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**COMMISSION STAFF WORKING PAPER**

**European Migration Network Status Report 2010**

**EN**

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## **1. INTRODUCTION**

This second Status Report of the European Migration Network (EMN), as required by Article 4(5c) of Council Decision 2008/381/EC, addresses progress made in 2010 and follows the first Status Report,<sup>1</sup> which covered the period from the adoption of Council Decision 2008/381/EC in May 2008 up to the end of 2009.

Following an overview of relevant policy developments, in which to place the activities of the EMN, a description of how the EMN has developed and operated is provided, followed by a summary of the key elements arising from its various outputs.

## **2. RELEVANT POLICY DEVELOPMENTS**

At EU level, 2010 was characterised by the first full year of implementation of the Stockholm Programme, including the adoption of its Action Plan.<sup>2</sup> Events, such as those in the Southern Mediterranean, have also highlighted the dynamic nature of migration and the need to have instruments for providing information to support policymakers, both from a longer-term and a more immediate short-term perspective. The various activities undertaken by the EMN have shown that it is capable of responding to these information needs. In fact, continued emphasis is placed on the EMN undertaking activities of relevance to supporting policymakers in accordance with its objectives.

This section identifies those elements of policy development relevant to EMN activities in 2010. It is not an exhaustive overview of policy developments, as this may be found in, for example, the Commission's Annual Report on Immigration and Asylum and the complementary EMN Annual Policy Report 2010 (see Section 5.2.1).

### **2.1. Economic Migration**

In terms of specific initiatives in 2010 for which input from the EMN was provided, the Commission presented proposals for seasonal workers<sup>3</sup> and intra-corporate transferees (ICTs)<sup>4</sup>, as part of the 2005 Policy Plan on Legal Migration. Negotiations by the co-legislators on the Single Permit proposal<sup>5</sup> continued, as did transposition by Member States of the EU Blue Card Directive 2009/50/EC (deadline 19<sup>th</sup> June 2011). With a view to future initiatives, and in particular addressing labour shortages through migration, as foreseen in the Action Plan for the Stockholm Programme, the EMN's study on "*Satisfying Labour Demand through Migration*" (see Section 5.2.3.1) is expected to be a significant contributor.

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<sup>1</sup> Commission Staff Working Paper SEC(2010)1006, available from <http://www.emn.europa.eu> under "EMN Outputs: Annual Status Report."

<sup>2</sup> COM(2010) 171

<sup>3</sup> COM(2010) 379

<sup>4</sup> COM(2010) 378

<sup>5</sup> COM(2007) 638

## **2.2 Asylum**

In relation to progress towards a Common European Asylum System, agreement was reached in 2010 on extending the scope of the Long-Term Residents Directive to beneficiaries of international protection, and progress was made on the amendments to the Dublin and Eurodac Regulations. Modified proposals on the Reception Conditions and Asylum Procedures Directives were tabled in June 2011 with, for the latter, the EMN study on “*The different national practices concerning granting of non-EU harmonised protection statuses*” being relevant input.

Another important development in 2010 was the adoption of the Regulation establishing the European Asylum Support Office (EASO)<sup>6</sup> and appointment of its Executive Director. The EASO became fully operational in June 2011<sup>7</sup> and the link with the EMN, in order to ensure coherence and consistency, is one aspect of the EMN external evaluation (see Section 3.4).

## **2.3 Reducing irregular migration**

Transposition of the Employer Sanctions' Directive 2009/52/EC was ongoing during 2010 (deadline 20<sup>th</sup> July 2011). Other important elements in combating irregular migration included border control, with FRONTEX active in its co-ordination role particularly in Greece with the first-time deployment of Rapid Border Intervention Teams (RABITs), and cooperation with third countries, notably via readmission agreements.

The EMN Studies for 2011, “*Visa Policy as Migration Channel*” and “*Practical Responses for reducing Irregular Migration*,” will each assist in understanding how Member States are addressing both issues of irregular migration and of the management of legal migration.

## **2.4 Return**

Return programmes are another element of a holistic approach to managed migration, with assisted return promoted as a humane alternative to forced return. The transposition of the Return Directive 2008/115/EC also continued during 2010, although not all Member States had completed this within the prescribed timeframe.<sup>8</sup> The EMN Study on “*EU programmes and strategies fostering assisted return to and reintegration in third countries*” provides valuable insights into current practices and issues across the participating Member States and will serve to inform a Commission Communication on Return, foreseen in 2012.

## **2.5 Global Approach to Migration**

A Commission Communication on the Global Approach to Migration is planned for Autumn 2011 and will help to better define strategic elements for its further development. The EMN Study on “*Temporary and Circular Migration, current policy*”

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<sup>6</sup> Regulation (EU) 439/2010

<sup>7</sup> See European Commission Press Release IP/11/750 of 17 June 2011.

<sup>8</sup> Transposition of all Articles was required by 24 December 2010, except for Article 13(4) which is one year later.

*practice and future options in EU Member States,”* will inform this Communication, in particular with respect to migration and development.

## **2.6 Unaccompanied Minors**

There has been a significant increase in the number of unaccompanied minors arriving in Member States in recent years. In 2010 the Commission published an Action Plan on Unaccompanied Minors (2010 – 2014),<sup>9</sup> again informed by the EMN Study on the “*Reception, return and integration policies for, and numbers of, unaccompanied minors – a comparative study,*” which promoted a common EU approach based on the principle of the best interests of the child.

## **3. OVERVIEW OF THE EMN AND MAIN DEVELOPMENTS**

### **3.1 The role of the EMN**

The EMN's role is to meet the information needs of Union institutions and of Member States' authorities and institutions, by providing up-to-date, objective, reliable and comparable information on migration and asylum, with a view to supporting policymaking in the European Union in these areas. The EMN also has a role in providing such information to the wider public.

### **3.2 The structure and functioning of the EMN**

The EMN is co-ordinated by the European Commission, under the direct responsibility of the Directorate General for Home Affairs. The Commission formally adopts the EMN's annual Work Programmes. For 2010 it was adopted as Commission Decision C(2010)2696 on 14<sup>th</sup> April 2010, permitting the financing of the EMN. The financing totalled €7.5M in 2010, of which up to €6.125M was allocated as grants for financing up to 80% of the activities of EMN National Contact Points (EMN NCPs). The actual amount for each EMN NCP is determined on the basis of a grant application and national work plan, consistent with the adopted EMN Work Programme 2010. In addition to the Union co-financing, the remaining 20% is provided by an EMN NCPs national authority. The remainder of the total budget (€1.375M) is principally used for EMN Service Providers, an External Evaluation and for visibility actions (e.g. printed publications).

To assist the Commission in co-ordinating the EMN, the two EMN Service Providers, GHK-COWI and iLiCONN (Interactive Listening and CONNecting), appointed in 2009, continued their activities throughout 2010. GHK-COWI's main priorities were to prepare *inter alia* draft common study specifications and Synthesis Reports and other outputs and to support the network, whilst iLiCONN, focussed on developing further the Information Exchange System and the EMN website.

The EMN Steering Board is chaired by the Commission and includes one representative from each of the 26 Member States participating in the adoption of Council Decision 2008/381/EC plus, with observer status, from Denmark,<sup>10</sup> the European Parliament and

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<sup>9</sup> COM(2010) 213

<sup>10</sup> Even though Denmark is not formally required to designate an EMN NCP, nevertheless they are routinely invited to take part in EMN activities and meetings.

now also Norway. The role of the EMN Steering Board is to provide strategic guidance to ensure that its activities fit with policymakers' needs. It does this through contributing to and formally approving the EMN's annual programme of activities, approving operational protocols and identifying appropriate strategic cooperation opportunities. It is also responsible for reviewing progress made with the annual Work Programmes, as well with EMN NCPs, recommending any remedial action that might be required.

EMN NCPs, appointed by each Member State, except for Denmark but now also in Norway, consist primarily of Ministries of Interior and/or of Justice, plus of research institutes, Non-Governmental Organisations and/or the national office of an International Organisation. Each EMN NCP is required to consist of at least three experts, though, in some cases, there are more. As an indication of the size of the EMN, there are some 120 experts in total making up the EMN NCPs. In line with their remit, EMN NCPs attend regular meetings, develop National Reports, contribute their national information to the Information Exchange System, issue and respond to Ad-Hoc Queries, and develop their national networks, consisting of a wide range of entities representing all relevant stakeholders. The main outcomes of the activities undertaken by the EMN NCPs in 2010 are detailed below in Section 5.

### **3.3 Participation of Norway in the EMN**

Commission Decision C(2010)6171 of 13<sup>th</sup> September 2010 established the basis for administrative cooperation between the European Commission and the Ministry of Justice and the Police of the Kingdom of Norway for the participation of Norway in the European Migration Network. This was the culmination of a process, foreseen in Article 10 of Council Decision 2008/381/EC, following an initial approach by the Mission of Norway to the European Union in 2009. The EMN Steering Board, at its meeting of 6<sup>th</sup> May 2010, unanimously approved the draft Working Arrangement establishing administrative cooperation, and the formal Commission Decision was then adopted. The Working Arrangement itself was signed by both parties and entered into force on 15<sup>th</sup> November 2010.

The Working Arrangement places emphasis on the gradual development of the co-operation with Norway, working towards a sustainable partnership of mutual benefit. Within the context of the EMN's annual Work Programme, Norway is able to establish a National Contact Point (NO EMN NCP), national coordinator and national migration network, and participate as an observer in EMN NCP meetings and in the EMN Steering Board meetings. Operationally, Norway:

- may participate in twinnings with other EMN NCPs, and in training activities, EMN workshops and conferences;
- may respond to and/or launch an EMN Ad-Hoc Query;
- shall provide, on an annual basis, two National Reports describing their migration and asylum situation, covering policy developments and statistics respectively;
- may participate in EMN studies, including providing National Reports;

- shall contribute national information to the Information Exchange System and to the EMN website and Newsletter; and
- shall participate in the development of the EMN Glossary and Thesaurus, including translating the Glossary into Norwegian.

Norway has proven to be an effective member of the EMN and actively contributed to many activities.

### **3.4 EMN External Evaluation**

In accordance with Article 13 of Council Decision 2008/381/EC, an independent External Evaluation on the development of the EMN commenced in 2010, with completion due in mid-2011. The Centre for Strategy and Evaluation Services (CSES) was appointed as the External Evaluator and presented its approach to the EMN NCPs in November 2010.

The External Evaluation will review the effectiveness and efficiency of the EMN and assess the degree to which its objectives are being met, particularly its relevance to supporting policymaking, its functionality, structure and organisation, as well as its outputs and networking activities, its synergies with other migration information systems and networks, and its value for money. To this end, CSES has *inter alia* undertaken an extensive series of meetings with EMN members and other relevant stakeholders.

The outcomes of this evaluation will subsequently be used in a Commission Report on the EMN and its possible future development, foreseen to be published in Autumn 2011.

## **4. COORDINATION AND MANAGEMENT**

### **4.1. Meetings of the EMN Steering Board, main outcomes and decisions**

The EMN Steering Board held two meetings during 2010, on 5<sup>th</sup> May and on 15<sup>th</sup> October. As well as monitoring the overall implementation of the EMN, a number of decisions were taken, in line with its remit, which included *inter alia* the approval of the:

- *2011 EMN Work Programme*, including the indicative minimum and maximum budget for each EMN NCP and the two EMN Studies to be delivered during 2011, namely on *Visa Policy as Migration Channel* and on *Practical Responses for reducing Irregular Migration*. The possibility to do a focussed study, including a subset of EMN NCPs, was also included;
- *2009 EMN Status Report*;
- aforementioned *participation of Norway* in the EMN;
- updated vade-mecum for *EMN Ad-Hoc Queries*, providing guidance to EMN NCPs on how to prepare, launch, respond to and produce a compilation of an Ad-Hoc Query;
- EMN's strategy in relation to *networking with other entities*;
- EMN's *Communication and Dissemination Strategy*.

## **4.2. Commission Management and Monitoring Meetings**

The Commission and the EMN Service Providers met regularly during 2010 to ensure the smooth functioning of the EMN, including support for the EMN NCPs in the delivery of their work, the preparation of EMN NCP meetings, the development of Synthesis Reports, Studies and Statistical Reports, and the ongoing development and functionality of the EMN website and Information Exchange System (IES). These included quarterly *Interim Progress Meetings* following the submission of Interim Reports linked to contractual progress; *Preparatory Meetings* held in advance of each EMN NCP meeting to support the smooth functioning of the meetings and ensure the most up-to-date information is made available; regular *Progress Meetings* to monitor day-to-day activities, and to seek solutions to any operational issues and challenges; meetings to discuss *progress on the EMN website and IES*, and to agree upcoming steps and outputs; and regular joint *meetings with both EMN Service Providers* on issues of mutual interest in relation to development of the website and IES.

Within the Commission itself, particular importance was paid to the financial management of the EMN, including of EMN NCP grants. The range of activities in this respect ranged from the preparation of application packages for grant applications, evaluation of applications, the conclusion of 24 grant agreements and assessment of final reports. Other financial management aspects were related to managing the EMN Service Provider contracts plus contracts for producing publications and the EMN logo. Elsewhere, internal co-ordination with the Eurostat and Research Directorate Generals continued in order to disseminate relevant outputs of the EMN and to have coherence with other related activities.

## **5. EMN ACHIEVEMENTS**

This section focuses on the EMN's main achievements in the framework of its 2010 Work Programme, along with some aspects where improvements can be made. These include progress made in: *Networking* ([Section 5.1](#)), *Ad-Hoc Queries, Reports and Studies* ([Section 5.2](#)), the *EMN Glossary and Thesaurus* ([Section 5.3](#)) the *Information Exchange System* ([Section 5.4](#)) and *enhancing the visibility of the EMN* ([Section 5.5](#)).

### **5.1. Networking**

A particularly strong feature of the EMN is the extensive networking that occurs both amongst the EMN NCPs themselves and at national level, as detailed below. With regard to collaborations with other relevant entities, a more strategic approach has been adopted.

#### ***5.1.1 Networking amongst EMN NCPs***

Seven EMN NCP Meetings (39<sup>th</sup> to 45<sup>th</sup>) were organised and hosted by the Commission, which brought together the EMN NCPs approximately every 6-8 weeks. They addressed progress made towards the activities envisaged in the EMN Work Programme and reviewed key EMN outputs, such as the Synthesis Reports of EMN Studies. The meetings were typically attended by one or two delegates from each EMN NCP, with representatives from other external entities, when appropriate. Often, Workshops and/or Glossary-Thesaurus Working Group meetings (see below) also took place in conjunction with these formal EMN NCP meetings.

In addition, workshops for EMN NCPs continued during 2010, in response to identified needs. These included sessions on ways of improving comparability and visibility for the EMN; in developing and improving the quality of reports and other outputs; in developing operational protocols and guidance notes; and in the further development of the EMN website and Information Exchange System.

Twinning collaborations and meetings to improve access to all information related to the EMN and to facilitate information exchange between more-experienced and newer EMN NCPs, continued in 2010. Many EMN NCPs organised Twinning Meetings and/or invited other EMN NCPs to attend national meetings. Almost 30 events were held in total during 2010, many of which were additionally attended by a representative from the Commission and/or the EMN Service Provider (GHK-COWI).

### ***5.1.2 Networking at National level***

As previously mentioned, EMN NCPs are also required to develop a national network consisting of a wide range of relevant stakeholders. To this end, EMN NCPs and Steering Board members actively contributed to enhancing the visibility of the EMN at national level, particularly to policymakers, through a wide range of activities, including the organisation of conferences and other events, such as national network meetings. These events, often very well attended, provided a good opportunity to report on the activities undertaken by the EMN and to widen the national networks. In some cases, they attracted the interest of national media. Some EMN NCPs also took part in events organised by other (national) stakeholders and made a presentation of the EMN.

Nearly every EMN NCP organised one or more national network meeting(s) and other events involving their network partners. For example, early in 2010, the Latvian (LV) EMN NCP held a national meeting to clarify their translation of terms related to return for the EMN Glossary, followed by the Spanish (ES) EMN NCP which organised a meeting to improve cooperation with other relevant observatories on its national territory. In March, several events were organised, or supported, by the EMN NCPs, such as an expert meeting on Unaccompanied Minors, as part of the Asylum Conference of GDISC in the Netherlands, and a national network meeting on attitudes towards migrants, with particular focus on the media, as well as an information meeting for students interested in the EMN in the Slovak Republic.

Later in 2010, most EMN NCPs used their national events to either promote recent EMN studies and reports, or to discuss upcoming ones. The EMN study on “*Satisfying Labour Demand through Migration*” received a lot of attention in many Member States, with the Austrian (AT), Estonian (EE), French (FR), Irish (IE) Italian (IT), Luxembourg (LU), Slovakian (SK) and Polish (PL) EMN NCPs all organising conferences and workshops around this theme, to present the first findings of the National Reports and the EU Synthesis Report.

### ***5.1.3. Networking with other relevant entities***

In line with its mandate, and given the need for the EMN to ensure that its activities are consistent and coordinated with relevant Union instruments and structures, the EMN

continued its collaborative work with other entities,<sup>11</sup> especially in relation to specific studies and policy themes. Particular focus was on continuing to develop further the co-operation with the Commission's Eurostat and Research Directorates, as well as with the Fundamental Rights Agency (FRA), plus to ensure consistency and co-ordination with the European Asylum Support Office (EASO). As well as the participation of an entity from Norway in the EMN ([Section 3.3](#)), other priorities identified by the Steering Board were in establishing relationships in respect of increasing the EMN's visibility by promoting the work of the EMN, in establishing contacts with a relevant entity(ies) in non-EU Schengen States (Iceland, Liechtenstein, Switzerland) and with prospective EMN NCPs from countries which are in the final stages of accession to the EU. In practice, other than presenting the EMN at (inter)national conferences, no specific actions took place in 2010 on these priorities.

Specific activities which took place in 2010 were:

- In the context of the studies on *Satisfying labour demand through migration* and on *Circular and temporary migration*, the EMN maintained contact respectively with **Eurocities**,<sup>12</sup> the **Independent Network of Labour Migration and Integration Experts (LINET)**,<sup>13</sup> for the former study, and the **Temporary and Circular Migration Task Force** coordinated by the **European Policy Centre (EPC)**,<sup>14</sup> for the latter study. In particular, Eurocities provided a contribution to the Synthesis Report on "*Satisfying labour demand through migration*," presenting the perspective of cities.
- In the context of the collaboration with the **Fundamental Rights Agency (FRA)**, there were mutual exchanges of findings from the complementary studies on *Unaccompanied Minors* (EMN) and on "*Separated, Asylum Seeking Children in EU Member States*."<sup>15</sup> In addition, some EMN NCPs, on a voluntary basis, completed a questionnaire for FRA's study on "*The Fundamental Rights of Irregular Migrants*." Participation of FRA in the *EMN Glossary and Thesaurus Working Group* also continued.

## **5.2 Annual Reports, Studies and Ad-Hoc Queries**

Information collection and analysis on migration and asylum in EU Member States to support policymaking continued to constitute the core activities of the EMN. The basic methodology followed for producing a report/study is for an EMN NCP to produce a National Report, according to common specifications developed by the EMN, from which a Synthesis Report, highlighting the main findings from an EU perspective, is then

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<sup>11</sup> An extensive list of relevant entities is available from the EMN website (<http://www.emn.europa.eu>) under "Useful Links," as well as, with regard to other databases, under "Activities: Other Databases."

<sup>12</sup> <http://www.eurocities.eu>

<sup>13</sup> <http://www.labourmigration.eu/network>

<sup>14</sup> [http://www.epc.eu/documents/uploads/pub\\_1237\\_temporary\\_and\\_circular\\_migration\\_wp35.pdf](http://www.epc.eu/documents/uploads/pub_1237_temporary_and_circular_migration_wp35.pdf)

<sup>15</sup> [http://fra.europa.eu/fraWebsite/research/publications/publications\\_per\\_year/pub\\_sep\\_asylum\\_en.htm](http://fra.europa.eu/fraWebsite/research/publications/publications_per_year/pub_sep_asylum_en.htm).

produced. In this way, both “filtering” of relevant information and a source to more detailed information is provided.

Whilst the intention is for all EMN NCPs to participate in all activities, unfortunately this is not the case, principally owing to the current state of development of some EMN NCPs who do not (yet) fully participate in the EMN. Another issue recognised and being addressed by the EMN is the delay that often occurs in the submission of National Reports.

This section reports on progress during 2010 and provides brief summaries of the findings of the completed Annual Reports and Studies, as well as an overview of the Ad-Hoc Queries launched during the year. All finalised National and Synthesis Reports are made available on the EMN website.<sup>16</sup>

### **5.2.1 Annual Policy Reports<sup>17</sup>**

In accordance with Article 9 of Council Decision 2008/381/EC, the EMN Annual Policy Report provides an overall insight into the most significant political and legislative (including EU) developments, as well as public debates in the area of migration and asylum, and makes available any relevant statistical data to quantify the explanation of such developments.

The *EMN Annual Policy Report 2009* marked a new approach from previous years, by reporting on progress towards the commitments included in the Tracking Method for monitoring the implementation of the European Pact on Immigration and Asylum.<sup>18</sup> The Commission’s First Annual Report on Immigration and Asylum, which covered the year 2009, consisted of both a Communication,<sup>19</sup> highlighting the main developments over the year at EU and national levels, along with the Commission’s recommendations, and a factual report (Commission Staff Working Paper).<sup>20</sup> This factual report summarised the most significant developments that had occurred or were planned, again at EU and Member State level, for each of the commitments of the Pact, with the national developments based extensively on information that had been contributed by the EMN. Subsequently, the synthesis of 24 EMN NCPs’ complete National Reports, including developments in asylum and migration in addition to those of the Tracking Method, was then developed into the EMN Annual Policy Report 2009, which was published in August 2010.

This approach continued for the *Annual Policy Report 2010*, this time incorporating also relevant elements of the Stockholm Programme and its accompanying Action Plan, as specifically requested in the June 2010 JHA Council Conclusions on the Commission’s

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<sup>16</sup> <http://www.emn.europa.eu> under "EMN Outputs."

<sup>17</sup> Reports are available from the EMN website under EMN Outputs: Annual Policy Reports

<sup>18</sup> COM(2009) 266

<sup>19</sup> COM(2010) 214

<sup>20</sup> [SEC\(2010\) 535](#)

First Annual Report on Asylum and Immigration.<sup>21</sup> Once again, EMN NCPs provided their national contributions by the end of 2010, which were then used for the drafting of the Commission's 2010 Report and accompanying Staff Working Paper.<sup>22</sup>

These contributions to the Commission's Annual Reports on Immigration and Asylum demonstrate the capacity and capability of the EMN to collect and synthesise, within a tight timeframe, extensive national information from a wide range of sources of relevance to policymakers.

In parallel and complementing the above, the *EMN Annual Policy Report 2008* was also completed, based on 23 National Reports. This means that there is now a complete series of Annual Policy Reports stretching back to 2004, allowing an assessment of the development of asylum and migration policy over a number of years.

### ***5.2.2 Annual Reports on Migration and International Protection Statistics***<sup>23</sup>

The objective of these reports is to present an analysis of statistical trends on asylum and migration, including also illegal entry, apprehensions and return, drawing on the Commission's Eurostat statistics. Where appropriate, complementary data additional to those available from Eurostat are also used. In cooperation also with their respective national data providers, EMN NCPs analyse relevant data for their Member State, and provide an analytical National Report on patterns and trends, in line with the common specifications.

The EMN is working towards completing a series of such Annual Reports, which will then permit also an analysis of long-term trends and developments across the EU. Currently these reports range from 2001 up to and including 2008. It should be noted that there is always an inherent time lag in producing an annual report, as all the relevant data are available some 15 months after the end of a particular reference year, although some data, e.g. international protection, are available much sooner. This means, for example, that only towards the end of 2010 could the EMN begin analysing the 2009 statistics.

To demonstrate the type of analysis that is done, the Synthesis Report for the *Annual Report on Migration and International Protection Statistics 2007*, finalised in December 2010, presented the comparative situations and trends in relation to asylum (first-time applications and first and final decisions) and migration (migration flows, population by citizenship, residence permits, numbers of apprehensions and numbers of removals). The report shows, for example, that the largest proportion of asylum applicants per thousand inhabitants remained focussed on four Member States – Sweden, Malta, Greece and Austria, and that in all of these, except Austria, the proportion of asylum seekers had increased since the previous year. Overall, between 2006 and 2007, most Member States experienced a decrease in the number of asylum applicants. The Member States with the

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<sup>21</sup> <http://www.consilium.europa.eu/App/NewsRoom/related.aspx?bid=86&grp=16875&lang=EN&id=352> and which were subsequently endorsed by the European Council on 17<sup>th</sup> June 2010.

<sup>22</sup> COM(2011) 291 and SEC(2011) 620

<sup>23</sup> Reports are available from the EMN website <http://www.emn.europa.eu> under "EMN Outputs: Migration and International Protection Statistics"

lowest proportions, and lowest absolute numbers, of asylum applicants were Estonia, Latvia and Portugal.

In relation to migration flows, there were no significant changes overall in the EU-27. Between 2006 and 2007, some Member States experienced an increase in positive net migration (Austria, Belgium, Czech Republic, Finland, Germany, Spain, Slovenia, Slovak Republic, Sweden and United Kingdom), whilst others experienced a decrease (Hungary, Ireland, Italy and Malta). The Netherlands alone amongst the EU-15 experienced negative net migration; and for the EU-10, this situation also applied to Estonia, Latvia, Lithuania and Poland. With regard to population by citizenship, of the EU-15 Member States, Ireland, Spain, Austria, Belgium and Germany reported the largest proportion of non-nationals (8-10.5%); of the EU-10, Latvia and Estonia reported the highest proportions (16-19%), principally owing to their non-citizens. Family reunification/formation remained the main reason for the granting of residence permits; however, a significant trend since 2006 has been an increase in employment permits in various EU-10 Member States to meet labour demand, and a general downward trend in family permits in EU-25 Member States, explained in part by the introduction of new legal requirements.

Most Member States at the EU's external (sea and land) borders experienced an increase in the number of refusals in 2007. Estonia, Finland, Ireland, Latvia and Spain, for example, all experienced increases in the number of refusals, in some cases continuing a trend since 2005. In relation to apprehensions, a mixed picture emerged for 2007, with some Member States recording an increase in persons apprehended and others a decrease. In relation to removals, the overall trend in 2007 was towards a clear decrease.

The EMN also undertook the *Annual Report on Migration and International Protection Statistics 2008*, based, for the first time, on data provided in accordance with Council Regulation 862/2007 on Migratory Statistics. As a result, the process followed in producing the National Reports was different from earlier years, and was facilitated by the Service Provider developing templates for the Standardised Tables, appropriate to the new types of data available, to be completed by the EMN NCPs. The National Reports are currently available on the EMN's website, with the Synthesis Report, to be completed in 2011, being more analytical than in previous years, in order to identify links to policy development.

### **5.2.3 EMN Studies<sup>24</sup>**

In accordance with Article 9(2) of Council Decision 2008/381/EC, the EMN may undertake studies, following common specifications, covering specific migration and asylum-related issues necessary for the support of policymaking. The EMN finalised and published a number of relevant studies in 2010, summaries of which are given later in this section.

With regard to the studies completed in 2009, namely; *The different national practices concerning granting of non-EU harmonised protection statuses and Policies on Reception, Return and Integration arrangements for, and numbers of, unaccompanied*

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<sup>24</sup> The various reports are available from the EMN website <http://www.emn.europa.eu> under "EMN Outputs: EMN Studies"

*minors – an EU comparative study*, there were a number of follow-ups. In particular, the latter study was used to inform the Commission's Action Plan on Unaccompanied Minors<sup>25</sup> adopted in May 2010 and its findings were presented at a number of events, most notably at a conference organised under the auspices of the Belgian Presidency of the Council of the EU.<sup>26</sup>

In 2011, the EMN will undertake two further studies, namely on *Visa Policy as Migration Channel* and on *Practical Responses for reducing Irregular Migration*. An update of the 2009 EMN Study *Organisation of Asylum and Migration Policies in the EU Member States* is also envisaged, plus a possible focussed study, involving a subset of EMN NCPs, on *Individual profiles and migration trajectories of third-country national cross-border workers - The case of Luxembourg*.

### **5.2.3.1 Satisfying Labour Demand through Migration**

The aim of the study was to understand the strategies for addressing labour market needs and shortages in the Member States with third-country national migrant workers, to gain an understanding of the perceived effectiveness of these strategies and to examine the impact of the recent economic downturn and recovery on these strategies. The study covers the period from 2004 to the end of 2010. Statistics are provided to the end of 2009. In addition to the 23 EMN NCPs participating in this study, the aforementioned Eurocities Working Groups (Working Group on Economic Migration and Working Group on Migration and Integration) also contributed.

The study compares the EU Member States' approaches to economic migration in relation to satisfying labour demands through migration for highly skilled, skilled and low skilled labour. Most Member States have incorporated migration into their overall vision and strategic thinking on how to combat current and future labour shortages, though some Member States have a clearer vision of how third-country nationals can help satisfy their labour demands. Several Member States specifically promote and facilitate the immigration of third-country nationals for the purpose of employment in certain sectors of their economy, while others place greater emphasis on addressing labour shortages primarily by utilising the national workforce, with labour migration not considered as a core necessity. Some Member States have specific legislative measures in place to regulate the use of migration to satisfy labour demand; others regulate labour migration through the general national migration law. The study also outlined the methods and tools applied by Member States in implementing economic migration policy and legislation, for example, the drawing up of occupational lists where shortages exist, the use of employer needs analysis and the setting of quotas. Most Member States have not specifically developed integration measures for labour migrants, but apply these equally to all third-country nationals.

In its conclusions, the Synthesis Report highlights a possible need for consolidation and further development of policies and legislation to better facilitate economic migration to satisfy labour demand, with Member States emphasising the importance of a flexible and

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<sup>25</sup> [COM\(2010\) 213](#) of 6<sup>th</sup> May 2010

<sup>26</sup> *Unaccompanied Minors : children crossing the external borders of the EU in search of protection*, 9-10<sup>th</sup> December 2010.

attractive labour market, to ensure the continued competitiveness of Member States and the EU.

### ***5.2.3.2 EU programmes and strategies fostering assisted return to and reintegration in third countries.***

Return is an integral component of migration policy and the purpose of this study was to focus on and map the different forms of Assisted Return that are in place in the EU Member States, thereby facilitating a comparative analysis and providing support for any further policy development at national and EU level. The study achieved this by analysing the various approaches of Assisted Return programmes of the Member States in order to identify lessons learned, best practices and possible synergies to further develop and improve Assisted Return programmes in the EU. The Synthesis Report, based on National Reports from 22 Member States, is again anticipated to inform a Commission Communication on Return in 2012.

Nearly all Member States provide for Assisted Return. The extent to which it is available differs, however, with some Member States having fully-fledged programmes, often for many years, others having more recently set up (pilot) projects with the help of the European Return Fund, and others still exploring the possibility to start such projects. As a result of the growing consideration of Assisted Return as a valid, and often preferable, alternative to Forced Return, steps have been/ are being undertaken to make this form of return a sustainable and feasible option.

Member States emphasised the value of Assisted Return programmes or projects, because of their potential to address the fears and stress that third-country nationals may experience in relation to the idea of returning. Furthermore, Member States reported a shift in focus from organising Assisted Return measures primarily for the pre-return and transportation phase, to include also the post-return phase, which might comprise, among others, development and training or help with setting up a business (plan) through financial resources and/or business advice; and counselling. The pursuit of the successful reintegration of the returnee, in particular, and the sustainability of return, in general, is at the heart of these post-return measures.

The study concluded that, in spite of the significant steps taken by Member States and their implementing partners to turn Assisted Return into a feasible option with sustainable outcomes, a need for more comprehensive and coherent Assisted Return “packages” or programmes spanning the different phases of return might be considered. The extent to which Assisted Return is truly cost-effective, sustainable and provides returnees with a humane and dignified avenue to return, depended not only on the individual measures organised in the pre-transportation or post-return phases, but also, and especially, on the extent to which these build on one another to form a coherent and holistic package.

### ***5.2.3.3 Temporary and Circular Migration, current policy practice and future options in EU Member States***

This EMN Study, again undertaken during 2010, is also highly topical within a number of policy debates. In particular, it responds to the need for better understanding of temporary and circular migration, both within the context of European Employment Policy and the Europe 2020 Strategy, as well as the Global Approach to Migration. Indeed, as mentioned previously, the outcomes of this study will serve to inform the Commission

Communication and accompanying Staff Working Papers on the development of the global approach planned for Autumn 2011, in particular with regard to the link between migration and development. As previously mentioned, there was much interest in this study also in the EPC Temporary and Circular Migration Task Force.

The aim of the study is to provide an overview of the different policy preferences, views and conceptualisations in the Member States, as well as any specific legislation, programmes and measures in place to promote temporary and circular migration. The study also aims at developing a better understanding of the characteristics of temporary and circular migration patterns, in terms of the categories of third-country nationals engaging in these forms of migration, including a review and analysis of existing statistics and empirical evidence. Finally, the study also seeks to identify lessons learned, best practices and recommendations, which could be further explored at national and EU political levels. By doing so, the EMN study aims to respond to the requests from the Council, through its Council Conclusions and the Stockholm Programme, regarding further exploration and development of circular migration as an element of EU migration policy.

#### ***5.2.4 Ad-Hoc Queries***

EMN Ad-Hoc Queries remain an important, responsive and useful tool for collecting comparative information quickly on a specific, topical issue, and can be launched by an EMN NCP or the Commission with a typical response rate of four weeks, after which a compilation of all responses is produced and circulated within eight weeks of the date the query was launched. The responses are now also made available in the public domain via the EMN's website,<sup>27</sup> subject to the agreement of the contributing EMN NCPs. The compilation of all Ad-Hoc Queries, now totalling over 300, has developed into a valuable source of information for both the Commission and EMN NCPs.

The value and relevance of this tool can be gauged by the extent to which EMN NCPs and the Commission make use of it. A total of 99 Ad-Hoc Queries were launched during 2010, representing an increase in usage of this facility of 11% on the previous year, with each query having on average 16 individual responses or, alternatively, a total of over 1600 individual responses from the EMN NCPs. A further breakdown showed that 88% of all queries received 10 or more responses on average, 67% received 15 or more responses and 13% received 20 or more. The themes that attracted the highest response rates, on average, were borders, economic migration, family reunification, protection, integration and residence.

Progress was made during 2010 in improving the functionality of the Ad-Hoc Query process through the development of an on-line system, accessed through the EMN Information Exchange System (see also Section 5.4). There were difficulties in the initial launching of this on-line functionality and thus, following extensive testing, the new system is now expected to be fully functional during 2011.

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<sup>27</sup> <http://www.emn.europa.eu> under "EMN Outputs: EMN Ad-Hoc Queries"

#### **5.2.4.1 Themes and priorities of Ad-Hoc Queries in 2010**

All EMN NCPs launched at least one Ad-Hoc Query during 2010, with the FI, FR and BE EMN NCPs most frequent, launching 12, 11 and 10 respectively. Ad-Hoc Queries related to a wide range of highly topical migration and asylum issues. The most frequent issue was that of protection, which accounted for 32% of all Ad-Hoc Queries, and addressed, for example, issues such as recognition of subsidiary protection granted in one Member State by another Member State; forecasting of asylum numbers; data collection and storage and issues in relation to social protection. A number of issues related to the specific circumstance of nationals from third countries, such as Haiti, Afghanistan, Sri Lanka, Armenia / Azerbaijan, Chechnya and Russia.

A further issue was that of residence, accounting for 18% of Ad-Hoc Queries, with a diverse range of topics addressed such as Member States' policy on residence where a compulsory removal is impossible; the status of third-country nationals who cannot be returned; registration and monitoring of foreign nationals; Member States' policies in relation to identity documents; how residence / work visas are managed (together or separately) and whether charges are involved; how to address the abuse of Regulation (EC) No 987/2009 on implementing Regulation (EC) No 883/2004 on the coordination of social security systems; and how parallel legal statuses may be addressed.

Almost 10% of Ad-Hoc Queries focused on return issues, mainly relating to return policy for specific groups, for example, Chechens to Russia, Eritreans, Pakistan citizens following the 2010 floods and Egyptians; productive returns; policies relating to the return of children and alternatives to detention.

Issues relating directly to the implementation of the EU *Acquis* accounted for 8% of all Ad-Hoc Queries. These included the regulation of entry bans under Article 11 of the Return Directive 2008/115/EC; how Member States apply the provisions of Council Directive 2003/9/EC to asylum seekers under the Dublin Regulation; and whether Member States limit the period of validity for already issued residence permits, and /or if Member States intend to claim fees for issuing residence cards under Council Regulation (EC) No 380/2008 laying down a uniform format for residence permits for third-country nationals.

Other Ad-Hoc Queries related to borders, economic migration, family reunion, irregular immigration, integration, trafficking and visas.

The Commission also launched four Ad-Hoc Queries principally to inform a number of policy developments. Two were related to economic migration (seasonal workers and intra-corporate transferees (ICTs), plus recognition of qualifications obtained outside the EU); one on the categorisation of visas, for the development of the visa policy study specifications; and one was a specific question in relation to residence permits and levels of fees for third-country nationals working in the Member States, in the context of the Single Permit Directive proposal. Another query, launched by the FR EMN NCP following the earthquake in Haiti, was presented to the Commission's Committee on Immigration and Asylum in March 2010.

In relation to the query on seasonal workers, 21 responses were received, including from Denmark, and the information gathered was used to inform the Impact Assessment

accompanying the proposal for a Directive on the conditions of entry and residence of third-country nationals for the purposes of seasonal employment,<sup>28</sup> and its summary,<sup>29</sup> with specific references to statistical information gathered via the EMN cited. Similarly, for ICTs, the Impact Assessment accompanying the proposal for a Directive on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer<sup>30</sup> again used information provided via this query.

The Commission's 2007 'Single Permit Directive proposal'<sup>31</sup> included a compilation of the legislation and practices in respect of different issues of relevance to the draft directive at that time. With the entry into force of the Lisbon Treaty, the Commission was subsequently asked to provide updated factual information, for example, on how many Member States had already introduced a single permit encompassing the residence and work permits and on the level of fees imposed by Member States. The Commission collected this information from Member States through an EMN Ad-Hoc Query and the responses received from 20 Member States were used to inform the negotiations of this Directive in both the Council and Parliament.

### **5.3 EMN Glossary and Thesaurus**<sup>32</sup>

The multilingual EMN Glossary containing over 300 terms relating to asylum and migration was established to improve comparability between EU Member States by developing a common understanding of terms and definitions. It has been integrated into the EMN website as an interactive tool. The Glossary serves as a reference document for EMN NCPs and their national network members, as well as for other practitioners in the field of asylum and migration, to better understand and compare the national situations and harmonise policy concepts, including the media when reporting on matters relating to asylum and migration. Indeed, increasingly EMN studies refer to EMN Glossary definitions when collecting information in relation to specific concepts, and EMN NCPs have reported a high level of satisfaction with this approach from their national networks.

The Glossary has been developed by the *EMN Glossary and Thesaurus Working Group*, whose members come from the EMN and the Fundamental Rights Agency. The Working Group met on six separate occasions in 2010 to discuss, refine and agree upon terms, often in relation to specific issues that are raised in the course of the development of EMN studies and other outputs. Working Group members are also asked to translate and further elaborate on terms in-between meetings. A printed version of the Glossary was published, with more than 2 000 copies distributed to national and EU stakeholders. Work also focussed on translations of the definitions, as well as the terms, into FR, DE, PT, IT and ES with a view to producing a compendium publication of the updated

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<sup>28</sup> SEC(2010) 887

<sup>29</sup> SEC(2010) 888

<sup>30</sup> SEC(2010) 884

<sup>31</sup> COM(2007) 638 and SEC(2007) 1408

<sup>32</sup> [ISBN 978-92-79-14979-5 \(January 2010\)](https://doi.org/10.1007/978-92-79-14979-5), available also from <http://www.emn.europa.eu> under "EMN Outputs: EMN Glossary."

glossary in 2011. Discussions also took place with regard to incorporating the glossary into IATE (Inter-Active Terminology for Europe).<sup>33</sup>

Some progress on the further development of the EMN Thesaurus was made, its purpose being to facilitate structured searching of the documents contained within the EMN's Information Exchange System.

#### **5.4 Information Exchange System (IES)**

Extensive work was undertaken, principally by the EMN Service Provider (iLiCONN), to re-initialise the IES and incorporate an Ad-Hoc Query functionality. Following some initial setbacks with the EMN NCP registration process, the system became useable again. However, it was very clear that the system no longer met the needs and requirements of the EMN and that the design of the public website was in need of updating. Extensive discussions thus took place, including in the context of a dedicated workshop, on how the system and public website pages could be developed in order to meet better the needs of the EMN NCPs and the EMN's visibility (see Section 5.5.2 below). This work will continue in 2011. Currently the IES is extensively used to share documents with EMN NCPs, including for meetings, studies and for reference.

#### **5.5. Enhancing the EMN's Visibility**

Several steps have been taken to promote the EMN to policymakers at national and European level, and to inform the wider public about its objectives, plus current and future activities. All of its outputs are made available to the wider public, principally through the EMN website and publication of certain studies, as well as presented at workshops, seminars, meetings and conferences at EU and national levels. For example, as part of the 15<sup>th</sup> International Metropolis Conference 2010, the NL and DE EMN NCPs, in collaboration with EMN NCPs from FI, IT, SE and UK as well as several experts in the field, organised a workshop entitled *The Governance of Circular Migration*, which complemented the EMN study on *Temporary and Circular Migration*. EMN NCPs are also planning to deliver a workshop at the 2011 Metropolis Conference in September 2011 which will complement the EMN study *Combating Irregular Migration: Practical Responses*.

Such visibility efforts were intensified during 2010, facilitated by the development of the EMN Communication and Dissemination Strategy. The strategy draws together the key objectives of the dissemination activities and proposes key messages based on the EMN's vision and values. It defines the main stakeholders and target audiences of the EMN, and the likely tools and channels for reaching these various audiences, as well as a proposed implementation plan.

The main activities undertaken, and progress made in 2010, are highlighted below.

##### **5.5.1 *EMN Logo***

In order to develop a common identity for the EMN, a logo was created and formally agreed in May 2010. One feature of this logo was to have different versions containing

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<sup>33</sup> <http://iate.europa.eu/>

the phrase "European Migration Network" in all 23 Member State languages. EMN members now use the logo in all official publications and on their national websites, including, particularly for their national audiences, their specific language(s) version.

### **5.5.2. EMN and National Websites**

Referring also to Section 5.4, the EMN website serves as the main means by which the EMN's various outputs are made publicly available. In 2010 the Service Provider (iLiCONN) revamped the website pages, though a clear need to update its design was identified. The website also acts as a portal through which EMN members can access the Information Exchange System. A significant development in 2010 was the initialisation of a new address for the website, namely <http://www.emn.europa.eu>, with re-direction from the previous web address maintained.

The number of visits to the website is monitored on a weekly basis in order to understand better the scale and scope of access and to assist the process of monitoring progress towards increasing the visibility of the EMN. The Google analytics tool used for this indicates that, on average, there are between 150 to 200 visits/day and the results suggest that the website is primarily used by EMN members, with access from beyond the network and the public at large more limited. This situation will continue to be monitored closely during 2011 in relation to the planned redevelopment of the website, and the possible introduction of social media tools appropriate to the EMN.

At national level, many EMN NCPs have developed their own national website, with reciprocal links to the EMN website.<sup>34</sup> Often these national websites are better developed than the EMN website and they have been used as the inspiration for re-designing the EMN website.

### **5.5.3 EMN Newsletter**

Another development aiming to enhance further the EMN's visibility was to re-launch its Newsletter (EMNews), distributed via the EMN website, from where it is equally accessible along with an RSS feed. A first edition was published in late 2010, with further editions now produced approximately every two months. The newsletter contains summaries of recent EMN outputs, a spotlight on EMN NCPs and details of recent publications in the field of asylum and migration, particularly from the EU. Some EMN NCPs also routinely produce their own newsletter for their national network members.

### **5.5.4 EMN Conference 2010**

This year's conference occurred under the auspices of the Belgian Presidency of the Council of the European Union on the topic of *Long-term follow-up of migrants trajectories*<sup>35</sup> and took place in Brussels in September 2010. The conference brought together around 150 participants, including EMN NCPs and their national network partners, the European Commission, and external entities, including other European (e.g. the European Economic and Social Committee) and international organisations (e.g. the

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<sup>34</sup> Links to the various national websites are provided at <http://www.emn.europa.eu> under "EMN NCPs."

<sup>35</sup> <http://www.eutrio.be/long-term-follow-migration-trajectories-conference-european-migration-network-emn>

OECD, the ILO, the Migration, Asylum, Refugees Regional Initiative), experts and academics. Conclusions included recognition of the real added value of longitudinal studies over cross-sectional studies in allowing a better analysis of the evolution of individuals and groups over time, and the need to improve European-wide surveys to provide reliable and harmonised social and economic data on migrants.

## **6. CONCLUSIONS**

The EMN has seen its policy relevance and impact continue to increase in 2010, with many examples of its work directly contributing to informing policymakers at both EU and national levels. These include the contribution of the EMN to the monitoring of the European Pact on Asylum and Immigration, through its Annual Policy Report; and the development of EMN studies that have explored contemporary issues linked to policy changes and developments at EU level, which have directly informed a number of highly topical Commission Communications and Staff Working Papers. The Ad-Hoc Query tool has been increasingly used by all Member States to explore issues of national relevance, and by the Commission to request information in relation to specific questions of EU policy, for example, in relation to the proposed Directives on seasonal workers and ICTs, with high rates of response. The EMN Glossary has also proved to be a useful reference tool serving to improve *inter alia* comparability amongst the Member States.

Looking to the future, the outcomes of the external evaluation will contribute to identifying aspects for further development and improvement of the EMN in order that it increasingly continues to meet its stated objectives.