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Commission

# EMN BULLETIN

November 2020

The EMN Bulletin provides policymakers and other practitioners with updates on recent migration and international protection policy developments at EU and national level. The 32<sup>nd</sup> edition provides information from July to September 2020, 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: NEW PACT ON MIGRATION AND ASYLUM



The third quarter of 2020 was remarkable due to the release of the [New Pact on Migration and Asylum](#) on 23 September 2020 by the European Commission.

The Pact is the result of extensive consultations and of a holistic assessment of the situation concerning migration to the European Union. It puts forward a new framework for fair, efficient and sustainable migration management with a greater emphasis on a predictable and reliable

migration management system rather than on ad-hoc solutions, and is framed around three pillars:

- Better and faster procedures;
- Firm and fair rules on intra-EU solidarity; and
- A strong external dimension based on enhanced cooperation with third countries.

Along with the New Pact, a host of new and amended legislative proposals was published:

- A new Screening Regulation;
- A new Asylum and Migration Management Regulation;
- A new Crisis and Force Majeure Regulation;
- An amended proposal revising the Asylum Procedures Regulation;
- An amended proposal revising the Eurodac Regulation.



## 1. GENERAL POLICY DEVELOPMENTS

### EU DEVELOPMENTS AND UPDATE

*No new developments.*

### NATIONAL DEVELOPMENTS

- **Cyprus:** An amendment of the Constitution and three additional bills were passed in September, which update asylum and immigration laws. The main changes included a shorter period for submitting an appeal before the Administrative Court for International Protection (from 75 days to 30 days, and 15 days for manifestly unfounded cases) and the possibility for the asylum service to issue a return decision/deportation order simultaneously with the rejection of an asylum application.
- **Czech Republic:** The temporary border controls at the internal land and air borders, introduced as a result of the COVID-19 pandemic, were lifted on 5 June and 30 June, respectively. As of 21 September, again due to the COVID-19 pandemic, online registration<sup>1</sup> prior to arrival was requested from citizens of the EU, Iceland, Lichtenstein, Norway, Switzerland, the United Kingdom, Andorra, Monaco, San Marino and the Vatican as well as third-country nationals with a long-term or permanent residence permit in the EU travelling from countries that were not listed as low-risk. These persons were subject to quarantine or a PCR test; exceptions may apply.<sup>2</sup>
- **Estonia:** The first Ambassador at Large for Human Rights and Migration took office at the Ministry of Foreign Affairs.
- **Finland:** On 1 September 2020, the [new Act](#) on the Processing of Personal Data in Immigration Administration entered into force. This will replace the Act on the Register of Aliens, complement the provisions of the GDPR and bring together personal data processing provisions from other acts. The provisions concerning the processing of personal data are clarified both from the perspective of the party applying the law and the rights of the data subject.
- **France:** On 6 July 2020, a Minister delegated to the Minister of the Interior, responsible for citizenship and in particular for asylum and republican integration, was [appointed](#).
- **Ireland:** The [2021 Census](#) has been postponed until April 2022 due to COVID-19-related restrictions.
- **Italy:** The Law Decree No. 34 dated 19 May 2020 (the so called "Rilancio Decree") was converted into Law No. 77 on 17 July 2020, with amendments to include urgent measures in the field of health, supporting the economy, as well as social policies, related to the epidemiological emergency caused by COVID-19. The decree provided an opportunity for those in illegal employment to regularise their status in specific sectors such as agriculture, domestic work and personal care. 207 542 applications for regularisation of employment were lodged by 15 August 2020 on the online portal of the Ministry of the Interior. Applications for domestic and personal care work were prevalent.
- **The Netherlands:** On 15 September 2020, the Dutch government [announced](#) the budget and policy priorities for 2021. In the area of migration, the focus will be on strengthening the organisations cooperating in the immigration process, strengthening European border controls, stimulating highly-skilled migration and implementing the Common European Asylum System. Returning illegally-staying migrants and tackling nuisance and crime among asylum seekers are policy priorities.
- **Poland:** As of 10 July 2020, new models of residence cards and permits for crossing the border under the local border traffic [entered in force](#), as well as the application form for granting such a permit. Documents supporting the existing models will be issued until the stocks of the forms are exhausted, for a period of no longer than six months. Documents issued in accordance with the current template shall remain valid until the specified deadline.  
On 4 September 2020, the amended provisions of the Act of 10 June 2016 on the posting of workers as part of the provision of services [entered into force](#). The provisions of the act introduce new regulations regarding the posting of workers, in particular extending the scope of employment conditions guaranteed to an employee posted to Poland by a foreign entity.  
On 21 September 2020, a meeting of the Interministerial Team for Migration was held. One of the main issues discussed was the situation in Belarus; however, no mass influx of migrants from Belarus had at that point been observed. The draft "Polish migration policy", defining the directions of the state's migration policy for 2021, will be developed and approved by the Migration Team by mid-December this year.

<sup>1</sup> <https://plf.uzis.cz/>

<sup>2</sup> <https://www.mvcr.cz/mvcren/article/coronavirus-information-of-moi.aspx>

- **Sweden:** On 15 September 2020, the cross-party Committee of Inquiry on Migration [submitted](#) its report “*En långsiktig hållbar migrationspolitik*” (‘Sustainable migration policy for the long term’) to the Minister for Justice and Migration Morgan Johansson. The Committee’s remit was to consider future Swedish migration policy, with a view to establishing a system that is sustainable after the Act Temporarily Restricting the Possibility to Obtain Residence Permits in Sweden expires on 19 July 2021.



## 2. INTERNATIONAL PROTECTION INCLUDING ASYLUM

### EU DEVELOPMENTS AND UPDATES

- On 24 July 2020, the Commission [announced](#) new Emergency Support for migration management in Greece. In particular, € 17 million were made available to support the implementation of the “Voluntary Relocation from Greece” project, which started in April 2020 and should be completed by the end of October 2020.
- On 23 September 2020, following the fire that devastated the Moria facility on the islands of Lesvos, the Commission announced the establishment of a dedicated taskforce to improve the situation on the island in a durable way.

### LATEST RELEVANT STATISTICS

- On 16 September 2020, Eurostat [published](#) statistics on asylum seekers for the second quarter of 2020. The number of first-time asylum applicants in the EU-27 decreased by 68 % compared with the same quarter of 2019 and 69 % compared with the first quarter of 2020. The top 3 nationalities were Syrians, Afghans and Venezuelans, lodging 7 700, 4 200 and 3 000 applications respectively.

### NATIONAL DEVELOPMENTS

- **Belgium:** On 9 July 2020, the Federal Reception Agency (Fedasil) updated the list of nationalities who have a high chance of being granted international protection. An applicant for international protection who has a nationality that is on this list can apply for individual housing already after two months in a reception centre.
- **Bulgaria:** In July 2020, a bill of 2019 amending the Law on Asylum and Refugees was approved by the Council of Ministers and adopted at first reading by the National Assembly of the Republic of Bulgaria. It will be discussed at second reading. The state of emergency as a result of COVID-19 was extended until the end of November 2020. The State Agency for Refugees with the Council of Ministers (SAR – CoM) provides rapid PCR tests for detection of COVID-19 among certain groups of unaccompanied minors at their reception facilities. The same tests are provided for persons having symptoms. Body temperature is measured daily, and disinfectants and masks are distributed. A total of 78 children who are seeking international protection and have been accommodated in the territorial divisions of SAR – CoM, have been enrolled at school for the new 2020-2021 school year. All have received student kits with the necessary materials. SAR – CoM has organised free transportation for pupils attending school, and for participation in social activities.
- **Germany:** On 30 September 2020, 139 people arrived at the airport in Hanover from Greece, including 17 children in need of medical care and their immediate families, and 51 unaccompanied minors. This brings the number of refugees flown from Greece to Germany so far this year, including 104 unaccompanied minors and 142 children in need of medical treatment. The new arrivals have come to Germany under two separate aid efforts. Firstly, 243 children and their immediate families from refugee camps in Greece were admitted as part of a European aid measure in which 11 EU Member States as well as Norway and Serbia are participating. Following the devastating fire in the Moria refugee camp in Greece, Germany accepted to take in up to 150 of the 400 unaccompanied minors from the camp. On 16 September, Germany decided to take families, totalling 1 553 persons, from the Greek islands whom the Greek authorities have already found to be in need of protection.
- **Greece:** The Greek Asylum Service has made significant efforts with the aim of reducing the backlog of pending asylum claims at the first instance. For the first 8 months of 2020, 53 384 decisions on merits or

### Judgment of the European Court of Justice Case [C-806/18](#)

The CJEU answered a preliminary question coming from the Supreme Court of the Netherlands regarding the interpretation of Article 11 of the Return Directive (Directive 2008/115/EC). The judgement established that EU law does not preclude Member States from imposing a custodial sentence on third-country nationals who have been subject to a return procedure and who continue to reside illegally on the territory of the Member State, and, *a fortiori*, to impose a sentence on those illegally residing nationals who have a criminal record or represent a threat to public policy or national security. Article 11 of the Return Directive does not preclude national law that regards a third-country national’s illegal stay in the Member State as a criminal act, where the individual knows that an entry ban has been issued to him on account of such an act or threat. However, Member States cannot qualify the breaching of an entry ban as a criminal act, if that entry ban has not produced its effects.

admissibility have been issued, compared to the same reference period of 2019 (31 958 decisions). This represents a rise of 67% in productivity. According to the latest Eurostat Data (22/9/20), Greece is the second country in the issuance of first instance decisions for the second quarter of 2020. Furthermore, given the health emergency of COVID-19 pandemic, the Greek Asylum Service continues to make, significant efforts in reducing the need for physical presence at the Service's facilities, and thus reducing the risk of overcrowding. This has been achieved by making it possible to perform a wide range of necessary administrative actions electronically and remotely.

The Government of Greece, together with the International Organization for Migration (IOM), UNHCR, the UN Refugee Agency, and UNICEF, the UN Children's Fund, welcomed on 30 September the relocation of 139 asylum seekers to Germany (see above). This was the 16th relocation flight organised under this programme. This year, a total of 1 066 asylum seekers have been relocated from Greece to Belgium, Finland, France, Germany, Ireland, Luxembourg and Portugal.

- **Finland:** Reception centres [adopted](#) the method "Let's Talk about Children" to help support the everyday life of children, families and adolescents. The project which developed this method received EU funding from Asylum, Migration and Integration Fund (AMIF).
- **France:** More and more notifications by the French Office for Protection of Refugees and Stateless Persons regarding asylum applications as well as applications under the Dublin procedure registered in several regions can only be made electronically, reaffirming that electronic notification is [in the process](#) of becoming the standard procedure.  
The 2021 [draft finance law](#), submitted on 28 September 2020, provides for the creation of 4 000 accommodation places for asylum seekers in order to "optimise the distribution (...) between different regions", which is the main difficulty that leads many legal migrants to leave the dedicated care system.
- **Ireland:** Certain eligibility requirements for the student support-scheme for asylum seekers living in Direct Provision will be relaxed and the scheme placed on a long term footing, as [announced](#) on 10 August 2020.  
A comprehensive [programme](#) of COVID-19 testing across all accommodation centers housing asylum seekers and refugees began in September 2020.
- **Italy:** The management of migratory flows has been affected by the COVID-19 emergency and the economic crisis in North Africa. The main efforts have focused on the need to ensure precautionary health measures during landing procedures in order to protect local communities, for instance through testing of migrants following identification, the use of ships where migrants must complete the necessary period of quarantine as well as strengthening surveillance in reception facilities.  
On 8 September 2020, the Interior Ministry and the Ministry of Health set up an interministerial task force to ensure support to the prefects of the provinces in Sicily affected by the efforts of receiving migrants. About 3 500 migrants were transferred from Sicily to other regions.  
Based on the Malta Declaration on Search and Rescue,<sup>3</sup> 60 persons were relocated to Germany on 24 September 2020.  
The initiative to grant scholarships to beneficiaries of international protection who had to interrupt their studies when they left their country of origin has been renewed for the academic year 2020/2021. The Ministry of the Interior provides the 100 scholarships planned for the academic year.
- **Luxembourg:** On 29 July, the Government Council endorsed the bill amending the law of 18 December 2015 on international protection and temporary protection. The main objective of the bill is to modify the legislative means of appeal in matters of transfer within the framework of the Dublin III regulation, in order to increase their effectiveness while ensuring maximum legal certainty for the applicants of international protection.  
A [new accommodation facility](#) for applicants for international protection (AIP) of the National Reception Office opened in Wasserbillig on 5 September 2020. Eleven former customs houses were converted to accommodate a maximum of 63 residents. The structure will be managed by the Luxembourg Red Cross and will accommodate a mixed population (families, single men and women).  
The first family from the Moria refugee camp [arrived](#) in Luxembourg as part of relocation actions on 29 September 2020.
- **Malta:** On 7 August 2020, the amendment of the Refugees Act was approved with the purpose to enhance the national asylum system, as well as further align national legislation with the relevant EU Directives.

<sup>3</sup> Malta Declaration on Search and Rescue, signed on 23 September 2019 by France, Germany, Italy and Malta under the Finnish Presidency of the Council of the EU and the European Commission. For more information, see e.g. <https://easo.europa.eu/asylum-report-2020/24-temporary-arrangements-disembarkation-and-relocation>

On the same day, the Prime Minister and the Minister for Home Affairs, National Security and Law Enforcement signed the commencement notice for the International Protection Agency (Establishment) Order according to which the Office of the Refugee Commissioner has now been replaced by the International Protection Agency with the aim of improving the efficiency of the national asylum system.

■ **The Netherlands:** The penalty payment to asylum seekers was [suspended](#) on 7 July 2020. On 8 July [a law was passed](#) in parliament providing that asylum seekers are no longer entitled to compensation if the Immigration and Naturalisation Service (IND) does not make a timely decision on their asylum application. The law is accompanied by measures to reduce the greatly increased processing times of the asylum procedure. In principle, the new law [applies for one year](#).

In the Netherlands, asylum seekers are asked about their identity, nationality and travel route both at registration and at the start of the procedure (initial interview). Addressing this duplication, on 10 September 2020 the government announced – together with the decision to relocate refugees from Greece (see below) – to repeal the initial interview. In its place, additional questions will be asked at registration.

As of 14 September 2020, asylum seekers with low chances of receiving a positive decision on their application in the Netherlands [are placed](#) in separate reception accommodation with modest, more closely supervised facilities. The aim of clustering these applicants is to increase their availability for guidance, thus speeding up asylum and return procedures. Vulnerable groups are housed in regular locations; unaccompanied minors are exempt from this regime.

The Netherlands has, for the first time, developed a country-specific asylum policy for Venezuela. The new policy follows an official country report from the Ministry of Foreign Affairs on the situation in Venezuela between March 2013 and September 2020. The country-specific policy was [passed into law](#) on 5 September 2020.

As of 1 July 2020, Dutch authorities have gradually [resumed](#) transferring asylum seekers to the EU Member State responsible for processing the asylum application. The resumption of Dublin transfers is possible as the travel restrictions imposed after the COVID-19 outbreak are slowly being lifted.

■ **Poland:** On 1 September 2020, 841 school-age children that are in the process of applying for international protection in Poland [started](#) their new school year at public schools. The majority are citizens of Russia (591), Ukraine (82) and Tajikistan (58). The vast majority started the new year of education in primary schools. All foreigners were informed about the applicable recommendations and restrictions related to the state of the epidemic.

■ **Portugal:** On 20 August 2020, 41 refugees from Turkey arrived in Portugal with the support of IOM and within the Resettlement Project.

On 9 September 2020, IOM and the Immigration and Borders Service (SEF) signed a new Framework Agreement towards Resettlement of Refugees to Portugal for the period 2020-2022. In response to the European Commission call to ensure continued resettlement, Portugal committed to accepting an overall number of 1 729 persons from Turkey, Egypt and Jordan.

■ **Slovak Republic:** In September 2020, the Slovak Republic [provided](#) material humanitarian aid to Greece to alleviate the impact of the fire in the refugee camp Moria on the island of Lesbos. The dispatched material, valued at more than € 38 000, included sleeping bags, mats, blankets, chemical toilets, canisters and waterproof sheets.

■ **Sweden:** In the beginning of July the Swedish Migration Agency decided that resettlement should be resumed after a temporary suspension due to COVID-19. So far in 2020, 1 400 refugees have been resettled to Sweden and another 2 000 refugees have been granted residence permit and have reception waiting in a municipality. Another 3 600 refugees need to be resettled during the last part of 2020.



### 3. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

#### EU DEVELOPMENTS AND UPDATES

*No new developments.*

#### NATIONAL DEVELOPMENTS

■ **Austria:** The Austrian federal government refused in September 2020 to accept unaccompanied minors from Greece on the [grounds](#) that Austria has accepted a very high number of refugees compared to other EU Member States. This decision has been sharply criticised both [nationally](#) and [internationally](#).

■ **Bulgaria:** The Republic of Bulgaria participates in the solidarity mechanism for relocation of unaccompanied minors from Greece.



- **Cyprus:** Following an agreement with Finland and in cooperation with EASO, 16 single mothers and their children were relocated from Cyprus to Finland in July 2020. Furthermore, within the framework of the same agreement, 14 unaccompanied children were relocated from Cyprus to Finland in September 2020.
- **Finland:** On 8 July 2020, Finland [received](#) the first group of minor asylum seekers from Greece. The group consisted of 24 unaccompanied minors, most of them from Afghanistan. According to a decision made by the Finnish Government, Finland will receive 175 vulnerable asylum seekers from the Mediterranean region, primarily unaccompanied children and adolescents as well as single-parent families.
- **France:** A [decision](#) of 2 July 2020 laid down the objectives for the proportionate accommodation of minors who are temporarily or definitively deprived of the protection of their families, by means of a distribution key proper to each Department.  
On 21 September 2020, the Ministry of the Interior [issued](#) an instruction for the prefects concerning an early examination of residence permit applications of foreign minors entrusted to the child welfare services. The purpose of this instruction is to avoid the disruption of rights of minors who reach the age of majority and are engaged in a professional career.
- **Italy:** The Directorate-General for Immigration and Integration Policies published updated [data](#) on 31 August 2020 for unaccompanied foreign minors. There were 5 540 children present and surveyed in August 2020, 96% of whom were male. The majority were 16/17 years old, and of Albanian and Bengali nationality.  
300 asylum seekers arrived in Italy from Lesbos, following the fire in the Moria refugee camp. The arrival of migrants has been possible thanks to the humanitarian corridor organised by the Ministry of the Interior and the Community of Sant'Egidio, which signed an agreement with the department for Civil Liberties and Immigration.
- **The Netherlands:** On 10 September 2020, the Netherlands [offered](#) to relocate 100 unaccompanied minors and families with children from the Moria reception camp in Greece. The total number of asylum seekers associated with this relocation will be subtracted from existing UNHCR resettlement quota. This decision was made together with measures to make the asylum procedure in the Netherlands more efficient (see above) and to expand options for removing criminal aliens (see below). The Netherlands furthermore allocated € 1 million for emergency aid to Greece.
- **Portugal:** On 7 July 2020, IOM and UNHCR welcomed 25 unaccompanied asylum-seeking children from Greece to Portugal through an EU relocation initiative. During the reporting period, three unaccompanied minors arrived in Portugal (two asylum applications within the national territory and one at borders).
- **Spain:** On 8 July 2020, [Instructions 7/2020](#) were published, which set out the conditions for extending the legal residence of minors who were studying in Spain when the COVID-19 crisis began and who could not return to their country due to the pandemic.  
On 29 September 2020, [Instructions 9/2020](#) were published, which establish the procedure for the issuing of residence and work permits for young third-country nationals (between 18 and 21 years of age) who have worked in the agricultural sector between April and September 2020. The aim of the measure is to encourage their inclusion and integration into the labour market when they reach the age of majority.



## 4. LEGAL MIGRATION

### EU DEVELOPMENTS AND UPDATES

*No new developments.*

### NATIONAL DEVELOPMENTS

- **Austria:** Due to COVID-19 measures, entry into Austria is still only possible under certain [conditions](#). Since 22 August, persons are [allowed](#) to enter Austria within the framework of regular commuter traffic with confirmation from the employer for work performance. This provision is also applicable for third-country nationals
- **Belgium:** On 16 July, the Court of Justice of the EU [ruled](#) that the date to be taken into account, in order to determine whether a family member of a sponsor is a 'minor child', is the date of submission of the application for entry. The request for a preliminary ruling came from the Belgian Council of State.
- **Estonia:** Foreigners can now [apply](#) for an alien's passport and residence permit card through the Police and Border Guard Board's self-service portal.
- **Greece:** On July 2020, a new ministerial decision regarding the extension of residence titles of third-country nationals was issued, so as to ensure their legal status of residence, aiming at remedying subsequent dysfunctions due to COVID-19-related measures.

- **Finland:** As of 13 July 2020, the entry into the country of berry pickers residing in specific countries, such as Algeria, Australia, South Korea, Thailand or Rwanda, via external border traffic at the invitation of the employer was [permitted](#). The entry of berry pickers from Thailand will be permitted according to the country quota of 3 000 pickers previously allocated to Finland.

According to the Ministry for Foreign Affairs, visa applications in exceptional cases will be accepted at Finnish embassies and other missions abroad, subject to the COVID-19 pandemic situation. In some cases, the applications cannot be accepted for entry permits either because of the local authorities' regulations or restrictions or because of concerns for the health of customers and staff. The situation varies greatly from country to country. The amendments to the entry restrictions entered into force on 10 August 2020.
- **France:** On 1 July 2020, the Council of State [validated](#) the increase of the registration fees for foreign students. According to the Council of State, the increase of fees for third-country nationals is not in conflict with equal access to education or to the principle of equality between users.
- **Croatia:** Legislative changes are being prepared in order to implement the Agreement on the UK's withdrawal from the EU. A new proposal of the Foreigners Act (prescribing a new model of employment of third-country nationals) is also in the process of adoption.
- **Ireland:** A new online [Registration Renewal System](#) to include all Dublin-based non-EEA nationals seeking to renew their immigration registration was introduced in July 2020.

On 10 July 2020, the Irish Short Stay Visa Waiver Programme was temporarily [suspended](#).

The application process for the [Atypical Working Scheme](#) was moved online as of 4 September 2020.

On 18 September 2020, it was [announced](#) that Immigration permissions due to expire were automatically extended.
- **Italy:** In July 2020, the Ministry of Labour and Social Policies distributed new quotas of the decree flows 2019 that will allow to meet the requests for conversion of residence permits submitted by third-country nationals already legally resident in Italy. The additional quotas allocated amount to 1 170 residence permits.

The Interministerial Decree of 9 July 2020, which provides 7 500 new entry quotas for the three-year period 2020/2022 available for the attendance of vocational training courses and other 7 500 for the conduct of training and guidance, was published.
- **Latvia:** According to [amendments](#) to the Law on the Management of the Spread of COVID-19, absence from Latvia during the period from 12 March until 31 December 2020 shall be considered justified upon examining the granting, registering or annulling the permanent residence permit. This period shall not be included in the term of validity of the decision on the issuing or registration of a residence permit. A temporary residence permit may be annulled and an issued visa or the decision on the issuing of a visa or temporary residence permit might be revoked if the third-country national has violated the provisions for isolation, self-isolation, quarantine or home quarantine or the gathering restrictions laid down in legislation.
- **Lithuania:** Starting from 1 September 2020, the Migration Department has [introduced](#) new electronic services related to the acquisition of citizenship of Lithuania. 32 unique application forms and service wizards were created for the convenience of customers while submitting e-applications, issuing certificates, and solving other citizenship-related issues.

Due to the current political situation in Belarus, the Lithuanian government [decided](#) to lift COVID-19 related travel restrictions for Belarusian nationals seeking entry 'for special humanitarian purposes'; [as of the end of September 2020](#), 326 Belarusians have received such permits, ordered by the Minister of Interior of Lithuania. Also, the procedures for issuing six months national visa for Belarusians have been temporarily [simplified](#).
- **Luxembourg:** As of 1 July 2020, British nationals who wish to obtain residence documents following the withdrawal of the United Kingdom from the European Union are [invited](#) to submit a request for the issue of this new document. The deadline for application is set on 30 June 2021.

In the context of the COVID-19 crisis, the Grand Ducal Regulation (GDR) of 20 June 2020 [introducing](#) certain temporary measures relating to the application of the amended Immigration Law has been amended six times. The GDR of 1 July 2020 [introduced](#) in particular the list of third countries whose nationals can enter Luxembourg. This list has been amended three times. The GDR of 1 July 2020 also amended the list of categories of migrants to which the entry ban into the territory does not apply. The GDR of 7 August 2020 [requires](#) these people to present a negative COVID-19 test before boarding. On 11 September 2020, another GDR was [issued](#) that maintains the temporary restriction (initially scheduled until September 15, 2020) on entry for third-country nationals into the territory of the Grand Duchy until 31 December 2020 inclusive.

On 14 September, the Ministry of Foreign and European Affairs [communicated](#) to the public that short-stay visits by family members (who are third-country nationals) of EU citizens were exempt from travel restrictions to the Grand Duchy.

- **Malta:** During the period from 16 March until 2 August 2020, no new single permit applications were accepted from third-country nationals, except for highly skilled workers and healthcare professionals. As of 3 August 2020 the Identity Malta Agency's Expatriates Unit resumed accepting new single permit applications from all categories of workers. The application process is now entirely online. As of 1st July 2020, the Central Visa Unit resumed full operations. Furthermore, interviews in relation to applications for Maltese citizenship based on marriage between a foreign spouse and a Maltese citizen have also resumed. Couples postponing their marriage due to COVID-19 will not have to pay the administrative fee when registering their new marriage date. Finally, the Passport Office, Public Registry Office and eID Card Unit have resumed with normal operations
- **The Netherlands:** On 16 July 2020, the Dutch government [decided](#) to ease the travel ban on the entry of partners from third countries in a long-distance relationship with a Dutch national or EU-citizen who lives in the Netherlands, subject to certain conditions. On 11 September 2020, additional exemptions on the travel ban were announced for specific categories such as top athletes and business persons.
- **Poland:** A new programme dedicated to Belarusian entrepreneurs from the IT sector, who consider relocating their companies to Poland, was [established](#) ('Business Harbour'). The project offers services helping IT specialists, start-ups and established companies relocate easily to Poland. Information about the support for Belarusian entrepreneurs and their families is prepared in Russian, English and Polish.
- **Portugal:** Ordinance No. 225/2020 of 29 September approved the model of residence permits to be issued to foreign citizens authorised to reside in national territory, and an amendment to Ordinance No. 1334-D / 2010 of 31 December approves the models of the European Union citizen registration certificate.
- **Spain:** On 20 September 2020, instructions to set up a procedure to facilitate family reunification for third-country national parents of minor EU citizens, including Spanish nationals, were [published](#). The documentation system for UK citizens and their family members, in application of the Withdrawal Agreement, has been in place from 6 July 2020. Guidance has been [published](#) on the Ministry website.



## 5. INTEGRATION

### EU DEVELOPMENTS AND UPDATES

- On 22 July 2020, the Commission [launched](#) an EU-wide public consultation to gather views on new actions that could be taken at EU level to promote the integration and social inclusion of migrants and people with a migrant background as well as a call for applications to set up an Expert Group on the views of migrants.
- On 7 September 2020, the Commission, trade unions, chambers of commerce and employers' organisations [renewed](#) their cooperation to enhance the integration of migrants and refugees into the labour market. Building on achievements from previous years, the signatories agreed to focus future efforts on three areas: linking up stakeholders across economy and society for labour market integration; supporting entrepreneurship; and facilitating the identification, assessment and validation of skills.

### NATIONAL DEVELOPMENTS

- **Finland:** As of 15 July 2020, young people who have entered Finland as unaccompanied minors and who have been granted a residence permit will be [entitled](#) to after-care until the age of 25 under an amendment to the Act on the Promotion of Immigrant Integration. Previously, the age limit was 21 years. The Act was amended because the equivalent age limit in child welfare after-care was raised to 25 years on 1 January 2020.
- **France:** On 15 September, the Minister responsible for citizenship [instructed](#) the prefects to speed up and facilitate the acquisition of French citizenship by foreign nationals who have worked 'on the frontline' during the COVID-19 pandemic. The State wishes to recognise the commitment of those persons who carry out an activity where they are particularly exposed during the period of health emergency.
- **Croatia:** A new Action Plan for integration of persons who have been granted international protection for the period 2020-2022 is currently under development. The Government Office for Human Rights and Rights of National Minorities has initiated the project "INCLuDE" - Intersectoral Cooperation in Empowering third-country nationals, to strengthen preconditions for social inclusion (co-financed by AMIF).
- **Ireland:** The National Integration Fund 2020 was [launched](#) on 11 August 2020.



- **Italy:** On 5 August 2020, a statement of the Department of Civil Liberties and Immigration clarified that the regularisation procedure may also be initiated in favour of third-country nationals holding a residence permit for asylum applications, who has an irregular employment relationship or who has yet to be engaged by his/her employer.
- **Lithuania:** The Department of Social Services Supervision of Lithuania has launched a project to strengthen the provision of integration services to third-country nationals. The project involves district municipalities and aims to also serve other municipalities that seek to improve related integration policy and its implementation.
- **Luxembourg:** Registrations for Luxembourgish language and culture courses have been open to the general public since 17 August 2020 on [the City of Luxembourg website](#). For people having internet-related difficulties, it is possible to register directly at the offices of the Integration and Specific Needs Department.  
In August the Ministry of Education, Children and Youth published a guide for persons who work with newly arrived students [“Accueillir et intégrer”](#) (Welcome and integrate). A separate section is dedicated to children of applicants for international protection.
- **Malta:** The basic English and Maltese language courses for employment which were being planned under the AMIF 11.01 project by Jobsplus, and were stalled due to the COVID-19 pandemic, were re-launched in August 2020 following the adoption of health and safety guidelines provided at national level for the provision of such training. Such courses are deemed to be important for the integration of migrants into the labour market.
- **The Netherlands:** On 8 September 2020, due to COVID-19 measures, the time span for taking civic integration examinations has temporarily been [extended](#) by four months. In addition, as of 1 October 2020 a number of changes will take place in the civic integration regulations. Some groups are exempted from the examination part 'Orientation on the Dutch labour market'.
- **Poland:** On 18 August 2020, the Polish Prime Minister [announced](#) the plan "Solidarity with Belarus" based on three pillars: security, openness and solidarity. The programme, for which Poland will allocate PLN 50 million (approx. € 11.2 million) in the first year, assumes the implementation of five points: support for repressed people, scholarship programme, facilitating entry to Poland and access to the labour market, assistance to independent media, and a programme for non-governmental organisations.  
On 6 August 2020, a new centre was [created](#) in Poznań to help foreigners in need. The Poznań Integration Centre (POINT) offers assistance to all foreigners for the administrative procedures related to the legalisation of stay and work, enrolling a child in kindergarten or school, for minor matters related to everyday life; consultations with lawyers and career counsellor, and Polish language courses are also offered.
- **Portugal:** On 11 September, IOM and the Government of Portugal co-hosted a high-level online discussion on labour mobility for Portuguese policy-makers. In the webinar “Regulating Labour Mobility in Portugal in Line with Labour Market Needs – From effective policies to Labour Migration Arrangements in a post COVID – 19 era”, senior officials and experts discussed effective management of human mobility, including ethical recruitment, in line with Portugal’s labour market needs and the way forward during the challenging period of COVID-19 recovery. The Ordinance No. 183/2020 of 5 August 2020 creates the Portuguese Hosting Language courses, as well as the rules for their organisation, operation and certification. The aim is to enable migrants to achieve full social inclusion.
- **Spain:** On 3 August 2020, the announcement of the 2020 Integration grant (to be executed throughout 2021) was [published](#). With regards to the current 2019 grant, the only activities suspended were group activities and those that cannot be carried out by telephone or telematic means, or under any other form of remote work.



## 6. MANAGEMENT OF THE EU EXTERNAL BORDERS

### EU DEVELOPMENTS AND UPDATES

- On 1 July 2020, the EU-Belarus visa facilitation and readmission [agreements](#) entered into force. The visa facilitation agreement makes it easier for Belarusian citizens to obtain short-term visas to come to the EU while the readmission agreement aims to establish procedures for the safe and orderly return of persons who are irregularly present in the EU or Belarus, in full respect of their rights under international law, in particular the principle of non-refoulement.

## NATIONAL DEVELOPMENTS

- **Czech Republic:** The Council Recommendation on the temporary restriction on non-essential travel into the EU was [transposed](#) 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:** From 1 September 2020 COVID-19 testing at the airport and port were made [available](#) for people returning to Estonia from COVID-19 risk countries. As of 19 August 2020, performers or the organisers of public events, athletes participating in a competition or involved in organising an authorised sports event were allowed to enter Estonia without restriction of movement, whilst from 28 August 2020, restriction of movement was [lifted](#) for members of foreign delegations, who do not show any signs of illness, arriving in Estonia for work meetings at the invitation of a state authority or local government authority. On 28 August 2020 the government also [decided](#) to prolong the restrictions on flights departing from and arriving in Estonia to or from countries with high infection rates of COVID-19. On 29 September 2020, the government [supported](#) the easing of the restrictions on flights, and allowed flights from countries where the COVID-19 infection rates were below a certain rate. On 6 July 2020 the government [re-opened](#) the borders for labour migration and mobility for education and learning.
- **Finland:** As of 28 September 2020, restrictions on entry into Finland were again [tightened](#) due to COVID-19. The list of restricted and permitted countries will be reviewed on a weekly basis and updated as necessary. For most non-Schengen countries, restrictions on entry allow only return traffic, transit traffic at Helsinki Airport and other essential traffic. In addition, a 14-day period of self-isolation is recommended for travellers arriving in Finland.
- **Croatia:** Through the project EMAS “Reinforcement of border control activities at the border section of Croatia due to increased migratory pressure” training was organised in September: two training sessions were organised for the leaders of state border surveillance groups in the field of approaches for dealing with a group of migrants at the land border, as well as sessions in the fields of prevention of document misuse, human rights of migrants, access to the asylum system, protection of unaccompanied minors and vulnerable groups, understanding cultural differences and first aid procedures.
- **Poland:** In August, the Polish Border Guard finalised its 5<sup>th</sup> Joint Operation with the Police in the Republic of North Macedonia. All editions of the joint bilateral operations were carried out in accordance with the provisions of the Agreement between the two countries on cooperation in combating organised and other types of crime.
- **Slovak Republic:** Due to the COVID-19 pandemic, third-country nationals are not allowed to enter the country via the external border except for some [specific categories](#). These include persons who have a valid residence in the country or a national visa; persons transiting to another Member State where they have a residence or to a Member State of which they hold a national visa; persons arriving to implement a valid court decision to enable joint custody of a minor, or the right to be in contact with a minor; plus residents of specific countries.

### Judgment of the European Court of Justice

Case [C-651/19](#)

On 9 September 2020, the CJEU ruled on the interpretation of Article 46 of the Procedures Directive (2013/32), which was read in the light of Article 47 of the Charter of Fundamental Rights of the European Union, in the context of a Belgian rule that limits, to 10 ‘calendar’ days, the introduction of an appeal against a decision declaring a subsequent application for international protection by a third-country national to be inadmissible. The CJEU states that Article 46 of the Procedures Directive read in the light of Article 47 of the Charter of Fundamental Rights of the European Union, does not preclude a 10-day limit for the introduction of an appeal against a decision declaring a subsequent application for international



## 7. IRREGULAR MIGRATION

### EU DEVELOPMENTS AND UPDATES

*No new developments*

### NATIONAL DEVELOPMENTS

- **Estonia:** On 22 July 2020, amendments to the Aliens Act, the Income Tax Act and the Taxation Act that prevent the abuse of employment rules in Estonia [entered into force](#).
- **Greece:** The Rapid Border Intervention at the maritime domain ended on 6 September 2020. The intervention, launched in March in cooperation with the European Border and Coast Guard Agency (Frontex), reportedly led to an 89 % decrease in the number of arrivals from Turkey compared to the

same period in 2019. However, organised criminal networks appear to have adapted their smuggling activities directly from Turkey to Italy, according to Greek sources.

- **Finland:** In September 2020, the Ministry of the Interior launched an update of an action plan for preventing illegal entry and residence for 2021–2024. Along with the issues outlined in the previous one, the new action plan will also examine the status of those residing in the country without a residence permit, the phenomena of abuse associated with them, and the status of human trafficking victims.
- **France:** On 29 September 2020, the Minister of the Interior sent an instruction to the prefects regarding the removal of foreign nationals who had committed serious offences or constitute a serious threat to public order. This instruction recalls the need for close coordination between the various actors and details the tools and procedures in force.
- **Latvia:** The Law on Administrative Liability [entered into force](#) on 1 July 2020. It increases the maximum fine to deter also third-country nationals from committing immigration offenses.



## 8. RETURN

### EU DEVELOPMENTS AND UPDATES

*No new developments*

### NATIONAL DEVELOPMENTS

- **Belgium:** The Home Affairs Committee of the Belgian Parliament is discussing a [legislative proposal](#) to prohibit the detention of minors. On 16 September 2020, EMN Belgium presented in the Parliament a comparative overview of this policy in other countries. The video of this presentation (available in French and Dutch) can be found [here](#).
- **Cyprus:** Authorities continued their cooperation with Frontex in the field of voluntary returns. In July and in September 2020, 282 Georgian nationals returned safely to their home country, using two separate flights, that were organised by Cyprus Police and Frontex.
- **Croatia:** Police officers from the detention center for foreigners participated in a working meeting organised by Frontex and a video conference with the Embassy of Afghanistan in Vienna in connection with establishing identity and obtaining travel documents for Afghan citizens for the purpose of their return to Afghanistan.
- **The Netherlands:** On 2 September 2020, the Netherlands participated in a joint return flight [organised](#) in collaboration with Belgium, Germany, France and IOM for the first time since the start of coronavirus measures. The flight destined for Baghdad and Erbil in Iraq, left Germany on 2 September 2020 with fifty Iraqi migrants on board who wanted and were able to return independently, two of them from the Netherlands.  
On 10 September 2020, as part of the decision to relocate 100 refugees from Greece, an amendment of the [Aliens Act](#) was announced to expand the options for refusing permanent residence permit applications from criminal aliens who grew up in the Netherlands.
- **Slovak Republic:** As a result of COVID-19, assisted voluntary returns have been provided on a case by case basis depending on the individual situation of each returnee, on the availability of the transport connections (e.g. lack or scarcity of certain flights) and the current situation regarding the pandemic in the Slovak Republic as well as in countries of transit and destination. Assisted voluntary returns to Ukraine are implemented on a continuous basis via land transport.
- **Spain:** The voluntary return programmes have continued to operate but with many difficulties due to COVID-19: commercial flights were cancelled but some flight seats have been secured through the embassies and consulates. Many restrictions and requirements were imposed on those allowed to fly. The organisational activities of the bodies managing voluntary returns were carried out by telephone or by other forms of remote work. 412 people have returned during the third quarter of 2020.
- **Sweden:** The Swedish Migration Agency has initiated cooperation with Frontex in the field of voluntary return. A flight was organised on 28 September 2020 to Georgia, where 55 nationals were returned.



## 9. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

### EU DEVELOPMENTS AND UPDATES

*No new developments.*

### NATIONAL DEVELOPMENTS

- **Bulgaria:** Coordination and exchange of information has been established between the Directorate General “Combating Organised Crime”– Mol in Bulgaria and the Inspectorate General “Border Police” in

Moldova regarding the investigation of a cross-border organised crime group involved in trafficking in human beings with the intention of their sexual exploitation in Germany.

- **Croatia:** One juvenile and two adult victims of human trafficking were identified in the reporting period. The European Multidisciplinary Platform Against Criminal Threats (EMPACT) action days 2020, focusing on trafficking in human beings in connection with labour exploitation, were carried out in Croatia.
- **Hungary:** As of 1 July 2020, sex workers below the age of majority are treated as victims by the law (and not as perpetrators) according to the amended *Act II of 2012 on Minor Offences*. According to a general protection measure introduced, (presumed) victims of human trafficking under 18 are now placed in special children's homes. The Ministry of Human Capacities designated five institutions accordingly. In practice, this new legal instrument means that a minor offering sexual services will not be punished but cared for in designated special childcare institutions – for foreign children, this is the Károlyi István Children's Centre, located in Fót. To ensure the conditions for the practical implementation of this measure (infrastructure, human resources, protocols, victim identification etc.), a working group was set up in autumn 2020, including the police, childcare institutions, relevant Ministries and other relevant stakeholders.  
In the third quarter of 2020, the Ministry of Interior organised a **sensitivity and awareness-raising training for investigators, prosecutors and judges** from three counties of Hungary which have been affected significantly by trafficking in human beings. This is a regular training programme with a unique format which brings together all actors within the criminal procedure and fosters experience exchange, approach sharing and enhances practical cooperation through case studies.
- **Italy:** On 15 September 2020 in Algiers, the Italian Interior Minister met the President, the Interior Minister, and Foreign Minister of the Democratic Republic of Algeria to discuss the adoption of more structured forms of police cooperation to prevent crime and terrorism, in particular transnational crime, drug trafficking, economic and financial crime, the trafficking of persons and migrants, as well as the implementation of new operational models with particular reference to return procedures.
- **Luxembourg:** The Grand Ducal regulation of 19 August 2020 [amended](#) the regulation relating to the composition, organisation and functioning of the Monitoring Committee on the Fight Against Trafficking in Human Beings. The Victim Assistance Department of the Central Social Assistance Service becomes a member of the Committee. It is the only state-run victim assistance service which is aimed at all victims.
- **Malta:** A GRETA (Group of Experts on Action against Trafficking in Human Beings) delegation from the Council of Europe Committee for the Convention against Trafficking in Persons was in Malta between the 28 September and 1 October 2020. The aim of this visit was for GRETA to conduct the 3rd Evaluation on the implementation of the COE convention in field of trafficking in persons by government. The delegation was to meet with MHSE officials, the national Anti-Monitoring Committee and the Stakeholders Task Force as well as officials from all the various entities which are involved in the implementation of this Convention, including, amongst others, members of the Judiciary, the Parliamentary Secretary for Reforms, the Attorney General and the Refugee Commission.
- **Poland:** The Ministry of the Interior and Administration and the British Embassy in Warsaw together with partners [prepared](#) a campaign "Do not become a victim of human trafficking" aimed at informing the public about the risks of becoming a victim of human trafficking. The campaign, launched on 17 August 2020, is organised with the support of the largest job advertisement website in Poland, and focuses on the issue of forced labour. Moreover, it provides information about how to safely look for a job, how not to avoid exploitation, and who to contact if necessary.
- **Portugal:** Two webinars dealing with topics related to trafficking in human beings were organised in July, namely "THB for the purpose of sexual exploitation: new spaces and vulnerabilities?" (2 July 2020) and "Trafficking in Children and Youngsters: which capacity and protection" (16 July 2020). The "2019 Trafficking in Human Beings Statistical [Report](#)" and relevant [infographic](#) were also published. A Cooperation Protocol between the Observatory on Trafficking in Human Beings (OTSH) and the NGO "Saúde em Português" was signed in the framework of two Anti Trafficking Projects aimed at preventing, raising awareness, training professionals and informing vulnerable groups regarding THB, namely, women, unemployed persons, migrants and refugees, among others.  
The General-Directorate for Health/Ministry of Health conducted an online awareness-raising campaign in the framework of the World Day against Trafficking in Persons on the importance of Front Line Professionals and on the identification of THB victims (please see [poster 1](#) and [poster 2](#)).  
In September, the Portuguese Labour Inspection (ACT) participated in a joint intervention with the SEF to detect situations of serious labour exploitation and human trafficking for labour exploitation and forced labour, in particular in the agriculture and construction sectors.

## 10. EXTERNAL DIMENSION

### EU DEVELOPMENTS AND UPDATES

*No new developments.*

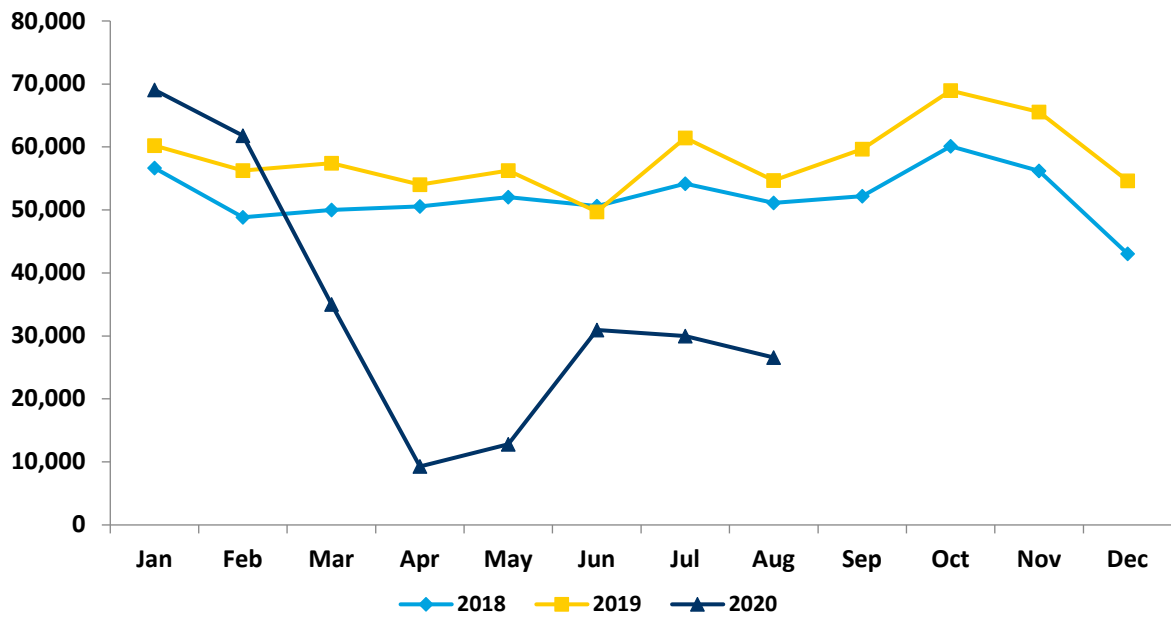
### NATIONAL DEVELOPMENTS

- **Czech Republic:** In July 2020, four donations amounting to CZK 72 million (approx. € 2.6 million) were provided from the Aid in Place Programme of the Ministry of the Interior of the Czech Republic to Lebanon (health care support to Syrian refugees in connection with the COVID-19 pandemic), Serbia (support to access the asylum procedure and integration measures), Greece (support to increase border protection on the external EU borders) and finally to EASO (for the regional pilot capacity building project in North Africa).  
In August 2020, the Ministry of the Interior provided medical material to Lebanon in response to the destructive blast in Beirut. The support was organised by the Ministry of the Interior's medical evaluation programme.
- **Italy:** Repatriations have resumed, after the substantial suspension during the lockdown period as a result of COVID-19. After the lockdown, from May to September 2020, 710 repatriations were carried out. On 21 July 2020, the Ministry of Foreign Affairs and International Cooperation, in agreement with the Ministry of the Interior, provided funding from the Migration Fund in support of IOM in Tunisia, to offer an assisted voluntary repatriation and services to reintegration in the countries of origin to migrants stranded in Tunisia.
- **Malta:** In a meeting in Tripoli, Libya on 6 August 2020, Malta, Libya and Turkey agreed to set up a joint working team to coordinate efforts for the transformation of agreements into concrete and practical projects to tackle migrant smuggling and irregular migration.



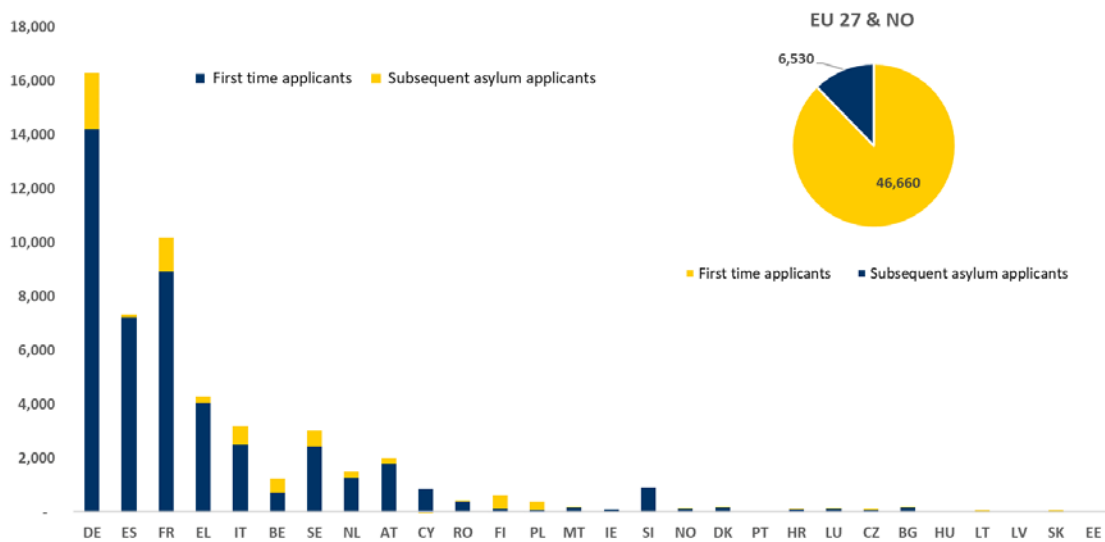
## ANNEX: EU & COMPLEMENTARY STATISTICS, ADDITIONAL INFORMATION, OTHER EMN OUTPUTS AND UPCOMING EVENTS

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



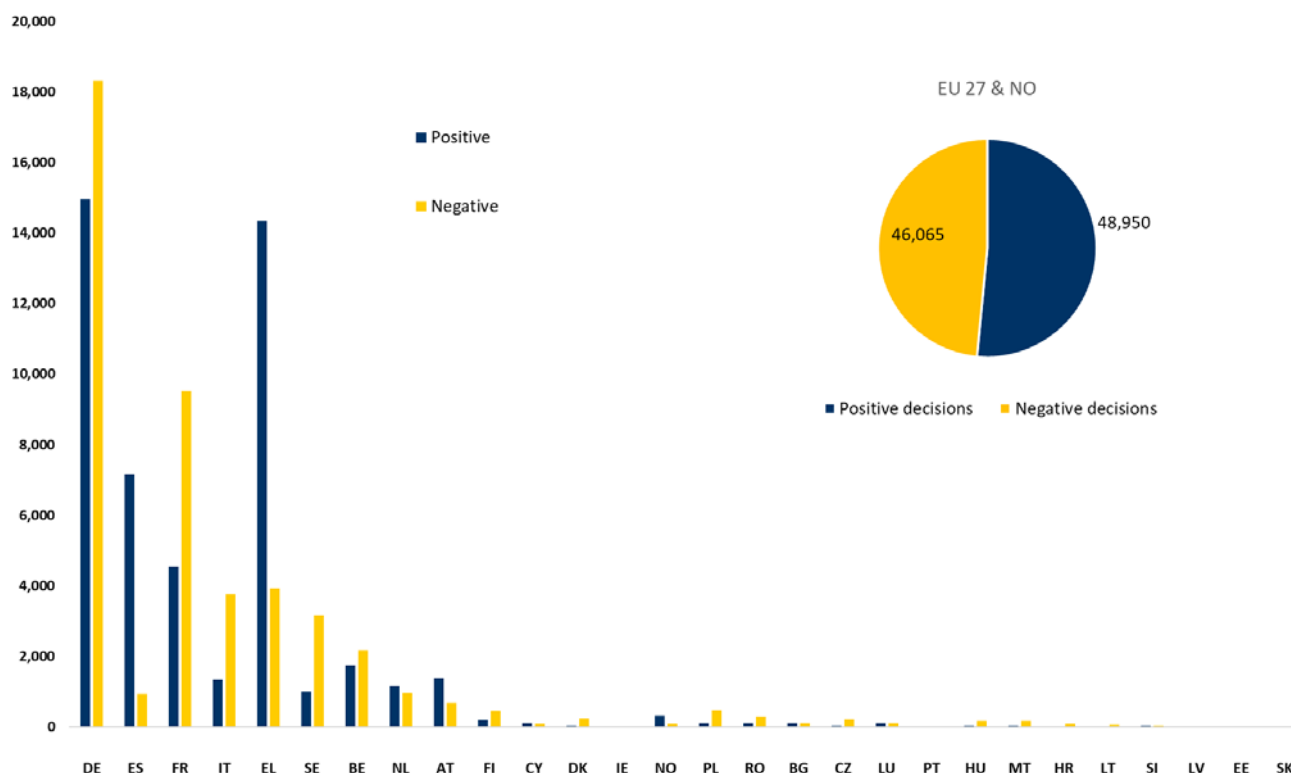
Source: Eurostat [[migr\\_asvappctzm](#)], total asylum applicants, extracted on 25 September 2020.

Figure 2: First time asylum applicants and subsequent applicants (together, total asylum applicants) in the EU-27 and Norway, Q2 2020 (quarterly data)



Source: Eurostat [[migr\\_asvappctzm](#)], accessed on 25 September 2020

Figure 3: First instance asylum decisions in EU-28 and Norway for non-EU citizens, Q2 2020



Source: Eurostat [[migr\\_asydcfstq](#)], accessed on 25 September 2020

### Updates on EU legislation transposition

- **Croatia:** Legislative changes are being prepared in order to implement Regulation (EU) 2017/1954 on uniform format for residence permits for third-country nationals.

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

#### Recently published EMN outputs include:

- EMN OECD Inform on responses to managing residence permits and migrant unemployment during the COVID-19 pandemic. Available [here](#).
- EMN OECD Inform on Impact of COVID-19 on international students in EU and OECD Member States. Available [here](#).
- EMN OECD Inform Maintaining labour migration in essential sectors in times of pandemic. Available [here](#).
- EMN Study on Pathways to Citizenship for third-country nationals in the EU. Available [here](#).

#### Upcoming EMN outputs and events include:

- EMN Study on Attracting and Protecting Seasonal Workers in the EU (forthcoming, November/December 2020)
- EMN OECD Inform and webinar on Impact of COVID-19 on remittances (forthcoming, December 2020)
- EMN OECD Inform and webinar on Impact of COVID-19 on voluntary and forced return procedures and policy responses (forthcoming, December 2020)
- Webinar "Missing children in the European Union", Jointly organised by EMN Cyprus, EMN Greece, EMN Italy, EMN Luxembourg.

#### National EMN outputs and events

- **Ireland:** The Economic Social Research Institute and the Department of Justice and Equality [published](#) 'Supporting integration? International practices on civics and language requirements linked to naturalisation: policy implications for Ireland'

- **Estonia:** EMN Estonia is organising a conference “Citizenship and migration, today and tomorrow” on 27th of October.