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NOTE

From: Presidency
On: 23 October 2018
To: Strategic Committee on Immigration, Frontiers and Asylum (SCIFA)
Subject: Secondary movements

In its conclusions of 28-29 June 2018, the European Council underlines that concerning the situation internally in the EU, secondary movements of asylum seekers between Member States risk jeopardizing the integrity of the Common European Asylum System and the Schengen acquis.

Furthermore, the European Council calls on Member States to take all necessary internal legislative and administrative measures to counter such movements and to closely cooperate amongst each other to that end.

Despite the overall reduction of asylum applications in most Member States since the migration crisis in 2015 and 2016, Member States experience continuously secondary movements of asylum seekers.. However, when it comes to the scale of secondary movements, so far there is no EU-wide clear picture. Efforts to make the phenomenon more measurable have just started recently, including a stronger focus in the ISAA-reports as well as the work ongoing at EASO. Yet so far there is no EU-wide coherent approach on this issue.

When discussing secondary movements, two main aspects have to be addressed:

1. Secondary movements of already registered persons
2. Unregistered asylum seekers

Secondary movements of already registered persons

A starting point to measure secondary movements of already registered persons is the number of EURODAC hits across the EU. According to the annual report of eu-LISA in 2017, there were

- 257 163 hits related to data for applicants for international protection who have lodged a new application for international protection in another Member State,
- 99 032 hits related to data for persons apprehended while irregularly crossing the external border of a Member State who have subsequently lodged an application for international protection in another Member State and
- 129 433 hits related to data for persons found illegally staying in a Member State who had previously lodged an application for international protection in another Member State.

Nevertheless looking only at EURODAC hits does not seem to be sufficient due to the possibility for multiple hits for the same person in a different or the same Member State. Moreover, there is no registration in EURODAC of minors, the data of persons found illegally staying in EU territory is not stored and the data of persons irregularly crossing the external border is only stored for 18 months.

Unregistered asylum seekers

In addition, secondary movements of already registered persons and the existence of relevant EURODAC hits do not include persons who were able to enter the EU territory and avoid registration by circumventing external border controls. In these cases, the absence of a EURODAC hit also does not automatically prove a non-registered illegal border crossing. The reasons for previously non-registered asylum applicants may also be related to persons with temporary residence permit applying for asylum, the asylum application of new born children, or applications of visa over-stayers or the 18-months EURODAC storage period having elapsed.

Therefore, to assess the scale of secondary movements with the tools we have at our disposal today is very difficult. As a starting point, it would be useful to have a common understanding of secondary movements, a list of approved indicators and relevant statistical data to address in a joint manner the issue.

Therefore delegations are invited to express their views to the following questions:

- 1. Which indicators, if at all, do you use to measure secondary movements to and from your Member State?**
- 2. What is your assessment of developments regarding the phenomenon of secondary movements?**
- 3. What are the measures you have implemented in your Member States in accordance with the conclusions of the European Council?**
- 4. Should EASO, FRONTEX and eu-LISA reinforce and potentially combine their efforts in trying to map secondary movements in the EU, in cooperation with the Commission and Member States?**