measures](#) allowing international protection applicants to seek access to the labour market six rather than nine months after making their application were announced. The Irish government published a [White Paper](#) to end Direct Provision and to establish a new International Protection Support Service, which sets out the national approach to ending the 'direct provision' reception system and replacing it with "a new International Protection accommodation policy centred on a not-for-profit approach". In line with government guidelines announced on 30 December 2020, the International Protection Office (IPO) [stated](#) that it will open on a limited basis for new protection applications only. In line with government guidelines and public health measures, substantive interviews are postponed until further notice. The International Protection Appeals Tribunal (IPAT) [announced](#) on 1 March 2021 that onsite Tribunal hearings will not take place and that hearings will proceed online at the appointed time and date. Appellants will be informed of any new arrangements or, where necessary, postponement.
- **The Netherlands:** The special task force created to deal with a backlog of 15 350 asylum applications of the Immigration and Naturalisation Service (IND) [had completed](#) 8 200 asylum applications by 8 January 2021. In the next months, about 7 000 asylum applications predating 1 April 2020 will still have to be processed. The goal is to handle these asylum applications by mid-2021 at the latest. In addition, the IND has made [publicly available](#) previously confidential country reports, which could be important sources for decision-making in asylum applications or other parties involved with migrants. In the second half of January 2021, a group of 100 vulnerable persons were relocated as a response to the devastating fires in the Moria reception camp in Greece in September 2020, which completed the Dutch [offer to relocate](#) 100 vulnerable persons. Two unaccompanied minors were relocated and 21 families with 55 children. On 20 January 2021 the country-specific policy for asylum seekers from China [was adjusted](#) following the publication of an official country report from the Ministry of Foreign Affairs on 1 July 2020. One of the changes is the assumption of group prosecution for Uyghurs. Following incidents at reception centres involving LGBTI and religiously converted asylum seekers, the Minister for Migration has [drafted a plan](#) to ensure a more secure living environment for these groups.
- **Slovak Republic:** On 1 January, an amendment to the Act on Health Insurance came into force. It shifts from the Ministry of Interior to the health insurance companies the obligation to pay for health care of subsidiary protection holders. Costs will be refunded by the Ministry of Health. The Migration Office of the Ministry of Interior [published](#) its 2020 Statistical Report which contains among others an overview of the number of asylum applications, number of granted asylum or subsidiary protection statuses and granted citizenships in 2020, which have been relatively stable in recent years. The report includes data on citizenships, ethnicities, age and unaccompanied minors applying for asylum.
- **Spain:** Under Law 12/2009, Embassies and Consulates in accordance with the Ministry of Interior, should follow new instructions regarding the processing of applications for family extension of international protection or family reunification. Spanish diplomats are from now in charge of issuing a report indicating whether the identity and relationship between the relatives for whom the family extension of international protection or family reunification is requested have been sufficiently proven.
- **Sweden:** In February 2021, the Swedish government tasked [the Swedish Migration Agency](#) to resettle 5 000 refugees to Sweden, meaning the resettlement quota for 2021 will be equal to that in 2020. Also,

around 1 400 individuals, selected last year for resettlement but not transferred due to the COVID-19 pandemic, can be received in 2021. Thus, the total annual target for resettlement in 2021 will be 6 400 individuals.

- **Georgia:** 500 border officials were trained in the first quarter of 2021 on asylum related issues, including identification and referral mechanism for asylum seekers, legal framework of asylum procedure in Georgia, legal status and procedural guarantees for asylum seekers and international protection holders and reception conditions. In addition, training sessions supported by UNHCR on international protection issues and mechanisms for redirecting asylum seekers were held for the personnel of the Patrol Police Department of the Ministry of Internal Affairs (MIA) of Georgia. The MIA Academy has developed an e-course on "Status of Asylum Seekers and Refugees" to help employees exercise the rights and responsibilities imposed on them by [Law of Georgia on International Protection](#).

### 3. UNACCOMPANIED MINORS AND VULNERABLE GROUPS

#### NATIONAL DEVELOPMENTS

- **Austria:** In February, the Federal Ministry of Justice [established](#) a Child Welfare Commission, consisting of five experts, to review the legal framework for children with its application practice in asylum and right of stay proceedings as well as to make a Europe-wide comparison. Based on this, the Commission will develop criteria to ensure the best interests of the child and make recommendations.
- **Bulgaria:** The Republic of Bulgaria reaffirmed participation in the scheme for voluntary relocation of unaccompanied minor applicants (up to 70 unaccompanied minors) for international protection from Greece. Last year, 17 unaccompanied minors arrived and were accommodated. International protection proceedings are being conducted for them under the Law on Asylum and Refugees.
- **France:** The Decree n°2021-150 was [published](#) on 10 February 2021, allowing foreign nationals with disabilities to apply for a residence permit to benefit from an adaptation of the language test certifying their proficiency level in French. A decree setting out the medical certificate's model for the test's adaptation or exemption was also [published](#).  
The Circular n°JUSF2104189C on the procedural scheme for unaccompanied Moroccan minors' care was [published](#) on 8 February 2021. This [scheme](#), elaborated in cooperation between the French Minister of Justice and the Moroccan Minister of Justice, is targeted at the judicial actors involved in child protection.
- **Italy:** On 18 March 2021, the Head of the Department of Civil Liberties and Immigration and the Regional Director, Coordinator for the Migrants and Refugees Crisis in Europe of the United Nations Children's Fund (UNICEF), have signed a [declaration of intent](#) by which UNICEF undertakes to work with the Ministry of the Interior, free of charge, for 18 months. The agreement foresees the development of common modalities of reception of **foreign minors**.  
On 23 March 2021 a [Guideline](#) was published by the Ministry of Interior in collaboration with EASO to provide procedures and good practice for the reception of unaccompanied foreign minors. Applications to the EU AMIF for financing specific projects in support of unaccompanied minors in vulnerable situations were completed during the reporting period. Accepting the indications of the National Authority Guarantor for Childhood and Adolescence (*Autorità Nazionale Garante per l'Infanzia e l'Adolescenza*), 15 territorial initiatives were promoted for the implementation of actions to prevent and combat violence against migrant children. In addition, seven territorial projects have been selected for the implementation of interventions to promote foster care of UAMs, as a preferential measure of reception rather than placement in a community, to facilitate the process of social inclusion and autonomy. A [protocol](#) was signed in January 2021 by the Prefecture of Massa Carrara (Tuscany) and functional units of mental health for an undertaking to examine the cases of persons applying for international protection who are psychologically vulnerable. The aim is to provide them with adequate care and enhanced protection.
- **Luxembourg:** On 7 January 2021, four unaccompanied minors from the Moria camp in Greece arrived in Luxembourg. With [the arrival of these four minors](#), in addition to the twelve unaccompanied minors who already arrived on 15 April 2020, Luxembourg fulfilled its commitments made in 2020 to Greece by relocating a total of 25 refugees, including 16 unaccompanied minors.

- **Portugal:** On 14 January 2021, the Portuguese Immigration and Borders Service relocated the fifth group of unaccompanied minors, composed of six children. The transfer was organised in line with the European Programme of 'Voluntary Relocation from Greece of Unaccompanied Minors' and families.
- **Spain:** A protocol to Combat Illegal Hate Speech online has been launched by the Government. The Protocol is the first major consensus agreement between the public administration, civil society organisations and companies providing data hosting services and will contribute to strengthening collaboration and cooperation in the fight to eradicate illegal hate speech online in Spain. The document was based on the "Code of conduct on countering illegal hate speech online", signed by the European Commission and a number of companies providing data hosting services, in 2016, and the European Commission's Recommendation 2018/334 of 1 March 2018 on "measures to effectively tackle illegal content online", and Spanish state legislation in this area. The actions associated with the implementation of this protocol shall apply without prejudice to the exercise of the right to freedom of expression and information contained in the Spanish Constitution.
- **Sweden:** On 28 February 2021, the Swedish Migration Agency [adopted](#) a new legal comment on the examination of migration cases involving children. This legal comment followed a decision ([MIG 2020:24](#)) by the Swedish Migration Court of Appeal of December 2020, in which the Court had held that a child's best interests outweighed the opposing interests of the State. This judgement was the first one in which an examination of the best interests of the child was made since the Convention on the Rights of the Child (CRC) was incorporated into Swedish law in January 2020. According to the Migration Agency's comment, the Court's decision is relevant for all types of migration cases involving children where there is room for weighing the best interests of the child against other interests, such as the interest of the State to manage migration.

## 4. LEGAL MIGRATION

### NATIONAL DEVELOPMENTS

- **Austria:** On 1 January 2021, two regulations entered into effect regulating the [contingents of short-term and temporary employment](#) and the annual [list of shortage occupations](#). In February 2021, the [Settlement Regulation](#) entered into force, establishing the maximum numbers of residence permits and work permits for temporary employed foreigners and foreign harvest workers for the year 2021.
- **Belgium:** Two years after the entry into force of the single permit procedure, the Flemish Region [revised](#) various aspects of its policy on the employment of foreign nationals in order to attract foreign talent, to simplify administrative procedures and to combat abuse.
- **Bulgaria:** A foreigner with a permitted long-term residence in the Republic of Bulgaria, for whom the period of residence expires during, or within nine months after the lifting of, an emergency epidemic situation, may apply for extension of residence up to nine months after the lifting of the emergency epidemic situation. This term shall not be considered as interruption when the foreigner applies for a long-term or permanent residence. Under a legislative amendment adopted at the end of 2020 and applied in the first quarter of 2021, third-country nationals holding a permanent and long-term residence permit who are absent from the EU territory for the period from 13 March 2020 to 31 December 2021, will not lose their granted right of residence.
- **Croatia:** The new [Aliens Act](#) introducing labour market tests for employment of third country nationals, and a new purpose for temporary residence for digital nomads; and the [Act Amending the Act on Citizens of the Member States of the European Economic Area and Members of Their Families](#) that fully implements the EU-UK Withdrawal Agreement, entered into force on 1 January 2021. On 13 February 2021, the [Regulation on the method of calculation and amount of means of subsistence for third-country nationals in the Republic of Croatia](#) entered into force.
- **Cyprus:** On 24 March 2021, the [third revision](#) of the criteria for granting an Immigration Permit within the scope of the expedited procedure to applicants who are third-country nationals and invest in Cyprus entered into force. Investments included in the new scheme are: buying a house/ apartment; investments

in real estate; investments in Cyprus Company's share capital, with business activities and personnel in Cyprus; and investment in units of Cyprus Investment Organization of Collective Investments.

- **Czech Republic:** After a few months of preparations, the Ministry of the Interior of the Czech Republic started to implement a new project, the Client Centre for Providing Information to Foreigners. The project is funded by AMIF and its full operation was launched in February 2021. The project aims to have a nationwide client centre for providing information to foreigners from third countries, including a central telephone info-line. The Client Centre provides information in all areas of residence of foreigners in the Czech Republic, especially on legal obligations, procedural issues, application requirements, etc., even in a foreign language. One of the aims of the project is to support legal migration and the integration of foreigners in the Czech Republic via increasing the knowledge of their rights and duties regarding their residence through one single information channel.

In accordance with the [amended](#) Council recommendation on measures affecting free movement, new rules on entry apply for passengers arriving from countries that are not listed as low risk. The measures include [online registration](#) prior to arrival, antigen/PCR testing and [self-isolation](#). As a general rule, entry to the Czech Republic is limited to essential journeys, and free movement in the territory is limited. .
  
- **Estonia:** On 27 January 2021, the Police and Border Guard Board [announced](#) having received more applications for residence permits for entrepreneurship (1 600) than in the quota (1 315) [established by the Minister of Interior in December 2020](#). As a result, all further applications for residence permits for working or entrepreneurship on general grounds will receive a negative decision. Alternatively, it is possible to apply for a visa and register short-term employment.

In February 2021, the government [approved](#) an amendment to the Aliens Act which allows visa refusals to be challenged in court, as well as the annulment of a visa, revocation of a visa, refusal to extend the period of stay and premature termination of the period of stay.

In February 2021, the government decided to add an [exception](#) to the order *Imposition of temporary restrictions on crossing the state border to prevent a new outbreak of the coronavirus* by allowing the entry of family members of third-country nationals who are going to be employed in a start-up, as top specialist or in a ICT position.
  
- **Finland:** The Government [ordered](#) a research project to survey what types of complementary pathways for legal migration are available in different countries for people residing in third countries who are in need of international protection.

The Finnish Immigration Service [launched](#) a project to speed up and streamline the processing of work-based permits and permits for international students. The aim is to issue work permits on average within a month by 2023, as well as to achieve a processing time of two weeks for permits for specialists, start-up entrepreneurs and their family members during the year 2021.

The Ministry for Foreign affairs [announced](#) a drop of 83% of Schengen visa applications submitted at Finnish missions in 2020 (compared to 2019) because of entry restrictions and health security measures due to the COVID-19 pandemic.

The [process](#) of qualifying for the right to medical care for foreign seasonal workers was simplified at the beginning of February 2021. Previously, seasonal workers from outside the EU had to have a Finnish personal identity code to qualify for a certificate of entitlement to medical care in Finland.
  
- **France:** On 24 March 2021, Decree n°2021-313 was [published](#) on the implementation of a teleservice for submitting applications for residence permits, which modifies the procedure for submitting and processing applications for certain residence permits.

Decree n°21-116 was [published](#) on 3 February 2021, on the implementation of the agreement between the Government of the French Republic and the Government of the Republic of Peru, about the *working holiday programme*, allowing young people aged between 18 and 30 to travel to France for a period of up to 12 months to spend their holidays with the possibility of exercising a salaried professional activity on a secondary basis.

On 17 February 2021, the "Volont'R" civic service programme was [extended](#) to eligible young foreign newcomers. Since 2019, the Volont'R programme offers to young refugees, adapted to their situation and skills, opportunities in civic service missions, and organises the mobilisation of young French people in civic service missions for refugees.

- **Italy:** The Minister of Labour and Social Policies [published](#) the Paper 2020 "Foreigners in the labour market in Italy". The report reveals a worsening of employment conditions compared to 2019 due to the impact of the pandemic on the Italian economy and a reduction in the number of employees among Italians (- 583 000), EU citizens (-67 000) and non-EU citizens (-190 330). Migratory labour flows also decreased. Overall, more than 1.4 million contracts were interrupted of which about 260 000 related to foreign citizens. On 10 March 2021, the Ministry of Interior and the Ministry of Labour activated the project "Seasonal work - dignity and legality" to address the serious vulnerability and marginality of foreign seasonal workers at risk of exploitation in the countryside.

On 14 January 2021, further urgent provisions aimed at containing the spread of COVID-19 were approved, extending the validity of residence permits until 30 April 2021.

On 20 January 2021, a [decree-law](#) about the new format for the authorisation of residence of third-country nationals was approved, in line with the technical characteristics and biometric elements laid down in [Regulation \(EU\) 2017/1954](#).
  
- **Ireland:** A temporary system was [opened](#) on 18 January 2021 enabling citizenship applicants to complete the naturalisation process by signing a statutory declaration of loyalty, rather than attend a ceremony, during COVID-19.

The [imposition](#) of new visa requirements for passport holders travelling to Ireland from certain South American countries and South Africa were announced on 27 January 2021.

The Department of Justice [announced](#) on 2 March 2021 that 2020/2021 international students who are eligible to apply for the Third Level Graduate Programme may remain in or return to their own countries to study online for the second semester.

The Department of Justice [announced](#) plans to make it easier for children born in Ireland, whose parents are not Irish citizens and who are not entitled to citizenship at birth, to secure Irish citizenship.
  
- **Latvia:** On 4 March 2021 a new Regulation was [adopted](#) "Procedures for Recognition of Travel Documents of Aliens", prescribing the procedures by which the travel documents of foreigners shall be recognised. The Ministry of Foreign Affairs may not recognise the travel document if a negative opinion of the State Police or the Office of Citizenship and Migration Affairs regarding a specific travel document has been received. The application of principles of international law is also observed for example, if the document has been issued by an institution created illegally it may be rejected.

On 23 March 2021, [amendments](#) to the "Regulations Regarding the Requirements, Criteria and Procedures for Admission to Study Programmes" came into force which aim to promote the recruitment of more responsible international students from third-countries by supplementing the rules on university and college admissions with a provision on the conduct and storage of interviews with third-country nationals.
  
- **Lithuania:** On 1 January 2021, the order of the Minister of the Interior of the Republic of Lithuania [entered into force](#) which allows foreigners to obtain e-residency status. The foreigner who has been granted the status of an e-resident will have access to the administrative, public or commercial services provided in the Republic of Lithuania by electronic (remote) means.

On 1 March 2021, the [amendments](#) to the Law on the Legal Status of Aliens entered into force, by which foreigners holding a temporary residence permit issued for a graduate of studies in Lithuania no longer need to obtain a decision of the Employment Service that their job meets the needs of the Lithuanian labour market. The same [amendments](#) also provided that foreigners can choose when to declare residence in Lithuania – in the Migration Department, when applying for a residence permit, or in the Eldership (sub-district), already after collecting a residence permit.

On 1 March 2021, the government [changed](#) some provisions related to foreigners' work in Lithuania. Foreigners studying for a master's degree or doctorate now have the right to work without a limit of 20 hours per week. Furthermore, after applying for an EU Blue Card for an employee of higher professional qualification, a foreigner can start employment in a highly qualified job from the date the application is received at the Migration Department, or from the date of adoption of the decision of the Employment Service regarding the compliance of the foreigner with the needs of the labour market of Lithuania.
  
- **Luxembourg:** The [Law](#) of 19 December 2020 amending the law of 20 June 2020 introducing certain temporary measures relating to the application of the amended law of 29 August 2008 on the free movement of persons and immigration entered into force on 21 December 2020. This modification

extends the ban on entry into Luxembourg territory for third-country nationals until 31 December 2021. Initially, the Grand-Ducal regulation of 19 December 2020 [extended](#) the temporary measures and exemptions until 31 March 2021. On 29 March 2021, this extension was [prolonged](#) until 30 June 2021. The reporting period saw several amendments to the Grand-Ducal regulation of 20 June 2020. The following changes were introduced: [Uruguay](#) and [Japan](#) were removed from the list of third countries whose nationals can enter Luxembourg. [Entry into the territory](#) of categories of persons of third countries exempted from temporary entry restrictions may be subject to additional health measures, including a negative SARS-CoV-2 test and additional testing at the airport.

On 18 February 2021, the National Youth Service (SNJ) [issued](#) a communication stating that from now on SNJ and the LuxAuPair agency are working in close cooperation and complementarity in order to provide more support to families and young foreigners interested in the "au pair reception" system. The main goal of this cooperation is to facilitate contact between family and au pairs and to prepare the stay of the au pair to make it a successful experience.

- **Malta:** Following the [publication](#) of Notice 84 of 2021 on 11 March 2021 relating to Long-Term Residence, Third-Country National long-term residents in Malta are no longer requested to apply for an employment licence to access the Maltese labour market.
- **The Netherlands:** As of 1 March 2021, a [new option](#) allows lawyers in regular migration procedures to conduct their litigation online. To facilitate this change, adjustments were made to the systems used by the court. Online litigation was already standard practice for lawyers working on detention and asylum cases. Lawyers in regular migration procedures can choose whether they want to conduct the proceedings online or on paper.
- **Portugal:** According to the [provisions](#) of Decree-Law no. 22-A/2021 of 17 March, further exceptional and temporary measures were established in the context of the COVID-19 pandemic. Since 23 March 2021, the Immigration and Borders Service (SEF) has also made available the automatic renewal functionality. Approximately 16 000 residence permits will expire between 1 April and 30 June 2021. In accordance with Order No. 1689-B / 2021, [published](#) on 12 February 2021, during the state of emergency (as of 14 January 2021) SEF maintains service in person only for urgent matters, by prior appointment. As of 25 January 2021, the SEF contact centre is temporarily closed to the public in order to preserve the health protection of its employees. Related services are still possible online, through the SEF Portal. On 10 March 2021, the Ministry of Interior and the Ministry of Labour activated the project "Seasonal work - dignity and legality" to address the serious vulnerability and marginality of foreign seasonal workers at risk of exploitation in the countryside.
- **Poland:** As part of the Migration Analytical Centre for the V4 project, the Report "Migration trends in the Visegrád Group: a preliminary analysis based on Eurostat data for 2008-2018", is now [available](#) in English. The report makes an overview of immigration to the Czech Republic, Hungary, Poland and Slovakia for a period covering 10 years, prepared using Eurostat data. Moreover, it investigates the impact of various methodological and institutional factors on public data on migration.
- **Slovak Republic:** The Bureau of Border and Foreign Police of the Police Force Presidium [published](#) the Statistical Overview of Legal and Illegal Migration in the Slovak Republic for the year 2020, which provides data on both legal and irregular migration including returns.
- **Spain:** the procedures for foreigners that could be processed electronically through the [MERCURIO](#) Platform were extended to the application for authorisation to work, continuing the digitisation of aliens' procedures. Digital access to all categories will be permitted, except in certain situations in which citizens are redirected to other authorisations more beneficial to them (e.g. stay holders for non-working practices) or need advice due to their specific and exceptional situation (as in the case of crew members in ships or Andorran nationals). As part of the judgment of the Court of Justice of the European Union ([ECLI:EU:C:2019:248](#)), new procedural changes were issued to Spanish Embassies and Consulates regarding the status of children in permanent legal guardianship under provision of care and general clarification of doubts.

- **Sweden:** In February 2021, a government-commissioned enquiry [presented](#) proposals to improve the current regulation of labour immigration to Sweden on order to attract international professionals and strengthen the position of labour immigrants into the labour market.

In January 2021, the [Swedish Migration Agency](#) widened the possibilities to apply digitally for certain types of residence documents. Web-based digital application procedures have already been available for various types of residence permits, such as permits for work or studies. Since January 2021, they are also available for British citizens applying for residence status or permanent residence status.
- **Georgia:** On 5 February 2021, amendments to the Ordinance #322 of the Government of Georgia "On the Approval of the Isolation and Quarantine Rules" were [published](#). They specify the terms for foreign students who have been given clearance by the Ministry of Education and Science of Georgia to enter the country, including measures regarding the obligatory quarantine.

On 30 March 2020 the Parliament of Georgia [adopted](#) amendments to the law of Georgia "On the Legal Status of Aliens and Stateless Persons", according to which the grounds for legal stay of foreign citizens in Georgia will be enhanced (residence permits, postponement of the obligation to leave Georgia) and the relevant data base of the [Public Service Development Agency](#) will be improved.

Based on the bilateral agreement on Seasonal Employment in the Field of Agriculture [concluded](#) between Georgia and Germany (signed on 17 January 2020), registration of Georgian citizens seeking temporary legal employment in Germany has started from 15 February 2021 through a special web [platform](#).

## 5. INTEGRATION

### EU DEVELOPMENTS AND UPDATES

- The European Parliament and the Council [have agreed](#) on a temporary agreement on the EU Social Fund Plus (2021-2027), replacing the ESF through the merger of several funds such as Youth Employment Initiative (YEI), Fund for European Aid to the most Deprived (FEAD) and the Employment and Social Innovation programme (EaSI). This new fund will amount to EUR 87 million. With the Asylum, Migration and Integration Fund (AMIF), the ESF+ will be one the main instrument to finance inclusion of migrants and refugees, focusing on access to employment. Around 25% of the funding will be allocated to socio-economic integration while a minimum of 3% will be dedicated to food aid and basic material assistance to the most vulnerable groups.
- The Action Plan on Integration and Inclusion 2021-2027 [was presented](#) to the European Parliament LIBE Committee and the European Economic and Social Committee (EESC), on 28 January 2021. The overarching goal is the inclusion of migrants (through education and employment) and their integration in host communities. This plan includes new actions that build on the achievements of the previous action plan from 2016.

### NATIONAL DEVELOPMENTS

- **Austria:** On 17 March 2021, Statistics Austria [published](#) its labour market analysis of 2020 revealing that: due to the COVID-19 pandemic, foreign nationals (+2.6 percentage points) were more severely affected by unemployment than Austrian nationals (+0.4 percentage points), while the employment rate decreased (foreigners: -1.7 percentage points; nationals: -0.9 percentage points).
- **Croatia:** Supported under the EU AMIF, the project "[INCLuDE](#)" provided educational modules for third-country nationals, local government representatives and school staff. The project is implemented by the Office for Human Rights and the Rights of National Minorities of the Government of the Republic of Croatia.
- **Cyprus:** The Ministry of Education, Culture, Sports and Youth announced its [updated policy](#) for children with a migratory background. Access to education for all children, qualitative evaluation of both children and teachers, specialised curriculum for Greek as a foreign language, remedial teaching, extensive use of diagnostic tests, and intensive summer schools are the main components of the new policy.
- **Finland:** More than 140 actors have already registered for the [Integration partnership programme](#), building an open nationwide network of actors involved in the work related to integration and social inclusion. The partnership programme supports the effectiveness of work to promote integration and social inclusion by bringing actors together and increasing multisectoral and multi-voiced cooperation. The Finnish Institute for Health and Welfare [launched](#) a pilot group for parents with a foreign background, which aims to increase trust in authorities and to heighten their knowledge of parenting and

child rearing. The group aims to increase the safety of children and the wellbeing of families through support for parenthood provided in a group format.

- **France:** On 23 February 2021, the government's 2021 integration policy priorities for foreign newcomers, including refugees, were [published](#). They are part of the continuity of actions carried out in 2020 but also form part of the State's territorial organisation reform. The objective is to offer to all beneficiaries of international protection who require it comprehensive personalised support in their integration process by 2022.
- **Italy:** On 16 March 2021, the executive plan was approved to regulate, in 2021-2022, the agreement between the Directorate General for Immigration of the Ministry of Labour and the Institute for the Analysis of Public Policies, with the aim of developing a monitoring system on the integration of third-country national in Italy.

On 29 January 2021, the Ministry of the Interior [updated](#) the Decree-Law 130/2020 on the management of Reception Facilities. Among the modifications, the decree includes the reintroduction of the psychological assistance service; the provision of Italian language courses and the legal assistance and support for moving correctly in the territory. In the Hotspots, the number of hours of psychological assistance and cultural-linguistic mediation has been increased. In the Repatriation Centres, the number of staff members and hours for medical care has also been increased.
- **Luxembourg:** On 1 January 2021, the law of 19 December 2020 on the change of surname and first names and amending the amended law of 8 March 2017 on Luxembourg nationality [entered into force](#). This law allows people who have obtained Luxembourg nationality by naturalisation, the option to request to change their surname and first name.

On 27 January 2021, an information session of the Exchange and Support Group on integration into the local level (GRESIL) [took place](#) for the first time in virtual form. The presenters emphasised the role of digital communication between municipalities and citizens as well as the role of digital communication as a facilitator for better living together at the local level.

On 28 January 2021, a public parliamentary inquiry and debate on Luxembourg's integration policy [took place](#). The Chamber of Deputies ultimately adopted a motion for the preparation of a reform draft law on the subject.
- **Malta:** The Human Rights Directorate within the Ministry for Justice, Equality and Governance [launched](#) the project 'Equality for all in Malta - EQUALITY4ALLMT', co-financed by the Rights, Equality and Citizenship programme. This project includes training, outreach, and awareness-raising components. The partners are the aditus foundation, the European Network against Racism (ENAR), and the European Network on Religion and Belief (ENORB).
- **The Netherlands:** A Handbook [was issued](#) on 11 February 2021 to guide the coordinated approach of national, regional and local government stakeholders towards reception, housing and civic integration of asylum seekers with residence permits. The Handbook sets out the short-term policy priorities in these three areas and provides tangible references to available subsidies and support measures.
- **Poland:** Materials for learning Polish were prepared as part of the project [Material and educational support for foreigners](#) applying for international protection in Poland, co-financed by the National AMIF Programme.

In February 2021, a local Immigrant Women's Club was [opened](#) by OKNO NA WSCHÓD Foundation (a non-governmental organisation established in 2008, working to build good-neighbourly relations between Poland and the countries of Eastern Europe). The goal of the Club is to strengthen the immigrant community in Bialystok, fostering integration, mutual support and self-development. The project is carried out under the Active Citizens Program - National Fund, financed by EEA Grants.
- **Portugal:** The Decree-Law no. 26/2021 on the creation of the National List of Urgent and Temporary Accommodation under the National Housing Plan was [published](#) in March 2021. The text includes scenarios of risk and or social emergency, such as unscheduled migratory flows and people under international protection.

Due to the State of Emergency as decreed by the Government, the majority of services were not provided on a face-to-face basis. The three [National Support Centres for the Integration of Migrants \(CNAIM\)](#) however maintained the provision of services in the areas of social support, legal support, employability, entrepreneurship, social security, regularisation, nationality, health and education. Remote services take place via telephone and e-mail.

In January 2021, the [GIP Immigrant Network](#) increased its number of offices from 11 to 19, and between January and March 2021, 3 250 attendance services were organised. The GIP Immigrant Network provides comprehensive support to migrants in the area of employability, entrepreneurship and training, in territories with a high concentration of migrants.

In the context of the COVID-19 pandemic, the validity for foreign citizens' documents was extended until 31 December 2021, considering the additional difficulties faced by foreign citizens in renewing or obtaining relevant documents for the exercise of rights.

- **Sweden:** The Swedish government [instructed](#) the Migration Agency to prepare the introduction of mandatory civic orientation sessions for asylum seekers. All asylum seekers above the age of 15 shall participate in civic orientation, which is expected to comprise one full day and to take place as soon as possible after an asylum application is lodged.
- **Republic of Moldova:** On 1 January 2021, modifications to the legal framework relating to the integration of foreigners [entered into force](#), such as the expansion of the categories of foreigners who have access to integration measures, the introduction of the term “integration measures”, the revision of integration activities offered by the state, and the introduction of a number of allowances annually by the state to stimulate the study of the Romanian language as well as special provisions for minors. The new provisions ensure the fulfilment of the commitments assumed by the Republic of Moldova on the Association Agreement, but also aim to reduce the risks of social exclusion of immigrants and ensure public order and national security.

## 6. MANAGEMENT OF THE EU EXTERNAL BORDERS

### EU DEVELOPMENTS AND UPDATES

- On 20 March 2021 the "[Med-5](#)" an inter-ministerial meeting of those countries facing mass immigration to Europe, ended in Athens. The meeting was attended by the Ministers of the Interior of Greece, Spain, Cyprus, Malta and Italy and in view of the new Pact on Migration and Asylum, shared the encouragement of the Commission's efforts to launch strategic partnership agreements, sustainable economic development in the countries of origin and transit of migratory flows and the definition of an innovative European return system with more agile procedures.

### NATIONAL DEVELOPMENTS

- **Croatia:** On 12 March 2021, at a meeting of the Council of Ministers of Internal Affairs of the European Union, the Portuguese Presidency and Commissioner Johansson informed the Council that Croatia had successfully completed the multiannual Schengen evaluation process, which began in June 2015. Croatia continued to strengthen border control by procuring border police equipment.  
On 13 January 2021, the Civil Protection Headquarters of the Republic of Croatia adopted a new Decision ([OG 3/20](#)) on the temporary prohibition and restriction of border crossings of the Republic of Croatia. Exemptions to this entry ban, where different epidemiological measures are applied, include travellers coming from countries in EU Member State/Schengen area, nationals from these countries or their family members, long-term resident status or long-term visa holders coming from third countries, travellers coming directly from countries currently covered by Annex I to Council Recommendation (EU) 2020/912 and persons coming from third countries of specific categories, for instance: healthcare workers and frontier workers, amongst others.
- **Czech Republic:** The Czech Republic transposed the amended Council Recommendation on the temporary restriction on non-essential travel [into the EU](#) into [national law](#). The national list of low-risk countries is regularly updated based on assessment of the epidemiological situation in respective countries and [published online](#).
- **Estonia:** In February 2021, Tallinn Airport and Narva road external border crossing point [started to use](#) new automated border (ABC) control gates. The gates will enable an increase in capacity at the border crossing points and shorten the waiting time for border crossing.

- **France:** The [circular n°6248-SG of 22 February 2021](#) on border measures implemented in the framework of health emergency determines the latest national measures applicable at the internal and external borders of the European area (Members States of the EU, Andorra, Iceland, Liechtenstein, Norway, Monaco, San Marino, Vatican and Switzerland) to fight the COVID-19 pandemic.
- **Italy:** The [latest statistics](#) on migrants landed and registered on arrival on the Italian coasts from 1 January to 30 March 2021 showed there were 6 669 people, including 934 unaccompanied minors, up to 22 March 2021.

On 12 January 2021, the Ministry of Infrastructure and Transport published a tender to update the list of the ships, flying the Italian or communitarian flag, to be used for health care and monitoring of migrants rescued at sea or arriving on national territory following autonomous landings. The service of health monitoring will also be extended to migrants arriving on national territory autonomously across land borders.

On 4 February 2021, a [decree](#) of the Minister of the Interior was adopted in agreement with the Ministers of Economy and Health, which establishes the criteria and procedures to address the containment of the spread of COVID-19 and to ensure the regular management, including health, of migratory flows. For this purpose, some Sicilian municipalities received a total contribution of €375 000.

On 12 March 2021, the Minister of the Interior met the Minister of the Interior of the Republic of Malta, to discuss the main bilateral issues related to the management of migratory flows. Specific attention was paid to the political developments of the new government in Libya. The European negotiation for the new Migration and Asylum Pact was also discussed by the minister with the French minister a few days later.
- **Latvia:** On 26 February 2021, Amendments to the Cabinet Order “Regarding Declaration of the Emergency Situation” [came into force](#), which aimed to extend the ban on entry to Latvia for non-essential reasons.

On 17 March 2021, amendments to the Cabinet Regulation No. 360 “Epidemiological safety measures for the containment of the spread of COVID-19 infection” [came into force](#) which determined: the 10-day self-isolation requirements for persons travelling in Latvia from third countries (except Switzerland and UK) and an obligation to take a COVID-19 test. These requirements were in force until 14 April 2021.
- **The Netherlands:** The travel ban for certain third countries, which has been in force since March 2020, was [temporarily tightened](#) on 20 January 2021 due to concerns about the UK variant of the coronavirus. This entailed the extension of the ban to groups previously treated as exceptions (e.g. business travellers, students). As of 16 March 2021, the exceptions [were restored](#).

To curb the spread of more contagious variants of the coronavirus, on 23 January 2021, a ban was installed on passenger flights from the UK, South Africa and several countries in Central and South America. For the UK the flight ban as well as the ban on ferry travel (in place since 21 December 2020) were lifted on 9 March 2021. For the remaining countries the flight ban [is due to stay in place](#) until 15 April 2021.
- **Portugal:** COVID-19 restrictions are renewed by Government resolutions, updated every 15 days, on entry into the country. These resolutions are applied to air and sea borders. As of 27 January 2021, a suspension of all flights from and to Brazil and the United Kingdom is in place, with the exception of humanitarian flights. All passengers arriving in Portugal must have a PCR test.
- **Spain:** People arriving by [flight](#) from any airport located in Brazil, South Africa, Botswana, the Union of the Comoros, Ghana, Kenya, Mozambique, Tanzania, Zambia, Zimbabwe, Peru and Colombia to any airport located in the Kingdom of Spain, with or without intermediate stopovers, must be quarantined within ten days of arrival, or during their entire stay in Spain, if it is less than that period; it may be suspended on the seventh day if the person is tested for active infection with a negative result (up to 4 April 2021).
- **Sweden:** In March 2021, the Swedish government [decided](#) to extend a general entry ban until 31 May 2021 to prevent the spreading of COVID-19 infections in the country. In addition, the requirement for a negative COVID-19 test for entry from all countries is maintained.

- Georgia:** On 11 February 2021, the European Border and Coast Guard Agency (Frontex), [renewed](#) its working arrangement with the Ministry of the Internal Affairs of Georgia ([MIA](#)). Under the revised arrangement, Frontex and Georgia reaffirmed their commitment to work together in dealing with irregular migration and fighting cross-border crime, implementation of technical assistance projects as well as in exchanging information and best practices in the area of border management and return.

From 1 January 2021, amendments to the Law on the "Rules and Procedures for Georgian Citizens Leaving and Entering Georgia" [came into force](#), according to which the documentation required by Schengen Regulations will be additionally checked at the Georgian border checkpoints. A citizen of Georgia may be refused the right to depart from Georgia if they are prohibited from entering any EU / Schengen country or fail to submit the documents required by law.

Within the framework of the EU-funded project "[Prometheus](#)", training for patrol inspectors (border-controllers) [was held on detecting suspicious behaviour at the border](#). With the support of the International Organisation for Migration (Office in Georgia), the training courses [on checking Greek travel documents](#) and on entry requirements of Georgian citizens traveling to Greece on visa-free basis were held for the patrol inspectors (border-controllers).

#### Judgment of the European Court of Justice [Case C-112/20](#)

On 11 March 2021, the CJEU ruled on the assessment of best interests of the child in return procedures. The case concerns return procedures against a third-country national, whose minor daughter has Belgian nationality. Following the commission of offences in Belgium, he was ordered to leave the territory. Following his appeal against the decision, the Court ruled that Member States are bound to take due account of best interests of the child under the Return Directive even when such situations occur.

## 7. IRREGULAR MIGRATION/NATION DEVELOPMENTS

- Portugal:** [The Central Directorate for Criminal Investigation of the Portuguese Immigration and Borders Service \(SEF\)](#) launched the "Forgery Documents" work group of the *Op. FEWAS*, a team investigation focused on fraudulent acquisition of nationality, under the Portuguese Presidency and in collaboration with Europol.

Specific COVID-19 measures were re-introduced temporarily at border controls between Portugal and Spain. During this period, internal borders may only be crossed at specific points of entry.
- Spain:** The Ministry of Inclusion, Social Security and Migration finalised the implementation of the "[Canary Islands Plan](#)" to respond to the irregular arrival of migrants on the Canary Islands (more than 23 000 in 2020). Six new facilities were opened in three different Islands. More than 7 000 reception places are currently available on the Islands, while less than 1 000 places were available at the beginning of 2020.
- Georgia:** Measures are being constantly adopted to improve the conditions of placed individuals at [the Temporary Accommodation Centre \(TAC\) of the Ministry of Internal Affairs of Georgia](#) (MIA). In the reporting period, infrastructure for outdoor activities has been improved, in order to ensure irregular migrants access to open spaces and fresh air during most of the day. Also, additional accommodation space for irregular migrants is under construction.

After several months of partial suspension of expulsion procedures in 2020, in the reporting period expulsion procedures of irregular migrants have been resumed; seven decisions on expulsion were issued and nine decisions were implemented by MIA.

## 8. RETURN

### EU DEVELOPMENTS AND UPDATES

- The Commission [presented](#) to the Council the first factual assessment required under the revised Visa Code and as part of the comprehensive approach to migration policy outlined in the New Pact on Migration and Asylum. The report entitled "Enhancing cooperation on return and readmission as part of a fair, effective and comprehensive EU migration policy", concluded that policies return should be improved by procedures reducing the fragmentation of national approaches, closer cooperation and reinforced solidarity between Member States.

## NATIONAL DEVELOPMENTS

- **Austria:** On 25 February 2021, the Austrian Federal Office for Immigration and Asylum [published](#) its annual statistics 2020. Due to the COVID-19 travel restrictions in 2020, there has been a significant decrease in returns from Austria (-29 percent compared to the previous year). The decline in forced returns was bigger than in voluntary returns (-36% compared to -20%). Dublin transfers were again hit hardest among forced returns and have decreased by half.<sup>1</sup>

- **Belgium:** On 20 February 2021, the State Secretary for Asylum and Migration announced that an extra 115 return counsellors will be hired by the Immigration Office and the federal reception agency [Fedasil](#). This fits into the policy priority to increase the return rate.

### Judgment of the European Court of Justice

#### [Case C-673/19](#)

On 24 February 2021, the CJEU ruled in case on the detention of third-country nationals pending their return to the Member State that granted them international protection. The case concerned three third-country nationals that applied for international protection in the Netherlands, but their applications were rejected as they had previously been granted refugee status in another Member State. They were also ordered to immediately return to the countries that had granted them refugee status, but they did not comply. All three were placed in detention and returned to the countries that had granted them refugee status. The Court concluded that the Return Directive did not prevent the detention of the applicants in this case.

- **Croatia:** The [Assisted Voluntary Return and Reintegration Project](#) (AVRR), implemented by IOM since 2018, was extended until 31 December 2021. Funds have been allocated within the AMIF for the implementation of [the project](#) "Informatisation of work and work processes in the Detention Centre for Foreigners" which aims to establish an electronic database of accommodated foreigners and enable video calls and conversations to take place between foreigners and their diplomatic and consular missions in and outside the Republic of Croatia, and international organisations or other transit detention centres for foreigners.

- **Cyprus:** On 4 February 2021 an amendment of the Law on the Establishment and Operation of the Administrative Court (131(I)/2015) was introduced, in order for Cyprus to conform with the decision of ECtHR in *M.A. v Cyprus* (41872/10). An appeal against a return decision or a deportation order has now a suspensive effect, if it is based on the non-refoulement principle.

- **Italy:** Based on the [EASO Special Report, Asylum Trends and COVID-19](#), some Italian courts have recognised the right of denied asylum seekers not to be repatriated to their countries of origin due to the risk associated with the COVID-19 pandemic.
- **Malta:** In January 2021, the Maltese Government set up a Returns Unit under the Ministry for Home Affairs, National Security and Law Enforcement in charge of monitoring and coordinating forced returns in coordination with the Immigration Police, as well as overseeing and implementing activities of Assisted Voluntary Return and Reintegration. The Returns Unit and IOM Malta started implementing a cash incentive under the AMIF funded AVRR Programme '[RESTART VI](#)' whereby asylum seekers and failed asylum seekers can benefit from an in-cash benefit of up to €2 000 including a flight ticket, pre-departure, transit and post-arrival assistance, administered by IOM. Additionally, the Returns Unit has started a new initiative within the Open and Closed Reception Centres whereby information sessions on return opportunities are being provided on an individual and group basis.
- **Portugal:** As part of the [IOM Voluntary Return and Reintegration Program](#), 44 requests for opinion were received, meaning that an expert must be consulted during the process, in relation to 80 citizens. Due to the pandemic, no returns were made. A grant agreement on return activities was in place (return operations, assistance to voluntary return/departure) until 31 January 2021 and a new one was made in February 2021. This agreement is concluded for the activities in the period from the beginning of February until the end of May 2021 and is related to travel/transfer days.

<sup>1</sup> [https://www.bfa.gv.at/403/files/BFA\\_Jahresbilanz\\_2020.pdf](https://www.bfa.gv.at/403/files/BFA_Jahresbilanz_2020.pdf)

- **Georgia:** On 16 March 2021, registration of the applications for 2021 [State Reintegration Program](#) started. Migrants who returned to Georgia are able to receive a number of services within the Programme, entailing the issuance of grants for income-generating and employment purpose, support to vocational education, provision of healthcare services and temporary accommodation. The Migration Department of the MIA participated in three Collecting Return Operations coordinated by Frontex. During the reporting period 147 citizens of Georgia were safely returned from EU Member States.
- **Republic of Moldova:** On 17 February 2021, the project “Development of a Forced Return Monitoring System in the Republic of Moldova” (FReMM) was [launched](#), with the support of ICMPD) and the Ministry of Interior and Administration of the Republic of Poland. The objective is to create a functioning return system in the country, in accordance with human rights, protecting the rights of returnees, through independent and transparent monitoring of forced return operations. At the end of February 2021 negotiations started on the signing of Bilateral Agreements between the Government of the Republic of Moldova and the Russian Federation, Belarus and Uzbekistan on the readmission of persons residing without authorisation.

## 9. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

### EU DEVELOPMENTS AND UPDATES

- The consultation on the EU Action Plan to fight migrant smuggling for 2021-2025 has been [launched](#) by the Commission and remained open until 14 May 2021. The adoption of this new strategy is planned for the second quarter of 2021. The new action plan is built around three main objectives (i) strengthening intra-EU cooperation and exchange of information; (ii) tackling the emerging counter-smuggling phenomena; and (iii) more targeted cooperation with countries of origin and transit. In addition, in mid-March 2021, the ECHR organised a [webinar](#) on recent case-law related to trafficking in human beings. This event was organised by the Council of Europe Anti-Trafficking Division for the network of lawyers and NGOs specialised in providing legal assistance to victims of human trafficking, first set up by the Council of Europe in 2016.

### NATIONAL DEVELOPMENTS

- **Finland:** The Ministries of the Interior and of Economic Affairs and Employment have ordered [a review](#) of the grounds on which victims of human trafficking are granted residence permits. The review will be conducted by the Non-Discrimination Ombudsman acting as the national human trafficking rapporteur. The aim is to investigate how the Finnish Immigration Service applies the special regulation of the Aliens Act to the continuous residence permit granted to trafficking victims.
- **Hungary:** In accordance with Article 6 of Council Directive 2004/81/EC, the Hungarian authorities granted a reflection period for a third-country national identified as a victim of human trafficking. In March 2021, the victims could be placed in sheltered accommodation and provided with a certificate of temporary stay by the immigration authority.
- **Italy:** In January 2021, the Italian UNHCR transmitted the [Guidelines](#) addressed to the Territorial Commissions for the recognition of international protection, in order to contribute for the correct identification of victims of trafficking in human beings in the context of the procedures for assessing asylum applications, giving them assistance and protection.
- **The Netherlands:** On 11 January 2021, the Minister for Migration has, on behalf of the government, [accepted](#) the policy recommendations made in the Human Trafficking [Victims Monitoring Report 2015-2019](#). The report was published on 16 October 2020 by the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children. On 21 January 2021, the National Rapporteur on Trafficking in Human Beings [published](#) its Human Trafficking Offenders Monitoring Report 2015-2019. Responding to the report, the Minister for Migration [stressed](#) the importance of an integrated and inter-ministerial approach towards trafficking in human beings. All three policy recommendations made in the report were accepted by the government.
- **Poland:** The preventive campaign called "Trafficking in Human Beings is a Crime" managed by the Unit for Counteracting Trafficking in Human Beings and Hate Crimes operating within the Ministry of the Interior and Administration began in December 2020, following a lengthy national campaign that

continued into the first quarter of 2021. The campaign includes the display of information banners at international airports in the country. Moreover, on the 'e-konsulat' website of the Ministry of Foreign Affairs a banner displayed in various languages redirects users to the [website](#) where victims / potential victims can find detailed information on the assistance provided by KCIK (National Consulting and Intervention Centre for the Victims of Trafficking).

- **Portugal:** Several training sessions were conducted under the International Mobility of Workers: Migration, Posting and Trafficking, regrouping 80 trainees. The focus of training action was on the National Referral Mechanism (NRM) and indicators, as well as on the procedures of communication. Special attention was given to the flagging and procedures amongst asylum seekers.
- **Slovak Republic:** The new amendment to the Act on Health Insurance shifts from the Ministry of Interior to the health insurance companies the obligation to pay for the health care of people included in the human trafficking victim support programme. The costs will be refunded by the Ministry of Health.
- **Georgia:** In March 2021, the Secretariat (Public International Law Department of the Ministry of Justice (MoJ) of Georgia) of the Inter-Agency Council on Combatting Trafficking in Human Beings (THB Council) [elaborated](#) the two-year implementation report of the previous Anti-Trafficking National Action Plan (NAP) for 2019-2020. The current NAP for 2021-2022 was [approved](#) by THB Council on 2 December 2020. Since 1 January 2021, the Labour Inspectorate Department of the Ministry of IDPs from the Occupied Territories, Labour, Health and Social Affairs of Georgia (MoH) [has been formed as a separate entity of the Labour Inspection Service \(LIS\)](#) under the same Ministry. The LIS carries out scheduled and unscheduled visits to the companies and in case of any suspicion on forced labour or labour exploitation refers the case to the Ministry of Internal Affairs (MIA) of Georgia. In March 2021, the special handbook on trafficking in human beings (THB) for mobile groups of the Agency for State Care (under MoH) responsible for identification of children working and/or living in the streets [was developed](#). The handbook will help the mobile groups to effectively identify the THB victims among children in street situations and refer alleged THB case to the MIA of Georgia. It is planned to conduct a training for mobile groups to familiarise themselves with the handbook. In March, the Parliament of Georgia [adopted](#) the legislative amendments to the Law of Georgia on Combatting Human Trafficking through its three hearings aiming at further advancing the possibility to the victims/statutory victims<sup>2</sup> to obtain one-off state compensation directly without referring to the court.

## 10. EXTERNAL DIMENSION

### EU DEVELOPMENTS AND UPDATES

- The European Union and the Islamic Republic of Afghanistan agreed on a "[Joint Declaration on Migration Cooperation \(JDMC\) between Afghanistan and the EU](#)". The JDMC aims to enhance the management of migration from and to Afghanistan, including the prevention of irregular migration and the return of irregular migrants. The declaration specified that cooperation applied only to people whose international protection claim has been rejected.

### NATIONAL DEVELOPMENTS

- **Czech Republic:** In February, geographical priorities of the Aid in Place Programme for the year 2021 were approved by the Czech Government including the Western Balkans, the Middle East and North Africa and the Sahel region. As part of the Aid in Place Programme, Czech Republic [provides](#) in collaboration with the International Organization for Migration (IOM), CZK 5 million (€192 128) to support Bosnia and Herzegovina in responding to migrants' immediate needs. The [MEDEVAC Czech Programmes](#), with a total of CZK 15 million (€572 610), which focuses on providing access to medical care and training to foreign countries, offered in the first quarter of 2021 to 27

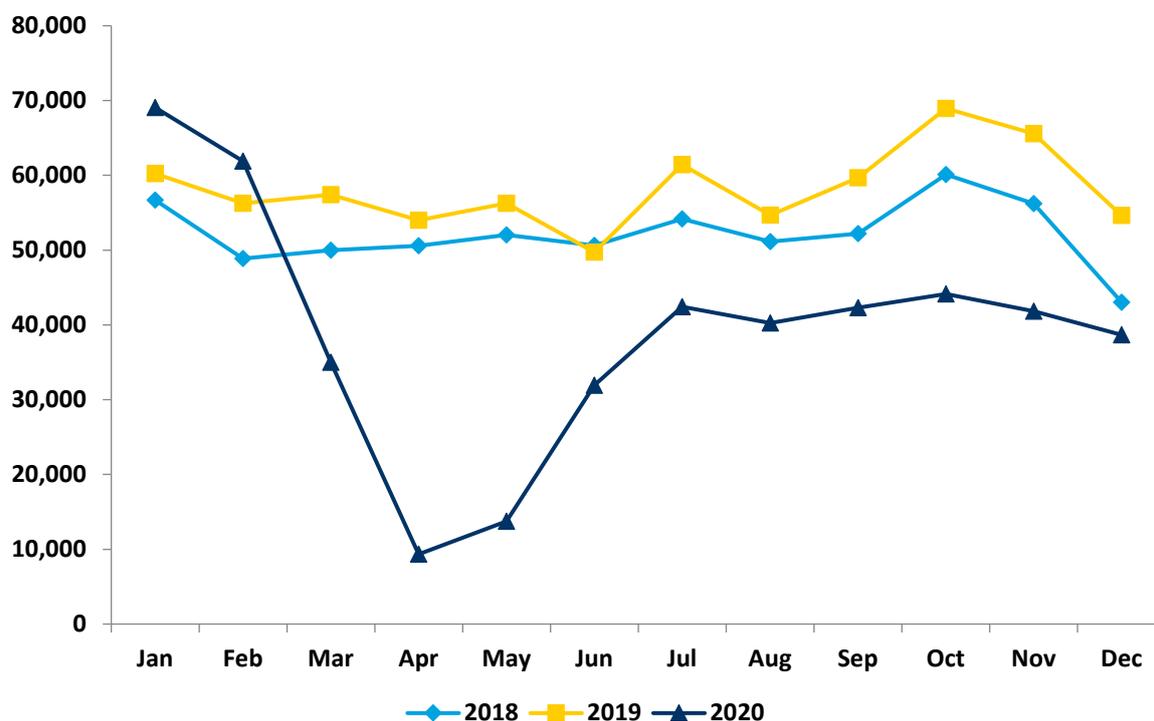
<sup>2</sup> Georgian law differentiates between the status of "victim of trafficking" and "status of statutory victim of trafficking". The status of victim of trafficking is granted to the person by a Permanent Group of the Inter-Agency Council on Combatting Trafficking in Persons within 48 hours based on the questionnaire of mobile group of the Agency for State Care and Assistance of (Statutory) Victim of Human Trafficking (hereinafter – Agency for State Care), while the status of statutory victim of trafficking is granted by law enforcement authorities in accordance with the Criminal Procedure Code of Georgia. The victim/statutory victim enjoys the same services (free legal aid, psychological and medical assistance, rehabilitation and reintegration measures, one-off compensation, shelter and crisis centre) of the Agency for State Care after a person is granted the status of victim/statutory victim. The existence of two statuses ensures all persons affected by human trafficking are not to be left outside the state-run services, regardless of their will to cooperate with law enforcements. Regardless of the difference in the procedure for granting the status, there is no difference between their rights during the process of investigation, prosecution and/or protection.

Belarusian medical specialists, three medical projects focused on providing healthcare and rebuilding health infrastructure in Iraq, Nigeria and Mauritania and online training for 91 professionals from Peru.

- **Finland:** In the first half of 2021, Finland granted nearly [EUR 70 million](#) in humanitarian assistance to strengthen food security, support refugees and promote the rights of vulnerable people. The majority of the funding granted by the Ministry for Foreign Affairs will be channelled to UN organisations.
- **Italy:** An informal conference on Foreign Affairs/Justice and Home Affairs on the "External dimension of EU migration policy" was held on 15 March 2021 and attended by the Italian Foreign Minister. The Portuguese Presidency's proposal to launch an EU-Third Countries political dialogue with which to intensify the construction of partnership agreements was considered.
- **Malta:** On January 2021, Malta took up the rotating [Chairmanship of the Steering Group](#) of the International Centre for Migration Policy Development (ICMPD). The Malta presidency will focus its work on the chosen theme for this year, "Redefining migration partnerships". Two meetings of the Steering Group are scheduled to be held in 2021. The Chairmanship is being coordinated by the Ministry for Foreign and European Affairs and the Ministry for Home Affairs, National Security and Law Enforcement of Malta.
- **Poland:** On 24 March 2021, the International Accountability Platform for Belarus (IAPB) was [launched](#). The aim of the initiative is to monitor the observance of human rights in Belarus and to collect evidence of human rights violations committed by state institutions in the run-up to the presidential elections in August 2020 and after the contested elections. The IAPB will be coordinated by DIGNITY, the Danish Institute Against Torture.
- **Georgia:** On 27 February 2021, the [Georgian Diaspora Economic Forum](#) was held online, and brought together over 200 diaspora representatives from the public and private sectors. The forum was organised with EU support, the Georgian authorities and the International Organization for Migration (IOM). The aim of the forum was to provide an opportunity for the Georgian diaspora to participate and receive comprehensive information on opportunities for doing business and investing in Georgia; promoting Business2Business networking; providing information on business support state programmes and tools of financial assistance; as well as getting information about Georgia's foreign trading policy, international trade treaties and existing trading measures in Georgia.
- **Republic of Moldova:** On 27 February 2021, the public online consultation on the development of the web platform for communication in the field of diaspora Migration Development took place. The aim of the event was to familiarise the members of the diaspora with the concept of operation of the future platform and to examine the possibilities of improving it in line with the needs of Moldovan citizens abroad.

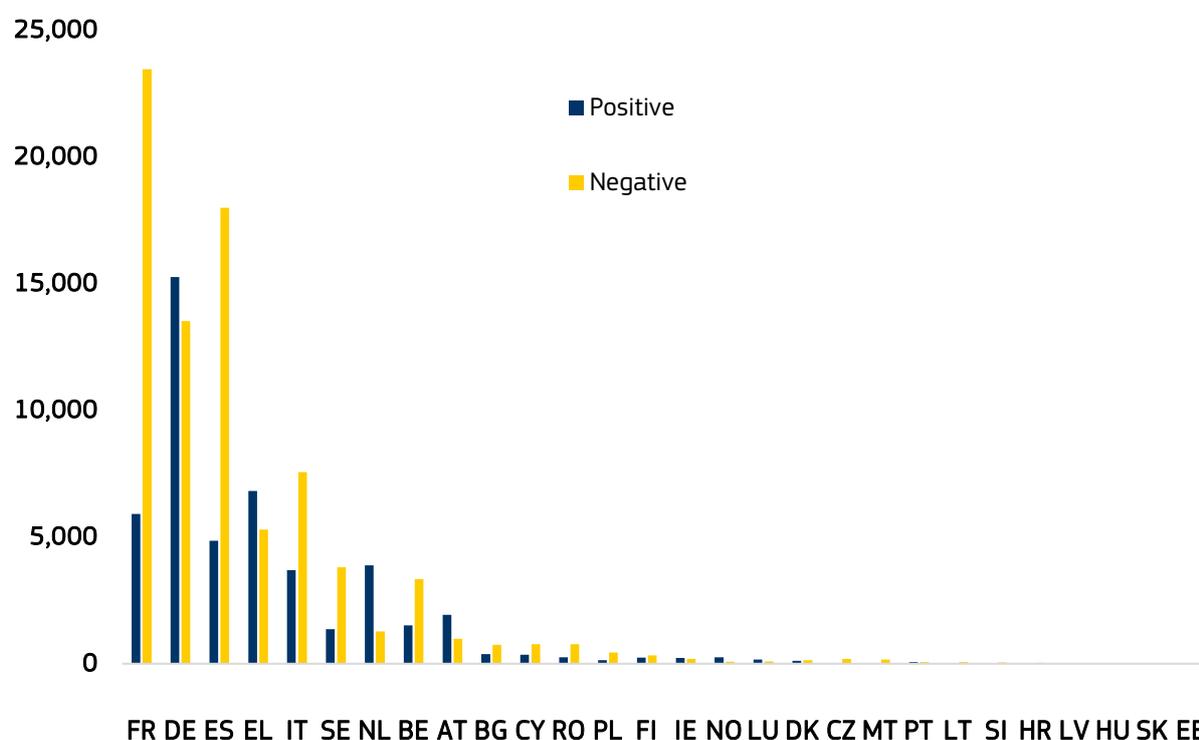
**ANNEX: EU & COMPLEMENTARY STATISTICS, ADDITIONAL INFORMATION, OTHER EMN OUTPUTS AND UPCOMING EVENTS**

**Figure 1: Asylum applications in the EU-27, January 2018 – December 2020**



Source: Eurostat [[migr\\_asyappctzm](#)], total asylum applicants, extracted on 7 April 2021.

**Figure 2: First instance asylum decisions in EU-28 and Norway for non-EU citizens, Q4 2020 (quarterly data)**



Source: Eurostat [[migr\\_asydcfstg](#)], updated on 18 March 2021.

## Updates on EU legislation transposition

- **Italy:** Adoption of the Decree of the Ministry of the Interior on 20 of January 2021, “Security rules relating to the residence permit”, drawn up in accordance with Regulation (EU) 2017/1954, amending Regulation (EC) Council No. 1030/2002 and establishes a uniform format for residence permits issued to third-country nationals.  
Adopted Law n. 11 on 15 of January 2021, ratification and implementation of Protocol n. 15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms.
- **Poland:** Amendment to the Act on entry as the adjustment of Polish law to the provisions in force in the European Union as regards the rights of EU citizens and their family members to move and stay freely within the territory of the Member States.

## Other EMN outputs and past/upcoming events (see also the [EMN website](#))

- EMN Day to launch the **2020 EMN Annual Report on Migration and Asylum**, scheduled for 11 June 2021 (online webinar). More information to be published shortly on the EMN website and via EMN Twitter and LinkedIn.
- Webinar “**Young migrants in transition to adulthood**” 28 January 2021, jointly organised by EMN Cyprus, EMN Greece, EMN Italy and EMN Luxembourg. Consult the [Youtube recording](#) and [supporting documents](#).

Webinar on 10 March 2021 “**Access to housing and education for children in migration: challenges and good practices**” that was also a launch event for EMN synthesis report “Children in migration” Recording of the webinar (in English) can be accessed via this [YouTube link](#). Supporting materials are available [here](#).

**The EMN Annual conference** “Digital transformation in migration”, organised by EMN Portugal in the framework of the Portuguese Council presidency, was held online on 30 April 2021, from Lisbon, 9:30-16:00 GMT. More information, including an event report, will be available on the EMN website shortly.

- **The Netherlands:** EMN Netherlands [published](#) a Benchmark (a brief report in Dutch) based on the EMN Inform on Long-term resident status in the EU, comparing the Netherlands with other EMN Member States.
- **Portugal:** Virtual Meetings under the Portuguese Presidency of the Council of the European Union were held. The High-Level Working Group on Asylum and Migration (HLWG), chaired by the Portuguese Immigration and Borders Service for discussions of comprehensive and integrated strategic cooperation initiatives between the EU and third countries in the field of asylum and migration, met virtually on 15 February and 22 April 2021.
- **Georgia:** On 26 March 2021, a virtual international conference on “New Models of Migration Management System: Impact of Visa Liberalisation Action Plan (VLAP) Implementation in Georgia” - was [organised](#) by the SCMI (GE-EMN-NCP) jointly with the ICMPD and the EMN. The conference marked the 5th year anniversary of the implementation of the VLAP by Georgia.