Asylum and Migration

Glossary 3.0

a tool for better comparability
produced by the European Migration Network

October 2014
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Migration and asylum are complex and multifaceted policy fields. The opening of the EU to talented and highly skilled migrants to meet EU labour demand, international protection for those in need, and to ensure safe borders against organised crime, trafficking and smuggling in human beings and irregular migration have all taken on increased significance in recent years.

To ensure effective legislative and policy responses to this significant demands, legislators and policy-makers at EU and national levels must have at their disposal up to date, reliable, factual information. The European Migration Network (EMN), coordinated by the European Commission, and active in all Member States and Norway, plays a significant role as a reliable source of such information across a wide range of contemporary topics. The EMN Glossary helps to facilitate coherent discussions across all of these actors by presenting information on specific topics that is underpinned by a common vocabulary, allowing a better understanding and comparability of migration and asylum phenomena, on the basis of a shared understanding.

The EMN Glossary, both as a publication and on-line has been very well received by legislators, policymakers and practitioners alike across the EU. This third, revised edition contains almost 400 terms, with translations, taken principally from the EU acquis, of which almost 100 are new and more than 120 have been received, reviewed and revised to improve their clarity and comparability.

A key priority for the coming years is to ensure coherent and effective implementation of existing instruments and to enhance practical cooperation between EU Member States. In order to support this objective, the EMN is a key instrument to for collecting and exchanging best practices on the implementation of the Home Affairs acquis. The Glossary version 3.0 will, without doubt, facilitate this role, and represents a tangible and practical tool to help the EU to address immigration challenges.

This has been a significant achievement for the European Migration Network and I would like to personally extend my appreciation to the members of the Glossary and Thesaurus Working Group who have steered the development of this Glossary Version 3.0, and to all the National Contact Points in the EMN for their support in verifying and validating the information presented.

Matthias Ruete
Director General for Migration and Home Affairs
1. Introduction

The purpose of the European Migration Network (EMN) Glossary of terms relating to Asylum and Migration is inter alia to improve comparability between EU Member States through the use and common understanding of the terms and definitions contained herein. The Glossary is intended to serve as a useful European reference document for EMN National Contact Points (NCPs) and their national network members, policy-makers and other practitioners in the Member States, as well as EU institutions, in order to facilitate the exchange of information. It provides common terminology for the concepts included and thereby facilitates a precise discourse on asylum and migration matters, including in the media.

The EMN Asylum and Migration Glossary 3.0 is an updated version of the EMN Glossary that was first published in January 2010 and later updated in January 2012. This third version contains almost 100 new entries and over 120 major amendments to existing ones to reflect new terminology and expressions, as well as evolutions in the usage of existing terms that have been introduced through the new legislation and policy on asylum and migration in the EU. It includes new terms introduced through the recast asylum acquis, the EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016 and the terminology used in EMN studies that have been published since the EMN Glossary 2.0, amongst other key documents.

Each glossary entry is comprised of a preferred term, a definition of the concept that this term represents, the source of the definition, plus notes and relationships to other terms and concepts included in the Glossary. In this third version, many definitions and some preferred terms have thus been amended. Many notes have been updated – and in many cases elaborated – to provide up-to-date information, to clarify the scope of the concept (and its understanding in different contexts) and to indicate web sources from which further information can be sought. Each glossary entry now illustrates many more relationships between terms – equivalence relations between synonyms, hierarchical relations with terms representing broader or narrower terms and associative relations between related terms, thus allowing users to easily navigate between related entries. All the preferred terms, as well as synonyms, acronyms and alternative ordering for the preferred term, can be found in an index at the end of the Glossary. A bibliography of sources is provided as an annex. The bibliography lists terms referenced in the source field as well as the notes and definitions.

The Glossary was developed by the members of the EMN Glossary and Thesaurus Working Group. The EMN would therefore like to acknowledge the extensive efforts of the working group members and its appreciation for the permission given by other entities, specifically the International Labour Organisation (ILO), the International Organisation for Migration (IOM), the Organisation for Economic Cooperation and Development (OECD) and the United Nations (UN) to the use of terms and definitions that they had developed previously and which are duly referenced in the Glossary. Likewise, the EMN would like to thank representatives of the EU’s multilingual interinstitutional terminology database ‘Inter-Active Terminology for Europe’ (IATE) for their technical support in updating the Glossary.

In the subsequent sections, a brief overview of the EMN is given, followed by an outline of the methodology used to develop the Glossary and some guidance as to its presentation and usage.

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1 See DG HOME website for further details: www.emn.europa.eu
3 According to the ISO standard 25964 a ‘preferred term (descriptor)’ is a term used to represent a concept. When two or more terms representing the same concept in the same language exist, one of them is designated a ‘preferred term’ under which the main entry in the Glossary (with definition, source and notes) is listed, the other(s) are listed under the same entry as synonyms and in the index to the Glossary.
4 www.iate.europa.eu
2. The European Migration Network

The need to exchange information on all aspects of migration had already been identified in the initial development of a common EU Asylum and Migration Policy. To improve the exchange of information between and within Member States across the wide range of asylum and migration policy developments, information must be comparable between the Member States to the greatest possible extent, and for this a consistent use of terms is required.

Council Decision 2008/381/EC of 14 May 2008 established a legal base for the European Migration Network. The purpose of the EMN 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 asylum and migration, with a view to supporting policy-making in the European Union in these areas. The EMN also serves to provide the general public with such information. It is coordinated by the European Commission, which is assisted by two Service Providers, in cooperation with the National Contact Points (EMN NCPs) from each EU Member State plus Norway. More information on the EMN, including its structure, activities, reports and studies, may be obtained from its website (www.emn.europa.eu).

One of the main objectives of the EMN as outlined in Article 2(1c) of Council Decision 2008/381/EC is to improve the consistency and comparability of information between Member States. The development of a comprehensive glossary that identifies and describes different concepts central to asylum and migration policy in the EU is one of the main activities undertaken by the EMN to achieve this objective.

3. Method and approach followed for developing the EMN Glossary

3.1. Scope of the Glossary

The EMN Glossary is a multilingual and multidisciplinary glossary for terms that are important in the field of asylum and migration. It has a focus on legal concepts deriving from the EU acquis, while at the same time acknowledging different understandings of terms in a more global or national context, or in different disciplines (e.g. demography, sociology, economics). Emphasis is given to terms relating to international protection and refugees, and legal migration, as well as irregular migration and return. In addition, terms that are relevant to asylum and migration, which pertain to fundamental rights, integration, equality and cross-border movement, are also included.

The Glossary includes entries for European institutions, organisations and processes which play a key role in the European migration policy, including bodies contributing to the implementation of the Global Approach to Migration and Mobility – i.e. the external dimension of the EU’s policy on asylum and migration (e.g. Bali Process, Black Sea Synergy).

Throughout the Glossary, wherever there is a reference to a phenomenon (e.g. migration), there is always a reference to the corresponding person (e.g. migrant). To limit redundancy for some terms, preference has been given to the term for either a person or the process, depending on which term is more commonly used. For example, ‘highly qualified migrant’ is a term that is more commonly used than ‘highly qualified migration’.

There are some terms in the Glossary that have been added for the sake of completeness but which are no longer considered to be in current use, e.g. guest worker. In such instances, the rationale is highlighted in the notes.

3.2. Processes followed for updating the Glossary

The Glossary was developed by the EMN’s Glossary and Thesaurus Working Group, which includes representatives from EMN National Contact Points (NCPs) and, in some cases, experts from EMN NCP networks, as well as a representative from the European Commission and the EMN Service Provider. Other experts from different European institutions, such as the European Asylum Support Office (EASO), IATE and the European Union Agency for Fundamental Rights (FRA), also participated on specific issues.

The EMN Glossary reflects – to the greatest extent possible – the most up-to-date developments in the field of asylum and migration, and the understanding of terms and concepts. In this way, the Glossary and Thesaurus Working Group aims to support policy-makers at the cusp of defining new concepts relevant to the field. This published version of the Glossary is accompanied by an online and interactive version that will be regularly updated, and which is available via the EMN website. Readers are invited to suggest new terms and/or definitions for the Glossary, and to comment on existing ones, by contacting the EMN at: HOME-EMN@ec.europa.eu
3.3. Hierarchy of sources for defining terms

As existing definitions in the field of asylum and migration may be vague, controversial or contradictory, and as there are, for many terms, no universally accepted definitions, the Glossary and Thesaurus Working Group established a hierarchy of sources from which definitions should be selected, with definitions given in the EU acquis on asylum and immigration being prioritised above other definitions.

The hierarchy of sources of the definitions was, therefore as follows:

1. EU directives/regulations/decisions and then any definitions given in European Commission communications, particularly those with proposals for directives;

2. other EU entities, including Eurostat, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX), the European Asylum Support Office (EASO), the European Union Agency for Fundamental Rights (FRA), the National Contact Points on Integration, EUROJUST and the European Police Office (EUROPOL);

3. European/international conventions, treaties and protocols (e.g. on smuggling, trafficking and forced labour from the United Nations, the Council of Europe and the International Criminal Court);

4. glossaries developed by international bodies, such as the ILO, IOM, OECD and the United Nations High Commissioner for Refugees (UNHCR);

5. other relevant (EU) projects/entities (e.g. the European Union Observatory on Democracy 8, THESIM 9).

Some of the existing definitions of glossary entries have been modified so as to better reflect the usage of the term in the context of asylum and migration policy in the EU, where this is the case, it is indicated in the 'source' that the definition is 'derived by' the EMN. Likewise, some definitions had to be developed by the working group itself, as they could not be sourced from the references outlined above; in such cases the entry source indicates that the definition was 'developed by' the EMN.

3.4. Definitions

Each EMN glossary definition has been formulated according to the IATE standard, meaning that they can directly replace the term in any given text. For example, the term 'applicant for international protection' can be directly replaced in any text with its definition: ‘third-country national or a stateless person who has made an application for international protection in respect of which a final decision has not yet been taken’. In due course, the EMN glossary terms will also be incorporated into the IATE database.

Some terms are understood differently when they are used in a global context, an EU context or specific legal contexts (e.g. in the context of the Schengen Convention or Dublin Convention). In such cases, the context in which a term should be understood is indicated in the definition.

Terms which have a specific linkage to asylum and migration issues but which can be understood in contexts other than asylum and migration (e.g. access to healthcare, school pupil, student, researcher) are defined specifically for the asylum and migration context. Terms that do not have an obvious link to asylum and migration (e.g. child care, civil war, environmental disaster, economic sector, education, language) have been omitted from the Glossary.

As many definitions are derived from the EU acquis, they are, in most cases, valid for all EU and often for all EEA Member States and Switzerland. Where national definitions deviate from that of the Glossary, this is indicated in the notes.

3.5. Preferred terms and synonyms

Where multiple interchangeable terms (synonyms) were available for a single concept, a ‘preferred term’ was selected and all the other possible terms (including quasi-synonyms and acronyms) were listed as synonyms. In some cases, the synonym is more common in an EU Member State than the ‘preferred term’ – e.g. ‘deportation’ is more commonly used than ‘removal’ in many EU Member States, even though ‘removal’ is the term used in EU legislation. In such cases, an explanatory note has been added to clarify national specificities.

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8 www.eudo-citizenship.eu/databases/citizenship-glossary/glossary
9 Towards Harmonised European Statistics on International Migration (THESIM) – project website available on the website of the Université Catholique de Louvain (UCL): www.uclouvain.be/en-7623.html
4. Format of the EMN Glossary

The development of the Glossary also included agreeing on a common approach with regard to the formatting of the terms and definitions, as outlined in this Section.

4.1. Order of terms

The preferred terms are listed in (English) alphabetical order. Where the term is an expression or compound word (i.e. comprised of more than one word), the entry reflects the ordering of the term in common usage – e.g. economic migration or applicant for international protection. In the previous version of the Glossary, some terms were ordered in such a way that kept the same theme together in the Glossary – e.g. ‘migration (economic)’ and ‘migration (forced)’. The entry for ‘migration (economic)’ in version 2.0 can now be found under ‘economic migration’ in version 3.0. Entries are accessible using the previous alternative word ordering via the index at the back of this Glossary.

4.2. Nominal agreement and gender neutrality in the Glossary

Terms are listed in the singular (not plural) and, to the greatest extent possible, both the terms and their definitions are gender neutral. For consistency with the IATE database, the gender-neutral plural pronouns ‘they’, ‘them’, ‘their’ have been used throughout, even when referring to the singular. While some EU languages employ a gender system of agreement for nouns (e.g. in German, Migrant for a male migrant and Migrantin for a female migrant), for simplicity and for consistency with the EMN Glossary version 2.0 only one gender form of such terms (the most generic) is used for these entries.

4.3. Use of ISO standards for listing EU Member States and EU languages

All reference to EU and EEA Member States (and Switzerland) and their languages, whether in the definition, notes or sub-heading, uses abbreviations according to the country codes of the ISO standard 3166-alpha. All other countries and languages are mentioned in full. It should be noted that the ISO codes for languages often differ from the countries in which they are spoken – i.e. Sweden is ‘SE’ whereas Swedish is ‘SV’, but both France and French are abbreviated to ‘FR’.

4.4. Source of information of notes

Unless indicated to the contrary, all text appearing in the note has the same source as the definition.

4.5. Translations

Whilst the Glossary has been developed in English by the multilingual members of the working group, another aspect, mentioned previously, was the need for translations. One feature of the EMN Glossary is to have translations of the terms into other EU Member State languages plus Norwegian. Version 3.0 contains translations of terms into 22 of the EU’s 24 languages. The translations are, to the greatest possible extent, direct translations of the English term, or otherwise a translation that better reflects the definition given.

For some terms, no translation was available, either because the English term has been borrowed into the language and is more commonly used, or because the term is not used in a national context. In the case of the former (English term preferred), this is indicated under the field for the translation as ‘no usual translation’. In the latter case (where the term is not used at all in a national context), this is indicated by ‘no translation’.

Conversely, some terms have more than one translation available in the national context, depending on whether reference was being made to national law or the EU acquis. In these cases, more translations have been provided, with an indication as to the context (national or EU) in which they are used. In cases where there are no such indications, but more than one translation is given (separated by a ’/’), the translations can be used synonymously.

The acronyms used in the Glossary for the translations refer to the Member State languages. EU Member States having the same nominal language (e.g. AT/DE/LU, BE/FR/LU or BE/NL) are grouped together under the language ‘DE’, ‘FR’ and ‘NL’ and any national deviations from the translation provided are indicated between parentheses – e.g. the term asylum seeker is translated as Asylwerber in Austria (AT), Asylbewerber in Germany (DE) and in the context of the EU acquis, and in Luxembourg (LU), Asylantragsteller. A comma is used to separate synonyms of the translation in the same nominal language.

10 www.iso.org/iso/country_codes.htm

11 All except for Croatian and Danish.

12 Note that when the Norwegian terms differ in the two official versions of written Norwegian, the two terms have been given in the following format ‘...(b) / ...(n)’. 
When there is variation between countries in the translation of a term (e.g. between AT, DE and LU), either the form used in official language versions of EU law is used or where the term is not found in the EU acquis, the most used term is chosen (e.g. used in AT and DE, but not in LU) to avoid there being multiple terms provided per language.

4.6. Relationships between terms

Most of the entries listed in the Glossary list a number of terms related to the preferred term through an equivalence, hierarchical or associative relationship.

- An equivalence relationship is a relationship between two terms that represent the same concept and which are therefore (virtually) interchangeable. In the Glossary, synonyms have an equivalence relationship and are understood to also include terms that may represent a slightly different concept (i.e. quasi-synonyms), as well as acronyms and abbreviations. All synonyms are listed in the index.

- A hierarchical relationship is a relationship between a pair of concepts in which one falls within the scope of the other – see broader term and narrower term. A broader term indicates the relationship between a more generic and a more specific term. For example, ‘economic migrant’ is a broader term of the term ‘labour migrant’, which in turn is the narrower term.

- An associative relationship is a relationship between a pair of concepts that are not related hierarchically but which share a strong semantic or conceptual connection. Such related terms are not related in a hierarchical manner but have an association, which may help users to understand wider contexts and meanings of the terms in which they have an interest.

4.7. References to other terms in the Glossary

Where a preferred term existing and defined elsewhere in the Glossary is used in a particular definition or by an indicated (hierarchical or associative) relationship (see 4.6 above), then this term is indicated in bold the first time it is used in the definition and in the notes. For example, the definition for the term long-term resident is given as ‘A third-country national who has long-term resident status as provided for under Articles 4 to 7 of Council Directive 2003/109/EC; ‘third-country national’ is in bold as it is defined elsewhere in the Glossary.
### absconding

**Definition**
Action by which a person seeks to avoid legal proceedings by not remaining available to the relevant authorities or to the court.

**Source**
Derived by EMN from the definition of ‘risk of absconding’, Art. 3(7) of Directive 2008/115/EC (Return Directive)

#### Narrower term
*risk of absconding*

<table>
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<tr>
<th>Language</th>
<th>Translation</th>
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<td>BG</td>
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<td>CS</td>
<td>skrývání se</td>
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<td>Untertauchen</td>
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<td>éálú s.; éalaitheach a.</td>
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<td>SV</td>
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<td>NO</td>
<td>unddragelse (b) / unndraging (n)</td>
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**Definition**

An expedited procedure to examine an application for international protection which is either already deemed manifestly unfounded, which involves serious national security or public order concerns, or which is a subsequent application.

**Source**

Derived by EMN from the Council of Europe’s Guidelines on human rights protection in the context of accelerated asylum procedures 2009

**Synonyms**

★ accelerated procedure for international protection
★ speedy asylum procedure
★ speedy international protection procedure

**Notes**

1. As per the Committee of Ministers of the Council of Europe’s guidelines on human rights protection in the context of accelerated asylum procedures of 1 July 2009, the procedure derogates from normally applicable procedural timescales and / or procedural guarantees with a view to expediting decision-making. For more information see https://wcd.coe.int/ViewDoc.jsp?id=1469829&Site=CM

2. Directive 2013/32/EU (Recast Asylum Procedures Directive) recognises, in Recital 18 of the Preamble and in Art. 31(2) that it is in the interest of both Member States and applicants for international protection for decisions to be taken as soon as possible. This Directive does not provide for minimum or maximum time limits for taking a decision on applications for international protection nor does it define the term ‘accelerated procedure’. However, Art. 31(2) does make clear that the speed of the asylum procedure may not prejudice ‘an adequate and complete examination’ of the asylum claim.

3. Accelerated procedures must comply with the basic principles and guarantees laid down in Chapter II of Directive 2013/32/EU and may be conducted only in limited cases laid down in Art. 31(8) of the Directive.
**access to healthcare**

**Synonyms**
- healthcare benefits
- medical benefits

**Broader term**
- social protection benefits

**Notes**
1. In EU Member States, the scope of healthcare to which a third-country national has access depends on their residence or employment status. For further information see EMN: Migrants access to social security and healthcare: policies and practice, 2014.


3. Directive 2011/95/EU (Recast Qualification Directive) grants access to adequate healthcare, including treatment of mental disorders when needed, to beneficiaries of international protection under the same eligibility conditions as nationals of the Member State that has granted such protection.

4. Directive 2013/33/EU (Recast Reception Conditions Directive) establishes minimum standards for access to healthcare for applicants of international protection during the asylum procedure. Asylum seekers are entitled to a basic treatment for emergency care and essential treatment of illnesses and of serious mental disorder at no cost in most countries. However, the entitlement of asylum seekers to healthcare services depends on national legislation and varies among Member States. See for example, the EMN: Ad-Hoc Query on System of medical treatment of asylum seekers in Member States.

5. Access to healthcare can be a key factor in the process of decision-making on applications for international protection. Subsidiary protection may apply if the asylum-seeker contends that a return to the country of origin is impossible for health reasons, as the return of a sick person which is often connected with the medical standards in the country of return could constitute a breach of Art. 3 ECHR. Thus case workers have to take into account whether medical treatment is available in the country of origin and whether the available medical treatment would also be (e.g. financially) accessible to the concerned person upon return. For further information see the description of the MedCOI project in the List of projects funded by the European Refugee Fund in 2011.
accommodation centre

**Definition**
A place used for the collective housing of applicants for international protection.

**Source**
Art. 2(i) of Directive 2013/33/EU (Recast Reception Conditions Directive)

**Broader term**
* reception facilities

**Related term**
* reception centre

**Note**
For more information on categories of reception facilities available in EU Member States, see EMN: The Organisation of Reception Facilities for Asylum Seekers in different Member States, 2014.

acculturation

**Definition**
A series of changes in cultural mores (ideas, words, values, norms, behaviour, institutions) resulting from direct and continuous contact and interaction between groups of different cultures, particularly through migratory movements or economic exchange, the media and other channels.

**Source**
Derived by EMN from IOM Glossary on Migration, 2nd ed., 2011 and IOM Glossary on Migration, 1st ed., 2004

**Synonym**
* inculturation

**Narrower terms**
* assimilation
* integration
acquisition of citizenship

**Definition**
Any mode of becoming a national, i.e. by birth or at any time after birth, automatic or non-automatic, based on attribution, declaration, option or application.

**Source**
EUDO Online Glossary on Citizenship and Nationality

**Broader term**
* citizenship

**Narrower term**
* naturalisation

**Related terms**
* ius sanguinis
* ius soli

**Notes**
1. Art. 3(d) of Regulation (EC) No. 862/2007 (Migration Statistics Regulation) refers or relates to the acquisition of citizenship to those persons having their usual residence in the territory of the Member State and having acquired during the reference year the citizenship of the Member State and having formerly held the citizenship of another Member State or a third country or having formerly been a stateless person.

2. One of the possible ways of acquiring citizenship is through naturalisation, which refers more to the decision / administrative process by the relevant authorities for the granting of nationality.
**act of persecution**

**Definition**

In the global context, acts of human rights abuses or other serious harm, often, but not always, with a systematic or repetitive element. In the EU context and within the meaning of Art. 1A of the Geneva Convention of 1951, acts which are:

(a) sufficiently serious by their nature or repetition as to constitute a severe violation of basic human rights, in particular the rights from which derogation cannot be made under Art. 15(2) of the European Convention on Human Rights; or

(b) an accumulation of various measures, including violation of human rights which is sufficiently severe as to affect an individual in a similar manner as mentioned in (a).

**Source**

Global context: UNHCR Master Glossary of Terms
EU context: Art. 9 of Directive 2011/95/EU (Recast Qualification Directive)

**Broader term**

* persecution

**Related terms**

* actor of persecution
* group persecution
* serious harm

**Note**

According to Directive 2011/95/EU (Recast Qualification Directive), acts of persecution can, inter alia, take the form of:

(a) acts of physical or mental violence, including acts of sexual violence;

(b) legal, administrative, police, and / or judicial measures which are in themselves discriminatory or which are implemented in a discriminatory manner;

(c) prosecution or punishment which is disproportionate or discriminatory;

(d) denial of judicial redress resulting in a disproportionate or discriminatory punishment;

(e) prosecution or punishment for refusal to perform military service in a conflict, where performing military service would include crimes or acts falling within the scope of the grounds for exclusion as set out in Art. 12(2);

(f) acts of a gender-specific or child-specific nature.
### actor of persecution

**Definition**

Any person causing **persecution**, such as:

- **(a)** the State;
- **(b)** parties or organisations controlling the State or a substantial part of the territory of the State;
- **(c)** non-State actors, if it can be demonstrated that the actors mentioned in (a) and (b), including international organisations, are unable or unwilling to provide **protection** against persecution or **serious harm** as defined in Art. 7 of **Directive 2011/95/EU** (Qualification Directive).

**Source**

Derived by EMN from Art. 6 of Directive 2011/95/EU (Recast Qualification Directive)

**Broader term**

- **persecution**

**Related terms**

- **act of persecution**
- **group persecution**

### actor of protection

**Definition**

Any person (individual or legal) providing effective and non-temporary protection against **persecution** or **serious harm** – i.e. the State or parties or organisations, including international organisations, controlling the State or a substantial part of the territory of the State provided they are willing and able to offer protection.

**Source**

Derived by EMN from Art. 7 of Directive 2011/95/EC (Recast Qualification Directive)

**Broader term**

- **protection**
adaptation

**Definition**
Process of modifying some or all of one's beliefs and/or attitudes so as to suit new conditions of life.

**Source**
UNHCR International Thesaurus of Refugee Terminology

**Narrower terms**
- economic adaptation
- linguistic adaptation
- occupational adaptation
- school adaptation

**Related term**
- integration

admission onto the territory

**Definition**
The lawful entry of an alien onto the territory of a State after inspection and authorisation by an immigration officer.

**Source**
Derived by EMN from the definition of 'admission' in IOM Glossary on Migration, 2nd ed., 2011

**Broader term**
- legal entry

**Note**
In countries signatory to the Schengen Agreement, only citizens from countries which are not signatory to the Schengen Agreement have to go through the admission process, whereas in non-Schengen countries all non-nationals have to be admitted.
### adoption (of a child)

<table>
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<tr>
<td>NO</td>
<td>adopsjon</td>
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**Definition**
In the context of dependants, the statutory process of terminating legal rights and duties between the child and the natural parents, and substituting similar rights and duties between the child and the adoptive parents.

**Source**
IOM Glossary on Migration, 2nd ed., 2011

**Narrower term**
* adoption of convenience

### adoption (of legal acts)

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<td>antagande</td>
</tr>
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<td>NO</td>
<td>godkjenning</td>
</tr>
</tbody>
</table>

**Definition**
In the context of accords, in public international law, the formal act by which negotiating parties establish the form and content of a treaty. The treaty is adopted through a specific act expressing the will of the states and the international organisations participating in the negotiation of that treaty, e.g. by voting on the text, initialling, signing, etc. Adoption may also be the mechanism used to establish the form and content of amendments to a treaty, or regulations under a treaty.

**Source**
IOM Glossary on Migration, 2nd ed., 2011
# adoption of convenience

**Definition**
An adoption (of a child) contracted for the sole purpose of enabling the person adopted to enter or reside in a Member State.

**Source**

**Broader term**
* adoption (of a child)

**Related terms**
* civil partnership of convenience
* marriage of convenience
* partnership of convenience

---

# adult

**Definition**
Every human being aged 18 years or more unless, under the law applicable to the adult, majority is attained later.

**Source**
Derived by EMN from the definition of ‘child’ in EMN Glossary

**Related terms**
* child
* minor

**Note**
Adulthood can be defined in terms of biology, psychological adult development, law, personal character or social status. For the purposes of this glossary, a more legal definition is used.
**Definition**
A reference network of migration research institutions and governmental entities dealing with migration in the six regions of the Africa Caribbean Pacific (ACP) Group of States, namely West Africa, Central Africa, East Africa, Southern Africa, the Caribbean and the Pacific, designed to produce data on South-South ACP migration flows for civil society and policy-makers, and enhance research capacities in ACP countries through networking and cooperation among organisations.

**Source**
Website of the ACP Observatory on Migration

**Synonyms**
* ACP
* ACP Observatory on Migration

**Related terms**
* European Migration Network
* Global Approach to Migration and Mobility

**Notes**
1. The ACP was established in 2010 on the initiative of the Secretariat of the ACP Group of States, empowered by the International Organization for Migration (IOM) and funded by the European Union with the financial support of CH.

2. Activities are undertaken in 12 pilot countries (Angola, Cameroon, the Democratic Republic of the Congo, Haiti, Kenya, Lesotho, Nigeria, Papua New Guinea, Senegal, Tanzania, Timor-Leste and Tobago).

3. For more information see: [http://www.acpmigration-obs.org/](http://www.acpmigration-obs.org/)
**Definition**
A partnership that provides comprehensive responses to the issues of migration, mobility and employment, in the interest of all partners, with the particular objectives to create more and better jobs for Africa and to better manage migration flows.

**Source**
Website of the Africa-EU Partnership

**Synonyms**
* Africa-EU MME Partnership  
* MME Partnership

**Broader term**
* Africa-EU Partnership

**Related terms**
* Dialogue on Mediterranean Transit Migration  
* Global Approach to Migration and Mobility

**Notes**
1. The MME Partnership was launched during the 2nd Africa-EU Summit of Heads of State and Government in December 2007 in Lisbon, where the Joint EU-Africa Strategy and the First Action Plan (2008-2010) were adopted.

2. The partnership aims to ensure sustainable development and the implementation of relevant international agreements and declarations, relying in particular on the Tripoli Declaration on Migration and Development, the Ouagadougou Action Plan to Combat Trafficking in Human Beings, especially Women and Children and the Ouagadougou Declaration and Plan of Action for Promotion of Employment and Poverty Alleviation.

3. It covers one of the eight areas of cooperation of the Africa-EU (Strategic) Partnership, which is the formal channel through which the European Union and the African Union work together, and which provides the overarching long-term framework for Africa-EU relations.

4. For more information, see: [http://www.africa-eu-partnership.org/](http://www.africa-eu-partnership.org/)
**Definition**
Process by which authorities seek to establish the chronological age, or range of age, of a person in order to determine whether an individual is a child or not.

**Source**
Derived by EMN from EASO: Age assessment practice in Europe, 2013

**Related terms**
* child
* minor

**Notes**
1. Art. 4 (3) of Council Resolution of 26 June 1997 on unaccompanied minors states that in principle, unaccompanied asylum-seekers claiming to be minors must produce evidence of their age. If such evidence is not available or serious doubt persists, Member States may carry out an age assessment. Age assessment should be carried out objectively. For such purposes, Member States may have a medical age-test carried out by qualified medical personnel, with the consent of the minor, a specially appointed adult representative or institution.

2. According to UN Committee on the Rights of the Child, General Comment No. 6, the identification of a child as an unaccompanied and separated child (UASC) includes age assessment, which should take into account physical appearance, but also psychological maturity. The assessment must be conducted in a scientific, safe, child and gender-sensitive and fair manner, avoiding any risk of violation of the physical integrity of the child, giving due respect to human dignity.

3. Age assessment can include a variety of processes or procedures either undertaken singularly or in combination, such as: analysis of documentary evidence, interview, X-ray, physical or other form of medical examination.
**airport transit visa**

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<td>cizinc; cizinc ze třetí země</td>
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<td>Ausländer</td>
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<td>ES</td>
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<tr>
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<td>utlåning</td>
</tr>
<tr>
<td>NO</td>
<td>utlending / utenlandsk borger (b) / utlending / utenlandsk borgar (n)</td>
</tr>
</tbody>
</table>

**Definition**
A visa valid for transit through the international transit areas of one or more airports of the Member States.

**Source**
Art. 2(m) of Regulation (EU) No 604/2013 (Dublin III Regulation)

**Broader term**
* visa

**Related terms**
* long-stay visa
* short-stay visa

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**alien**

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<td>NO</td>
<td>utlending / utenlandsk borger (b) / utlending / utenlandsk borgar (n)</td>
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</table>

**Definition**
In the global context, a person who is not a national (native or citizen) of a given State.
In the EU context, a person who is not a national of a Member State of the European Union.

**Source**
Global context: Derived by EMN from IOM Glossary on Migration, 2nd ed., 2011
EU context: Schengen acquis

**Synonyms**
* foreigner
* non-citizen
* non-national

**Related terms**
* non-EU national
* third-country national

**Note**
The more frequently used term in the EU context is third-country national.
### Definition

Non-custodial measures used to monitor and / or limit the movement of *third-country nationals* in advance of compulsory return or deciding on the individual's right to *remain in the Member State*, such as regular reporting, the surrender of a financial guarantee or *travel documents*, electronic monitoring.

### Source

Derived by EMN from Art. 8(4) of Directive 2013/33/EU (Recast Reception Conditions Directive)

### Related term

* detention

### Notes

1. Alternatives to detention usually provide more favourable (‘less coercive’) conditions for the potential detainee, and may also be more cost-efficient. They are still subject to human rights standards.

2. Reception facilities can be considered an alternative to detention only in cases where the individual concerned has to report regularly to the competent authorities, or if there are residency requirements.

3. For further information see EMN: Use of detention and alternatives to detention in the context of immigration policies, 2014.
**applicant for international protection**

<table>
<thead>
<tr>
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<th>Translation</th>
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<tbody>
<tr>
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<td>кандидат за международна закрила</td>
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<td>Antragsteller auf internationalen Schutz</td>
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<td>prieiglobsčio prašytojas</td>
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<td>pieteikuma iesnedzējs, kas lūdzu starptautisko aizsardzību</td>
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<td>MT</td>
<td>Applikant(a) għall-protezzjoni internazzjinali</td>
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<td>NL</td>
<td>persoon die om internationale bescherming verzoekt</td>
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<td>wnioskodawca o udzielenie ochrony międzynarodownej</td>
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<td>PT</td>
<td>requerente de protecção internacional</td>
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<tr>
<td>RO</td>
<td>solicitant al protectiei internaționale</td>
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<td>SK</td>
<td>žiadateľ o medzinárodnú ochranu (EU acquis)</td>
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<td>SL</td>
<td>prosilec za mednarodno zaščito</td>
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<td>sökande av internationellt skydd</td>
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<tr>
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<td>person som søker om internasjonal beskyttelse (b) / person som søker om internasjonal vern (n)</td>
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**Definition**
A third-country national or a stateless person who has made an application for international protection in respect of which a final decision has not yet been taken.

**Source**
Art. 2(ii) of Directive 2011/95/EU (Recast Qualification Directive)

**Narrower terms**
* asylum seeker
* applicant in need of special procedural guarantees
* applicant with special reception needs
* examination of an application for international protection
* rejected applicant for international protection

**Related terms**
* beneficiary of international protection
* person eligible for subsidiary protection
**applicant in need of special procedural guarantees**

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<th>Translation</th>
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<td>žadatel, který potřebuje zvláštní procesní záruky</td>
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<td>Antragsteller, der besondere Verfahrensgarantien benötigt</td>
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<td>αιτών που χρήζει ειδικών διαδικαστικών εγγυήσεων</td>
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<td>solicitante que necesita garantías procedimentales especiales</td>
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<td>spetsiaalseid menetlustagatise vajav taotieja</td>
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<td>hakija, joka tarvitsee erityisiä menettelyllisiä takeita</td>
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<tr>
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<td>demandeur nécessitant des garanties procédurales spéciales</td>
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<tr>
<td>GA</td>
<td>iarratasóir a bhfuil sainráthaiochtaí nós imeachta de dhíth air</td>
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<td>HU</td>
<td>különleges eljárási garanciákat igénylő kérelmező</td>
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<td>richiedente che necessita di garanzie procedurali particolari</td>
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<td>prašytojas, kuriam reikia specialių procedūrinių garantijų</td>
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<td>pieteikuma iesniedzējs, kuram nepieciešamas ipašas procesuālas garantijas</td>
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<tr>
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<td>Applikant(a) bi htiega / fil-bzonn ta’ garanzji procedurali specjali</td>
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<td>verzoeker die bijzondere procedurele waarborgen behoeft</td>
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<td>solicitant care mecesita garantii procedurale speciale</td>
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<td>žiadateľ, ktorý potrebuje osobitné procesné záruky (EU acquis)</td>
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<td>NO</td>
<td>søker som har behov for særskilt saksbehandlingsprosedyre (b) / søkjar som treng særskild sakshandsningsprosedyre (n)</td>
</tr>
</tbody>
</table>

**Definition**
An applicant whose ability to benefit from the rights and obligations provided for in Directive 2013/32/EU (Recast Asylum Procedures Directive) is limited due to individual circumstances.

**Source**
Art. 2(d) of Directive 2013/32/EU (Recast Asylum Procedures Directive)

**Broader term**
*applicant for international protection*

**Related term**
*applicant with special reception needs*
A **vulnerable person**, in accordance with Art. 21 of Directive 2013/33/EU, who is in need of special guarantees in order to benefit from the rights and obligations provided for in Council Directive 2013/33/EU.

**Source**

Art. 2(k) of Directive 2013/33/EU (Recast Reception Conditions Directive)

**Broader terms**

* applicant for international protection  
* vulnerable person

**Related term**

* applicant in need of special procedural guarantees
**application for asylum**

**Definition**
An application made by a foreigner or a stateless person which can be understood as a request for protection under the Geneva Convention of 1951 or national refugee law.

**Source**
Derived by EMN from the definition in Art. 2 (b) of Council Directive 2003/9/EC (Reception Conditions Directive)

**Synonym**
★ asylum application

**Broader term**
★ application for international protection

**Narrower term**
★ unfounded application for international protection

**Notes**
1. In most Member States this term is understood as a synonym to application for international protection following the adoption of Directive 2011/95/EU (Recast Qualification Directive) and Directive 2013/32/EU (Recast Asylum Procedures Directive). However, UK and IE, which have not adopted the single procedure, continue to use the term ‘application for asylum’ for an application for protection under the Geneva Convention only. In DE the term is still used to include, in addition to the application for international protection according the Qualification Directive, also the application according to the national legislation, Art. 16a Basic Law.

2. Outside EU legislation and in everyday use, the terms ‘asylum application’ and ‘application for asylum’ are often used more frequently than ‘application for international protection’.

3. According to Protocol 29 of TFEU on asylum for nationals of Member States of the European Union (1997), EU Member States shall be regarded as constituting safe countries of origin in respect of each other for all legal and practical purposes in relation to asylum matters. Accordingly, any application for asylum made by a national of a Member State is normally not taken into consideration. In practice, non-EU countries can receive applications for asylum from EU Member States.
**Definition**
A request made by a third-country national or a stateless person for protection from a Member State, who can be understood to seek refugee status or subsidiary protection status, and who does not explicitly request another kind of protection, outside the scope of Directive 2011/95/EU, that can be applied for separately.

**Source**
Art. 2(h) of Directive 2011/95/EU (Recast Qualification Directive)

**Narrower terms**
* application for asylum
* examination of an application for international protection
* subsequent application for international protection
* unfounded application for international protection
* withdrawal of an application for international protection

**Notes**
1. In most Member States this term is understood as a synonym to ‘application for asylum’ following the adoption of Directive 2011/95/EU (Recast Qualification Directive) and Directive 2013/32/EU (Recast Asylum Procedures Directive).

2. In everyday use, the terms ‘asylum application’ and ‘application for asylum’ are often used more frequently than ‘application for international protection’.

3. According to Protocol 29 of TFEU on asylum for nationals of Member States of the European Union (1997), EU Member States shall be regarded as constituting safe countries of origin in respect of each other for all legal and practical purposes in relation to asylum matters. Accordingly, any application for asylum made by a national of a Member State is normally not taken into consideration.
**Apprehension**

**Definition**
In the EU migration context, any legal action by the relevant national authority(ies) to limit the freedom of movement of a third-country national found to be illegally present.

**Source**
Developed by EMN

**Related terms**
* irregular migrant
* third-country national found to be illegally present

**Notes**

1. ASEM was initiated in 1996 in Bangkok.
2. In the political field, areas of common interest include the fight against terrorism or the management of migration flows; discussions on human rights, on the protection of children, and on the impact of globalisation.
3. For more information, see: http://www.aseminfoboard.org/

**Asia–Europe Meeting**

**Definition**
An informal process of dialogue and cooperation bringing together countries of the two regions (27 EU Member States, two other European countries and 20 Asian countries), the European Commission and the Association of Southeast Asian Nations (ASEAN) Secretariat which addresses political, economic and cultural issues, with the objective of strengthening the relationship between the two regions, in a spirit of mutual respect and equal partnership.

**Source**
Website of the ASEM

**Synonym**
* ASEM

**Related term**
* Global Approach to Migration and Mobility

**Notes**

1. ASEM was initiated in 1996 in Bangkok.
2. In the political field, areas of common interest include the fight against terrorism or the management of migration flows; discussions on human rights, on the protection of children, and on the impact of globalisation.
3. For more information, see: http://www.aseminfoboard.org/
assimilation

Definition
The gradual process by which a minority group adopts the patterns of behaviour of a majority group or host society and is eventually absorbed by the majority group / host society.

Source
Malgesini and Giménez: Guía de conceptos sobre migraciones racismo e interculturalidad, 2000

Synonym
★ cultural assimilation

Broader term
★ acculturation

assisted voluntary return

Definition
Voluntary return or voluntary departure supported by logistical, financial and / or other material assistance.

Source
Developed by EMN

Broader terms
★ voluntary departure
★ voluntary return
asylum

Definition
A form of protection given by a State on its territory, based on the principle of non-refoulement and internationally or nationally recognised refugee rights and which is granted to a person who is unable to seek protection in their country of citizenship and/or residence, in particular for fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.

Source
Developed by EMN

Narrower term
* right of asylum

Related term
* international protection

Note
The literal translation of this term in Bulgarian (the word 'убежище') refers to a specific kind of protection which is granted by the President of the Republic of Bulgaria and differs from the protection granted on the basis of the Geneva Convention Relating to the Status of Refugees (1951).
asylum seeker

**Definition**

In the global context, a person who seeks safety from persecution or serious harm in a country other than their own and awaits a decision on the application for refugee status under relevant international and national instruments.

In the EU context, a person who has made an application for protection under the Geneva Convention in respect of which a final decision has not yet been taken.

**Source**

- **Global context:** Derived by EMN from IOM glossary on migration, 2nd ed. 2011
- **EU context:** Derived by EMN from Art. 2(c) of Council Directive 2003/9/EC (Asylum Procedures Directive)

**Synonym**

- asylum applicant

**Broader term**

- applicant for international protection

**Related term**

- refugee

**Notes**

1. This definition generally refers to all who apply for protection on an individual basis, irrespective of whether they lodge their application on arrival at an airport or land border, or from inside the country, and irrespective of whether they entered the territory legally or illegally.

2. In most Member States this term is understood as a synonym to applicant for international protection following the adoption of Directive 2011/95/EU (Recast Qualification Directive) and Directive 2013/32/EC (Recast Asylum Procedures Directive). However, other Member States, such as the UK and IE which have not adopted the single procedure, continue to use the term ‘asylum seeker’ for an applicant who requests protection under the Geneva Convention only. In DE the term is still used to include, in addition to the provisions of Directive 2011/95/EU, those of the national legislation, Art. 16a Basic Law.

3. Outside EU legislation, the terms ‘asylum seeker’ or ‘asylum applicant’ are often used more frequently than ‘applicant for international protection’ in the everyday use of the term.
**Definition**
In the context of the Dublin Regulation, the phenomenon where third-country nationals apply for international protection in more than one Member State with or without having already received international protection in one of those Member States.

**Source**
Derived by EMN from Commission Staff Working Document SEC/2008/2029

**Broader term**
* secondary movement of migrants

**Related term**
* Dublin Regulation

**Notes**
1. The term ‘asylum-shopping’ has no legal definition, but is used in an informal sense and also in Commission Communications. It is often used with a negative connotation, as it implies an abuse of the asylum procedure through the lodging of more than one application for international protection in different Member States (choosing the Member State which may grant the most appealing social, humanitarian and economic standards).

2. A second meaning understands asylum shopping as a comparison and selection of one asylum rule among several (see European University Institute: the Development of the EU Asylum Policy: Revisiting the Venue-shopping Argument).

3. Commission Staff Working Document SEC/2008/2029 provides not only some examples of what ‘asylum shopping’ means but also an assessment of the impacts of the Dublin system (which comprises the Dublin Regulation and Eurodac Regulation and their implementing regulations).
**au pair**

| **BG** | детегледачка |
| **CS** | au pair |
| **DE** | Au-pair |
| **EL** | εσωτερικός άμισθος βοηθός (au pair) |
| **ES** | au pair |
| **ET** | au pair lapsehoidja |
| **FI** | au pair |
| **FR** | au pair |
| **GA** | au pair |
| **HU** | au pair |
| **IT** | persona collocata alla pari |
| **LT** | au pair aukle |
| **LV** | viesaukle |
| **MT** | au pair |
| **NL** | au pair |
| **PL** | au pair |
| **PT** | au pair |
| **RO** | lucrator „au pair“ |
| **SK** | au pair / au-pair |
| **SL** | varuška |
| **SV** | au pair |
| **NO** | au pair |

**Definition**

A third-country national who is temporarily received by a family in the territory of a Member State in exchange for light housework and taking care of children in order to improve their linguistic skills and knowledge of the host country.

**Source**

Art. 2(i) of Proposal for a Directive on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing, COM(2013) 151 final
**Bali Process**

**Definition**
An international forum dealing with smuggling of migrants and trafficking in human beings, participated in by over 50 countries in the Asia-Pacific region and beyond.

**Source**
Website of the Bali Process

**Synonym**
★ Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime

**Related terms**
★ Global Approach to Migration and Mobility
★ smuggling of migrants
★ trafficking in human beings

**Notes**
1. The Bali Process was established through a framework agreement that was initiated at the Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime’ held in Bali, Indonesia in February 2002.

2. It aims to facilitate discussion and information sharing about issues relating to people smuggling, human trafficking, and related transnational crime and appropriate responses to these issues.

3. For more information, see: http://www.baliprocess.net/
beneficiary of international protection

Definition
A person who has been granted refugee status or subsidiary protection status.

Source
Art. 2(b) of Directive 2011/95/EU (Recast Qualification Directive)

Narrower terms
★ Convention refugee ★ person eligible for subsidiary protection

Related terms
★ applicant for international protection ★ person eligible for subsidiary protection

biometric data

Definition
Data relating to the physical, physiological or behavioural characteristics of an individual which allow their unique identification, such as facial images or dactyloscopic data.

Source
Art. 2(11) of Proposal for a Directive on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data – COM(2012) 10 final

Synonym
★ biometrics
**Black Sea Synergy**

**Definition**
An institutionalised forum for EU cooperation encouraging cooperation between the EU and the countries surrounding the Black Sea and for tackling common problems while encouraging political and economic reform.

**Source**
Website of the Black Sea Synergy

**Broader term**
*European Neighbourhood Policy*

**Related terms**
*Eastern Partnership*  
*Euro-Mediterranean Partnership*

**Notes**
1. The Black Sea Synergy is part of the European Neighbourhood Policy (ENP) of the EU and is intended as a flexible framework complementing existing EU policy, seeking to tackle the significant opportunities and challenges in the Black Sea area that require coordinated action at the regional level in the sectors such as energy, transport, environment, movement and security.

2. A conference between EU and Black Sea Foreign Affairs Ministers in Kiev (Ukraine) in 2008 initiated the synergy.

**border area**

**Definition**
An area that extends no more than 30 kilometres from the border.

**Source**
Art. 3(2) of Regulation (EC) No 1931/2006 (Local Border Traffic Regulation)

**Related terms**
* border resident
* local border traffic

**Note**
Subsequent to Art. 3(2) of Regulation (EC) No 1931/2006 (Local Border Traffic Regulation), a Member State may specify the local administrative districts that are to be considered part of 'the border area' in a bilateral agreements with its neighbour- ing third country(s). If part of any such district lies between 30 and 50 kilometres from the border line, it shall nevertheless be considered as part of the border area.

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**border control**

**Definition**
The activity carried out at a border, in accordance with and for the purposes of Regulation (EC) No 562/2006 (Schengen Borders Code), in response exclusively to an intention to cross or the act of crossing that border, regardless of any other consideration, consisting of border checks and border surveillance.

**Source**
Art. 2(9) of Council Regulation (EC) No 562/2006 (Schengen Borders Code)

**Related terms**
* European Border Surveillance System
* external EU border
* internal EU border
* irregular entry
* legal entry
* refusal of entry
* Schengen Borders Code
**border crossing**

**Definition**
The physical act of crossing a border either at a border crossing point or another point along the border.

**Source**
Developed by EMN

**Narrower term**
* border crossing point

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**border crossing point**

**Source**
Any crossing point authorised by the competent authorities for the crossing of external EU borders.

**Source**
Art. 2(8) of Regulation No 562/2006 (Schengen Borders Code)

**Broader term**
* border crossing
**border resident**

**Definition**
In the EU migration context, a *third-country national* who has been lawfully resident in the *border area* of a country neighbouring a Member State for a period specified in a bilateral agreement between a Member State(s) and neighbouring *third country*, which shall be at least one year.

**Source**
Art. 3(6) of Council Regulation (EC) No 1931/2006 (Local Border Traffic Regulation)

**Related terms**
- border area
- frontier worker
- local border traffic

**brain circulation**

**Definition**
The possibility for developing countries to draw on the skills, know-how and other forms of experience gained by their *migrants* – whether they have returned to their *country of origin* or not – and members of their *diaspora*.

**Source**
Annex 5 of Communication on Migration and Development, COM(2005) 390

**Related terms**
- brain drain
- brain gain
- brain waste
- circular migration
brain drain

**Definition**
The loss suffered by a country as a result of the **emigration** of a (highly) qualified person.

**Source**
ILO Thesaurus, 6th ed., 2008

**Related terms**
- brain gain
- brain waste
- brain circulation
- circular migration

**Note**
This can apply to, for example, a EU Member State receiving a **highly qualified migrant**, as well as a third-country national returning to their **country of origin**.

---

brain gain

**Definition**
The benefit to a country as a result of the **immigration** of a highly qualified person.

**Source**
Derived by EMN from the definition of ‘brain drain’ in the EMN Glossary

**Synonym**
reverse brain drain

**Related terms**
- brain drain
- brain waste
- brain circulation
- circular migration

**Note**
This can apply to, for example, a EU Member State receiving a highly qualified migrant, as well as a third-country national returning to their country of origin.
### Definition

The non-recognition of the skills (and qualifications) acquired by a migrant outside of the EU, which prevents them from fully using their potential.

### Source

Derived by EMN from Footnote 28 of Communication on Migration and Development, COM(2005) 390 final

### Related terms

- brain drain
- brain gain
- brain circulation

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<th>Translation</th>
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<td>DE</td>
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Budapest Process

**Definition**
A consultative forum of more than 50 governments from the wider European region and ten international organisations, which aims to promote good governance in the field of migration, to develop comprehensive and sustainable systems for orderly migration and to exchange information and best practices on a wide range of migration issues (legal migration, irregular migration, asylum, visa, border management, trafficking in human beings and smuggling of migrants, readmission and return).

**Source**
Derived by the EMN from the page describing Budapest Process of the Website of ICMPD and the website of the Budapest Process

**Related term**
*Global Approach to Migration and Mobility*

**Notes**
1. The Budapest Process was initiated by DE in 1991.

2. Through this dialogue, the Process promotes a harmonised approach in dealing with irregular migration challenges and support for the transfer and common understanding of migration concepts and policies.

3. For more information see the website of the Budapest Process: http://www.budapestprocess.org/
burden of proof

**Definition**

In the global context, a party's duty to prove a disputed assertion or charge.

In the migration context, the duty of a non-national seeking entry into a foreign State to prove that they are entitled to enter and not inadmissible under the laws of that State.

In the context of refugee status determination procedures, the duty of the applicant to establish their case, to produce evidence that they have a well-founded fear of persecution.

**Source**

Derived by EMN from the IOM Glossary on Migration, 2nd ed., 2011

**Notes**

1. In refugee status determination procedures, it is the applicant who has the burden of establishing the veracity of their allegations and the accuracy of the facts on which the refugee claim is based. The burden of proof is discharged by the applicant rendering a truthful account of facts relevant to the claim so that, based on the facts, a proper decision may be reached.

2. For further information see UNHCR: Note on Burden and Standard of Proof in Refugee Claims, 16 December 1998.
**Definition**
In relation to conveyance (or transport), the owner or charterer of the conveyance.

**Source**
IOM Glossary on Migration, 2nd. ed., 2011

**Notes**
1. A carrier usually refers to an airline, bus or rail company, or cruise line. Under the laws of some States, the term includes any owner of a means of conveyance, which carries a person onto its territory.

2. The definition given in Art. 2(a) of Council Directive 2004/82/EC (API Directive) is more restrictive in that it refers explicitly to passenger transport by air and there is uncertainty as to what ‘any natural or legal person’ actually refers to, e.g. if this is the owner of the company only.
case worker in procedures for international protection

**Definition**
Personnel of the determining authority responsible for examining and assessing an application for international protection and competent to take a decision at first instance in such a case.

**Source**
Derived by EMN from the definition of ‘decision maker’ in UNHCR: Beyond Proof – Credibility Assessment in EU Asylum Systems, 2013

**Synonyms**
★ asylum case worker  
★ asylum determination officer  
★ case officer  
★ case worker  
★ decision-maker

**Related term**
★ determining authority

**Note**
This term specifically refers to persons examining and assessing applications for international protection. There are other types of case workers i.e. for processing visa applications, which are not explicitly mentioned in the glossary with an extra term.
Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration

**Definition**
A body assisting the EU Member States in effectively studying legal immigration so as to prevent illegal immigration and unlawful residence, in effectively combating immigration crime, in better detecting forged documents and in improving expulsion practice.

**Source**
Council Conclusions of 30 November 1994

**Synonym**
★ CIREFI

**Related term**
★ European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

**Notes**
1. CIREFI started its work on 1 January 1995 based on the Council conclusions of 30 November 1994.

2. In December 2009, as a consequence of the entry into force of the Lisbon Treaty, COREPER decided to abolish CIREFI and to transfer its functions to FRONTEX.
chain migration

Definition
The practice where those who have settled on a family reuni-
ification basis can themselves sponsor further family mem-
bers, consistent with European Convention on Human Rights
(ECHR) obligations.

Source
EMN: Family Reunification Study, 2008

Related terms
★ family formation
★ family migration
★ family reunification
★ right to family life
★ right to family unity

Notes
1. Originally chain migration refers to a process in which initial
movements of migrants lead to further movements from the
same area to the same area. In a chain migration system, indi-
vidual members of a community migrate and then encourage
or assist further movements of migration (see Migration, Citiz-
enship, Education Glossary).

2. Chain migration may also be based on ethnic or family ties
with members of the same family migrating at different times,
usually with primary wage earners migrating first, followed
by secondary or non-wage earners. In countries with more
or less liberal regulations on the rights of migrants to family
reunification usually in accordance with international conven-
tions, family reunification as an incidence of chain migration
explains much of the growth in the total migrant population.
**Charter of Fundamental Rights of the European Union**

**Definition**
The formal EU document which combines and declares all the values and fundamental rights of individuals (economic and social as well as civil and political) to which Member States are obliged.

**Source**
Derived by EMN from the European Charter of Fundamental Rights

**Related terms**
- European Convention on Human Rights
- European Union Agency for Fundamental Rights
- human rights

**Notes**
1. The Charter was proclaimed in December 2000 and became binding in December 2009 when the Lisbon Treaty came into force.

2. The Charter does not establish new rights, but assembles existing rights that were previously scattered over a range of international sources and thus makes them more visible. The Charter reaffirms, with due regard for the powers and tasks of the Union and for the principle of subsidiarity, the rights as they result, in particular, from the constitutional traditions and international obligations common to the Member States, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Social Charters adopted by the Union and by the Council of Europe and the case-law of the Court of Justice of the European Union and of the European Court of Human Rights.

3. For more information, see: http://www.europarl.europa.eu/charter/pdf/text_en.pdf
**child**

**Definition**
Every human being below the age of 18 years, unless under the law applicable to the child, majority is attained earlier.

**Source**
Art. 1 of UN Convention on the Rights of the Child

**Narrower term**
* child labour

**Related terms**
* adult
* age assessment
* minor

**Notes**
1. There is still no concrete, consistent definition of ‘child’ under EU law. The Lisbon Treaty introduced an objective for the EU to promote children’s rights. Moreover the Charter of Fundamental Rights of the European Union guarantees the protection of children’s rights by EU institutions, as well as by EU countries when they implement EU law. For further information, see the webpage of the DG Justice on the Rights of the Child and Fundamental Rights Agency: Developing indicators for the protection, respect and promotion of the rights of the child in the European Union, March 2009.

2. The term should be used to describe relationship with other family members. When referring to an individual and in a more legal context, the term minor should be used.
**Definition**
Any work performed by a child which deprives them of their childhood, their potential and their dignity, and that is harmful to their physical and mental development.

**Source**
Webpage of the ILO International Programme on the Elimination of Child Labour (IPEC)

**Broader term**
* child

**Related term**
* forced labour

**Notes**
1. The definition does allow for a child to work (e.g. in a shop outside school hours) as long as it does not conflict with the above. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children and interferes with their schooling by:
   - depriving them of the opportunity to attend school;
   - obliging them to leave school prematurely; or
   - requiring them to attempt to combine school attendance with excessively long and heavy work.

2. The ILO Convention No 138 specifies 15 years as the age above which, in normal circumstances, a person may participate in economic activity. According to Art. 32 of the Charter of Fundamentals Rights of the European Union, the employment of children is prohibited. The minimum age of admission to employment may not be lower than the minimum school-leaving age, without prejudice to such rules as may be more favourable to young people and except for limited derogations.

3. Not all work done by children should be classified as child labour that is to be targeted for elimination. The ILO distinguishes between ‘child work’ and ‘child labour’, the latter being used to describe the more pejorative part of ‘child work’, whereas ‘child work’ in itself could include doing light household chores and, as long as it does not affect their health and personal development or interfere with their schooling, can actually have some learning value.
circular migration

Definition
A repetition of legal migration by the same person between two or more countries.

Source
Communication on Circular Migration and Mobility Partnerships, COM(2007) 248 final

Related terms
* brain drain
* brain gain
* brain circulation
* contract migrant worker
* diaspora
* mobility partnership
* seasonal worker

Notes
The two main forms of circular migration which could be most relevant in the EU context are:

(a) Circular migration of third-country nationals settled in the EU

This category of circular migration gives people the opportunity to engage in an activity (business, professional, voluntary or other) in their country of origin while retaining their main residence in one of the Member States. This covers various groups, e.g.:

- business persons working in the EU and wishing to start an activity in their country of origin (or in another third country); and

- doctors, professors or other professionals willing to support their country of origin by conducting part of their professional activity there.

(b) Circular migration of persons residing in a third country

Circular migration could create an opportunity for persons residing in a third country to come to the EU temporarily for work, study, training or a combination of these, on the condition that, at the end of the period for which they were granted entry, they must re-establish their main residence and their main activity in their country of origin. Circularity can be enhanced by giving migrants the possibility, once they have returned, to retain some form of privileged mobility to and from the Member States where they were formerly residing, for example in the form of simplified admission / re-entry procedures.

This category covers a wide array of situations, spanning the whole spectrum of migrants, including:

- third-country nationals wishing to work temporarily in the EU, e.g. in seasonal employment;

- third-country nationals wishing to study or train in Europe before returning to their country;

- third-country nationals who, after having completed their studies, wish to be employed in the EU (e.g. as trainees) to acquire professional experience which is difficult to obtain at home, before returning;

- third-country researchers wishing to carry out a research project in the EU;

- third-country nationals, who wish to take part in intercultural people-to-people exchanges and other activities in the field of culture, active citizenship, education and youth (such as, for example, training courses, seminars, events, study visits);

- third-country nationals who wish to carry out an unremunerated voluntary service pursuing objectives of general interest in the EU.
citizenship

**Definition**
The particular legal bond between an individual and their State, acquired by birth or naturalisation, whether by declaration, choice, marriage or other means according to national legislation.

**Source**
Art. 2(d) of Regulation (EC) No 862/2007 (Migration Statistics Regulation)

**Synonym**
★ nationality

**Narrower terms**
★ acquisition of citizenship
★ dual citizenship
★ loss of citizenship
★ union citizen

**Related terms**
★ country of nationality
★ ethnic nationality

**Notes**
1. Whilst in some Member States a distinction is made between citizenship and nationality, in the EU context and for the purpose of this glossary, no distinction is made and the two terms are considered to be interchangeable. In countries which distinguish between citizenship and nationality, the term citizenship refers specifically to the legal rights and duties of nationals. The European Convention on Nationality, the International Organisation for Migration (IOM) Glossary and the EUDO Glossary on Citizenship and Nationality prefer the term ‘nationality’.

2. According to Art. 1 of the Hague Convention on Certain Questions Relating to the Conflict of Nationality Law, 1930, it is for each State to determine under its own laws who are its nationals.

3. The tie of nationality confers individual rights and imposes obligations that a State reserves for its population. Nationality carries with it certain consequences as regards migration, such as the right of a State to protect its nationals against violations of their individual rights committed by foreign authorities (particularly by means of diplomatic protection), the duty to accept its nationals onto its territory, and the prohibition to expel them.
civil partnership of convenience

**Definition**
A civil partnership contracted for the sole purpose of enabling the person concerned to enter or reside in a Member State.

**Source**
Derived by EMN from the definition for ‘partnership’ in Art. 16(2b) of Council Directive 2003/86/EC (Family Reunification Directive)

**Related terms**
* adoption of convenience
* false declaration of parenthood
* marriage of convenience
* partnership of convenience
**Definition**
A person who leaves their country to escape from the effects of armed conflicts (direct effects of fighting, assaults of combat troops, displacements etc.).

**Source**
Derived by EMN from the definitions for ‘refugee’, ‘person eligible for subsidiary protection’ and ‘temporary protection’ in the EMN Glossary

**Related terms**
★ de facto refugee
★ displaced person
★ person eligible for subsidiary protection
★ subsidiary protection
★ temporary protection

**Notes**
1. In accordance with the EU acquis (notably Directive 2011/95/EU), such a person could be granted refugee status or subsidiary protection status, depending on the grounds on which their application is based (i.e. depending on whether they were compelled to leave as a result of fear of persecution linked to a Convention ground for persecution or serious harm in the context of indiscriminate violence).

2. If there is a mass influx to the EU of such persons who have been displaced, they may also be eligible for temporary protection in accordance with Council Directive 2001/55/EC (Temporary Protection Directive).
Committee on Immigration and Asylum

**Definition**
A European Commission-led expert group aimed at facilitating an informal exchange of views between Member State administrations and the Commission services on political and legal issues related to migration, border and asylum.

**Source**
Developed by EMN

**Synonyms**
* CIA
* Immigration and Asylum Committee

**Notes**
1. Frequently the CIA discusses upcoming legislative or other proposals in order to ‘measure the temperature’ of Member State feelings before submitting a formal Commission proposal.

2. The CIA is also used as a forum for collecting information on the situation in Member States (via questionnaires) on selected policy-relevant issues and where the Commission can report to Member States on its activities.

3. Participants from Member States are nominated on an ad-hoc basis; normally both ‘generalists’ from the Permanent Representations and ‘specialists’ from the capitals are present. Non-governmental organisations (NGOs) and international organisations such as UNHCR or IOM are sometimes invited to join discussions of the CIA as active observers.

4. For more information, see: http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupId=598&NewSearch=1&NewSearch=1
Common Basic Principles

**Definition**
In the context of EU integration policy, a set of 11 simple, non-binding but thoughtful guidelines intended to assist Member States in formulating their integration policies.

**Source**
Derived by the EMN from the European Website on Integration and JHA Council Conclusions of 19 November 2004.

**Synonym**
- Common Basic Principles for immigrant integration policy

**Broader term**
- integration

**Related terms**
- host society
- National Contact Points on Integration

**Notes**
1. The Common Basic Principles for Immigrant Integration Policy in the EU were adopted by the Justice and Home Affairs Council in November 2004 and form the foundations of EU initiatives in the field of integration.

2. The Common Basic Principles offer a guide for Member States against which they can judge and assess their own efforts. They can also use these basic principles to set priorities and further develop their own measurable goals. The principles are relevant both for Member States with considerable experience of substantial immigration as well as for those that have more recently become destinations for significant numbers of immigrants.

Definition
A framework of agreed rules which establish common procedures for international protection and a uniform status for those who are granted refugee status or subsidiary protection based on the full and inclusive application of the Geneva Convention and which aims to ensure fair and humane treatment of applicants for international protection, to harmonise asylum systems in the EU and reduce the differences between Member States on the basis of binding legislation, as well as to strengthen practical cooperation between national asylum administrations and the external dimension of asylum.

Source
Derived by EMN from Art. 78 of TFEU

Synonym
* CEAS

Related terms
* EURASIL
* European Asylum Support Office
* minimum standards
* Lisbon Treaty

Notes
According to Art. 78 of Treaty of the Functioning of the European Union, the Common European Asylum System shall comprise:

(a) a uniform status of asylum for nationals of third countries, valid throughout the Union;

(b) a uniform status of subsidiary protection for nationals of third countries who, without obtaining European asylum, are in need of international protection;

(c) a common system of temporary protection for displaced persons in the event of a massive inflow;

(d) common procedures for the granting and withdrawing of uniform asylum or subsidiary protection status;

(e) criteria and mechanisms for determining which Member State is responsible for considering an application for asylum or subsidiary protection;

(f) standards concerning the conditions for the reception of applicants for asylum or subsidiary protection;

(g) partnership and cooperation with third countries for the purpose of managing inflows of people applying for asylum or subsidiary or temporary protection.
Compulsory Return

**Definition**
In the global context, obligatory return of an individual to the country of origin, transit or third country (i.e. country of return), on the basis of an administrative or judicial act.

In the EU context, the process of going back – whether in voluntary or enforced compliance with an obligation to return – to:
- one’s country of origin;
- a country of transit in accordance with EU or bilateral readmission agreements or other arrangements; or
- another third country, to which the third-country national concerned voluntarily decides to return and in which they will be accepted.

**Source**
Global context: Derived by EMN from the definition of ‘forced return’ in the IOM Glossary on Migration, 2nd ed., 2011
EU context: Art. 3(3) of Directive 2008/115/EC (Return Directive)

**Synonym**
★ forced return

**Broader term**
★ return

**Narrower terms**
★ removal
★ voluntary departure

**Related terms**
★ refoulement
★ voluntary return

**Notes**
1. Compulsory return is understood as return which occurs once a return decision has been issued. Art. 3(3) of Directive 2008/115/EC (Return Directive) calls this ‘return’ (not ‘compulsory return’) but so as to avoid confusion with the return of migrants based on their free will and without any direction from the State, we have named ‘return’ when occurring in compliance with a return decision, ‘compulsory return’.

2. Outside of EU legislation the term ‘forced return’ is more commonly used and understood as a synonym with ‘compulsory return’ – i.e. return which occurs in compliance with a return decision.
**contract migrant worker**

| BG | работник мигрант на трудов договор |
| CS | smluvní pracovní pohyb |
| DE | Vertragsarbeiter |
| EL | μισθωτός μετανάστης εργαζόμενος / Εργατικός Μετανάστης |
| ES | No translation |
| ET | lepinguline võõrtöötaja |
| FI | maahanmuuttaja, jolla on rajoitettu työnteko-oikeus |
| FR | travailleur migrant sous contrat |
| GA | oibrí imirceach ar connaigh |
| HU | szerződéssel rendelkező / szerződéses migráns munkavállaló |
| IT | lavoratore migrante a contratto |
| LT | migrantas darbuotojas pagal sutartį |
| LV | līgumdarbinieks migrants |
| MT | Migrant ħaddiem b’kuntratt tax-xogħol |
| NL | buitenlandse contractarbeider |
| PL | migrant / pracownik kontraktowy |
| PT | trabalhador migrante por conta de outrem |
| RO | lucrător migrant cu contract |
| SK | pracujúci migrant so zmluvou na dobu určitú |
| SL | pogodbeni delavec migrant |
| SV | no translation |
| NO | migrant med begrønsæt arbeidsavtale (b) / migrant med avgrensa arbeidsavtale (n) |

**Definition**
Person working in a country other than their own under contractual arrangements that set limits on the period of employment and on the specific job held by the migrant.

**Synonym**
* contract worker

**Source**
OECD Glossary of Statistical Terms

**Broader term**
* migrant worker

**Related terms**
* circular migration
* seasonal worker

**Notes**
1. Contract migrant workers cannot change jobs without permission granted by the authorities of the receiving state.
2. This full term is not commonly used; ‘contract worker’, which does not necessarily apply to migrants only, is more common.
Convention grounds for persecution

**Definition**
The five enumerated grounds listed in Art. 1A(2) of the *Geneva Refugee Convention of 1951*: race, religion, nationality, membershlp of a particular social group or political opinion which must be the reason for persecution.

**Source**
Derived by EMN from Art. 1A(2) of the Geneva Refugee Convention of 1951

**Synonyms**
* grounds for persecution  
* reasons for persecution

**Broader term**
* persecution

**Related terms**
* refugee

**Notes**
1. Not every person who is outside their own country and has a well-founded fear of persecution is a Convention refugee. One of the conditions for qualification for refugee status within the meaning of Art. 1(A) of the Geneva Convention is the existence of a causal link between the reasons for persecution, namely race, religion, nationality, political opinion or membership of a particular social group, and the acts of persecution or the absence of protection against such acts. Persecution based on any other ground will not be considered. The risk of being persecuted may sometimes arise in circumstances where two or more Convention grounds combine in the same person, in which case the combination of such grounds defines the causal connection to the well-founded fear of being persecuted.

2. The following definitions come into play when States attempt to determine who is and who is not a refugee:

- race is used in the broadest sense and includes ethnic and social groups of common descent;

- religion also has a broad meaning, including identification with a group that tends to share common traditions or beliefs, as well as the active practice of religion;

- nationality includes an individual’s citizenship. Persecution of ethnic, linguistic and cultural groups within a population also may be termed persecution based on nationality;

- a particular social group refers to people who share a similar background, habits or social status. This category often overlaps with persecution based on one of the other four grounds. It has applied to families of capitalists, landowners, homosexuals, entrepreneurs and former members of the military;

- political opinion refers to ideas not tolerated by the authorities, including opinions critical of government policies and methods. It includes opinions attributed to individuals even if the individual does not in fact hold that opinion. Individuals who conceal their political opinions until after they have fled their countries may qualify for refugee status if they can show that their views are likely to subject them to persecution if they return home.
Convention refugee

**Definition**
Person recognised as a refugee by States under the criteria in Art. 1A of the Geneva Convention of 1951, and entitled to the enjoyment of a variety of rights under that Convention.

**Source**
UNHCR International Thesaurus of Refugee Terminology

**Synonym**
* recognised refugee

**Broader terms**
* beneficiary of international protection
* refugee

**Related terms**
* mandate refugee
* refugee status
* relocation
Cooperation Platform on Migration and Development

**Definition**
A concept in the framework of the **Global Approach to Migration and Mobility** whichs bring together migration and development actors in a country or region to manage migration more effectively, in the interests of all, along specific migratory routes.

**Source**

**Synonym**
- cooperation platform

**Broader term**
- **Global Approach to Migration and Mobility**

**Related terms**
- **Global Forum on Migration and Development**
- **migration profile**
- **migration routes initiative**
- **mobility partnership**

**Notes**
1. This concept was proposed in the **2006 Communication on the Global Approach (COM(2006) 735)** and endorsed by the December 2006 European Council.

2. Such platforms bring together representatives of the country or countries concerned with Member States, the Commission and international organisations.
Cotonou Agreement

**Definition**
The Partnership Agreement between the members of the African, Caribbean and Pacific (ACP) Group of States of the one part and the European Union and its Member States of the other part, in order to promote and expedite the economic, cultural and social development of the ACP States, with a view to contributing to peace and security and to promoting a stable and democratic political environment.

**Source**
Cotonou Agreement

**Synonyms**
★ ACP-EC Partnership Agreement
★ Cotonou Partnership Agreement

**Related terms**
★ Global Approach to Migration and Mobility
★ Global Forum on Migration and Development

**Notes**
1. The Cotonou Agreement is the most comprehensive Partnership Agreement between developing countries and the EU. It was signed on 23 June 2000 in Cotonou, Benin as a global agreement, introducing important changes and ambitious objectives while preserving the ‘acquis’ of 25 years of ACP-EC cooperation. It was revised in Luxembourg on 25 June 2005.

2. Art. 13 of this agreement refers to the issue of migration which shall be the subject of in-depth dialogue in the framework of the ACP-EU Partnership.

3. For more information, see the description of the Agreement on the EuropeAid website: [https://ec.europa.eu/europeaid/regions/african-caribbean-and-pacific-acp-region/cotonou-agreement_en](https://ec.europa.eu/europeaid/regions/african-caribbean-and-pacific-acp-region/cotonou-agreement_en)
country of birth

Definition
The country of residence (in its current borders, if the information is available) of the mother at the time of the birth or, in default, the country (in its current borders, if the information is available) in which the birth took place.

Source
Art.2 (e) of Regulation (EC) No 862/2007 (Migration Statistics Regulation)

Related terms
★ country of nationality
★ country of origin

country of destination

Definition
The country that is a destination for migration flows (regular or irregular).

Source
IOM Glossary on Migration, 2nd. ed. 2011

Related terms
★ country of origin
★ country of transit
### country of nationality

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<td>Χώρα της ιθαγένειας</td>
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<td>пiлietybės valstybė</td>
<td>пилонiбас валстс</td>
<td>Пајзж тан-нацьоналіта</td>
<td>land waarvan iemand onderdaan is (syn: land waarvan iemand het staatsburgerschap heeft)</td>
<td>państwo, którego obywatelem jest cudzoziemiec</td>
<td>paíes de nacionalidade</td>
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<td>кра́йна Штátнеho обчйнщта / кра́йна Штатнєй прислюсністї</td>
<td>држава катере осеба јe држављан</td>
<td>medborgarskapsland</td>
<td>stатsбorgersкапskлand (b) / статsбorgersкапskлand (н)</td>
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**Definition**
The country (or countries) of which a person holds citizenship.

**Source**
Developed by EMN

**Synonym**
* state of nationality

**Related terms**
* citizenship  
* country of birth  
* country of origin

**Notes**
1. A person may have a different country of nationality from their country of origin and / or country of birth owing, for example, to the acquisition of citizenship in a country different from their country of birth.
2. In some Member States, this term is used in the context of return.

### country of origin

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<td>pays d'origine</td>
<td>ти́р ихьонськнëм</td>
<td>származási ország</td>
<td>paese di origine</td>
<td>кілмес валстыбë</td>
<td>изцельсмс валстс</td>
<td>Па́йжз тал-ори́гини</td>
<td>land van herkomst</td>
<td>пайра юхочёнзя</td>
<td>па́йс де врежым</td>
<td>та́ра де де врежёна</td>
<td>кра́йна пóвду</td>
<td>држава држава</td>
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</table>

**Definition**
The country of nationality or, for stateless persons, of former habitual residence.

**Source**
Art. 2(n) of Directive 2011/95/EU (Recast Qualification Directive)

**Narrower terms**
* country of origin information  
* safe country of origin

**Related terms**
* country of birth  
* country of nationality  
* country of return

**Note**
A person may have more than one country of origin.
Definition
Information used by the Member States authorities to analyse the socio-political situation in countries of origin of applicants for international protection (and, where necessary, in countries through which they have transited) in the assessment, carried out on an individual basis, of an application for international protection.

Source

Synonyms
★ COI
★ country information

Broader term
★ country of origin

Related term
★ European Asylum Support Office

Notes
1. All relevant facts as they relate to the country of origin at the time of taking a decision on the application are used. The relevant facts are obtained from various sources, such as the European Asylum Support Office (EASO), UNHCR and relevant international human rights organisations, general public sources such as reports from (inter)national organisations, governmental and non-governmental organisations, media, bi-lateral contacts in countries of origin, embassy reports including the laws and regulations of the country of origin and the manner in which they are applied.

2. The information used by the Member States authorities is made available to the personnel responsible for examining applications and taking decisions.

3. This information is also used inter alia for taking decisions on other migration issues, e.g. on return, as well as by researchers.

4. According to Art. 4 of Council Regulation (EU) No 439/2010, EASO has taken over responsibility for collecting, preparing, analysing and disseminating this information. For more information, see the website of EASO: http://easo.europa.eu
In the EU context, a third country to which a third-country national returns.

**Source**
EMN: Return migration, 2007

**Related terms**
- country of origin
- country of transit

**Notes**
1. This is not defined in legal terms.

2. In most cases, it is the country of origin to which a return is made, but this definition is used here in order to indicate other (possible) destinations, e.g. country of transit or another third country.
COUNTRY OF TRANSIT

**Definition**
The country through which migration flows (regular or irregular) move; this means the country (or countries), different from the country of origin, which a migrant passes through in order to enter a country of destination.

**Source**
IOM Glossary on Migration, 2nd ed. 2011

**Related terms**
- country of destination
- country of origin
- country of return

CREDIBILITY ASSESSMENT

**Definition**
The process of gathering relevant information from the applicant, examining it in the light of all the information available to the case worker, for the purpose of the determination of qualification for refugee status and/or subsidiary protection status.

**Source**
UNHCR: Beyond proof – credibility assessment in EU asylum systems, 2013

**Related terms**
- real risk of suffering serious harm
- well-founded fear of persecution

**Notes**
1. The credibility assessment is also a step taken in adjudicating an application for a visa or other immigration status, in order to determine whether the information presented by the applicant is consistent and believable (see the definition 'credibility assessment' in the IOM Glossary on Migration, 2nd ed., 2011).

2. Credibility is established where the applicant has presented a claim which is coherent and plausible, not contradicting generally known facts, and therefore is, on balance, capable of being believed.
Definition
Act committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.

Source
Art. 7 of the Rome Statute of the International Criminal Court

Related terms
★ exclusion clause
★ genocide
★ war crime

Notes
Crimes against humanity include:

(a) murder;
(b) extermination;
(c) enslavement;
(d) deportation or forcible transfer of population;
(e) imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
(f) torture;

(g) rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation, or any other form of sexual violence of comparable gravity;

(h) persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognised as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;

(i) enforced disappearance of persons;

(j) the crime of apartheid;

(k) other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.
**Definition**
A person who works as an employee or self-employed person in one Member State but is recognised as residing in another (neighbouring) Member State.

**Source**
Derived by EMN from the definition of ‘cross-border workers’ by DG Taxation and Customs Union (DG TAXUD)

**Synonym**
★ cross-border commuter

**Related term**
★ frontier worker

**Notes**
1. In dealing with cross-border issues a multitude of definitions for the term ‘cross-border worker / commuter’ exists.
2. The concept of cross-border workers covers different circumstances, depending on whether one takes the Community meaning (set out, in particular, in connection with social security) or the various definitions included in bilateral double-taxation agreements.
3. Where tax is concerned, bilateral double-taxation agreements determining the tax arrangements applicable to frontier workers use more restrictive definitions which additionally impose a spatial criterion: the fact of living and working in a frontier zone.
4. Often ‘cross-border workers’ and ‘frontier workers’ are considered as synonyms. However, cross-border workers are distinct from frontier workers to the extent that they do not necessarily work in the frontier zone of the host country.
crude rate of net migration

**Definition**
The ratio of net migration plus adjustment during the year to the average population in that year.

**Source**
Eurostat’s Concepts and Definitions Database

**Related terms**
* migration flow
* net migration
* population stock
* total migration

**Note**
The value is expressed per 1,000 inhabitants. The crude rate of net migration is equal to the difference between the crude rate of increase and the crude rate of natural increase (that is, net migration is considered as the part of population change not attributable to births and deaths). It is calculated in this way because immigration or emigration flows are either unknown or the figures are not sufficiently precise.
cultural diversity

**Definition**
The diversity of forms of culture in a society composed of groups of people from many different cultural backgrounds.

**Source**
Developed by EMN

**Related term**
★ cultural pluralism

**Notes**
1. The UNESCO Declaration on Cultural Diversity reflects the diverse and pluralist understanding of culture and defines cultural diversity in Art. 1 as follows: ‘Diverse forms of culture across time and space which is embodied in the uniqueness and plurality of the identities of the groups and societies making up humankind and is a source of exchange, innovation and creativity.’ The scope and definition agreed on in the UNESCO declaration were partly retained in the 2005 UNESCO Convention on Cultural Diversity (UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expression), the successive legally binding Convention, which is a landmark agreement in modern international law of culture and which sets out common rules, principles and points of reference for cultural diversity at the global level.

2. On 18 December 2006, the European Community ratified the UNESCO Convention. Preserving and promoting cultural diversity are among the Community’s founding principles: they are enshrined in the Treaty, under Art. 151, and in the Charter of Fundamental Rights of the European Union, under Art. 22.3.
cultural pluralism

Definition
A policy aimed at the ensuring of harmonious interaction among people and groups with plural, varied and dynamic cultural identities as well as their willingness to live together.

Source
Art. 2 of UNESCO Universal Declaration on Cultural Diversity

Related terms
★ culture
★ cultural diversity

Notes
1. According to the UNESCO definition, policies for the inclusion and participation of all citizens are guarantees of social cohesion, the vitality of civil society and peace. Thus defined, cultural pluralism gives policy expression to the reality of cultural diversity.

2. See also the UNESCO Convention on the Protection and Promotion of Cultural Expressions (2005).

culture

Definition
The set of distinctive spiritual, material, intellectual and emotional features of a society or a social group encompassing, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs.

Source
Derived by EMN from the definition in the UNESCO Universal Declaration on Cultural Diversity

Related term
★ cultural pluralism
**Definition**
A concept under which individuals (or vital events) are recorded (or are attributed) to the geographical area where they were present (or occurred) at a specified time.

**Source**
OECD Glossary of Statistical Terms

**Related term**
* de jure population

**Note**
This term is little used.
Definition
Person not recognised as a refugee (within the meaning of Art. 1A of the Geneva Convention of 1951 and Protocol of 1967) and who is unable or, for reasons recognised as valid, unwilling to return to their country of origin or country of nationality or, if they have no nationality, to the country of their habitual residence.

Source
Derived by EMN from IOM Glossary on Migration, 2nd. ed., 2011

Related terms
★ (civil) war refugee
★ displaced person
★ forced migrant
★ humanitarian protection
★ person eligible for subsidiary protection
★ refugee in orbit

Notes
1. This term is not defined in legal terms in the Member States.

2. In DE, this refers to a person who has not applied for asylum or whose asylum application has been rejected, but whose removal has been suspended due to concrete danger of life, body or freedom. For example, a person’s stay will be tolerated in DE on grounds of humanitarian law.
**de jure population**

**Definition**
A concept under which individuals (or vital events) are recorded (or are attributed) to a geographical area on the basis of the place of residence.

**Source**
OECD Glossary of Statistical Terms

**Related term**
★ de facto population

**Note**
This term is little used.

**dependant**

**Definition**
A person who has filed an application for family reunification and who is granted entry and residence by the Member State to stay with a legally resident family member or other.

**Source**
Developed by EMN

**Related terms**
★ family member
★ sponsor

**Note**
For more information, see EMN: Family reunification, 2010.
deportation

**Definition**
The act of a state in the exercise of its sovereignty in removing an alien from its territory to a certain place after refusal of admission or termination of permission to remain.

**Source**
UNHCR International Thesaurus of Refugee Terminology

**Synonym**
*removal*

**Broader term**
*compulsory return*

**Related term**
*expulsion*

**Note**
In IE, DE, UK, ‘deportation’ is defined in legislation, whilst in ES, NL, PT it is not used as a legal term and is applicable only as a general concept by the public, sometimes with a negative connotation. Because of this variation, ‘removal’ is the preferred term to use.
### Definition
A person in detention.

### Source
Developed by EMN

### Related term
- ★ detention

---

### Definition
The process of identifying a possible situation of trafficking in human beings.

### Source

### Broader term
- ★ trafficking in human beings

### Related term
- ★ identification of a victim of trafficking in human beings

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<td>GA</td>
<td>duine atá á choinnéáil</td>
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<td>órizetbevett (személy)</td>
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<td>LV</td>
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<td>Detenut(a)</td>
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<td>NL</td>
<td>gedetineerde (vreemdelingenbewaring gestelde persoon (NL) or persoon in vasthouding / opgesloten persoon (BE) in case of return)</td>
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<td>osoba zatrzymana</td>
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<td>PT</td>
<td>zaistená osoba</td>
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<td>RO</td>
<td>identificarea unei victime a traficului de fiinte umane</td>
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<td>откриване на жертва на трафик на хора</td>
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<td>Erkennung eines Opfers von Menschenhandel</td>
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<td>detección de víctimas de trata de seres humanos</td>
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<td>inimkaubanduse ohvri staatuse tuvastamine</td>
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<td>FI</td>
<td>ihmiskaupan uhrin havaitseminen</td>
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<td>FR</td>
<td>détection d’une victime de la traite des êtres humains</td>
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<td>GA</td>
<td>íospartach gáinneála a aimsiù</td>
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<tr>
<td>HU</td>
<td>emberkereskedelem áldozatának felderítése</td>
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<td>IT</td>
<td>individuazione della vittima di tratta degli esseri umani</td>
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<td>LT</td>
<td>prekybos žmonėmis aukos atpažinimas</td>
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<td>cīlvēku tirzniecības upura atpazišana</td>
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<td>MT</td>
<td>Sejbien ta’ vittma fit-traffikar tal-persuni</td>
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<td>NL</td>
<td>detectie van een slachtoffer van mensenhandel</td>
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<td>identificação de uma vitima de tráfico de seres humanos</td>
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detention

Source
Global context: Derived by EMN from the definition of ‘detention’ in UNESCO’s ‘People on the Move’ Handbook
EU context: Art. 2(h) of Directive 2013/33/EU (Recast Reception Conditions Directive) and Art. 26 of Directive 2013/32/EU (Recast Asylum Procedures Directive)

Narrower term
★ detention facility

Related terms
★ alternative to detention
★ detainee

Notes
1. EU provisions differentiate between different migration situations in which third-country nationals can be detained: detention of applicants for international protection, detention in order to prevent irregular entry into the territory of Member States and detention of irregular migrants involved in return proceedings.

2. Applicants for international protection may be detained at any stage of or throughout the asylum process, from the time an initial application is made up to the point of removal of an unsuccessful applicant for international protection. According to Art. 18 of Directive 2013/32/EU (Recast Asylum Procedure Directive) it is not acceptable to detain a person solely for the reason that they have lodged an application for international protection. To ensure the non-arbitrariness of detention and the respect of fundamental rights of applicants for international protection, Directive 2013/33/EU introduced an exhaustive list of detention grounds (Art. 8) and put in place a number of procedural guarantees. The Directive also regulates the conditions in detention facilities (Art. 10).

3. In an EU return context, Member States may only detain or keep in a detention facility a third-country national who is the subject of return procedures in order to prepare the return and / or carry out the removal process, in particular when: (a) there is a risk of absconding, or (b) the third-country national concerned avoids or hampers the preparation of return or the removal process. Any detention shall be for as short a period as possible and only maintained as long as removal arrangements are in progress and executed with due diligence. See Art. 15 (1) of Directive 2008/115/EC (Return Directive).

4. For further information, see EMN: The use of detention and alternatives to detention in the context of immigration policies, 2014.

Definition
In the global migration context, non-punitive administrative measure ordered by an administrative or judicial authority(ies) in order to restrict the liberty of a person through confinement so that another procedure may be implemented.

In the EU asylum context, confinement (i.e. deprivation of liberty) of an applicant for international protection by a Member State within a particular place, where the applicant is deprived of their personal liberty.
**Definition**

In the global context, a specialised facility used for the detention of third-country nationals in accordance with national law.

In the EU return context, a specialised facility to keep in detention a third-country national who is the subject of return procedures in order to prepare the return and/or carry out the removal process, in particular when: (a) there is a risk of absconding; or (b) the third-country national concerned avoids or hampers the preparation of return or the removal process.

**Source**


**Synonym**

★ detention centre

**Broader term**

★ detention

**Note**

Where a Member State cannot provide accommodation in a specialised detention facility and is obliged to resort to prison accommodation, the third-country nationals in detention shall be kept separated from ordinary prisoners.
**determining authority**

| BG | рещаващ орган |
| CS | rozhodující orgán |
| DE | Asylbehörde |
| EL | αποφαινόμενη αρχή για το καθεστώς του πρόσφυγα |
| ES | autoridad decisoria de asilo |
| ET | tuvastav asutus |
| FI | määrittävä turvapaikkavirkanomainen |
| FR | autorité responsable de la détermination |
| GA | údarás cinnitíteach |
| HU | menedékjog iránti kérélem elbírálásáért felelős hatóság |
| IT | autorità responsabile per il riconoscimento dello status di rifugiato |
| LT | prašymą nagrinėti ir sprendimą dėl prieigos prieigą suteikimo priimti įgaliota institucija |
| LV | atbildīgā iestāde par patvēruma pieteikuma izskatīšanu |
| MT | Awtorità għat-teħid ta’ deciżjonijiet dwar l-ażil |
| NL | asielbeslissingsautoriteit |
| PL | organ rozpatrujący wniosek |
| PT | autoridade responsável pelo decíssão (asilo) |
| RO | autoritatea responsabilă cu examinarea cererii de azil |
| SK | rozhodujúci orgán zodpovedný za preskúmanie žiadosti o udelenie asylu |
| SL | organ odločanja |
| SV | beslutande myndighet |
| NO | asylmyndighet (b) / asylstyresmakt (n) |

**Definition**

In the context of international protection, any quasi-judicial or administrative body in a Member State responsible for examining **applications for international protection** that is competent to take decisions at first instance in such cases.

**Source**

Art. 2(f) of Directive 2013/32/EU (Recast Asylum Procedures Directives)

**Synonym**

★ determining asylum authority

**Related terms**

★ case worker in procedures for international protection
**Definition**

An inter-regional intergovernmental consultative forum of migration officials in countries of origin, transit and destination along the migration routes in Africa, Europe and the Middle East with a focus on irregular and mixed migration, as well as on migration and development in the Mediterranean region and beyond, aiming to build common understandings and to jointly develop evidence-based comprehensive and sustainable migration management systems.

**Source**

Description of Mediterranean Transit Migration (MTM) on the website of ICMPD

**Synonym**

* MTM

**Related terms**

* Africa-EU Migration, Mobility and Employment Partnership
* 5+5 Dialogue on Migration in the Western Mediterranean
* Global Approach to Migration and Mobility
* Global Forum on Migration and Development

**Notes**

1. The MTM Dialogue started in 2002 and involves numerous participants from Arab (APS) and European partner states (EPS) as well as seven international organisations. The International Centre for Migration Policy Development (ICMPD) serves as its secretariat. Initially focusing on transit migration, the MTM extended its scope over the years to cover various aspects of migration management in the Mediterranean region and beyond.

2. The Dialogue on Mediterranean Transit Migration is built on two pillars. The first one focuses on enhancing operational cooperation to combat irregular migration or, in other terms, on shorter-term measures to address irregular flows. The second pillar deals with a longer-term perspective by focusing on addressing the root causes of irregular flows through development cooperation and a better joint management of migration. These pillars are used as frameworks for the implementation of specific projects but cross-pillar projects are also put in place.
### diaspora

**Definition**
Individuals and members of networks, associations and communities, who have left their *country of origin*, but maintain links with their homelands.

**Source**
IOM Glossary on Migration, 2nd. ed. 2011

**Related term**
* circular migration

**Notes**
1. This concept covers more settled expatriate communities, *migrant workers* based abroad temporarily, expatriates with the nationality of the *host country*, dual nationals and second-/third-generation migrants.

2. It is a general term, with no legal definition, which can also cover Member State nationals (and immigrants) who feel strong connections to their origins.

### direct discrimination

**Definition**
A situation in which one person is treated less favourably than another is, has been or would be treated in a comparable situation on grounds of racial or ethnic origin.

**Source**

**Broader term**
* principle of equal treatment
Definition

In the EU context, a **third-country national** or **stateless person** who has had to leave their country or region of origin, or has been evacuated, particularly in response to an appeal by international organisations, and is unable to return in safe and durable conditions because of the situation prevailing in that country, who may fall within the scope of Art. 1A of the **Geneva Convention of 1951** or other international or national instruments giving international protection, in particular:

(i) a person who has fled areas of armed conflict or endemic violence;

(ii) a person at serious risk of, or who has been the victim of, systematic or generalised violations of their human rights.

Source


Broader term

★ forced migrant

Narrower terms

★ environmentally displaced person
★ internally displaced person

Related terms

★ (civil) war refugee
★ de facto refugee
★ displacement
★ refugee

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D
**dual citizenship**

**Definition**
The simultaneous possession of two or more **citizenships** by the same person.

**Source**
Derived by EMN from Art. 2b of the European Convention on Nationality

**Synonyms**
- multiple citizenship
- multiple nationality

**Broader term**
- citizenship

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### Dublin Convention

**Definition**
Convention determining the Member State responsible for examining an application for asylum lodged in one of the Member States of the European Union.

**Source**
Dublin Convention

**Related terms**
- Dublin procedure
- Dublin Regulation
- Dublin transfer
- Eurodac
- transfer order

**Notes**
1. The Dublin Convention was signed in Dublin, Ireland on 15 June 1990, and first came into force on 1 September 1997 for the first 12 signatories. The Treaty has been extended to other Member States and some countries outside the Union.

2. The Dublin Convention was replaced by Council Regulation No 343/2003 (Dublin II regulation). Its validity ended on 16 March 2003.

### Dublin procedure

**Definition**
The process of determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national under Regulation (EU) No 604/2013 (Dublin III Regulation).

**Source**
Derived by EMN from Art. 20 of Regulation (EU) No 604/2013 (Dublin III Regulation)

**Related terms**
- Dublin Convention
- Dublin Regulation
- Dublin transfer
- Eurodac
- transfer order
Dublin Regulation

**Definition**
Regulation which lays down the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.

**Source**
Regulation (EU) No 604/2013 (Dublin III Regulation)

**Related terms**
- asylum shopping
- Dublin Convention
- Dublin procedure
- Dublin transfer
- Eurodac
- transfer order
**Dublin transfer**

**Definition**

(a) The transfer of responsibility for the examination of the merits of an application for international protection from one Member State to another Member State.

(b) The (physical) transfer of an applicant to the Member State who is considered to be responsible for examining the merits of an application following a Dublin procedure.

**Source**

(a) Derived by EMN from Art. 17(2) and 19(1) of Regulation (EU) No 604/2013 (Dublin III Regulation)

(b) Derived by EMN from Art. 29 of Regulation (EU) No 604/2013 (Dublin III Regulation)

**Narrower term**

★ transfer order

**Related terms**

★ Dublin Convention
★ Dublin procedure
★ Dublin Regulation
★ transfer order

**Notes**

1. The determination of the Member State responsible for examining an application for international protection is done on the basis of objective and hierarchical criteria, as laid out in Chapter III of Regulation (EU) No 604/2013 (Dublin III Regulation).

2. For more information on the Dublin Regulation, see the description of policy on the examination of applications for asylum on the DG HOME website.
durable solutions

**Definition**
Any means by which the situation of refugees can be satisfactorily and permanently resolved to enable them to live normal lives.

**Source**
UNHCR Master Glossary of Terms

**Related term**
* resettlement

**Note**
The UNHCR traditionally pursues the durable solutions of voluntary repatriation, local integration and resettlement.
**Eastern Partnership**

**Definition**
An institutionalised forum for EU cooperation with its Eastern neighbours whose main goal is to create the necessary conditions to accelerate political association and further economic integration.

**Source**
Website of the European Neighbourhood Policy

**Synonyms**
* EAP
* Söderköping Process

**Broader term**
* European Neighbourhood Policy

**Related terms**
* Black Sea Synergy
* Euro-Mediterranean Partnership

**Notes**
1. Within the context of the Eastern Partnership Platform 1 (democracy, good governance and stability), the Eastern Partnership Panel on Migration and Asylum (EaP) was created in 2011. The overall objective of the Panel is to strengthen the asylum and migration systems of Eastern partners and advance the dialogue on migration and asylum issues between the Eastern partners and the EU, as well as amongst the Eastern partners.

2. The precursor of the EaP was the Söderköping Process, which was launched in May 2001 as a cross-border cooperation on asylum and migration in order to respond to new challenges due to the EU’s enlargement eastwards. With the establishment of the Panel on Migration and Asylum within the Eastern Partnership’s Platform 1, the work of the Söderköping Process is being carried on within the multilateral dimension of the Eastern Partnership.

3. For more information, see the website of the EAP:
   [http://eapmigrationpanel.org/page39964.html](http://eapmigrationpanel.org/page39964.html)
económico migrante

Definition
A person who leaves their country of origin purely for economic reasons that are not in any way related to the refugee definition, in order to seek material improvements in their livelihood.

Source
UNHCR Master Glossary of Terms

Synonym
★ economic refugee

Broader term
★ migrant

Narrower terms
★ guest worker
★ migrant worker

Related terms
★ economic migration
★ managed migration

Notes
1. Economic migrants do not fall within the criteria for refugee status and are therefore not entitled to benefit from international protection as refugees.

2. Economic migrants are sometimes referred to as economic refugees, but this is a misuse of the term 'refugee'.
economic migration

**Definition**
Migration mainly for economic reasons or in order to seek material improvements to livelihood.

**Source**
Derived by EMN from UNHCR Master Glossary of Terms

**Broader term**
* migration

**Narrower term**
* labour migration

**Related terms**
* economic migrant
* forced migration
* managed migration

emigrant

**Definition**
In the global context, a resident (national or alien) departing or exiting from one State intending to remain abroad for a period exceeding one year.

In the EU context, a person who, having previously been usually resident in the territory of a Member State, ceases to have their usual residence in that Member State for a period that is, or is expected to be, of at least 12 months.

**Source**
Global context: UN Recommendations on Statistics of International Migration

EU context: Art. 2(c) and (g) of Regulation (EC) No 862/2007 (Migration Statistics Regulation)

**Broader term**
* migrant

**Related terms**
* immigrant
* emigrant
* short-term migrant

**Note**
National legislation might understand different time limits in their definitions.
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**Definition**
In the global context, the act of departing or exiting from one State with the intention to remain abroad for a period exceeding one year.
In the EU context, the action by which a person, having previously been usually resident in the territory of a Member State, ceases to have their usual residence in that Member State or another Member State for a period that is, or is expected to be, of at least 12 months.

**Source**
Global context: UN Recommendations on Statistics of International Migration
EU context: Art. 2(c) of Regulation (EC) No 862/2007 (Migration Statistics Regulation)

**Broader term**
* migration

**Related terms**
* emigrant
* immigration

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**Definition**
Worker holding an explicit or implicit employment contract, which gives them a basic remuneration that is not directly dependent upon the revenue of the unit for which they work.

**Source**
ILO Thesaurus, 6th ed., 2008

**Related terms**
* employer
* employment
* self-employed person
### Definition
Any natural person or any legal entity, including temporary work agencies, for or under the direction and/or supervision of whom the employment is undertaken.

### Source
Art. 2(d) of Directive 2009/52/EC (Employer Sanctions Directive)

### Related terms
- employee
- employment
- self-employed person

### employer sanction

In the context of migration, penalties, including fines, repayments to victims/the State and incarceration, imposed on employers by the Member State for breaking employment and/or migration rules.

### Source

### Related terms
- illegal employment of an illegally staying third-country national

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### employment

#### Definition
The exercise of activities covering whatever form of labour or work regulated under national law or in accordance with established practice for or under the direction and/or supervision of an employer.

#### Source

#### Related terms
- ★ employee
- ★ employer
- ★ occupation

### enforcement measure

#### Definition
Any measure taken by the enforcing Member State with a view to implementing an expulsion decision.

#### Source

#### Related terms
- ★ expulsion
- ★ expulsion decision
- ★ return decision

#### Note
In IE and UK this term is used in a more global sense, referring to any action that is taken to enable the implementation of the immigration law including all forms of removal.
entry ban

**Definition**
An administrative or judicial decision or act prohibiting entry into and stay in the territory of the Member States for a specified period, accompanying a return decision.

**Source**

**Synonym**
* re-entry ban
**Definition**
A person subject to forced migration as a result of sudden, drastic environmental changes.

**Source**
Derived by EMN from the definition for ‘environmental refugee’ in the UNHCR International Thesaurus of Refugee Terminology

**Synonyms**
★ environmental refugee
★ environmentally-driven migrant

**Broader term**
★ displaced person

**Related term**
★ internally displaced person

**Note**
Environmentally displaced persons are sometimes referred to as environmental refugees, but this is a misuse of the term ‘refugee’ as they are not refugees in the strict sense of Art. 1A of the Geneva Convention of 1951, although their migration is forced.
**ethnic cleansing**

**Definition**
Rendering an area ethnically homogeneous by using force or intimidation to remove from a given area persons of another ethnic or religious group, which is contrary to international law.

**Source**

**Related term**
* genocide

**Notes**
1. General Assembly resolution 47/121 referred in its Preamble to ‘the abhorrent policy of “ethnic cleansing”’.

2. Trial Chamber Judgment of 2 August 2001 of the International Criminal Tribunal for the former Yugoslavia (ICTY) has observed, while ‘there are obvious similarities between a genocidal policy and the policy commonly known as “ethnic cleansing”, yet “[a] clear distinction must be drawn between physical destruction and mere dissolution of a group. The expulsion of a group or part of a group does not in itself suffice for genocide’.

3. These legal documents thus state that crimes committed during an ethnic cleansing are similar to those of genocide, but while genocide includes an intent at complete or partial destruction of the target group, ethnic cleansing may involve murder only to the point of mobilising the target group out of the territory. Hence, there may be varied degrees of mass murder in an ethnic cleansing, often subsiding when the target group appears to be leaving the desired territory, while during genocide the mass murder is ubiquitous and constant throughout the process, continuing even while the target group tries to flee.
**Definition**
A synonym of ethnicity or nationality, used in some Member States in addition to citizenship.

**Source**
Towards Harmonised European Statistics on International Migration (THESIM) project

**Synonyms**
- ethnicity
- nationality

**Related terms**
- citizenship
- minority

**Notes**
1. Ethnic nationality is often a self-declared adhesion to a specific ethnic group and this information is collected at a census but also sometimes in administrative registration.
2. This concept should not be confused with citizenship.
Definition

The body of common rights and obligations that is binding on all EU Member States and that is constantly evolving, which comprises:
- the content, principles and political objectives of the Treaties;
- legislation adopted pursuant to the Treaties and the case law of the Court of Justice;
- declarations and resolutions adopted by the Union;
- instruments under the Common Foreign and Security Policy;
- instruments under Justice and Home Affairs;
- international agreements concluded by the European Union and those entered into by its Member States among themselves within the sphere of the Union’s activities.

Source

DG Home e-Library Glossary

Synonym

acquis

Narrower term

asylum acquis

Note

The term is used in the context of asylum and migration and refers to all rights and obligations that are binding on EU Member States with regard to asylum and migration.
EU Blue Card

**Definition**
The authorisation bearing the term ‘EU Blue Card’ entitles its holder to reside and work in the territory of a Member State under the terms of Council Directive 2009/50/EC (Blue Card Directive).

**Source**

**Related terms**
- *highly qualified employment*
- *highly qualified migrant*
- *residence permit*

EU Blue Card holder

**Definition**
A third-country national who has acquired the authorisation bearing the term ‘EU Blue Card’ entitling them to reside and work in the territory of a Member State under the terms of Council Directive 2009/50/EC (Blue Card Directive).

**Source**
Derived by EMN from Art. 2(c) of Council Directive 2009/50/EC (Blue Card Directive)
EU Immigration Portal

**Definition**
A website with hands-on information for foreign nationals interested in moving to the EU acting as a first point of entry. It provides up-to-date, practical information on EU and national immigration procedures and policies.

**Source**
Developed by the EMN

**Synonym**
* EUIP

**Broader term**
* immigration

**Related terms**
* European Migration Network
* European Website on Integration

**Notes**
1. The EU Immigration Portal was launched in November 2011 (see European Commission Press Release IP/11/1370 of 18 November 2011).

2. The website can be accessed at: http://ec.europa.eu/immigration/
**EU-LAC Structured Dialogue on Migration**

**Definition**
A forum for the identification of common challenges and areas for mutual cooperation, as well as building a stronger evidence base for EU-LAC (Latin America and the Caribbean) migration in order to better understand its realities, based on the principle of shared responsibility, strengthening the commitment and willingness of both sides to discuss migration issues.

**Source**
European Council Press Release on launching of EU-LAC dialogue

**Related term**
- **Global Approach to Migration and Mobility**

**Notes**
1. In June 2009, the European Union and the countries of Latin America and the Caribbean (LAC) formally launched the Structured and Comprehensive bi-regional Dialogue on Migration.
2. In the framework of the Dialogue, parties will exchange views in the following main areas: link between migration and development; regular migration and irregular migration; migration and the issue of human rights, including protection of migrants in accordance with international obligations; the fight against all forms of discrimination, racism and xenophobia; legislative and administrative measures applicable to migrants in an irregular situation; issues related to return on a dignified basis and voluntary return; measures to combat trafficking in human beings and smuggling of migrants, and the prevention of document fraud.
Definition
A European Union Network for asylum practitioners providing a forum for the exchange of country of origin information, best practices and a variety of policy-related matters among EU Member States, asylum adjudicators and the European Commission, which aims to improve and maximise convergence on approaches to, and assessment of, the protection needs of asylum seekers.

Source

Related terms
★ Common European Asylum System
★ European Asylum Support Office

Notes
1. Eurasil was established by the European Commission in July 2002 following the decision of the Committee of the Permanent Representatives (Coreper II) on 6 March to cease the activities of the CIREA group (Centre for Information, Discussion and Exchange on Asylum).

2. EURASIL meetings were attended by representatives of the national ministries and asylum authorities of the 28 Member States, as well as of CH, NO and IS. Depending on the topics of the meeting, international organisations such as UNHCR or IOM attended Eurasil as external experts.

3. With the establishment of the European Asylum Support Office, EASO has taken over responsibility for Eurasil and further developed EURASIL activities (EASO Practical Cooperation).
**Definition**
A framework for dialogue and consultation between EU Member States and African countries from North, West and Central Africa, as well as the European Commission and the Economic Community of West African States (ECOWAS), focusing on regional cooperation in the field of migration between countries of origin, transit and destination along current migration routes and within which concrete, practical initiatives are implemented.

**Source**
Website of the Euro-African Dialogue on Migration and Development

**Synonyms**
★ Euro-African Ministerial Conference on Migration and Development
★ Rabat Process

**Related terms**
★ 5+5 Dialogue on Migration in the Western Mediterranean
★ Global Approach to Migration and Mobility

**Notes**
1. The Euro-African Migration and Development process started with a ministerial conference in Rabat in 2006.
2. For more information, see the website of the Euro-African Dialogue: http://www.processusderabat.net/web/
**Definition**

The name given to an informatic system, the purpose of which, via the collection, transmission and comparison of fingerprints, is to assist in determining which Member State is to be responsible pursuant to Regulation (EU) No 604/2013 (Dublin III Regulation) for examining an application for international protection lodged in a Member State by a third-country national or a stateless person, and otherwise to facilitate the application of Regulation (EU) No 604/2013 under the conditions set out in the Regulation establishing Eurodac.

**Source**

Art. 1 of Council Regulation (EU) No 603/2013 (Eurodac Regulation)

**Related terms**

- Dublin Convention
- Dublin Regulation

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**Definition**
A Union of the EU Member States and 16 Southern Mediterranean countries built on cooperation agreements that aims to promote economic integration and democratic reform across the EU's neighbours to the south in North Africa and the Middle East.

**Source**
Website of the Euro-Mediterranean Partnership (EUROMED)

**Synonyms**
- Barcelona Process
- EUROMED
- Union for the Mediterranean
- UfM

**Broader term**
- European Neighbourhood Policy

**Related terms**
- Black Sea Synergy
- Eastern Partnership

**Notes**
1. The Partnership was established on 13 July 2008.

European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

Definition
A European Union agency tasked to coordinate the operational cooperation between Member States in the field of border security.

Source
Art. 2 of Regulation (EU) 2007/2004 (FRONTEX Regulation)

Synonym
★ FRONTEX

Related terms
★ Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration
★ European Asylum Support Office
★ European Border Surveillance System
★ European Migration Network
★ European Union Agency for Fundamental Rights
★ Immigration Liaison Officer
★ Information and Coordination Network for Member States’ Migration Management Services
★ Rapid Border Intervention Team

Notes
1. Frontex promotes, coordinates and develops European border management in line with the EU fundamental rights charter applying the concept of Integrated Border Management.
2. Its tasks, in accordance with Article 2 of Council Regulation 2007/2004, include assisting Member States on training of national border guards and the establishment of common training standards (Art. 2(b)); carrying out risk analysis (Art. 2(c)); following up the development of research relevant for the control and surveillance of external borders (Art. 2(d)); assistance to Member States in circumstances requiring increased technical and operational assistance at external borders (Art. 2(e)); and providing Member States with the necessary support in organising joint return operations.
3. Frontex also works closely with the border-control authorities of non-EU / Schengen countries – mainly those countries identified as a source or transit route of irregular migration – in line with general EU external relations policy.
4. For further information, see website of FRONTEX: http://frontex.europa.eu.
European Asylum Support Office

**Definition**
A European Union agency mandated to focus on three major responsibilities: to contribute to the coherent implementation and development of the **Common European Asylum System** (CEAS), to support and strengthen practical cooperation among Member States on **asylum** and to provide and/or coordinate the provision of operational support to Member States, subject to particular pressure on their asylum and reception systems.

**Source**
Art. 1 and 2 of Regulation (EU) No 516/2014 (EASO Regulation)

**Synonym**
★ EASO

**Related terms**
★ Common European Asylum System
★ General Directors of Immigration Services Conference
★ Eurasil
★ European Migration Network
★ European Union Agency for Fundamental Rights
★ European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

**Notes**
1. The Support Office acts as a European centre of expertise on asylum, responsible for facilitating, coordinating and strengthening practical cooperation among Member States on the many aspects of asylum, so that Member States are better able to provide **international protection** to those entitled to it, while dealing fairly and efficiently with those who do not qualify for international protection, where appropriate.

2. Its mandate should be focused on three major duties: namely contributing to the implementation of the CEAS, supporting practical cooperation among Member States on asylum and supporting Member States that are subject to particular pressure.

3. The Support Office should work closely with the Member States’ asylum authorities, with national immigration and asylum services and other national services and with the Commission. Furthermore, it should also carry out its duties without prejudice to those assigned to other relevant bodies of the Union and shall work closely with these bodies as well as with the UNHCR. However, it does not have any powers in relation to the taking of decisions by Member States’ asylum authorities on individual applications for **international protection**.

4. For further information, see the website of EASO: http://easo.europa.eu
## European Border Surveillance System

### Definition
A common framework for the exchange of information and for the cooperation between EU Member States and Frontex to improve situational awareness and to increase reaction capability at the external borders for the purpose of detecting, preventing and combating irregular immigration and cross-border crime, and contributing to ensuring the protection and saving the lives of migrants.

### Source
Art. 1 of Council Regulation (EU) No 1052/2013 (EUROSUR Regulation)

### Synonym
- EUROSUR

### Related terms
- border control
- European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

### Notes
1. EUROSUR was set up under Council Regulation (EU) No 1052/2013 (EUROSUR Regulation).
European Convention on Human Rights

**Definition**
A regional human rights instrument giving effect to certain rights stated in the *Universal Declaration of Human Rights*, offering individuals the possibility of applying to the courts for the enforcement of their rights.

**Source**
Derived by EMN from the description of the Convention on the website of the European Court of Human Rights

**Synonyms**
* European Convention for the Protection of Human Rights and Fundamental Freedoms
* ECHR

**Related terms**
* Charter of Fundamental Rights of the European Union
* European Union Agency for Fundamental Rights
* human rights
* human rights law

**Note**
More formally referred to as the European Convention for the Protection of Human Rights and Fundamental Freedoms.
European Migration Network

**Definition**
A body established by Council Decision 2008/381/EC that serves 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 policy-making in the European Union in these areas. It also serves to provide the general public with information on these subjects.

**Source**
Art. 1 of Council Decision 2008/381/EC (European Migration Network Decision)

**Synonym**
★ EMN

**Related terms**
★ Africa Caribbean Pacific Observatory on Migration
★ EU Immigration Portal
★ European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
★ European Asylum Support Office
★ Eurostat
★ European Union Agency for Fundamental Rights
★ National Contact Points on Integration

**Notes**
1. The EMN was set up in 2003 by the European Commission on behalf of the European Council in order to satisfy the need of a regular exchange of reliable information on migration and asylum related issues on a European level.

2. The EMN is co-ordinated by the European Commission, assisted by service providers, in co-operation with EMN National Contact Points (EMN NCPs) in each EU Member State. A Steering Board, consisting of representatives from each Member State, the European Commission and the European Parliament serves to provide the political guidance on the activities of the EMN.

3. For more information, see the website of the EMN: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/index_en.htm
**European Neighbourhood Policy**

**Definition**
A bilateral policy between the EU and 16 partner countries (the EU's closest neighbouring countries), further enriched and complemented by three regional and multilateral cooperation initiatives.

**Source**
Website of the European Neighbourhood Policy

**Synonym**
★ ENP

**Narrower terms**
★ Black Sea Synergy  
★ Eastern Partnership  
★ Euro-Mediterranean Partnership

**Related term**
★ Global Approach to Migration and Mobility

**Notes**
1. The ENP was developed in 2004, with the objective of avoiding the emergence of new dividing lines between the enlarged EU and its neighbours and instead strengthening the prosperity, stability and security of all. It is based on the values of democracy, rule of law and respect of human rights.

2. The three regional and multilateral cooperation initiatives of the ENP are: the Eastern Partnership (launched in Prague in May 2009), the Euro-Mediterranean Partnership (EUROMED), formerly known as the Barcelona Process, re-launched in Paris in July 2008), and the Black Sea Synergy (launched in Kiev in February 2008).

3. The Lisbon Treaty has allowed the EU to strengthen the delivery of its foreign policy: cooperation with neighbouring countries can now be broadened to cover the full range of issues in an integrated and more effective manner. This was a key driver for initiating a review of the ENP in summer 2010.

**Definition**

An EU agency which provides independent, evidence-based advice on fundamental rights to the relevant institutions and authorities of the Union and its Member States in order to support them when implementing Union law, taking measures or formulating courses of action within their respective spheres of competence to fully respect fundamental rights.

**Source**

Art. 2 of Council Regulation (EC) No 168/2007 (FRA Regulation)

**Synonyms**

* Fundamental Rights Agency
* FRA

**Related terms**

* Charter of Fundamental Rights of the European Union
* European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
* European Asylum Support Office
* European Convention on Human Rights
* European Migration Network
* human rights

**Notes**

1. The European Union Agency for Fundamental Rights was inaugurated on 1 March 2007. It was established by Council Regulation (EC) No 168/2007 of 15 February 2007 as the successor to the European Monitoring Centre on Racism and Xenophobia (EUMC).

2. Its tasks, which are laid down in Art. 4 of the Regulation, include information and data collection, research and analysis; advice to EU institutions and Member States; cooperation with civil society and awareness raising.

3. For more information, see the website of FRA:
**Definition**

**Source**
Website of Eurostat

**Related term**
*European Migration Network*

**Notes**
1. Eurostat was established in 1953.

2. Its task is to provide the European Union with statistics at European level that enable comparisons between countries and regions.

3. The EMN cooperates with Eurostat by harmonising statistics from the European Statistical System (ESS) to a single methodology, making the statistics comparable.

4. Regulation (EC) No. 862/2007 (Migration Statistics Regulation) establishes common rules for the collection and compilation of Community statistics (for submission to Eurostat) on:

   (a) immigration and emigration flows;

   (b) citizenship and country of birth of persons usually resident in the territory of the Member States;

   (c) administrative and judicial procedures and processes in the Member States relating to immigration, granting of permission to reside, citizenship, asylum and other forms of international protection and prevention of irregular migration.

5. For more information, see the website of Eurostat:
examination of an application for international protection

**Definition**

Any examination of, or decision or ruling concerning, an application for international protection by the competent authorities in accordance with Directive 2013/32/EU and Directive 2011/95/EU, except for procedures for determining the Member State responsible in accordance with Regulation (EU) No 604/2013.

**Source**

Art. 2(d) of Regulation (EU) No 604/2013 (Dublin III Regulation)

**Broader term**

* application for international protection

---

**BG** разглеждане на молба за международна закрила

**CS** rozhodování o žádosti o mezinárodní ochranu

**DE** Prüfung eines Antrags auf internationalen Schutz

**EL** εξέταση αίτησης διεθνούς προστασίας

**ES** examen de una solicitud de protección internacional

**ET** rahvusvahelise kaitse taotluse läbivaatamine

**FI** kansainvälistä suojelua koskevan hakemuksen käsittely

**FR** examen d’une demande de protection internationale

**GA** iniúchadh ar iarratas ar chosaint idimáisiúnta

**HU** menedékérélem elbírásála

**IT** esame della domanda di protezione internazionale

**LT** prašymo suteikti prieigos į nacionalinę apsaugą

**LV** starptautiskās aizsardzības pieteikuma izskatīšana

**MT** Tgħarbil / Eżami ta’ applikazzjoni għall-protezzjoni internazzjonali

**NL** behandeling van een verzoek om internationale bescherming

**PL** rozpatrzywanie wniosku o udzielenie ochrony międzynarodowej

**PT** análise de um pedido de proteção internacional

**RO** soluţionarea unei cereri de protecție internațională

**SK** posúdenie žiadosti o medzinárodnú ochranu / posúdenie žiadosti o udelenie medzinárodnej ochrany (EU acquis) / posúdenie žiadosti o udelenie azylu (national law)

**SL** obravnavanje prošnje za mednarodno zaščito

**SV** prövning av ansökan om internationell skydd

**NO** vurdering av søknad om internasjonal beskyttelse (b) / vurdering av søknad om internasjonalt venn (n)
exclusion clause

**Definition**

Specifically, any of the provisions of the Geneva Convention of 1951 and Protocol of 1967, such as articles 1D, 1E and 1F, which mandatorily deny the benefits of refugee status to persons who already receive UN or national protection, or to persons about whom there are good reasons to believe that they have committed a war crime, a crime against humanity, a serious non-political crime, or acts contrary to the purposes and principles of the UN (e.g. the persecution of others).

**Source**

Art. 1D, 1E and 1F of the Geneva Convention of 1951

**Related terms**

★ crime against humanity
★ war crime

**Note**

The EU asylum acquis (see for example Art. 12 and 17 of Directive 2011/95/EU) has incorporated these Geneva Convention of 1951 clauses whilst additionally stipulating exclusion clauses in relation to subsidiary protection.

---

exodus

**Definition**

Movements in groups (isolated and sporadic) out of a country of origin in large numbers or of a section of the community at a given time.

**Source**

IOM Glossary on Migration, 2nd ed., 2011

**Note**

A similar definition is also used in the UNHCR International Thesaurus of Refugee Terminology definition.
**exploitation**

**Definition**
The act of taking advantage of something or someone, in particular the act of taking unjust advantage of another for one's own benefit (e.g. sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs).

**Source**
IOM Glossary on Migration, 2nd ed., 2011

**Related term**
- forced labour
- trafficking in human beings

**Note**
Art. 2(3) of Directive 2011/36/EU (Trafficking Directive) states that exploitation includes, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs.

**expulsion**

**Definition**
The removal of:
(a) a third-country national subject to an expulsion decision based on a serious and present threat to public order or to national security and safety taken in the following cases:
- conviction of a third-country national by the issuing Member State for an offence punishable by a penalty involving deprivation of liberty of at least one year;
- the existence of serious grounds for believing that a third-country national has committed serious criminal offences or the existence of solid evidence of their intention to commit such offences within the territory of a Member State.
(b) a third-country national subject to an expulsion decision based on failure to comply with national rules on the entry or residence of aliens.

**Source**

**Broader term**
- removal

**Narrower term**
- expulsion decision
### Definition
Any decision which orders an expulsion taken by a competent administrative (or judicial) authority of an issuing Member State.

### Source

### Synonym
★ expulsion order

### Broader term
★ expulsion

### Related terms
★ enforcement measure
★ removal order

### Notes
1. In DE, only expulsion order is used, while expulsion decision and expulsion order are understood in the same way.
2. In RO, expulsion is decided by the courts only, not by administration.
external EU border

**Definition**
The parts of a Schengen Member State’s border, including land borders, river and lake borders, sea borders and their airports, river ports, sea ports and lake ports, that are not common borders with another Schengen Member State.

**Source**
Derived by EMN from Regulation (EC) No 562/2006 (Schengen Borders Code)

**Related terms**
* border control
* internal EU border
* irregular entry
* legal entry
* refusal of entry
* Schengen Borders Code

**Notes**
1. IE and UK do not participate in the Schengen Area.
2. BG, HR and RO are Schengen candidate countries.
3. IS, LI, NO and CH are also Schengen Member States, although they are not EU Member States.
4. For updated information on membership to the Schengen Area, see the description of EU policies on borders and visas and Schengen on the website of DG HOME: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/index_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/index_en.htm)
false declaration of parenthood

**Definition**
An untruthful declaration of a relationship of parenthood which does not actually exist either (a) between a minor who is an EU citizen or settled third-country national and a third-country national adult, where the adult claims to be the parent in order to obtain or legalise their residence in a Member State, or (b) between a third-country national minor and a union citizen adult or a settled third-country national adult where the adult declares themselves parent of the minor in order to obtain or legalise the residence of the child and/or possibly the residence of the other parent.

**Source**
Developed by EMN

**Narrower term**
* false declaration of paternity

**Related terms**
* civil partnership of convenience
* marriage of convenience
* partnership of convenience

**Note**
For more information on false declarations of parenthood, see EMN: Misuse of family reunification, 2012.
**family formation**

**Definition**
The entry into and residence in a Member State of a third-country national on the basis of the establishment of a family relationship either (a) after their third-country national sponsor has gained legal residence in a Member State; or (b) with an EU national.

**Source**
Developed by EMN

**Broader term**
*family reunification*

**Related terms**
*chain migration*
*family migration*
*nuclear family*
*right to family life*
*right to family unity*

**Notes**
1. This term is specific to some Member States, particularly BE, NL, SE. In UK, this relates to the formation of family between a UK national and a third-country national only.

2. In other Member States, family formation is covered under ‘family reunification’.

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</table>
family member

In the context of the Free Movement Directive:
(a) the spouse;
(b) the partner with whom the union citizen has contracted a registered partnership, on the basis of the legislation of a Member State, if the legislation of the host Member State treats registered partnerships as equivalent to marriage and in accordance with the conditions laid down in the relevant legislation of the host Member State;
(c) the direct descendants who are under the age of 21 or are dependants and those of the spouse or partner as defined in point (b);
(d) the dependent direct relatives in the ascending line and those of the spouse or partner as defined in point (b).

In the context of asylum, and in particular Regulation (EU) No 604/2013 (Dublin III Regulation), this means insofar as the family already existed in the country of origin, the following members of the applicant's family who are present on the territory of the Member States:
- the spouse of the applicant or their unmarried partner in a stable relationship, where the law or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its law relating to third-country nationals;
- the minor children of couples referred to in the first indent or of the applicant, on condition that they are unmarried and regardless of whether they were born in or out of wedlock or adopted as defined under national law;
- when the applicant is a minor and unmarried, the father, mother or another adult responsible for the applicant, whether by law or by the practice of the Member State where the adult is present;
- when the beneficiary of international protection is a minor and unmarried, the father, mother or another adult responsible for them whether by law or by the practice of the Member State where the beneficiary is present.

Definition
In the general migration context, a person either married to, or having a relationship legally recognised as equivalent to marriage, to a migrant, as well as their dependent children or other dependants who are recognised as members of the family by applicable legislation.

In the context of the Family Reunification Directive, a third-country national, as specified in Art. 4 of Directive 2003/86/EC (normally members of the nuclear family – i.e. the spouse and the minor children), who has entered the territory of the European Union for the purpose of family reunification.

Source
General: Derived by EMN from Art. 4 of UN Convention on the Protection of All Migrant Workers and Members of their Families
Asylum: Art. 2 (g) of Regulation (EU) No 604/2013 (Dublin III Regulation)

Related terms
* dependant
* family reunification
* nuclear family
* sponsor
**Definition**
In the global context, a general concept encompassing _family reunification_, _family formation_, and _migration_ of an entire family at the same time.
In the EU context, a concept which refers explicitly to family reunification and family formation.

**Source**
Global context: Derived by EMN from the discussion of types of family migration in Chapter 6 of IOM World Migration Report 2008
EU context: Developed by EMN

**Related terms**
* chain migration
* family formation
* family reunification
* right to family unity

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<td>familjemigration</td>
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</table>
| NO       | familjemigrations
**Definition**

The establishment of a family relationship which is either:
(a) the entry into and residence in a Member State, in accordance with *Council Directive 2003/86/EC*, by family members of a third-country national residing lawfully in that Member State (‘sponsor’) in order to preserve the family unit, whether the family relationship arose before or after the entry of the sponsor; or (b) between an EU national and third-country national established outside the EU who then subsequently enters the EU.

**Source**

Part (b): Developed by EMN

**Synonym**

★ family reunion

**Broader term**

★ right to family unity

**Narrower term**

★ family formation

**Related terms**

★ chain migration
★ family member
★ family migration
★ nuclear family
★ right to family life

**Note**

Art. 5(3) of Council Directive 2003/86/EC (Family Reunification Directive) also covers ‘reunification’ when a third-country national is already resident in the EU under different permissions (e.g. a residence permit for the purpose of remuneration or study).
**Definition**

A decision on whether the third-country national or stateless person be granted refugee status or subsidiary protection status by virtue of Directive 2011/95/EU (Recast Qualification Directive) and which is no longer subject to a remedy within the framework of Chapter V of this Directive, irrespective of whether such remedy has the effect of allowing applicants to remain in the Member States concerned pending its outcome.

**Source**

Art. 2(e) of Directive 2013/32/EU (Recast Asylum Procedures Directive)

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**first country of asylum**

**Definition**

A country in which an applicant for international protection has either (a) been recognised as a refugee and they can still avail themselves of that protection; or (b) otherwise enjoys sufficient protection, including benefiting from the principle of non-refoulement, provided that they will be readmitted to that country.

**Source**

Art. 35 of Directive 2013/32/EU (Recast Asylum Procedures Directive)

**Synonyms**

- country of first asylum
- first asylum principle

**Notes**

1. In applying the concept of ‘first country of asylum’ to the particular circumstances of an applicant, Member States may take into account Art. 38(1) of the Directive 2013/32/EU (Recast Asylum Procedures Directive) (‘concept of safe third country’).

2. In accordance with relevant legislation, an applicant shall be allowed to challenge the application of the first country of asylum concept in relation to their particular circumstances.
**Definition**

A trans-Mediterranean forum set up as a security initiative to secure closer cooperation between five EU Member States and five Arab Maghreb countries through political dialogue and economic cooperation, and by encouraging more efficient management of resources as a means of enhancing regional inter-dependence and development.

**Source**

Website of the 5+5 Dialogue

**Synonyms**

★ 5+5 Dialogue
★ Western Mediterranean Forum

**Related terms**

★ Dialogue on Mediterranean Transit Migration
★ Euro-African Dialogue on Migration and Development
★ Global Approach to Migration and Mobility

**Notes**

1. The Western Mediterranean Forum, commonly referred to as the 5+5 Dialogue, was officially launched in Rome in 1990.

2. The forum involves ten partners (Algeria, Libya, Mauritania, Morocco, Tunisia, France, Italy, Malta, Portugal and Spain) and is facilitated by the IOM. Its areas of activity are information exchange, joint management of international borders, agreed forms of labour migration, migration for development, and protection of the rights of migrants in the Western Mediterranean region.

3. For more information see the website of the 5+5 Dialogue: [http://www.5plus5.gov.mt/en/5plus5dialogue](http://www.5plus5.gov.mt/en/5plus5dialogue)
forced labour

**Definition**

All work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered themselves voluntarily.

**Source**

Art. 2(1) of ILO Convention No. 29, 1930 (Forced Labour Convention)

**Synonyms**

- compulsory labour
- compulsory work

**Related terms**

- child labour
- exploitation

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forced marriage

**Definition**

The union of two persons, at least one of whom has not given their full and free consent to the marriage.

**Source**

Art. 4 of Council of Europe Resolution 1468 (2005)

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forced migrant

Definition
A person subject to a migratory movement in which an element of coercion exists, including threats to life and livelihood, whether arising from natural or man-made causes (e.g. movements of refugees and internally displaced persons as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine or development projects).

Source
Derived by EMN from IOM Glossary on Migration, 2nd ed. 2011

Broader term
★ migrant

Narrower terms
★ displaced person
★ refugee

Related terms
★ de facto refugee
★ economic migrant
★ forced migration

forced migration

Definition
A migratory movement in which an element of coercion exists, including threats to life and livelihood, whether arising from natural or man-made causes (e.g. movements of refugees and internally displaced persons as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine or development projects).

Source
IOM Glossary on Migration, 2nd ed. 2011

Broader term
★ migration

Narrower term
★ displacement

Related terms
★ economic migration
★ forced migrant
★ managed migration
forced return

**Definition**
See removal

**Synonyms**
- compulsory return
- removal

**Broader term**
- return

**Related terms**
- return decision

**Notes**
1. The term ‘forced return’ is not used at all in EU legislation.

2. Council Directive 2008/115/EC (Return Directive) which regulates the return of migrants whose stay has been found to be illegal – refers to return following a return decision as ‘return’ (not ‘forced return’).

3. In the EU environment (e.g. in the metadata of Eurostat), ‘forced return’ is synonymous with ‘removal’ – i.e. the physical transportation out of the country following a return decision.

4. Outside of EU legislation the term ‘forced return’ is more commonly used and understood as a synonym with ‘compulsory return’ – i.e. return which occurs in compliance with a return decision.

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**foreign population of a country**

**Definition**
All persons who have a certain country as their country of usual residence and who are citizens of another country.

**Source**
OECD Glossary of Statistical Terms

**Narrower term**
- stock of foreigners

**Related term**
- migrant stock
**Definition**

Any travel or identity document:
(i) that has been falsely made or altered in some material way by anyone other than a person or agency lawfully authorised to make or issue the travel or identity document on behalf of a State; or
(ii) that has been improperly issued or obtained through misrepresentation, corruption or duress or in any other unlawful manner; or
(iii) that is being used by a person other than the rightful holder.

**Source**

Art. 3(c) of Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the UN Convention against Transnational Organised Crime

**Synonyms**

- fraudulent travel document
- fraudulent identity document
- forged travel document
- forged identity document
- false travel document
- false identity document

**Related term**

- travel document
frontier worker

**Definition**
In the EU context, a worker who is employed in the frontier zone of a Member State but who returns each day or at least once a week to the frontier zone of a neighbouring country in which they reside and of which they are nationals.

**Source**
Council Resolution of 20 June 1994 on limitation on admission of third-country nationals to the territory of the Member States for employment

**Related terms**
* border resident
* cross-border worker
* local border traffic

**Notes**
1. The definition covers in particular third-country nationals entering the EU from the neighbouring third-country in which they reside.

2. Contrary to ‘cross-border workers’, frontier workers work in the frontier zone of the neighbouring country.
Definition
The UN multilateral treaty which is the key legal document defining who is a refugee and who is not, the rights of refugees and the legal obligations of States towards them.

Source

Synonyms
- CRSR
- Geneva Convention and Protocol
- The Convention relating to the Status of Refugees
- Geneva Refugee Convention and Protocol
- Refugee Convention
- 1951 Geneva Convention
- 1967 Geneva Protocol

Broader term
- refugee law

Narrower terms
- Convention grounds for persecution
- refugee

Related terms
- international protection
- refugee law
- United Nations High Commissioner for Refugees

Notes
1. The 1967 Protocol removed geographical and temporal restrictions from the Convention. The 1951 Convention consolidates previous international instruments relating to refugees and provides the most comprehensive codification of the rights of refugees at international level. In contrast to earlier international refugee instruments, which applied to specific groups of refugees, the 1951 endorses a single definition of the term ‘refugee’ in Art. 1.

2. The Convention is both a status and rights-based instrument and is underpinned by a number of fundamental principles, most notably non-discrimination, non-penalisation and non-refoulement.
gender

**Definition**
The socially constructed attributes, roles, activities, responsibilities and needs predominantly connected to being male or female in given societies or communities at a given time.

**Source**
Derived by EMN from the list of Concepts and Definitions on the UN Woman website

**Related term**
* sex
**General Directors of Immigration Services Conference**

| **BG** | Конференция на генералните директори на имиграционните служби |
| **CS** | Sdružení generálních ředitelů imigračních služeb |
| **DE** | Konferenz der Generaldirektoren der Einwanderungsbehörden |
| **EL** | Διάσκεψη των Γενικών Διευθυντών των Υπηρεσιών Μετανάστευσης |
| **ES** | Conferencia de Directores Generales de los Servicios de Inmigración |
| **ET** | sisserändeteenistuste peadirektorite konverentsi |
| **FI** | Maahanmuuttovirastojen johtajien konferenssi |
| **FR** | Conférence des directeurs généraux des services d’immigration |
| **GA** | Comhdháil Stiúrthóirí Ginearálta na Seirbhísí Inimirce |
| **HU** | Bevándorlási Hatóságok Főigazgatóinak Konferenciája |
| **IT** | Conferenza dei Direttori generali per i servizi all’immigrazione |
| **LT** | Imigracijos tarnybų generalinių direktorių konferencija |
| **LV** | Imigrācijas dienestu generāldиректорu konference |
| **MT** | Konferenza (Il-) tad-Diretturi Generali tas-Servizzi tal-Immigrazzjoni |
| **NL** | Conferentie van algemeen directeuren van de immigratiедiensten |
| **PL** | Konferencja Dyrektorów Generalnych Służb Imigracyjnych |
| **PT** | conferência dos directores-gerais dos serviços de imigração |
| **RO** | Conferinta Directorilor Generali ai Serviciilor de Imigreare |
| **SK** | Konferencia generálnych riaditeľov imigračných služieb |
| **SL** | Konferenca generalnih direktorjev služb za priseljevanje |
| **SV** | General Directors of Immigration Services Conference (no usual translation) |
| **NO** | GDISC-konferansen / The General Directors’ Immigration Services Conference |

**Definition**
A network established in order to facilitate practical cooperation in the field of *asylum* and *migration* between the Immigration Services of the different member countries.

**Source**
Derived by the EMN from the website of GDISC

**Synonym**
*GDISC*

**Related term**
*European Asylum Support Office*

**Notes**
1. The GDISC was initiated in 2004.

2. Member countries comprise the 28 EU Member States, the three EU candidate countries (Iceland, Former Yugoslav Republic of Macedonia and Turkey), the potential EU candidate Bosnia and Herzegovina and two Schengen associated countries (NO and CH).

3. For more information, see: [http://www.gdisc.org/](http://www.gdisc.org/)
Definition
An act committed with intent to destroy, in whole or in part, a national, ethncial, racial or religious group.

Source
Art. 2 of the UN Convention on the Prevention and Punishment of the Crime of Genocide of 1948

Related terms
★ crime against humanity
★ ethnic cleansing

Notes
1. As outlined in the Convention, these acts include:

(a) killing members of the group;

(b) causing serious bodily or mental harm to members of the group;

(c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

(d) imposing measures intended to prevent births within the group;

(e) forcibly transferring children of the group to another group.

2. The definition is also outlined in Art. 6 of the Rome Statute of the International Criminal Court.)
Global Approach to Migration and Mobility

**Definition**
The overarching framework of the European Union’s external migration policy based on genuine partnership with non-EU countries and addressing all aspects of migration and mobility issues in an integrated, comprehensive and balanced manner.

**Source**
Communication on the Global Approach to Migration and Mobility, COM(2011) 743 final

**Synonyms**
* GAMM
* Global Approach to Migration
* GAM

**Narrower terms**
* Cooperation Platform on Migration and Development
* migration profile
* migration routes initiative

**Related terms**
* Africa Caribbean Pacific Observatory on Migration
* Africa-EU Migration, Mobility and Employment Partnership
* Asia-Europe Meeting
* Bali Process
* Budapest Process
* Cotonou Agreement
* Dialogue on Mediterranean Transit Migration
* EU-LAC Structured Dialogue on Migration
* European Neighbourhood Policy
* 5+5 Dialogue on Migration in the Western Mediterranean
* Global Forum on Migration and Development
* High-Level Working Group on Asylum and Migration
* migration profile
* Migration, Asylum, Refugees Regional Initiative
* mobility partnership
* Prague Process

**Notes**
1. The Global Approach to Migration (GAM) was first defined by the European Council in December 2005 (COM(2007) 247) and further developed in 2007 and 2008. It has constituted the framework for the cooperation of the EU with third countries in the area of migration and asylum. The Stockholm Programme adopted in 2009 also acknowledged the importance of consolidating, strengthening and implementing the GAM.

2. The approach comprises the whole migration agenda, including legal and irregular migration, combating trafficking in human beings and smuggling of migrants, strengthening protection for refugees, enhancing migrant rights and harnessing the positive links that exist between migration and development.

3. In 2011, the global approach was evaluated. As a result of this, the Commission highlighted the need for further strengthening the external migration policy and published in November 2011 the Communication on the Global Approach to Migration and Mobility, COM(2011) 743 final on a new impetus to the EU’s external migration policy. The renewed GAMM focuses on four main priorities: improving the organisation of legal migration and facilitated mobility, preventing and reducing irregular migration in an efficient, yet humane way, strengthening the synergies between migration and development, and strengthening international protection systems and the external dimension of asylum.
**Global Forum on Migration and Development**

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<td>NO</td>
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**Definition**
An initiative of the UN Member States to address the migration and development interconnections in practical and action-oriented ways.

**Source**
Website of the Global Forum on Migration and Development

**Synonym**
* GFMD

**Related terms**
* Cooperation Platform on Migration and Development
* Cotonou Agreement
* Dialogue on Mediterranean Transit Migration
* Global Approach to Migration and Mobility
* migration profile

**Notes**
1. The first session of the GFMD was held in 2007.
2. The GFMD is a voluntary, informal, non-binding and government-led process open to all States and Observers of the UN, to advance understanding and cooperation on the mutually reinforcing relationship between migration and development.
3. For more information, see the website of GFMD: www.gfmd.org
**Definition**
A practice by which all persons forming part of a large-scale influx are regarded as refugees on a prima facie basis, ensuring that protection and assistance needs are met without prior individual determination of refugee status.

**Source**
UNHCR Master Glossary of Terms

**Synonym**
* prima facie determination of refugee status

**Related terms**
* group persecution
* prima facie refugee

**Note**
Refugee status must normally be determined on an individual basis, but when large populations are displaced under circumstances that indicate that most members of the population could individually be considered refugees, and where the need to provide protection and assistance is urgent and / or where it may not be possible for practical reasons to carry out an individual determination of refugee status, each member of that population in question can be regarded prima facie (in the absence of evidence to the contrary) as a refugee. In other words, the presumption is that individual members of the population concerned would be considered as refugees in need of protection. For more information, see UNHCR: Refugee status determination 2005:
**Definition**
A working group within the framework of G8 countries which tackles **irregular migration** and trafficking in the broader context of combating terrorism and transnational crime.

**Source**
Website of the Group of Eight Roma-Lyon Group

**Synonyms**
* G8 Lyon / Roma Migration Experts Sub-Group
  * Roma-Lyon Group

**Notes**
1. The G8 Roma-Lyon Group mainly focuses on strategies relating to public security in an effort to combat terrorism and transnational crime. It gathers experts who are all civil servants from the G8 members, mainly from justice, foreign affairs and law enforcement services and intelligence agencies. The Group consists of several sub-groups dealing with different aspects of transnational crime.

2. G8 countries are Canada, FR, DE, IT, Japan, Russia, UK and the United States of America, with the European Commission also attending meetings.
Definition

A concept which recognises that persecution can be enacted against members of a section of the population (a ‘group’) that is suffering oppression or is threatened as a whole in its home country according to one of the criteria defined in the Geneva Convention of 1951 to an extent that the members of such a group are not only covertly or potentially at risk, but quite tangibly and imminently requiring thus a certain intensity of persecution to warrant the general assumption of the individual persecution of each group member, irrespective of whether an individual has indeed been the victim of such persecution. This requires a threat emanating from so large a number of violations of rights protected by asylum law that it goes beyond separate individual infringements or a large number of individual infringements, but rather constitutes acts of persecution in the specific territory aimed at the group as a whole which increase, are repeated and spread to such an extent that there is not only a possibility, but a direct imminent danger of becoming a victim oneself for any member of such a group.

Broader term

* persecution

Related terms

* act of persecution
* actor of persecution
* group determination of refugee status
* prima facie refugee

Notes

1. This concept has no legal definition in the Member States.

2. ‘Group’ is interpreted broadly as referring to persons of a particular religious belief, social (e.g. homosexuals), and / or coming from a particular region within a country.

3. An assumption of group persecution requires a certain intensity of persecution to warrant the general assumption of the individual persecution of each group member, irrespective of whether an individual has indeed been the victim of such persecution. This requires a threat emanating from so large a number of violations of rights protected by asylum law that it goes beyond separate individual infringements or a large number of individual infringements, but rather constitutes acts of persecution in the specific territory aimed at the group as a whole which increase, are repeated and spread to such an extent that there is not only a possibility, but a direct imminent danger of becoming a victim oneself for any member of such a group.

4. With consideration to the general principle of subsidiarity in refugee law, group persecution will only entitle a refugee to protection abroad, if the danger is present in the entire territory of the country of origin, i.e. if there is no internal alternative for protection. For the purposes of the danger of persecution after return, such an internal alternative must be reasonable and accessible from the country of refuge.

5. For more information on group persecution, see the European Database of Asylum Law(EDAL): http://www.asylumlawdatabase.eu/en/case-law-search?search_api_views_fulltext=group+persecution&c=Search+EDAL+summaries, i.e. German Federal Administrative Court, ruling of 12 April 2009 – 10 C 11.08.
**Definition**

An economic migrant recruited for a restricted time of settlement and employment.

**Source**

Developed by EMN

**Broader term**

★ economic migrant

**Related term**

★ migrant worker

**Note**

This term is no longer used in the EU context. It was more or less restricted to migration flows in the 1950s and 1960s.

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</table>
**harassment**

**Definition**
Unwanted conduct related to racial or ethnic origin with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

**Source**

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**harmful onward movement**

**Definition**
The movement of refugees and migrants by dangerous means from one location to another.

**Source**
Derived by EMN from UNHCR: Draft Proposal for a Central Mediterranean Sea Initiative: EU solidarity for rescue-at-sea, protection and comprehensive responses, 2013

**Notes**
1. Harmful movement may include movement that risks people’s lives (e.g. by sea) or which puts them at risk of trafficking.
2. This term has only been recently put into use by practitioners.
High-Level Working Group on Asylum and Migration

Definition
A strategic group which works under the auspices of the European Council and which was set up to establish a comprehensive and integrated strategy for the EU’s cooperation with third countries in the area of asylum and migration.

Source
Conclusions of the General Affairs Council, December 1998

Synonym
★ HLWG

Related terms
★ Global Approach to Migration and Mobility
★ Strategic Committee on Immigration, Frontiers and Asylum

Notes
1. The HLWG was set up in December 1998 to prepare cross-pillar Action Plans for the countries of origin and transit of asylum seekers and migrants.

2. The HLWG’s focus is on external relations with third countries, particularly within the context of the Global Approach to Migration and Mobility. Its objective is to strengthen the external dimension of the EU’s asylum and migration policies based on dialogue, cooperation and partnership with countries of origin and transit in the areas of legal migration, irregular migration, migration and development. The Group also prepares conclusions and recommendations on asylum and migration to be adopted by the Council. They carry out an assessment of the political, economic and human rights situation in countries of origin and provide a joint analysis of the causes and consequences of migration.
highly qualified employment

**Definition**

The employment of a person who:

- in the Member State concerned, is protected as an employee under national employment law and / or in accordance with national practice, irrespective of the legal relationship, for the purpose of exercising genuine and effective work for, or under the direction of, someone else;
- is paid; and,
- has the required adequate and specific competence, as proven by higher professional qualifications.

**Source**


**Related terms**

* EU Blue Card
  * highly qualified migrant

**Note**

In some Member States, there is a distinction between 'highly skilled', referring to someone who has the required adequate and specific competence as proven by higher educational qualifications and / or extensive (vocational) experience; and 'highly qualified', referring to someone who has required adequate and specific competence as proven by higher educational qualifications only. In the EU context, however, these terms are considered to be interchangeable, e.g. the definition for 'highly skilled' used in Regulation (EC) No. 862/2007 (Migration Statistics Regulation) uses the definition for 'highly qualified'.
**Definition**

In the global context, a person falling within ILO ISCO-88 Classes 1, 2 and 3, e.g. a person qualified as a manager, executive, professional, technician or similar, who moves within the internal labour markets of transnational corporations and international organisations, or who seeks *employment* through international labour markets for scarce skills.

In the EU context, a *third-country national* who seeks employment in a Member State and has the required adequate and specific competence, as proven by higher professional qualifications.

**Source**

Global context: UNESCO Glossary of Migration-related Terms


**Synonyms**

★ business migrant
★ highly qualified migrant worker
★ highly skilled migrant

**Broader term**

★ migrant worker

**Related terms**

★ EU Blue Card
★ highly qualified employment
★ mutual recognition agreement

**Notes**

1. In some Member States, there is a distinction between ‘highly skilled’, referring to someone who has the required adequate and specific competence, as proven by higher educational qualifications, and / or extensive (vocational) experience; and ‘highly qualified’, referring to someone who has required adequate and specific competence, as proven by higher educational qualifications only. In the EU context, however, these terms are considered to be interchangeable, e.g. the definition for ‘highly skilled’ used in the Migratory Statistics Regulation (862/2007) uses the definition for ‘highly qualified’.

2. The understanding of who is a ‘highly qualified’ and a ‘qualified third-country national’ varies in the Member States, with different definitions and concepts existing. Often these depend on national labour market demands and other national criteria. For more information, see EMN: Attracting highly qualified and qualified third-country nationals, 2013.
host country

**Definition**
The Member State / country in which a third-country national / non-national takes up residence.

**Source**
Developed by EMN

**Synonym**
★ receiving country

**Narrower term**
★ host Member State

**Related terms**
★ host society
★ right of residence

---

host Member State

**Definition**
The Member State to which a union citizen moves in order to exercise their right to free movement and residence.

**Source**

**Broader term**
★ host country
**host society**

**Definition**
In the EU context, residents (both nationals and non-nationals) of a national / regional / local community within a Member State.

**Source**
Developed by EMN

**Related terms**
- ★ Common Basic Principles
- ★ host country
- ★ host Member State
- ★ integration

**Note**
In accordance with integration being a dynamic, two-way process, the activities undertaken by the host society serve to facilitate the integration of a third-country national according to the Common Basic Principles.

**human rights**

**Definition**
Agreed international standards that recognise and protect the dignity and integrity of every individual, without any distinction.

**Source**
UNHCR Master Glossary of terms

**Related term**
- ★ Charter of Fundamental Rights of the European Union
- ★ European Convention on Human Rights
- ★ European Union Agency for Fundamental Rights

**Note**
Human rights form part of customary international law and are stipulated in a variety of national, regional and international legal documents generally referred to as human rights instruments.
**human rights law**

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**Definition**
The body of customary international law, human rights instruments and national law that recognises and protects human rights.

**Source**
UNHCR Master Glossary of terms

**Related terms**
* European Convention on Human Rights
* refugee law

**Note**
Refugee law and human rights law complement each other.
humanitarian protection

Notes
1. The UK has opted into the Directive 2011/95/EU (Recast Qualification Directive) but does not (legally) use the term ‘subsidiary protection’. The inclusion of humanitarian protection within the UK immigration rules fully transposes the subsidiary protection provisions of the Qualification Directive into UK law, as it is defined as protection given to someone under the terms of the European Convention on Human Rights.

2. IE has also opted into the Qualification Directive, and uses the term ‘leave to remain’.

3. In DE, FI and IT, humanitarian protection and subsidiary protection are different concepts. In DE and IT, humanitarian protection is the reception and residence of refugees under international law or on humanitarian or political (DE only) grounds, and in FI, humanitarian protection is granted to foreign nationals who cannot return to their country of origin or country of former habitual residence as a result of an environmental catastrophe or a bad security situation, which may be due to an international or internal armed conflict or a poor human rights situation.

4. In EE, LV, this term is not used.

5. AT and ES use a similar expression, namely ‘residence permit on humanitarian grounds’.

6. In BG, humanitarian protection encompasses subsidiary protection as well as protection granted for other humanitarian reasons (see Art. 9, SG No 52 of 2007).

7. In NO, a residence permit may be granted, even if the other conditions laid down in the Act are not satisfied, provided there are strong humanitarian considerations or the foreign national has a particular connection with the realm. To determine whether there are strong humanitarian considerations, an overall assessment shall be made of the case. Importance may be attached, inter alia, to whether the foreign national is an unaccompanied minor who would be without proper care if they were returned; the foreign national needs to stay in the realm due to compelling health circumstances; there are social or humanitarian circumstances relating to the return situation that give grounds for granting a residence permit; the foreign national has been a victim of human trafficking. (For further information, see Immigration Act of May 2008, Chapter 5, Section 38).
**Definition**

The process of confirming and characterising a situation of **trafficking in human beings** for further implementation of support.

**Source**


**Broader term**

★ trafficking in human beings

**Narrower term**

★ formal identification of a victim of trafficking in human beings

**Related term**

★ detection of a victim of trafficking in human beings

---

**identified victim of trafficking in human beings**

**Definition**

A person who has been formally identified as a victim of trafficking in human beings according to the relevant formal authority in Member States.

**Source**

Derived by EMN from Eurostat: Trafficking in human beings, 2013

**Broader term**

★ trafficking in human beings

**Related term**

★ vulnerable person
illegal employment

**Definition**
Economic activity carried out in violation of provisions set by legislation.

**Source**
Derived by EMN from definition for ‘clandestine employment’ in the ILO Thesaurus, 6th ed., 2008

**Synonym**
★ clandestine employment

**Narrower terms**
★ illegal employment of an illegally staying third-country national
★ illegal employment of a legally staying third-country national

**Related term**
★ irregular migrant

**Notes**
1. In the EU context, this covers both the illegal employment of a third-country national who is irregularly staying on the territory of a Member State and of a legally resident third-country national working outside the conditions of the residence permit and / or without a work permit.

2. In the context of Directive 2009/52/EC (Employer Sanctions Directive) this means the employment of an illegally staying third-country national (see Art. 2(d)).
**illegal employment of an illegally staying third-country national**

<table>
<thead>
<tr>
<th>Country</th>
<th>Translation</th>
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</thead>
<tbody>
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</tr>
<tr>
<td>DE</td>
<td>illegale Beschäftigung eines Drittstaatsangehörigen ohne rechtmäßigen Aufenthalt</td>
</tr>
<tr>
<td>EL</td>
<td>παράνομη απασχόληση παράνομου διαμένοντος υπνόκου τρίτης χώρας</td>
</tr>
<tr>
<td>ES</td>
<td>empleo ilegal de nacional de tercer país en situación irregular</td>
</tr>
<tr>
<td>ET</td>
<td>ebaseaduslikult riigis viibiva kolmanda riigi kodaniku ebaseadusliku töötamise võimaldamine</td>
</tr>
<tr>
<td>FI</td>
<td>laitomasti oleskelevan kolmannen maan kansalaisen laiton työnteko</td>
</tr>
<tr>
<td>FR</td>
<td>emploi illegal d’un ressortissant de pays tiers en séjour irrégulier</td>
</tr>
<tr>
<td>GA</td>
<td>fostú neamhdirleachtaí nóisíúnaigh triú tír atá i láthair go neamhdirleachtaí</td>
</tr>
<tr>
<td>HU</td>
<td>illegálisan tartózkodási harmadik országbeli állampolgárok illegális foglalkoztatása</td>
</tr>
<tr>
<td>IT</td>
<td>lavoro illegale di un cittadino di un paese terzo irregolarmente soggiornante</td>
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<td>LT</td>
<td>neteisėtai šalyje esančio trečiosios šalies piliečio nelegalus darbas</td>
</tr>
<tr>
<td>LV</td>
<td>trešās valsts pilsoņa, kas nelikumīgi uzturas valstī, nelikumīga nodarbinātība</td>
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<td>MT</td>
<td>Impjieg illegali ta’ cittadin(a) minn pajjiż terz residenti b’mod regolari</td>
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<td>illegale tewerkstelling van illegaal verblijvende derdelanders</td>
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<td>PL</td>
<td>nielegalne zatrudnienie obywatela państwa trzeciego przebywającego nielegalnie</td>
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<td>PT</td>
<td>emprego de imigrantes ilegais</td>
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<td>angajarea ilegală a străinilor cu şedere ilegală</td>
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<td>nezakonita zaposlitev državljana tretje države, ki nezakonito prebiva</td>
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</tr>
<tr>
<td>NO</td>
<td>ulovlig sysselsetting av tredjelandsbor som vistas ulovlig (n)</td>
</tr>
</tbody>
</table>

**Definition**
The employment of an illegally staying third-country national.

**Source**

**Broader term**
* illegal employment

**Related terms**
* employer sanction
* illegal employment of a legally staying third-country national
* third-country national found to be illegally present

**Note**
The term itself has been slightly modified from the Employer Sanctions Directive definition in order to be more explicit.
**illegal employment of a legally staying third-country national**

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</table>

**Definition**

Employment of a legally staying **third-country national** working outside the conditions of their **residence permit** and / or without a work permit. This is subject to each Member State’s national law.

**Source**


**Broader term**

*illegal employment*
**immigrant**

**Definition**
In the global context, a non-resident (both national or alien) arriving in a State with the intention to remain for a period exceeding a year.
In the EU context, a person who establishes their usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country.

**Source**
Global context: UN Recommendations on Statistics of International Migration
EU context: Art. 2(b) and (f) of Regulation (EC) No 862/2007 (Migration Statistics)

**Broader term**
* migrant

**Related terms**
* emigrant
* immigration
* short-term migrant

---

**immigration**

**Definition**
In the global context, the act of arriving in a State with the intention to remain for a period exceeding one year.
In the EU context, the action by which a person establishes their usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country.

**Source**
Global context: UN Recommendations on Statistics of International Migration
EU context: Art. 2(b) of Regulation (EC) No 862/2007 (Migration Statistics)

**Broader term**
* migration

**Narrower term**
* EU Immigration Portal

**Related terms**
* emigration
* immigrant
**Immigration Liaison Officer**

**Definition**
A representative of one of the Member States, posted abroad by the immigration service or other competent authorities in order to establish and maintain contacts with the authorities of the host country with a view to contributing to the prevention and combating of *irregular migration*, the *return* of *irregular migrants* and the management of *legal migration*.

**Source**
Art. 1(1) of Council Regulation (EC) 377/2004 (Immigration Liaison Officer Regulation)

**Synonyms**
- ILO
- national liaison officer
- state liaison officer

**Related terms**
- *Information and Coordination Network for Member States’ Migration Management Services*
- *European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union*

**Notes**
1. Immigration liaison officers are to collect information concerning illegal immigration for use either at operational level or at strategic level, or both. Such information could substantially contribute to the activities of Frontex relating to risk analysis; closer cooperation between different immigration liaison officers networks and Frontex should be established to that effect, as immigration liaison officers shall also be considered the liaison officers who are dealing with immigration issues as part of their duties.

2. The immigration liaison officers could be posted to the national consular authorities of Member States in *third countries* or to the relevant authorities of other Member States, but also to the competent authorities of the third countries, as well as to international organisations for a reasonable time period to be determined by the posting Member State.

**immigration programme**

**Definition**
Programme to facilitate migration which is organised or supported with the assistance of a government, governments or an international organisation, as opposed to spontaneous migration, which is unaided.

**Source**
Developed by EMN

**Related term**
* spontaneous migration

---

**immigration quota**

**Definition**
A quota established for and by the country, normally for the purposes of labour migration, for the entry of immigrants.

**Source**
Developed by EMN

**Broader terms**
* labour migration
* quota

**Note**
In the EU context, such quotas are primarily used for third-country nationals only.
**indirect discrimination**

**Definition**
A situation in which an apparently neutral provision, criterion or practice would put persons of a racial or ethnic origin at a particular disadvantage compared with other persons, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

**Source**

**Broader term**
*principle of equal treatment*

**Related terms**
*institutional discrimination*
*structural discrimination*
informal economy

Definition
All economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements.

Source
Para. 3 of ILO Resolution concerning Decent Work and the Informal Economy, 2002

Synonyms
★ black market
★ clandestine employment

Related terms
★ informal employment
★ informal sector

Notes
1. Activities within the informal economy are not covered by law, which means that they are operating outside of the formal reach of relevant legislation; or they are not covered in practice, which means that, although they are operating within the formal reach of the law, the law is not applied or not enforced, or the law discourages compliance because it is inappropriate, burdensome or imposes excessive costs.

2. This applies to third-country nationals, too.
**Definition**
A secure web-based information and coordination network for the rapid information exchange between Member States on irregular migratory flows and phenomena, and the return of illegal residents.

**Source**
Derived by EMN from Art. 1 of Council Decision 2005/267/EC

**Synonym**
* ICONet

**Related terms**
* European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
* Immigration Liaison Officer
* mutual information mechanism

**Notes**
1. The ICONet was established in 2005 within the framework of the Council’s comprehensive plan to combat illegal immigration and trafficking of human beings.

2. The elements for information exchange shall include at least the following: (a) early warning system on irregular immigration and facilitator networks; (b) network of immigration liaison officers; (c) information on the use of visas, borders and travel documents in relation to illegal immigration; and (d) return-related issues.
**Definition**
In the EU context, a dynamic, two-way process of mutual accommodation by all *immigrants* and residents of Member States.

**Source**
Action 1, section 2 of Communication on a Common Agenda for Integration, COM(2005) 389 final

**Narrower terms**
* Common Basic Principles
* Handbook on Integration
* European Website on Integration
* National Contact Points on Integration

**Related terms**
* adaptation
* host society
* reintegration

**Notes**
1. Art. 79(4) of the TFEU gives the legal base for Union activities on integration. The promotion of fundamental rights, non-discrimination and equal opportunities for all are key integration issues.

2. At EU level, integration policy is developed within the framework of *Common Basic Principles* – CBP (of which the broad definition above is the first one).

3. For more information, see European Website on Integration: http://ec.europa.eu/ewsi/en/mandate.cfm
**intercultural dialogue**

**Definition**
An open and respectful exchange of views between individuals and groups with different ethnic, cultural, religious and linguistic backgrounds and heritage on the basis of mutual understanding and respect.

**Source**
Section 1.4 of Council of Europe: White Paper on Intercultural Dialogue, May 2008

**Notes**
1. Intercultural dialogue has long been a principle supported by the European Union and its institutions. The year 2008 was designated ‘European Year of Intercultural Dialogue’ (EYID) by the European Parliament and the Member States. It aimed to draw the attention of people in Europe to the importance of dialogue within diversity and between diverse cultures.

2. For more information, see Evaluation of the European Year of Intercultural Dialogue, 2008 (COM/2010/03561 final).
**Intergovernmental Consultations on Migration, Asylum and Refugees**

| **BG** | Междуправителственни консултации по миграция, убежище и беганци |
| **CS** | Mezivládní konzultace k migraci, azylu a uprchlictví |
| **DE** | Zwischenstaatliche Beratungen über Migration, Asyl und Flüchtlinge |
| **EL** | Συνεταλήματα Διεθνούς Συνεργασίας για την Μετανάστευση, το Ασύλο και τους Πρόσφυγες |
| **ES** | Consultas Intergubernamentales sobre Asilo, Refugio y Migración |
| **ET** | valitsustevahelised konsultatsioonid rände-, varjupaiga- ja pagulasteemal |
| **FI** | IGC (Euroopan, Pohjois-Amerikan ja Australian turvapaikka-, pakolais- ja siirtolaispolitiikkoja käsittelevät hallitustenvälistiset neuvottelut) |
| **FR** | Consultations intergouvernementales sur les politiques d'asile, de réfugiés et de migrations |
| **GA** | Comhairliúcháin Ídir-Rialtasacha maidir le himirce, Teamann agus Dídeanaithe |
| **HU** | Kormányközös Tanácskozás / Együttműködés a Migrációról és a Menekültügyről |
| **IT** | Consultazioni Inter-Governative in materia di Immigrazione, Asilo e Rifugiati |
| **LT** | Tarpvyriausybinės konsultacijos migracijos, priešglobsčio ir pažeidžių klausimais |
| **LV** | Starpvaldību konsultācijas par migrācijas, patvēruma un bēgļu jautājumiem |
| **MT** | Konsultazzjonijiet Intergovernattivi fuq Migrazzjoni, Azil u Rifugjati |
| **NL** | IGC (BE syn.: Intergouvernementeel Overleg over migratie, asiel en vluchtelingen) |
| **PL** | międzyrządowe konsultacje nt. migracji, asylu i uchodźców |
| **PT** | consultas intergovernamentais sobre migrações, asilo e refugiados |
| **RO** | Consultări interministeriale cu privire la migrație, azil și refugiati |
| **SK** | Medzivládne konzultácie o migrácii, azylu a uciečkách |
| **SL** | Medvladna posvetovanja o migraciji, azilu in beguncih |
| **SV** | Intergovernmental Consultations on Migration, Asylum and Refugees |
| **NO** | Flernasjonal informasjonsutveksling om migrasjons, asyl- og flyktningspørsomål |

**Definition**

An informal, non-decision making forum for intergovernmental information exchange and policy debate on issues of relevance to the management of international migratory flows, which brings together the participating states, the United Nations High Commissioner for Refugees, the International Organization for Migration and the European Commission.

**Source**

Website of the IGC

**Synonym**

* IGC

**Notes**

1. The starting point for the IGC was a conference held in May 1985 under the auspices of the UNHCR. While historically focused on asylum issues, IGC has moved towards greater discussion and exchange of data on general migration policies since 2006.

2. For more information on participating states etc., see the IGC website: [http://www.igc.ch/](http://www.igc.ch/)
internal EU border

**Definition**
Schengen Member States’ common borders, including land borders, river and lake borders, sea borders and their airports, river ports, sea ports and lake ports.

**Source**
Derived by EMN from Art. 1 of Regulation (EC) No 562/2006 (Schengen Borders Code)

**Synonym**
★ internal Schengen border

**Related terms**
★ border control
★ external EU border
★ irregular entry
★ legal entry
★ refusal of entry
★ Schengen Borders Code

**Notes**
1. IE and UK do not participate in the Schengen Area.
2. BG, HR and RO are Schengen candidate countries.
3. IS, LI, NO and CH are also Schengen Member States, although they are not EU Member States.
Definition
A person or groups of persons who has been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised State border.

Source
Art. 2 of UN Guiding Principles on Internal Displacement

Synonym
★ IDP

Broader term
★ displaced person

Related terms
★ de facto refugee
★ environmentally displaced person

Note
For more information, see the website of the Internal Displacement Monitoring Centre (IDMC): http://www.internal-displacement.org/about-us

International Organization for Migration

Definition
An intergovernmental organisation in the field of migration dedicated to ensuring the orderly and humane management of migration, to promote international cooperation on migration issues, to assist in the search for practical solutions to migration problems and to provide humanitarian assistance to migrants in need, be they refugees, displaced persons or other uprooted people.

Source
Website of the International Organisation of Migration

Related terms
★ United Nations High Commissioner for Refugees

Notes
1. The agency was created in 1951.
2. It is one of the main inter-governmental organisations in the field of migration and works closely with governmental, inter-governmental and non-governmental partners.
3. For further information, see the website of IOM: https://www.iom.int/cms/about-iom
Definition
In the global context, the actions by the international community on the basis of international law, aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the national protection of their own countries.

In the EU context, protection that encompasses refugee status and subsidiary protection status.

Source
Global context: UNHCR Master Glossary of Terms
EU context: Derived by EMN from Art. 2(a) of Directive 2011/95/EC (Recast Qualification Directive)

Broader term
* protection

Narrower terms
* refugee status
* subsidiary protection

Related terms
* asylum
* humanitarian protection
* temporary protection
* United Nations High Commissioner for Refugees
Definition
A third-country national subject to a temporary secondment from an undertaking established outside the territory of a Member State and to which the third-country national is bound by a work contract to an entity belonging to the undertaking or to the same group of undertakings which is established inside this territory.

Source
Derived from Arts. 3(b) and 3(c) of Proposal for a Directive on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer (COM(2010) 378 final)

Note
The World Trade Organisation’s (WTO) General Agreement on Trade in Services (GATS), liberalises trade in services, including the temporary movement of natural persons as service suppliers. Mode 4 refers to the presence of persons of one WTO member in the territory of another for the purpose of providing a service. It does not concern persons seeking access to the employment market in the host member, nor does it affect measures regarding citizenship, residence or employment on a permanent basis. For more information, see http://www.wto.org/english/tratop_e/serv_e/mouvement_persons_e/mouvement_persons_e.htm
**intra-EU mobility**

| **Definition** | Action of persons (EU nationals or legally resident third-country nationals) undertaking their right to free movement by moving from one EU Member State to another. |
| **Source** | Derived by EMN from the definition of ‘right to free movement’ in the EMN Glossary |
| **Synonyms** | EU mobility, free movement, Inter-EU migration, Intra-EU migration, intra EU / EFTA-mobility, third-country national mobility |
| **Notes** | 1. Free movement / intra-EU mobility is available under two different schemes. The first scheme is a very open one and applicable to EU citizens who benefit from full freedom of movement. The second scheme concerns migrant workers. Rules applicable here are less generous and limited to specific categories of third-country nationals, i.e. long-term residents, highly skilled workers, researchers and students. |
| 2. Through separate agreements between the EU and IS, LI, NO and CH, the same rights to free movement apply to their citizens and their territories. |
irregular entry

Synonym
★ illegal entry

Broader term
★ irregular migration

Related terms
★ border control
★ external EU border
★ internal EU border
★ legal entry
★ Schengen Borders Code

Notes
1. The European Commission favours nowadays the term ‘irregular entry’ (e.g. see: DG Home e-Library Glossary) instead of ‘illegal entry’.

2. Art. 5 of the Schengen Borders Code states that for stays not exceeding three months per six-month period, the entry conditions for third-country nationals shall be the following:

   (a) they are in possession of a valid travel document or documents authorising them to cross the border;

   (b) they are in possession of a valid visa, if required pursuant to Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (17), except where they hold a valid residence permit;

   (c) they justify the purpose and conditions of the intended stay, and they have sufficient means of subsistence, both for the duration of the intended stay and for the return to their country of origin or transit to a third country into which they are certain to be admitted, or are in a position to acquire such means lawfully;

   (d) they are not persons for whom an alert has been issued in the Schengen Information System for the purposes of refusing entry;

   (e) they are not considered to be a threat to public policy, internal security, public health or the international relations of any of the Member States, in particular where no alert has been issued in Member States’ national data bases for the purposes of refusing entry on the same grounds.


Definition
In the global context, crossing borders without complying with the necessary requirements for legal entry into the receiving State.

In the Schengen context, the entry of a third-country national into a Schengen Member State who does not satisfy Art. 5 of the Schengen Borders Code.

Source
Global context: Definition for ‘illegal entry’ in Art. 3(b) of the Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the UN Convention against Transnational Organized Crime
Schengen context: Developed by EMN
irregular migrant

Source
Global context: Derived by EMN from IOM Glossary on Migration, 2nd. Ed. 2011
EU context: Derived by EMN from the definition of ‘illegal stay’ in Art 3 of Directive 2008/115/EC (Return Directive)

Synonyms
★ clandestine migrant
★ illegal migrant
★ insufficiently documented migrant
★ migrant in an irregular situation
★ migrant with irregular status
★ unauthorised migrant
★ undocumented migrant

Broader term
★ migrant

Narrower term
★ third-country national found to be illegally present

Related terms
★ apprehension
★ irregular migration
★ overstay(ER)

Notes
1. The IOM definition covers inter alia those persons who have entered a transit or host country lawfully but have stayed for a longer period than authorised or subsequently taken up unauthorised employment.

2. The term ‘irregular’ is preferable to ‘illegal’ migrant because the latter carries a criminal connotation, entering a country in an irregular manner, or staying with an irregular status, is not a criminal offence but an infraction of administrative regulations. Apart from this, juridically and ethically, an act can be legal or illegal but a person cannot. Thus more and more the term ‘migrant in an irregular situation’ or ‘migrant with irregular status’ is preferred.

3. The European Commission has used the term ‘third-country national found to be illegally present’ or ‘illegally resident / staying third-country national’ in legislation.

4. The Council of Europe differentiates between illegal migration and irregular migrant. Referring to Resolution 1509 (2006) of the Council of Europe Parliamentary Assembly, ‘illegal’ is preferred when referring to a status or process, whereas ‘irregular’ is preferred when referring to a person.
irregular migration

**Synonyms**

- *clandestine migration*
- *illegal immigration*
- *illegal migration*
- *unauthorised migration*
- *undocumented migration*

**Notes**

1. There is no universally accepted definition of irregular migration. From the perspective of destination countries it is entry, stay or work in a country without the necessary authorisation or documents required under immigration regulations. From the perspective of the sending country, the irregularity is, for example, seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfil the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term to cases of smuggling of migrants and trafficking in persons.

2. Defining irregular migration has been the subject of considerable debate. Terms such as illegal, undocumented, non-documented, and unauthorised migration can have different connotations in national policy debates. Due to this and the association with criminality the term ‘illegal migration’ should be avoided, as most irregular migrants are not criminals. Being in a country without the required papers is, in most countries, not a criminal offence but an administrative infringement.

3. While the UN use the term ‘irregular’ or ‘undocumented’ migration, the European Commission favoured for a long time the term ‘illegal immigration’, but more recently refers to ‘irregular migration’ as well.

4. The Council of Europe differentiates between illegal migration and irregular migrant. Referring to Resolution 1509 (2006) of the Council of Europe Parliamentary Assembly, ‘illegal’ is preferred when referring to a status or process, whereas ‘irregular’ is preferred when referring to a person.
irregular stay

**Definition**
The presence on the territory of a Member State, of a third-country national who does not fulfil, or no longer fulfils the conditions of entry as set out in Art. 5 of the Schengen Borders Code or other conditions for entry, stay or residence in that Member State.

**Source**
Art. 3 (2) of Directive 2008/115/EC (Return Directive)

**Synonym**
★ illegal stay

**Broader term**
★ irregular migration

**Related terms**
★ irregular entry
★ overstay(er)
★ third-country national found to be illegally present

**Note**
The European Commission favours nowadays the term ‘irregular stay’ (e.g. see: DG HOME e-Library Glossary) instead of ‘illegal stay’ which was the term used in the Directive 2008/115/EU (Return Directive).

**ius sanguinis**

**Definition**
The determination of a person’s nationality on the basis of the nationality of their parents (or one parent or one particular parent) at the time of the target person’s birth and at the time of acquisition of nationality by the target person (the two points in time are different in cases of acquisition after birth).

**Source**
EUDO Online Glossary on Citizenship and Nationality

**Synonym**
★ jus sanguinis

**Related terms**
★ acquisition of citizenship
★ ius soli
**ius soli**

<table>
<thead>
<tr>
<th><strong>Definition</strong></th>
<th>The principle that the nationality of a person is determined on the basis of their country of birth.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Source</strong></td>
<td>EUDO Online Glossary on Citizenship and Nationality</td>
</tr>
<tr>
<td><strong>Synonym</strong></td>
<td>★ jus soli</td>
</tr>
<tr>
<td><strong>Related terms</strong></td>
<td>★ acquisition of citizenship</td>
</tr>
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### Entries by Language:

<table>
<thead>
<tr>
<th>Language</th>
<th>Translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>BG</td>
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</tr>
<tr>
<td>CS</td>
<td>ius soli</td>
</tr>
<tr>
<td>DE</td>
<td>Territorialprinzip / ius soli / Geburtslandprinzip</td>
</tr>
<tr>
<td>EL</td>
<td>ἀρχή του εδάφους; ius soli</td>
</tr>
<tr>
<td>ES</td>
<td>ius soli</td>
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<td>sünnikohaðigus</td>
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<tr>
<td>NL</td>
<td>jus soli / territorialprinsippet</td>
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<td>PL</td>
<td>prawo ziemi</td>
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<tr>
<td>PT</td>
<td>ius soli</td>
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<td>ius soli / legea locului</td>
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<td>SK</td>
<td>právo zeme / ius soli</td>
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<td>SL</td>
<td>jus soli</td>
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<tr>
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<td>no usual translation</td>
</tr>
<tr>
<td>NO</td>
<td>jus soli / territorialprinsippet</td>
</tr>
</tbody>
</table>
labour market test

**Definition**
Mechanism that aims to ensure that migrant workers are only admitted after employers have unsuccessfully searched for national workers, EU citizens (in EU Member States this also means EEA workers) or legally residing third-country nationals with access to the labour market according to national legislation.

**Source**
Derived by EMN from Oxford Migration Observatory response to Call for Evidence

**Synonym**
★ LMT

**Broader term**
★ union preference

**Notes**
1. The labour market test (LMT) is implemented and applied widely in most Member States. Where the LMT is applied, some categories of workers can be exempt, reflecting the specific national situations and priorities.

2. Member States apply different methodologies in undertaking LMTs. In general, a considerable role is left to employers and public employment services. Duration of the verification process varies among Member States.

3. For further information, see EMN: Satisfying labour demand through migration, June 2011.
**labour migration**

**Definition**
Movement of persons from one state to another, or within their own country of residence, for the purpose of employment.

**Source**
IOM Glossary on Migration, 2nd. ed. 2011

**Broader term**
* economic migration

**Narrower terms**
* immigration quota
* labour market test

**Related term**
* migrant worker

**Note**
Labour migration is addressed by most States in their migration laws. In addition, some States take an active role in regulating outward labour migration and seeking opportunities for their nationals abroad.

**legal entry**

**Definition**
In the global context, the entry of an alien into a foreign country in compliance with the necessary requirements for legal entry into the receiving State.

**Source**
Global context: Derived by EMN from the definition of ‘entry’ in IOM Glossary on Migration, 2nd ed. 2011 and the definition of ‘illegal entry’ in the UN Convention against Transnational Organized Crime and its Protocols

**Schengen context:** Derived by EMN from Art. 5 of Council Regulation (EC) No 562/2006 (Schengen Borders Code)

**Narrower terms**
* admission onto the territory

**Related terms**
* border control
* external EU border
* internal EU border
* irregular entry
* refusal of entry
* Schengen Borders Code

**In the Schengen context,** and for a stay not exceeding three months per six-month period, the entry of a third-country national into a Schengen Member State in compliance with Art. 5 of the Schengen Borders Code.
**legal migration**

**Definition**
Migration in accordance with the applicable legal framework.

**Source**
Developed by EMN

**Synonym**
★ regular migration

**Broader term**
★ migration

**Related term**
★ irregular migration

**Note**
DG HOME e-Library Glossary defines the term as follows: Migration that occurs through recognised, authorised channels (based on IOM).
Lisbon Treaty

Definition
An international agreement – initially known as the Reform Treaty – which amends the two treaties that form the constitutional basis of the European Union and which aims to enhance the efficiency and democratic legitimacy of the European Union and to improve the coherence of its actions.

Source
Derived by EMN from Website on the Lisbon Treaty

Synonyms
★ Reform Treaty
★ Treaty of Lisbon

Related term
★ Common European Asylum System

Notes
1. The Treaty of Lisbon was signed by the 27 Member States on 13 December 2007, and entered into force on 1 December 2009. It amends the Maastricht Treaty (1993), which is also known as the Treaty on European Union, and the Treaty of Rome (1952), which is also known as the Treaty establishing the European Community (TEEC). At Lisbon, the Treaty of Rome was renamed the Treaty on the Functioning of the European Union (TFEU).

2. Prominent changes included the move from unanimity to qualified majority voting in at least 45 policy areas in the Council of Ministers, a change in calculating such a majority to a new double majority, a more powerful European Parliament forming a bicameral legislature alongside the Council of ministers under the ordinary legislative procedure, a consolidated legal personality for the EU, and the creation of a long-term President of the European Council and a High Representative of the Union for Foreign Affairs and Security Policy. The Treaty also made the Union’s bill of rights, the Charter of Fundamental Rights of the European Union, legally binding.

3. The Treaty of Lisbon broadened the competences of the EU in asylum issues. According to Art. 78 TFEU, a common policy on asylum is developed through the ordinary legislative procedure. There is no mentioning of minimum standards as before which sets the aim to convergence. The Article provides for the legal basis for the CEAS. For further information, see the entry for ‘Common European Asylum System’ in this EMN Glossary.

4. For more information see the Website of the Lisbon Treaty: http://www.lisbon-treaty.org/wcm/the-lisbon-treaty.html
local border traffic

**Definition**
The regular crossing of an external land border by **border residents** in order to stay in a **border area**, for example for social, cultural or substantiated economic reasons, or for family reasons, for a period not exceeding three months.

**Source**
Art. 3(3) of Council Regulation (EC) No 1931/2006 (Local Border Traffic Regulation)

**Related terms**
- border area
- border resident
- frontier worker

long-term migrant

**Definition**
A person who moves to a country other than that of their **usual residence** for a period of at least a year (12 months), so that the **country of destination** effectively becomes their new country of usual residence.

**Source**
OECD Glossary of Statistical Terms

**Broader term**
migrant

**Related terms**
- long-term migration
- short-term migrant
long-term migration

**Definition**
Movement of individuals who change their country of usual residence for a period of at least one year, so that the country of destination effectively becomes their new country of usual residence.

**Source**
Derived by EMN from the UN Recommendations on Statistics of International Migration and OECD Glossary of Statistical Terms

**Synonyms**
- permanent-type migration
- permanent migration

**Broader term**
- migration

**Related terms**
- long-term migrant
- short-term migration
- temporary migration

**Note**
Long-term migration’ and ‘permanent migration’ are often understood as quasi-synonyms. The OECD defines permanent migration as ‘a concept relating to undertaking migration with a view to, or which results in, settling on a permanent basis in the country of destination.'
### long-term resident

**Definition**

A third-country national who has long-term resident status as provided for under Arts. 4 to 7 of Council Directive 2003/109/EC or as provided for under national legislation.

**Source**


**Related term**

* right of residence

**Notes**

1. EU Member States must recognise long-term resident status after five years of uninterrupted legal residence. This is however dependent upon the person having a stable and regular source of income, health insurance and, when required by the EU Member State, having complied with integration measures. The applicant must also not constitute a threat to public security or public policy.


3. The UN Recommendations on Statistics on International Migration set one year of intended residence as the lower threshold.

### long-stay visa

**Definition**

The authorisation or decision issued by one of the Member States in accordance with its national law or Union law required for entry for an intended stay in that Member State of more than three months.

**Source**

Art. 2(m) of Regulation (EU) No 604/2013 (Dublin III Regulation)

**Broader term**

* visa

**Related terms**

* airport transit visa
* short-stay visa
* transit visa
**loss of citizenship**

| **BG** | загуба на гражданство |
| **CS** | pozbýtí státního občanství |
| **DE** | Verlust der Staatsangehörigkeit / Staatsbürgerschaft |
| **EL** | απώλεια ιθαγένειας |
| **ES** | pérdida de nacionalidad |
| **ET** | kodakondsuse kaotamine |
| **FI** | kansalaisuuden menettäminen |
| **FR** | perte de la citoyenneté |
| **GA** | cailleadh saoránachta |
| **HU** | állampolgárság elvesztése |
| **IT** | perdita di cittadinanza |
| **LT** | pilietybės netekimas |
| **LV** | pilsonības zaudēšana |
| **MT** | Telf ta’ ċittadinanza |
| **NL** | verlies van het staatsburgerschap |
| **PL** | utrata obywatelstwa |
| **PT** | perda de nacionalidade |
| **RO** | pierderea cetățeniei |
| **SK** | strata štátneho občianstva |
| **SL** | izguba državljanstva |
| **SV** | förlust av medborgarskap |
| **NO** | tap av statsborgerskap (b) / tap av statsborgerskap (n) |

**Definition**
Any mode of loss of the status as citizen of a country, voluntarily or involuntarily, automatically or by an act by the public authorities.

**Source**
EU DO Online Glossary on Citizenship and Nationality

**Synonym**
☆ loss of nationality

**Broader term**
☆ citizenship

**Note**
The main types of loss are renunciation, withdrawal and lapse of citizenship.
**managed migration**

**Definition**
An approach used by the EU and Member States to structure the management of all aspects of migration into and within the EU of both third-country nationals and EU nationals, particularly the entry, admission, residence, integration and return, as well as of refugees and others in need of protection.

**Source**
Developed by EMN

**Synonym**
★ migration management

**Related terms**
★ economic migrant
★ economic migration
★ forced migration
★ quota

**mandate refugee**

**Definition**
A person who meets the criteria of the UNHCR Statute and qualifies for the protection of the UN provided by the High Commissioner for Refugees, regardless of whether or not they are in a country that is a party to the Geneva Convention of 1951, or whether or not they have been recognised by the host country as a refugee under either of these instruments.

**Source**
IOM Glossary on Migration, 2nd ed., 2011

**Broader term**
★ refugee

**Related term**
★ Convention refugee
marriage of convenience

**Definition**
A marriage contracted for the sole purpose of enabling the person concerned to enter or reside in a Member State.

**Source**

**Related terms**
- adoption of convenience
- civil partnership of convenience
- false declaration of parenthood
- partnership of convenience

**Note**
For further information, see EMN: Marriages of convenience and false declarations of parenthood, 2012.

mass influx

**Definition**
Arrival in the Community of a large number of displaced persons, who come from a specific country or geographical area, whether their arrival in the Community was spontaneous or aided, for example through an evacuation programme.

**Source**

**Related term**
* temporary protection
**material reception conditions**

**Definition**
The *reception conditions* that include housing, food and clothing provided in kind, or as financial allowances or in vouchers, or a combination of the three, and a daily expenses allowance.

**Source**
Art. 2(g) of Directive 2013/33/EU (Recast Reception Conditions Directive)

**Broader term**
* reception conditions

**Note**
For further information, see EMN: The Organisation of Reception Facilities for Asylum Seekers in different Member States, 2013.
**Definition**
In the global context, a person who is outside the territory of the State of which they are nationals or citizens and who has resided in a foreign country for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate.

In the EU context, a person who either:
- (i) establishes their usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country; or
- (ii) having previously been usually resident in the territory of a Member State, ceases to have their usual residence in that Member State for a period that is, or is expected to be, of at least 12 months.

**Source**
Global context: derived by EMN from the UN Recommendations on Statistics of International Migration and UNESCO
EU context: Derived by EMN from Eurostat’s Concepts and Definitions Database and the UN Recommendations on Statistics of International Migration

**Narrower terms**
- economic migrant
- emigrant
- forced migrant
- immigrant
- short-term migrant
- long-term migrant

**Related term**
- migration

**Notes**
1. At the international level, no universally accepted definition for ‘migrant’ exists.

2. Under the UN definition, those travelling for shorter periods as tourists and business persons would not be considered migrants. However, common usage includes certain kinds of short-term migrants, such as seasonal workers.

3. The term ‘migrant’ was usually understood to cover all cases where the decision to migrate was taken freely by the individual concerned for reasons of ‘personal convenience’ and without intervention of an external compelling factor; it therefore applied to persons, and family members, moving to another country or region to better their material or social conditions and improve the prospect for themselves or their family.

<table>
<thead>
<tr>
<th>Language</th>
<th>Migrant</th>
</tr>
</thead>
<tbody>
<tr>
<td>BG</td>
<td>мигрант</td>
</tr>
<tr>
<td>CS</td>
<td>migrant</td>
</tr>
<tr>
<td>DE</td>
<td>Migrant</td>
</tr>
<tr>
<td>EL</td>
<td>μετανάστης</td>
</tr>
<tr>
<td>ES</td>
<td>persona migrante</td>
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<tr>
<td>ET</td>
<td>sisserändaja</td>
</tr>
<tr>
<td>FI</td>
<td>maahanmuuttaja / siirtolainen</td>
</tr>
<tr>
<td>FR</td>
<td>migrant</td>
</tr>
<tr>
<td>GA</td>
<td>imirceach</td>
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<td>HU</td>
<td>migráns</td>
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</tr>
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<td>MT</td>
<td>Migrant(a)</td>
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<tr>
<td>SV</td>
<td>migrant</td>
</tr>
<tr>
<td>NO</td>
<td>migrant</td>
</tr>
</tbody>
</table>
**migrant stock**

**Definition**
The number of migrants in a given area on a certain date (e.g. 1 January or 31 December) of the year in question.

**Source**

**Synonyms**
★ immigrant population
★ stock of migrants

**Broader terms**
★ population stock
★ stock of foreigners

**Related term**
★ foreign population of a country

---

**BG** брой на мигрантите

**CS** počet imigrantů – stav k

**DE** Anzahl der Einwanderer

**EL** población inmigrante

**ET** sisserännanute arv kindlal territooriumil, teatud aja seisuga

**FI** maahanmuuttajaväestön määrä

**FR** stock de migrants

**GA** lion na n-imirceach

**HU** bevándorlók aránya

**IT** stock di migranti

**LT** migrantų skaičius

**LV** migrantu skaits (1.janvārī)

**MT** Rendikont tal-migranti

**NL** migrant stock (no usual translation)

**PL** populacja migrantów w danym momencie

**PT** stoc de migrante

**RO** stoc de migranți

**SK** počet migrantov / stav migrantov

**SL** število priseljenecev / „zaloga“ migrantov

**SV** migrantstock

**NO** antall registrert bosatte innvandrere (b) / tal på registrert busette innvandrarar (n)
migrant worker

**Definition**
A person who is to be engaged, is engaged or has been engaged in a remunerated activity in a state of which they are not nationals.

**Source**
UN Convention on the Protection of All Migrant Workers and Members of their Families

**Synonyms**
- foreign worker
- labour migrant

**Broader term**
- economic migrant

**Narrower terms**
- contract migrant worker
- highly qualified migrant

**Related terms**
- guest worker
- labour migration

**Notes**
1. OECD defines a migrant worker as ‘a foreigner admitted by the receiving state for the specific purpose of exercising an economic activity remunerated from within the receiving country. Their length of stay is usually restricted as is the type of employment they can hold’.

2. For the purpose of the EMN the UN definition is preferred as it is more common in literature and more comprehensive since it specifically includes those migrant workers who may currently be out of work, but had been working earlier. The Convention also includes self-employed workers.
migration

<table>
<thead>
<tr>
<th>Source</th>
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<tbody>
<tr>
<td>Global context: derived by EMN from UN Recommendations on Statistics of International Migration and IOM Glossary on Migration, 2nd ed., 2011</td>
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<tr>
<td>EU context: Derived by EMN from the UN Recommendations on Statistics of International Migration and OECD Glossary of Statistical Terms</td>
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<table>
<thead>
<tr>
<th>Narrower terms</th>
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</thead>
<tbody>
<tr>
<td>★ economic migration</td>
</tr>
<tr>
<td>★ emigration</td>
</tr>
<tr>
<td>★ forced migration</td>
</tr>
<tr>
<td>★ immigration</td>
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<td>★ irregular migration</td>
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<tr>
<td>★ legal migration</td>
</tr>
<tr>
<td>★ long-term migration</td>
</tr>
<tr>
<td>★ short-term migration</td>
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<table>
<thead>
<tr>
<th>Related terms</th>
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</thead>
<tbody>
<tr>
<td>★ displacement</td>
</tr>
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<td>★ migrant</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. At the international level, no universally accepted definition for migration exists.</td>
</tr>
<tr>
<td>2. IOM defines migration as follows: ‘movement of a person or a group of persons, either across an international border (international migration), or within a state (internal migration), encompassing any kind of movement of people, whatever its length, composition and causes’. This broad definition covers all forms of migration (voluntary / forced migration, internal / international migration, long-term / short-term migration), different motives for migration (migration because of political persecution, conflicts, economic problems, environmental degradation or a combination of these reasons or migration in search of better economic conditions or conditions of survival or well-being, or other motives such as family reunification) and irrespective of the means used to migrate (legal / irregular migration). Thus it includes migration of refugees, displaced persons, economic migrants and persons moving for other purposes, including family reunification.</td>
</tr>
<tr>
<td>3. Under the UN, the definition ‘movements for shorter periods’ would not be considered migration.</td>
</tr>
</tbody>
</table>

**Definition**

In the global context, movement of a person either across an international border (international migration), or within a state (internal migration) for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate.

In the EU context, the action by which a person either:
(i) establishes their usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country; or
(ii) having previously been usually resident in the territory of a Member State, ceases to have their usual residence in that Member State for a period that is, or is expected to be, of at least 12 months.
Migration, Asylum, Refugees Regional Initiative

**Definition**
An initiative forming part of the South-East European Cooperation Process, which aims to enhance regional cooperation in the field of migration by promoting a comprehensive, integrated, and coherent approach to the issues of migration, asylum, border management, visa policies and consular cooperation, refugee return and settlement in order to meet international and European standards.

**Source**
Website of MARRI

**Synonym**
★ MARRI

**Related term**
★ Global Approach to Migration and Mobility

**Notes**
1. MARRI was formed in 2003 within the context of the Stability Pact for South Eastern Europe by merging the Regional Return Initiative (RRI) and the Migration and Asylum Initiative (MAI). Since 2004, MARRI has functioned through two mechanisms: the MARRI Regional Forum, which provides political and framework support to the Initiative, and the MARRI Regional Centre in Skopje, which carries out practical cooperation and activities of MARRI and supports the implementation of the decisions reached by the Regional Forum.

2. MARRI’s top priority is the enhancement of regional cooperation in its fields of activities among countries in the region, as a vital part of the EU integration process and in line with the Thessaloniki Agenda for the Western Balkans.

3. For more information, see the website of MARRI: http://www.marri-rc.org/Default.aspx?mid=1&Lan=EN
Migration flow

**Definition**
The number of migrants crossing a boundary, within a specific time period, for the purpose of establishing residence.

**Source**
Developed by EMN

**Synonym**
* migratory flow

**Related terms**
* crude rate of net migration
* mixed migration flow
* net migration
* population stock
* total migration

**Notes**
1. The boundary can range from within national borders, within the EU and international boundaries, and can range from international migration flows (crossing national borders) and internal migration flows (within the same national border).

2. UN statistics in particular also refer to ‘inflows’ (flow of migrants entering into a particular boundary) and ‘outflows’ (flow of migrants leaving a particular boundary).
migration profile

**Definition**
A tool to bring together and analyse all the relevant information needed to develop policy in the field of migration and development and to monitor the impact of policies implemented.

**Source**
Annex I, 2 (glossary) to COM(2007) 247 final

**Broader term**
- Global Approach to Migration and Mobility

**Related terms**
- Cooperation Platform on Migration and Development
- Global Forum on Migration and Development
- mobility partnership

**Notes**
1. Migration profiles are reports on the migration situation of a country for the purpose of increasing the evidence-base for their own policy development. Such reports contain data and analysis on current migration patterns, labour market trends, remittance flows, information on diasporas and other development-related data.

2. Migration profiles have been produced by IOM and by CARIM (Consortium for Applied Research on International Migration) amongst other organisations. For more information see the description of migration profiles on the IOM website.

3. The Global Forum on Migration and Development also hosts a repository of migration profiles: http://www.gfmd.org/pfp/policy-tools/migration-profiles/repository

4. Migration profiles entail an analysis of the policy and practice of a state and not that of a person. In this vein, the concept should not be confused with the profiling of a ‘person’.
migration routes initiative

**Definition**
An initiative by which work along the main migratory routes through a particular region and towards the EU is identified and which takes into account the need to work in close collaboration with the third countries along these routes.

**Source**

**Broader term**
★ Global Approach to Migration and Mobility

**Related terms**
★ Cooperation Platform on Migration and Development
★ migration profile
★ mobility partnership

minimum standards

**Definition**
In an asylum context, a number of principles in relation to procedures for international protection, to reception conditions, and to the refugee definition established by the Treaty of Amsterdam from which EU Member States cannot derogate.

**Source**
Derived by EMN from Art. 63 of the Treaty of Amsterdam

**Related term**
★ Common European Asylum System

**Note**
In the Tampere Agreement, and then reaffirmed by the Hague Programme, Member States agreed to go beyond minimum standards and develop a Common European Asylum System (CEAS) based on a common asylum procedure and a uniform status for those who are granted international protection.
**Definition**
In a legal context and in contrast to a child, a person who, according to the law of their respective country, is under the age of majority, i.e. is not yet entitled to exercise specific civil and political rights.

**Source**
UNHCR International Thesaurus of Refugee Terminology

**Related terms**
- adult
- age assessment
- child

**Notes**
1. This is the preferred term to use when referring to an individual. The term ‘child’ should then be used to describe the relationship with other family members.

2. The age specified by law, called the ‘legal age of majority’, indicates that a person acquires full legal capacity to be bound by various documents, such as contracts and deeds, that they make with others and to commit other legal acts such as voting in elections and entering marriage. The age at which a person becomes an adult varies from State to State and often varies within a State, depending upon the nature of the action taken by the person.
Minority

Definition
A non-dominant group which is usually numerically less than the majority population of a State or region regarding their ethnic, religious or linguistic characteristics and who (if only implicitly) maintain solidarity with their own culture, traditions, religion or language.

Source
Derived by EMN from IOM Glossary on Migration, 2nd ed. 2011

Narrower terms
★ ethnic minority
★ national minority

Related terms
★ ethnicity
★ ethnic nationality

Notes
1. There is still no universally accepted definition of minority in international law, although a variety of international documents have attempted to define the concept of a minority. See, for example, Art. 27 of the 1966 International Covenant on Civil and Political Rights (ICCPR).
2. This definition has been added because of its relevance to international protection and integration-related aspects.

Mixed Migration Flow

Definition
Complex migratory population movement including refugees, asylum-seekers, economic migrants and other types of migrants as opposed to migratory population movements that consist entirely of one category of migrants.

Source
IOM Glossary on Migration, 2nd ed. 2011

Related term
★ migration flow
**mobility partnership**

**Definition**
A cooperation arrangement, on the basis of political declarations, that provides the bilateral framework for dialogue and practical cooperation to address relevant migration and mobility issues of mutual concern primarily with EU neighbourhood countries, including short and long-term mobility, on a voluntary basis.

**Source**
Council Conclusions (No 42) on the Global Approach of Migration and Mobility of 29 May 2012

**Synonym**
* MP

**Related terms**
* circular migration
* Cooperation Platform on Migration and Development
* Global Approach to Migration and Mobility
* migration profile
* readmission agreement

**Notes**
1. Mobility partnerships (MPs) are an important tool of the EU’s Global Approach to Migration and Mobility, providing the overall framework for managing various forms of legal movement between the EU and third countries. Such partnerships are agreed with those third countries that have in place effective mechanisms for readmission of irregular migrants.

2. For further information on the Global Approach to Migration and Mobility and on mobility partnerships, see the website of DG HOME: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/international-affairs/global-approach-to-migration/index_en.htm
**Definition**

A policy that endorses the principle of *cultural diversity* and supports the right of different cultural and ethnic groups to retain distinctive cultural identities ensuring their equitable access to society, encompassing constitutional principles and commonly shared values prevailing in the society.

**Source**

Derived by EMN from the FRA (EUMC) Open Glossary (no longer available online)

**Synonym**

* interculturalism

**Related term**

* cultural diversity

**Notes**

1. The term was first used in 1957 to describe CH, but came into common currency in Canada in the late 1960s. It quickly spread to other English-speaking countries.

2. There is no universally accepted definition of which multiculturalism can refer to different concepts: demographic facts, philosophical or political ideas and values.

3. Multiculturalism emphasises cultural differences and different cultures existing next to each other without necessarily much contact or participative interaction.

4. The model of multiculturalism has often been criticised on different grounds. Critics of multiculturalism question the ideal of the maintenance of distinct ethnic cultures within a state; others argue that policies of multiculturalism have failed to create inclusion of different cultures within society, but instead have divided society by legitimising segregated separate communities that have isolated themselves and accentuated their specificity.
mutual information mechanism

**Definition**
A mechanism for the mutual exchange of information concerning national measures in the areas of asylum and immigration that are likely to have a significant impact on several Member States or on the European Union as a whole.

**Source**
Art. 1 of Council Decision 2006/688/EC (Mutual Information Mechanism Decision)

**Synonyms**
- MIM
- mutual information mechanism concerning Member States’ measures in the area of asylum and immigration

**Related term**
- Information and Coordination Network for Member States’ Migration Management Services

**Note**
The mechanism also allows for the preparation of exchanges of views and debates on such measures.
### Definition
Agreements on the recognition of foreign qualifications negotiated by governments and professional organisations in several countries by setting out clear rules for licensing or certifying migrant professionals who move between signatory countries in order to reduce, or even eliminate, the need for case-by-case assessments when applicants have been trained in systems conferring essentially comparable skills and knowledge.

### Source

### Synonym
★ MRA

### Related term
★ highly qualified migrant

### Notes
1. MRAs can lessen barriers migrant professionals face when transferring their skills and experience across borders and help governments to recognise professional qualifications from other jurisdictions. They come in several different forms with major variations in the scope of the agreement and the benefits they provide to the applicant (automatic, partial or limited-scope recognition, temporary access).

2. The furthest-reaching and most comprehensive system is the EU’s system outlined in Council Directive 2005/36/EC (Professional Qualification Directive) which covers all regulated occupations in all EU Member States and reduces regulatory authorities’ discretion to reject applicants that fall under its purview.
National Contact Points on Integration

Definition
A network of authorities responsible for integration issues which serves to facilitate exchange of information and good practice at EU level with the purpose of finding successful solutions for integration of immigrants in all Member States and to ensure policy coordination and coherence at national level and with EU initiatives.

Source
European Website on Integration

Synonym
★ NCPI

Broader term
★ integration

Narrower term
★ Handbook on Integration

Related terms
★ Common Basic Principles
★ European Migration Network

Notes
1. The network was created by the European Commission following the conclusions of the Council of Justice and Home Affairs (JAI) of October 2002.

2. The National Contact Points on Integration consider inter alia employment, education, language, health, housing, culture and participation. The network’s long-term objective is to develop and reinforce the European framework for integration, in order to define basic common principles and objectives, to determine assessment measures, and to reinforce the coordination of national and European integration policies.

3. One output which the National Contact Points on Integration are very much involved in are the Handbooks on Integration. For more information, see: http://ec.europa.eu/ewsi/UDRW/images/items/doc1_1214_371021031.pdf
**national referral mechanism**

**Definition**
Mechanism aimed at identifying, protecting and assisting victims of trafficking in human beings, through referral, and involving relevant public authorities and civil society.

**Source**
Derived by EMN from the Conclusions on the new EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016 of the 3195th Justice and Home Affairs Council meeting, October 2012

**Synonyms**
* national cooperation mechanism
* NRM

**Related terms**
* national rapporteur or equivalent mechanism
* trafficking in human beings

**Notes**
1. This definition was derived for the purpose of EMN: Identification of victims of trafficking in human beings in international protection and forced return procedures with the support of the Office of the Anti-Trafficking Coordinator.

2. The Organisation for Security and Cooperation in Europe (OSCE) defines an NRM as ‘a cooperative framework at national level by which state actors coordinate their efforts in a strategic partnership with civil society to identify, protect and assist victims of trafficking in human beings to ensure that the human rights of trafficked persons are respected and to provide an effective way to refer victims of trafficking to services’. For more information, see OSCE: National referral mechanism: joining efforts to protect the rights of trafficked persons, 2004.

3. The National Rapporteurs or Equivalent Mechanisms (NREMs) are responsible for monitoring the implementation of anti-trafficking policy at the national level and play a key role in data collection on trafficking in human beings at national and EU level.

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**naturalisation**

**Definition**
Any mode of acquisition after birth of a nationality not previously held by the target person that requires an application by this person or their legal agent as well as an act of granting nationality by a public authority.

**Source**
EUDO Online Glossary on Citizenship and Nationality

**Broader term**
* acquisition of citizenship

**Note**
This definition does not include automatic acquisition that is not initiated by the individual concerned or their legal agent (even in cases where the individual has an option to decline this attribution of nationality) or acquisition of nationality based on a unilateral act by the target person (e.g. acquisition by declaration or option).

**net migration**

**Definition**
The difference between immigration into and emigration from a given area during the year.

**Source**
Eurostat’s Concepts and Definitions Database

**Related terms**
* crude rate of net migration
* migration flow
* population stock
* total migration

**Notes**
1. Net migration is negative when the number of emigrants exceeds the number of immigrants.

2. Since many countries either do not have accurate figures on immigration and emigration or have no figures at all, net migration is frequently estimated as the difference between total population change and natural increase between two dates (in Eurostat’s database it is then called corrected net migration). The statistics on net migration are therefore affected by any statistical inaccuracies in any of the components used for their derivation.
**Definition**
Any person not having the nationality of an EU Member State.

**Source**
Derived by EMN from Art. 20(1) of TFEU

**Narrower term**
* third-country national

**Related terms**
* alien
* union citizen

**Note**
This means that nationals of NO, IS, LI and CH are non-EU nationals, but they are not third-country nationals, as defined, primarily because they have the right to free movement.

<table>
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Definition
A core principle of international *refugee law* that prohibits States from returning *refugees* in any manner whatsoever to countries or territories in which their lives or freedom may be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion.

Source
Art. 33 of the Geneva Convention of 1951

Related term
★ refoulement

Note
The principle of non-refoulement is a part of customary international law and is therefore binding on all States, whether or not they are parties to the *Geneva Convention of 1951 and its Protocol of 1967*.

definition

nuclear family

Definition
The spouse and the *minor* children of a family.

Source

Related terms
★ family formation
★ family member
★ family reunification

Note
This definition refers specifically to the context of family reunification only.
**occupation**

**Definition**
A set of jobs whose main tasks and duties are characterised by a high degree of similarity.

**Source**

**Related terms**
* employment
* profession

**Notes**
1. Job, in the context of ISCO-08, is defined as follows: A set of tasks and duties performed or meant to be performed, by one person, including for an employer or in self employment.

2. The ISCO definition is also the one used by employment services (placement agencies).

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**organised crime**

**Definition**
Large-scale and complex illicit activities carried out by an organised criminal group.

**Source**
Derived by EMN from the IOM Glossary on Migration, 2nd ed., 2011

**Related term**
* organised criminal group

**Note**
Such operations are generally carried out with a ruthless disregard of the law, and often involve offences against the person, including threats, intimidation and physical violence.
organised criminal group

**Definition**

A structured group of three or more persons, existing for a period of time and acting cooperatively with the aim of committing one or more serious crimes or offences.

**Source**

Art. 2(a) of UN Convention against Transnational Organised Crime and the protocols thereto

**Related terms**

* organised crime
Definition
In the global context, a person who remains in a country beyond the period for which entry was granted.
In the EU context, a person who has legally entered but then stayed in an EU Member State beyond the allowed duration of their permitted stay without the appropriate visa (typically 90 days or six months), or of their visa and/or residence permit.

Source
Global context: IOM Glossary on Migration, 2nd ed., 2011
EU context: developed by EMN

Broader term
★ third-country national found to be illegally present

Related terms
★ irregular migrant
★ irregular stay
**Definition**
A UN protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the UN Convention against Transnational Organized Crime and its Protocols.

**Source**
Palermo Protocol

**Related term**
★ trafficking in human beings

**Note**
The Protocol was adopted in Palermo, Italy in November 2000.

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**partnership of convenience**

**Definition**
A partnership contracted for the sole purpose of enabling one of the persons concerned to enter or reside in a Member State.

**Source**

**Related terms**
★ adoption of convenience
★ civil partnership of convenience
★ false declaration of parenthood
★ marriage of convenience
Definition
Human rights abuses or other serious harm, often, but not always, with a systematic or repetitive element.

Source
UNHCR Master Glossary of Terms

Narrower terms
★ act of persecution
★ actor of persecution
★ Convention grounds for persecution
★ group persecution
★ well-founded fear of persecution

Related term
★ serious harm

Note
The core concept of persecution was deliberately not defined in the Geneva Convention of 1951, suggesting that the drafters intended it to be interpreted in a sufficiently flexible manner so as to encompass ever-changing forms of persecution.
A third-country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to their country of origin, or in the case of a stateless person, to their country of former habitual residence, would face a real risk of suffering serious harm as defined in Art. 15 of Directive 2011/95/EC, and to whom Art. 17(1) and (2) of said Directive do not apply, and is unable, or, owing to such risk, unwilling to avail themselves of the protection of that country.

Source
Derived by EMN from Art. 2(f) of Directive 2011/95/EC (Recast Qualification Directive)

Broader term
* subsidiary protection status

Related terms
* applicant for international protection
* beneficiary of international protection
* (civil) war refugee
* relocation
**Definition**

A person who has:
(a) migrated into their present country of residence; and / or
(b) previously had a different nationality from their present country of residence; and / or
(c) at least one of their parents previously entered their present country of residence as a migrant.

**Source**

Derived by EMN from paragraphs 360-368 in the UN Economic Commission for Europe: Recommendations for the 2010 Censuses of Population and Housing, 2010

**Synonyms**

★ person in a migratory context
★ person of migrant origin

**Narrower term**

★ second-generation migrant

**Notes**

1. This is a broad definition which aims to encompass all possibilities for a person who has undertaken a migration at some point and / or has parents who did so.

2. Point (a) can also include a national of the country of residence who previously lived elsewhere and then returned to their country of nationality.
population stock

Definition
The inhabitants of a given area on a certain date (e.g. 1 January or 31 December) of the year in question.

Source
Derived by EMN from the definition of 'total population' in the Eurostat Glossary on Demographic Statistics

Narrower term
★ migrant stock

Related terms
★ crude rate of net migration
★ migration flow
★ net migration
★ stock of foreigners
★ total migration
★ usually resident population

Note
The population is based either on data from the most recent census, adjusted by the components of population change produced since the last census, or on population registers.

positive discrimination

Definition
A policy or a programme providing advantages for certain groups of people who are seen to have traditionally been discriminated against, with the aim of creating a more egalitarian society. This consists of preferential access to education, employment, healthcare or social welfare.

Source
Derived by EMN from the FRA (EUMC) Open Glossary (no longer available online)

Synonyms
★ affirmative action
★ positive action

Related term
★ principle of equal treatment
**posted worker**

**Definition**
A worker who, for a limited period, carries out his work in the territory of a Member State other than the State in which they normally work.

**Source**
Art. 2(1) of Directive 96/71/EC (Posting of Workers Directive)

**Note**
A posted worker is also one of the forms of 'trade in services mode 4' according to the General Agreement on Trade in Services (GATS).

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Definition
(Temporary) suspension of removal of a third-country national who has received a return decision but whose removal is not possible either for humanitarian reasons (as their removal would violate the principle of non-refoulement or due to the third-country national’s physical state or mental capacity) or for technical reasons (such as lack of transport capacity or failure of the removal due to lack of identification or the country of origin’s refusal to accept the person) and for as long as a suspensory effect is granted in accordance with Art. 13(2) of Directive 2008/115/EC.

Source

Synonyms
★ suspension of removal
★ tolerated stay

Notes
1. Tolerated stay status is granted in a number of Member States with differing definitions and regulated by different legal instruments. The toleration is only a suspension of removal.

2. In several Member States, the term ‘tolerated stay’ is not formally used anymore and has been replaced by ‘postponement of removal’ after the transposition of Directive 2008/115/EC.

3. For more information, see EMN: Alternatives to Detention, 2014.
Prague Process

**Definition**
A process to strengthen cooperation in migration management between the EU and 19 partner countries to the East (the Western Balkans, Eastern Europe, Turkey, Russia, Central Asia and Southern Caucasus).

**Source**
Joint Declaration from Prague Ministerial Conference

**Synonym**
- Prague Process – Building Migration Partnerships

**Related term**
- Global Approach to Migration and Mobility

**Notes**
1. This process follows a ministerial conference in Prague in April 2009, at the initiative of the CZ in conjunction with HU, SK, PL and RO.

2. Its activities extend across five areas: (1) combating irregular migration, (2) readmission, voluntary return and reintegration, (3) legal immigration, (4) integration, and (5) migration and development. The process takes a comprehensive, balanced, pragmatic and operational approach, respecting the rights and human dignity of migrants and their family members, as well as of refugees.

3. For more information, see: http://www.pragueprocess.eu/
presumed victim of trafficking in human beings

**Definition**
A person who has met the criteria of EU regulations and international Conventions but has not been formally identified by the relevant authorities (e.g. police) as a trafficking victim or has declined to be formally or legally identified as trafficked.

**Source**
Derived by EMN from Eurostat: Trafficking in human being, 2013

**Related terms**
- identified victim of trafficking in human beings
- trafficking in human beings
- vulnerable person

**Note**
If a person is presumed to be a victim of trafficking in human beings, this does not rule out the possibility that the person's status will later be assessed otherwise (i.e. not identified / confirmed as a victim).

---

prima facie refugee

**Definition**
Person recognised as a *refugee*, by a State or UNHCR, on the basis of objective criteria related to the circumstances in their *country of origin*, which justify a presumption that they meet the criteria of the applicable refugee definition.

**Source**
UNHCR Master Glossary of Terms

**Broader term**
* refugee

**Related terms**
- group determination of refugee status
- group persecution

**Note**
This term refers to a more theoretical concept and is often not applied.
principle of equal treatment

Definition
The principle that there shall be no direct or indirect discrimination based on racial or ethnic origin, sex, religion or belief, disability, age or sexual orientation.

Source

Synonym
★ equal opportunities

Narrower terms
★ direct discrimination
★ indirect discrimination

Related terms
★ positive discrimination
★ victimisation

Notes
1. This is an important right conferred by EU citizenship. The Treaty of Amsterdam added a new Art. 13 to the Treaty, reinforcing the principle of non-discrimination. Under this article, the Council has the power to take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

2. The term 'equal treatment' has a distinct use / meaning when used in the context of bilateral social security agreements between EU Member States as per Regulation 465/2013 on the coordination of social security systems.

**Definition**

In the EU asylum context, special guarantees addressing the legal rights of applicants for international protection as outlined in Chapter II of Directive 2013/32/EC (Recast Asylum Procedures Directive) and Art. 6 of the European Convention of Human Rights.

**Source**
Chapter II of Directive 2013/32/EC (Recast Asylum Procedures Directive) and Art. 6 of the European Convention of Human Rights

**Note**

These guarantees comprise the following rights of applicants for international protection: access to the procedure; right to remain in the Member State pending the examination of the application for international protection; information on their rights and obligations in a language they understand; access to interpreters; the opportunity to communicate with UNHCR or with any other organisation providing legal advice or other counselling; notice in reasonable time of the decision by the determining authority on their application; a personal interview, and free legal assistance and representation granted on request in the appeals procedures (including the preparation of the required procedural documents and participation in the hearing before a court or tribunal of first instance on behalf of the applicant.

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In the EU asylum context, special guarantees addressing the legal rights of **applicants for international protection** as outlined in Chapter II of Directive 2013/32/EC (Recast Asylum Procedures Directive) and Art. 6 of the European Convention of Human Rights.
**Protection**

**Definition**
A concept that encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of human rights, refugee and international humanitarian law.

**Source**
UNHCR Master Glossary of Terms

**Narrower terms**
- actor of protection
- humanitarian protection
- international protection
- regional protection programme
- temporary protection

**Related term**
- asylum

**Note**
Protection involves creating an environment conducive to respect for human beings, preventing and / or alleviating the immediate effects of a specific pattern of abuse, and restoring dignified conditions of life through reparation, restitution and rehabilitation.

**Pull Factor**

**Definition**
The condition(s) or circumstance(s) that attract a migrant to another country.

**Source**
Derived by EMN from IOM Glossary on Migration, 2nd ed., 2011

**Broader term**
- push-pull factor

**Related term**
- push factor

**Note**
As recognised by the project European Reintegration Networking, this can be for a specific or a variety of reasons, e.g. expanding economic opportunities and potential for advancement in the country of destination.
**push factor**

**Definition**
The condition(s) or circumstance(s) in a country of origin that impel or stimulate emigration.

**Source**
Derived by EMN from IOM Glossary on Migration, 2nd ed., 2011

**Broader term**
★ push-pull factor

**Related term**
★ pull factor

**Note**
As recognised by the project European Reintegration Networking, this can be for a specific or a variety of reasons, e.g. declining economic opportunities or political instability may stimulate emigration.

---

**push-pull factor**

**Definition**
Factors which initiate and influence the decision to migrate, either by attracting them to another country (pull factors) or by impelling or stimulating emigration (push factors).

**Source**
Developed by EMN

**Narrower terms**
★ pull factor
★ push factor
**Definition**
A quantitative restriction in the migration or asylum context.

**Source**
IOM Glossary on Migration, 2nd ed., 2011

**Narrower term**
* immigration quota

**Related term**
* managed migration

**Note**
Many countries establish quotas, or caps, on the number of migrants to be admitted each year.

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### Definition

Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

### Source

Art. 1(1) of UN Convention on the Elimination of All Forms of Racial Discrimination

### Broader term

- discrimination

### Related terms

- racism
- xenophobia

### Notes

1. The Convention does not define ‘race’ but it does define ‘racial discrimination’.

2. Distinctions made on the basis of citizenship (that is, between citizens and non-citizens) are specifically excluded from the definition, as are affirmative action policies and other measures taken to redress imbalances and promote equality.

3. Some institutions such as UNHCR and EASO use the term ‘discrimination’ with the same definition.
Notes
1. Racism can be defined in many ways. A broad, general definition is used here in order to have a common understanding of the concept. However, there is a problem in that the term ‘racism’ presupposes the existence of different races. Recital (6) of Directive 2000/43/EC states that ‘The European Union rejects theories which attempt to determine the existence of separate human races.’

2. According to the EU acquis, and specifically Art. 1 of Framework Decision 2008/913/JHA, offences concerning racism and xenophobia are considered to be:

(a) publicly inciting to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin;

(b) the commission of an act referred to in point (a) by public dissemination or distribution of tracts, pictures or other material;

(c) publicly condoning, denying or grossly trivialising crimes of genocide, crimes against humanity and war crimes as defined in Articles 6, 7 and 8 of the Statute of the International Criminal Court, directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin when the conduct is carried out in a manner likely to incite violence or hatred against such a group or a member of such a group;

(d) publicly condoning, denying or grossly trivialising the crimes defined in Art. 6 of the Charter of the International Military Tribunal appended to the London Agreement of 8 August 1945, directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin when the conduct is carried out in a manner likely to incite violence or hatred against such a group or a member of such a group.

3. The Council of Europe provides further insight into the understanding of this term at: http://www.eycb.coe.int/compass/en/chapter_5/5_4.html
Rapid Border Intervention Team

Definition
A mechanism providing rapid operational assistance for a limited period to a requesting Member State facing a situation of urgent and exceptional pressure at points of the external EU borders from large numbers of third-country nationals trying to enter the territory of the Member State illegally.

Source
Art. 1(1) of Council Regulation (EC) No 863/2007 (Rapid Border Intervention Teams Regulation)

Synonym
★ RABIT

Related term
★ European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

readmission agreement

Definition
An agreement between the EU and / or a Member State with a third country, on the basis of reciprocity, establishing rapid and effective procedures for the identification and safe and orderly return of persons who do not, or no longer, fulfil the conditions for entry to, presence in, or residence in the territories of the third country or one of the Member States of the European Union, and to facilitate the transit of such persons in a spirit of cooperation.

Source
Preamble to EU Readmission Agreements (e.g. EU Readmission Agreement with Serbia)

Related terms
★ return
★ mobility partnership

Notes
1. Re-admission agreements concluded between the EU and a third country supersede those of any Member State with the same country, although this might not be the case for DK and possibly IE and UK as these Member States can choose not to participate in (opt-in to) the relevant EU agreement.
2. For more information, see: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/immigration/return-readmission/index_en.htm
real risk of suffering serious harm

**Definition**
Risk of *serious harm* experienced by an applicant for international protection which is considered to be both real and likely to occur.

**Source**
Developed by EMN

**Broader term**
★ serious harm

**Related terms**
★ credibility assessment
★ well-founded fear of persecution

**Notes**
1. The likelihood of an applicant for international protection suffering serious harm is assessed in order to provide a standard of proof for assessing eligibility for subsidiary protection. According to Art. 4(4) of the Directive 2011/95/EU (Recast Qualification Directive) on the ‘assessment of facts and circumstances’, earlier serious harm or direct threats are appraised as a ‘serious indication of the applicant’s real risk of suffering serious harm, unless there are good reasons to consider that such persecution or serious harm will not be repeated’.

2. The European Court of Human Rights has ruled in a high number of different cases that there is a violation of Art. 3 of the European Convention on Human Rights (ECHR) ‘if substantial grounds have been shown for believing that the person concerned, if deported, faces a real risk of being subjected to treatment contrary to Art. 3 ECHR’. In light of the Court’s consequent jurisprudence, this standard means that: (a) there is no need for the risk to be very high (no certainty or significant probability requirement); (b) at the same time the risk cannot be a mere possibility (a distant, vague or theoretical alternative).
**reception centre**

**Definition**
A location with facilities for receiving, processing and attending to the immediate needs of refugees or asylum seekers as they arrive in a country of asylum.

**Source**
UNHCR Master Glossary of Terms

**Broader term**
* reception facilities

**Related term**
* accommodation centre

**Note**
For more information on categories of reception centres available in EU Member States, see EMN: the Organisation of Reception Facilities for Asylum Seekers in different Member States, 2013.

**reception conditions**

**Definition**
The full set of measures that Member States grant to applicants for international protection.

**Source**
Art. 2(f) of Directive 2013/33/EU (Recast Reception Conditions Directive)

**Narrower term**
* material reception conditions

**Note**
For more information on reception conditions in the EU, see EMN: the Organisation of Reception Facilities for Asylum Seekers in different Member States, 2013.
## reception facilities

**Definition**
All forms of premises used for the housing of applicants for international protection and other categories of migrants and refugees.

**Source**
Developed by EMN

**Narrower terms**
- accommodation centre
- reception centre

**Note**
For more information on categories of reception facilities available in EU Member States, see EMN: the Organisation of Reception Facilities for Asylum Seekers in different Member States, 2013.

### recognition of foreign qualifications

**Definition**
A formal acknowledgement by a competent authority of the validity of a foreign qualification with a view to access to educational and / or employment activities.

**Source**
Derived by EMN from the definition of ‘recognition’ in Art. 1 of the Council of Europe Convention on the Recognition of Qualifications concerning Higher Education in the European Region
**Definition**
The return by a State, in any manner whatsoever, of an individual to the territory of another state in which they may be persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion or would run the risk of torture.

**Source**
UNHCR International Thesaurus of Refugee Terminology

**Related terms**
- compulsory return
- non-refoulement

**Note**
Refoulement includes any action having the effect of returning the individual to a State, including expulsion, deportation, extradition, rejection at the frontier, extra-territorial interception and physical return.
Definition
In the global context, either a person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned before, is unable or, owing to such fear, unwilling to return to it.

In the EU context, either a third-country national who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned above, is unable or, owing to such fear, unwilling to return to it, and to whom Art. 12 (Exclusion) of Directive 2011/95/EU does not apply.

Source
Global context: Art. 1A of the Geneva Convention of 1951
EU context: Art. 2(d) of Directive 2011/95/EU (Recast Qualification Directive)

Broader term
★ forced migrant

Narrower terms
★ Convention refugee
★ prima facie refugee
★ resettled refugee

Related terms
★ applicant for international protection
★ asylum seeker
★ displaced person

Note
Whereas the exclusion clauses are an integral part of the refugee definition of Directive 2011/95/EU (Recast Qualification Directive), the Geneva Convention of 1951 refers to the exclusion clauses in its Articles 1D, 1E and 1F (see also the definition of 'exclusion clause').
Refugee in Orbit

**Definition**
A refugee who, although not returned directly to a country where they may be persecuted, is denied asylum or unable to find a State willing to examine their request, and are shuttled from one country to another in a constant search for asylum.

**Source**
UNHCR International Thesaurus of Refugee Terminology

**Related terms**
★ de facto refugee
★ postponement of removal

Refugee in Transit

**Definition**
A refugee who is temporarily admitted in the territory of a State under the condition that they are resettled elsewhere.

**Source**
UNHCR International Thesaurus of Refugee Terminology

**Related terms**
★ resettled refugee
★ resettlement

**Notes**
1. This term is currently little used in the EU.
2. The term should not be confused with refugees who stay in the transit area of an airport.
### refugee law

| **BG** | бежанско право |
| **CS** | uprchlické právo |
| **DE** | Flüchtlingsrecht |
| **EL** | προσφυγικό Δίκαιο |
| **ES** | legislación de asilo |
| **ET** | varupaigaõigus |
| **FI** | pakolaisoikeus |
| **FR** | droit des réfugiés |
| **GA** | dlíthe um dhideanaithé |
| **HU** | menekültjog |
| **IT** | legislazione sull’asilo |
| **LT** | pagulasseisund |
| **LV** | [starptautiskās] bēgļu tiesības |
| **MT** | Ligi / Att dwar ir-rifuġjati |
| **NL** | vluchtelingenrecht |
| **PL** | prawo uchodźcze |
| **PT** | legislação de asilo |
| **RO** | legislaţia cu privire la refugiaţi |
| **SK** | utečenecké právo |
| **SL** | begunsko pravo |
| **SV** | flyktningrätt |
| **NO** | flyktningrett |

**Definition**

**Source**
Derived by EMN from UNHCR Master Glossary of Terms

**Synonym**
* international refugee law

**Related term**
* human rights law

### refugee status

| **BG** | статут на бежанец |
| **CS** | postavení uprchlíka |
| **DE** | Flüchtlingsstatus |
| **EL** | κοινωνική πρόσφυγα |
| **ES** | estatuto de refugiado |
| **ET** | pagulasseisund |
| **FI** | pakolaisasema |
| **FR** | statut de réfugié |
| **GA** | stádas dideainai |
| **HU** | menekült státusz |
| **IT** | status di rifugiato |
| **LT** | pagulėlio statusas |
| **LV** | bēgļa statuss |
| **MT** | Status ta’ rifugiati(a) |
| **NL** | vluchtelingenstatus |
| **PL** | status uchodźcy |
| **PT** | estatuto de refugiado |
| **RO** | statutul de refugiat |
| **SK** | postavenie utečenca (EU acquis) / status utečenca / Štátut utečenca |
| **SL** | status begunca |
| **SV** | flyktningstatus |
| **NO** | flyktningstatus |

**Definition**
The recognition by a Member State of a third-country national or stateless person as a [refugee](#). One of the main differences between a refugee status and a [beneficiary of international protection](#) is the possibility of [withdrawal of refugee status](#).

**Source**
Art. 2(e) of Directive 2011/95/EU (Recast Qualification Directive)

**Broader term**
* international protection

**Related terms**
* beneficiary of international protection
* Convention refugee
* withdrawal of refugee status
**refugee sur place**

**Definition**
In the global context, a person who is not a [refugee](#) when they leave their [country of origin](#), but who becomes a refugee, that is, acquires a [well-founded fear of persecution](#), at a later date.

In the EU context, a person granted [refugee status](#) based on [international protection](#) needs which arose sur place, i.e. on account of events which took place after they left their country of origin.

**Source**
Global context: UNHCR International Thesaurus of Refugee Terminology
EU context: Derived by EMN from Art. 5 of Directive 2011/95/EU (Recast Qualification Directive)

**Synonym**
★ objective grounds for seeking asylum occurring after the applicant's departure from their country of origin

**Note**
Refugees sur place may owe their fear of persecution to a coup d'état in their home country, or to the introduction or intensification of repressive or persecutory policies after their departure. A claim in this category may also be based on bona fide political activities, undertaken in the country of residence or refuge.

**refusal of entry**

**Definition**
In the global context, refusal of entry of a person who does not fulfil all the entry conditions laid down in the national legislation of the country for which entry is requested.

In the EU context, refusal of entry of a [third-country national](#) at the [external EU border](#) because they do not fulfil all the entry conditions laid down in Art. 5(1) of [Regulation (EC) No 562/2006 (Schengen Border Code)](#) and do not belong to the categories of persons referred to in Art. 5(4) of that Regulation.

**Source**
Global context: Developed by EMN
EU context: Derived by EMN from the definition for 'third-country nationals refused entry' in Art. 5(1) of [Regulation (EC) No 562/2006 (Schengen Border Code)](#) and do not belong to the categories of persons referred to in Art. 5(4) of that Regulation.

**Related terms**
★ border control
★ external EU border
★ internal EU border
★ irregular entry
★ legal entry
**Regional Protection Programme**

*Definition*
A programme designed to enhance the capacity of non-EU countries in the regions from which many *refugees* originate, or through which they pass in *transit*. Such a programme aims to improve refugee protection through *durable solutions* (return, local integration and *resettlement* in a *third country*).

*Source*

*Broader Term*
★ protection

*Related Terms*
★ durable solutions
★ resettlement

**Notes**
1. The first two regional protection programmes targeted Eastern Europe (in particular Belarus, the Republic of Moldova and Ukraine) as a region of transit and the African Great Lakes Region (particularly Tanzania) as a region of origin.

2. For further information, see the DG HOME website: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/external-aspects/index_en.htm

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**Regularisation**

*Definition*
In the EU context, state procedure by which illegally staying *third-country nationals* are awarded a legal status.

*Source*
ICMPD: Study on Regularisations in Europe, 2009

*Synonyms*
★ amnesty (in the context of migration)
★ legalisation
reintegration

**Definition**
Re-inclusion or re-incorporation of a person into a group or a process, e.g. of a migrant into the society of their country of return.

**Source**
Derived by the EMN from IOM Glossary on Migration, 2nd ed., 2011

**Related terms**
- integration
- return
**rejected applicant for international protection**

**Definition**
A person covered by a first instance decision rejecting an **application for international protection**, including decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies during the reference period.

**Source**
Art. 4(2a) of Regulation 862/2007 (Migration Statistics Regulation)

**Synonyms**
- failed applicant
- failed asylum seeker
- rejected applicant

**Broader terms**
- applicant for international protection
- asylum seeker

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<td>žadatel o mezinárodní ochranu, jehož žádost byla zamítnuta</td>
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<td>demandeur de protection internationale débouté</td>
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<td>elutasított menedékkérő</td>
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<td>IT</td>
<td>richiedente protezione internazionale respinto</td>
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<td>asmuo, kuriam prieglobstis nesuteiktas</td>
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<td>persona, kurai atteikts piešķirt starptautisko aizsardzību</td>
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<td>Applikant(a) għall-protezzjoni internazzjonali respint(a) / miċħud(a)</td>
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<td>afgewezen asielzoeker</td>
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<tr>
<td>RO</td>
<td>solicitant al protecției internaționale respins / a cărui cerere a fost respinsă</td>
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<td>SL</td>
<td>zavrnjeni prosilec za mednarodno zaščito</td>
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<td>SV</td>
<td>person som omfattas av beslut om avslag på ansökan om internationellt skydd</td>
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<td>person med avslag på søknad om internasjonal beskyttelse (b) / person med avslag på søknad om internasjonal vern (n)</td>
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**relocation**

<table>
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<td>Umverteilung</td>
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<td>EL</td>
<td>reubicación</td>
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<td>omplacering</td>
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<td>relokalisering</td>
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**Definition**
The transfer of persons having a status defined by the [Geneva Convention of 1951](http://example.com/geneva_convention) or [subsidiary protection](http://example.com/subsidiary_protection) within the meaning of [Directive 2011/95/EU](http://example.com/directive_2011_95_eu) from the EU Member State which granted them [international protection](http://example.com/international_protection) to another EU Member State where they will be granted similar protection, and of persons having applied for international protection from the EU Member State which is responsible for examining their application to another EU Member State where their applications for international protection will be examined.

**Source**
DG Home e-Library Glossary

**Related terms**
- Convention refugee
- person eligible for subsidiary protection
- resettlement

---

**remain in the Member State**

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<thead>
<tr>
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<td>DE</td>
<td>Verbleib im Mitgliedstaat</td>
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<tr>
<td>EL</td>
<td>κ-μ παρομοιότητη</td>
</tr>
<tr>
<td>ES</td>
<td>permanecer en el territorio del Estado Miembro</td>
</tr>
<tr>
<td>ET</td>
<td>liikmesriiki jääma</td>
</tr>
<tr>
<td>FI</td>
<td>jääminen jäsenvaltioon</td>
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<tr>
<td>FR</td>
<td>rester dans l’État membre</td>
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<td>GA</td>
<td>fianchit sa bhallstát</td>
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<tr>
<td>HU</td>
<td>a tagállam területés marad</td>
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<td>IT</td>
<td>permanenza nello Stato membro</td>
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<td>likti valstybėje narėje</td>
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<td>palikt uz dzīvi dalībvalstī</td>
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<td>MT</td>
<td>Jibqâ‘/Tibqâ‘ fl-Istat Membru</td>
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<tr>
<td>NL</td>
<td>in de lidstaat blijven</td>
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<tr>
<td>PL</td>
<td>pozostawać w państwie członkowskim</td>
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<td>PT</td>
<td>permanecer num estado membro</td>
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<td>RO</td>
<td>a rămâne pe teritoriu</td>
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<td>SK</td>
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<td>SL</td>
<td>ostati v državi članici</td>
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<td>SV</td>
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</tr>
<tr>
<td>NO</td>
<td>fortsatt opphold (b) / vidare opphald (n)</td>
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</table>

**Definition**
To remain in the territory, including at the border or in transit zones, of the Member State in which the [application for international protection](http://example.com/application_for_international_protection) has been made or is being examined.

**Source**
Art. 2(p) of Directive 2013/32/EU (Recast Asylum Procedures Directive)
remittance

**Definition**
In the global context, a cross-border person-to-person payment of relatively low value.

In an EU context, a financial transfer from a **migrant** to a beneficiary(ies) in the migrant’s **country of origin**.

**Source**
- Global context: World Bank: Committee on Payment and Settlement System – General principles for remittances, January 2007, p. 6
- EU context: Footnote 7 of COM(2005) 390

**Synonym**
★ **deportation**

**Broader term**
★ **compulsory return**

**Narrower terms**
★ **expulsion**
★ **removal order**
★ **return decision**

**Related term**
★ **circular migration**

**Related term**
★ **voluntary departure**

**Note**
Under EU legislation, removal is a specific form of compulsory (forced) return. While deportation and removal often are understood as synonyms, deportation is not used as a legal term in all Member States and is only applicable as a general concept by the public, sometimes with a negative connotation. Because of this variation, ‘removal’ is the preferred term to use.

---

removal

**Definition**
The enforcement of the obligation to **return**, namely the physical transportation out of the country.

**Source**

**Synonym**
★ **deportation**

**Broader term**
★ **compulsory return**

**Narrower terms**
★ **expulsion**
★ **removal order**
★ **return decision**

**Related term**
★ **voluntary departure**

**Note**
Under EU legislation, removal is a specific form of compulsory (forced) return. While deportation and removal often are understood as synonyms, deportation is not used as a legal term in all Member States and is only applicable as a general concept by the public, sometimes with a negative connotation. Because of this variation, ‘removal’ is the preferred term to use.
removal order

**Definition**
An administrative or judicial decision or act ordering a removal.

**Source**
Art. 8(3) of Directive 2008/115/EC (Return Directive)

**Synonym**
- deportation order

**Broader terms**
- removal
- return decision

**Related term**
- expulsion decision

**Note**
For some Member States, a return decision and removal order may occur within one administrative or judicial act as provided for in their national legislation.

remunerated trainee

**Definition**
A third-country national who has been admitted to the territory of a Member State for a training period with remuneration in accordance with its national legislation.

**Source**
Derived by EMN from the definition for 'unremunerated trainee' in Art. 2(d) of Council Directive 2004/114/EC (Student Migration Directive)

**Broader term**
- trainee

**Related term**
- unremunerated trainee
**Definition**
The personal right of a **refugee** or a prisoner of war to **return** to their **country of nationality** under specific conditions laid down in various international instruments and human rights instruments as well as in customary international law.

**Source**
IOM Glossary on Migration, 2nd ed., 2011

**Notes**
1. This is not a synonym relating to **compulsory (forced) return**.

2. The option of repatriation is bestowed upon the individual personally and not upon the detaining power. In the law of international armed conflict, repatriation also entails the obligation of the detaining power to release eligible persons (soldiers and civilians) and the duty of the **country of origin** to receive its own nationals at the end of hostilities. Even if treaty law does not contain a general rule on this point, it is today readily accepted that the repatriation of prisoners of war and civil detainees has been consented to implicitly by the interested parties. Repatriation as a term also applies to diplomatic envoys and international officials in times of international crisis as well as expatriates and migrants.

3. Depending on the Member State, this term has different meanings / connotations: in PL, RO, NL, NO this refers specifically to repatriating their nationals back to PL, RO, NL, NO respectively. In ES, IE, IT, UK, it is often used in the context of returning **third-country nationals** to their country of origin. In EE, the term refers specifically to persons of Estonia or ethnic Estonians’ resettlement to Estonia. In LV, the term refers specifically to the persons of Latvian or Livonian origin to resettle with permanent residence in Latvia. In PT, the term has no legal concept, being used more as a sociological term. It is commonly used to refer to Portuguese citizens that return to Portugal, including being forced to return.

4. The term should not be confused with ‘voluntary repatriation’ which is according to the **UNHCR International Thesaurus of Refugee Terminology** defined as follows: ‘Return to the country of origin on the basis of the freely expressed willingness of the refugees’. The returns have to take place in conditions of safety, dignity and security. The principle of ‘voluntariness’ must be viewed in relation to both: conditions in the country of origin (calling for an informed decision) and the situation in the country of asylum (permitting a free choice). For more information, see **UNHCR: Voluntary Repatriation: International Protection – handbook, 1996**: http://www.refworld.org/docid/3ae6b3510.html
### Definition

A person or an organisation appointed by the competent bodies in order to assist and represent an unaccompanied minor in procedures provided for in Directive 2013/32/EU with a view to ensuring the best interests of the child and exercising legal capacity for the minor where necessary. Where an organisation is appointed as a representative, it shall designate a person responsible for carrying out the duties of representative in respect of the unaccompanied minor.

### Source

Art. 2(n) of Directive 2013/32/EU (Recast Asylum Procedures Directive)

### Related term

* unaccompanied minor

---

### Definition

In the EU migration context, a third-country national holding an appropriate higher education qualification, which gives access to doctoral programmes, who is selected by a research organisation for carrying out a research project for which the above qualification is normally required.

### Source


### Related terms

* school pupil
* student
* unremunerated trainee
**Definition**

In the global context, a **refugee** who is identified by the UNHCR and who is transferred from the country in which they have sought **protection** to a third state which has agreed to admit them as refugees with permanent residence status.

In the EU context, a **third-country national** or **stateless person** who, on a **resettlement** request from UNHCR based on their need for **international protection**, are transferred from a **third country** to a Member State where they are permitted to reside with one of the following statuses:

(i) refugee status within the meaning of Art. 2(d) of **Directive 2011/95/EU**; or

(ii) a status which offers the same rights and benefits under national and Union law as refugee status.

**Source**

Global context: Derived by EMN from the glossary of the UNHCR Resettlement Handbook

EU context: Derived by EMN from Articles 3(1)(d) and 6(e) of Council Decision 573/2007/EC establishing the Refugee Fund

**Synonyms**

★ Programme refugee
★ quota refugee
★ resettled person

**Broader term**

★ refugee

**Related terms**

★ refugee in transit
★ resettlement

**Notes**

1. It is the UNHCR that, together with the relevant authorities in the State concerned, decides which refugees should be accepted; their refugee status is established by the UNHCR and accepted by the State in advance of entering the State.

2. In some cases, national authorities assess in addition as to whether the person concerned is a refugee.

3. There are different terms used in Member States depending on different legal concepts. In some Member States such refugees are accepted as part of a yearly resettlement programme.

4. IE uses the term ‘programme refugee’ in a wider context than ‘resettlement’ and defines in Section 24 of the **Irish Refugee Act**, 1996 as follows: ‘a person to whom leave to enter and remain in the State for temporary protection or resettlement as part of a group of persons has been given by the Government’.
resettlement

**Definition**
In the global context, the selection and transfer of refugees from a state in which they have sought protection to a third state which has agreed to admit them as refugees with permanent residence status.

In the EU context, the transfer, on a request from the UNHCR and based on their need for international protection, of a third-country national or stateless person, from a third country to a Member State, where they are permitted to reside with one of the following statuses:

(i) refugee status within the meaning of Art. 2(d) of Directive 2011/95/EU; or
(ii) a status which offers the same rights and benefits under national and EU law as refugee status.

**Source**
Global context: glossary of the UNHCR Resettlement Handbook
EU context: Derived by EMN from Art. 3(1)(d) of Decision 573/2007/EC establishing the Refugee Fund

**Narrower term**
★ resettlement programme

**Related terms**
★ durable solutions
★ refugee in transit
★ relocation
★ resettled refugee

**Notes**
1. The status provided ensures protection against refoulement and provides a resettled refugee and their family or dependants with access to rights similar to those enjoyed by nationals. Resettlement also carries with it the opportunity to eventually become a naturalised citizen of the resettlement country. For this reason, resettlement is a durable solution as well as a tool for the protection of refugees.

2. This term should not be confused with ‘relocation’.
resettlement programme

Definition
In the global context, a coordinated activity undertaken in partnership with UNHCR and other NGOs that includes specific processes like the identification in the field of refugees in need of resettlement, to screening, processing, reception and integration. In the EU context, voluntary programmes by which Member States aim to provide international protection and durable solutions in their territories to refugees and displaced persons identified as eligible for resettlement by UNHCR, and which include actions that the Member States implement to assess the resettlement needs and transfer the persons concerned to their territories, with a view to granting them a secure legal status and to promoting their effective integration.

Source
Global context: Derived by EMN
EU context: Derived by EMN from Recital 18 of Decision 573/2007/EC establishing the European Refugee Fund

Broader term
* resettlement

Related term
* durable solutions

residence document

Definition
A document issued by the authorities of a Member State authorising a third-country national to stay in its territory, including the documents substantiating the authorisation to remain in the territory under temporary protection arrangements or until the circumstances preventing a removal order from being carried out no longer apply, with the exception of visas and residence authorisations issued during the period required to determine the responsible Member State as established in Regulation (EU) No 604/2013 (Dublin III Regulation) or during examination of an application for asylum or an application for a residence permit.

Source
Derived by EMN from Art. 2(l) of Regulation (EU) No 604/2013 (Dublin III Regulation)

Narrower term
* residence permit

Related term
* travel document
residence permit

<table>
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<td>povolení k pobytu</td>
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</tr>
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</table>

**Definition**
Any authorisation issued by the authorities of an EU Member State allowing a non-EU national to stay legally in its territory, in accordance with the provisions of Regulation 265/2010 (Long Stay Visa Regulation).

**Source**
DG HOME e-Library Glossary

**Broader term**
* residence document

**Narrower term**
* single permit

**Related terms**
* EU Blue Card
* work permit
**Definition**
The movement of a person going from a *host country* back to a *country of origin*, *country of nationality* or habitual residence usually after spending a significant period of time in the host country whether voluntary or forced, assisted or spontaneous.

**Source**
Derived by EMN from the definitions of ‘return’ and ‘return migration’ in the IOM Glossary on Migration, 2nd ed., 2011

**Synonym**
★ return migration

**Narrower terms**
★ compulsory return
★ return programme
★ voluntary return

**Related terms**
★ readmission agreement
★ reintegration
★ returnee

**Notes**
1. The IOM definition covers all categories of return of *migrants* (return within the territorial boundaries of a country, as in the case of returning IDPs and demobilised combatants; or from a host country (either transit or destination) to the country of origin, as in the case of persons who have resided legally in a country, *migrant workers, refugees, asylum seekers* and qualified nationals; or the way the return is implemented, e.g. voluntary, forced, assisted and spontaneous return. It does not cover stays shorter than three months (such as holiday visits or business meetings and other visits typically considered to be for a period of time of less than three months).

2. In the context of Council Directive 2008/115/EU (Return Directive), ‘return’ as defined in Art. 3(3), is understood as return which occurs once a *return decision* has been issued. This glossary uses the term ‘compulsory return’ to describe ‘return’ as defined in the Return Directive.

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<td>retur</td>
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</table>

*return*
**return decision**

**Definition**
An administrative or judicial decision or act, stating or declaring the stay of a third-country national to be illegal and imposing or stating an obligation to return.

**Source**

**Synonyms**
- obligation to leave
- obligation to return

**Broader term**
- removal

**Narrower term**
- removal order

**Related terms**
- expulsion decision
- enforcement measure
- voluntary departure

**Note**
For some Member States, a return decision and removal order may occur within one administrative or judicial act as provided for in their national legislation.
**Definition**

Programme to support (e.g. financial, organisational, counselling) the return, possibly including reintegration measures, of a returnee by the State or by a third party, for example an international organisation.

**Source**

Developed by EMN

**Broader term**

* return

**Definition**

A person going from a host country back to a country of origin, country of nationality or habitual residence usually after spending a significant period of time in the host country whether voluntary or forced, assisted or spontaneous.

**Source**

EMN: Assisted Return and Migration Study, 2011

**Related term**

* return

**Note**

The definition covers all categories of migrants (persons who have resided legally in a country as well as failed asylum seekers) and different ways the return is implemented (e.g. voluntary, forced, assisted and spontaneous). It does not cover stays shorter than three months (such as holiday visits or business meetings and other visits typically considered to be for a period of time of less than three months).
right of asylum

Definition
The right of the State, in virtue of its territorial sovereignty and in the exercise of its discretion, to allow a non-national to enter and reside, and to resist the exercise of jurisdiction by any State over that individual.

Source
UNHCR International Thesaurus of Refugee Terminology

Synonym
* right to grant asylum

Broader term
* asylum

Related term
* right to asylum

Notes
1. In some States there are narrower or broader criteria than that laid down in the Geneva Convention of 1951 and Protocol of 1967.
2. The IOM uses a generic term, in two senses: the right to grant asylum (a State may grant asylum in its territory to any person at its own discretion) and the right to be granted asylum either vis-à-vis the State in whose territory asylum is requested, or vis-à-vis the pursuing State.

right of residence

Definition
The right to regularly reside in a given country, according to the migration law of that country.

Source
Developed by EMN

Synonym
* right to reside

Related term
* host country

Note
In the EU context, the right of residence for EU citizens is covered by Council Directive 2004/38/EC (Free Movement Directive) which differentiates between the right of residence for up to three months (Art. 6) and the right of residence for more than three months (Art. 7). EEA and CH citizens enjoy the same rights as union citizens within the European area of free movement.
right to asylum

Definition
The right of a person to seek asylum, guaranteed with due respect by the rules of the Geneva Convention of 1951 and Protocol of 1967 relating to the status of refugees and in accordance with the TFEU.

Source
Art. 18 of the European Charter of Fundamental Rights and Art. 14 of the Universal Declaration of Human Rights

Synonym
★ right to seek asylum

Related term
★ right of asylum

Note
Refugees have no enforceable right in conventional international law to be granted asylum by a State. It is contested whether customary international law has embraced the individual right to asylum.

right to family life

Definition
A principle enshrined in Arts. 7, 9 and 33 of the Charter of Fundamental Rights of the European Union and Art. 8 of the European Convention on Human Rights (ECHR).

Source
European Charter of Fundamental Rights

Narrower term
★ right to family unity

Related terms
★ chain migration
★ family formation
★ family reunification
★ family migration

Note
There is a distinction between the right to family life and the right to family unity. The right to family life is a fundamental right enshrined in the Charter of Fundamental Rights of the European Union. The right to family unity relates more to the purpose and procedural aspects of entry and stay for the purpose of reuniting a family.
right to family unity

**Definition**
In the context of a refugee, a right provisioned in Art. 23 of Directive 2011/95/EU and in Art. 12 of Directive 2013/33/EU obliging Member States to ensure that family unity can be maintained.

**Source**
Derived by EMN from Art. 23 of Directive 2011/95/EU (Recast Qualification Directive) and Art. 12 of Directive 2013/33/EU (Recast Reception Conditions Directive)

**Synonym**
★ principle of family unity

**Broader term**
★ right to family life

**Narrower term**
★ family reunification

**Related terms**
★ chain migration
★ family formation
★ family migration

**Note**
There is a distinction between the right to family unity and the right to family life. The right to family unity relates more to the purpose and procedural aspects of entry and stay for the purpose of reuniting a family, in order to meet the fundamental rights enshrined in the Charter of Fundamental Rights of the European Union.
Definition
The right of EU citizens and legally resident third-country nationals (in accordance with the Treaty establishing the European Community) to move and reside freely within the territory of the Member States.

Source
Derived by EMN from Art. 45 of the European Charter of Fundamental Rights

Synonym
★ freedom of movement

Narrower term
★ intra-EU mobility

Notes
1. The right to free movement is one of the basic rights of EU citizens which was initially one of the founding rights in the establishment of the European Union and enshrined in Art. 21(1) of TFEU; it has been developed by EU secondary legislation and the case law of the Court of Justice.

2. Free movement of workers also applies to the countries in the European Economic Area (IS, LI, NO) and to CH.

3. The provisions of the treaties in relation to freedom of movement apply in the same way to the ten Member States that joined the EU in 2004, BG and RO that joined in January 2007 and HR, which joined in July 2013. Some of the original EU Member States (before May 2004) apply transitional agreements that currently restrict freedom of movement to workers for a certain time period (see the description of freedom of movement on the European Citizens’ Information website).

4. Freedom of movement and residence are granted, in accordance with the Treaty establishing the European Community, only for certain categories of third-country nationals, i.e. long-term residents, highly-skilled workers, researchers and students. Whilst third-country nationals who hold a valid residence permit or visa have the right to move freely within the Schengen area for up to three months within a six-month period, the rights in relation to taking up residence for a period exceeding three months in another Member State is covered by specific legal instruments, depending on their status, and subject to conditions in national legislation.
**risk of absconding**

| **BG** | опасност от укриване |
| **CS** | nebezpečí skrývání se |
| **DE** | Fluchtgefahr, Gefahr unterzutauchen |
| **EL** | κίνδυνος απόδρασης |
| **ES** | riesgo de fuga |
| **ET** | põgenemise (kõrvalehoidumise) oht |
| **FI** | pakenemisen vaara |
| **FR** | risque de fuite |
| **GA** | baol éalaithe |
| **HU** | szökés veszélye |
| **IT** | rischio di fuga |
| **LT** | pasislėpimo pavojus |
| **LV** | bēgšanas iespējamība |
| **MT** | Risju / Bża’ ta’ ħarba / ħrib / kontumacja |
| **NL** | risico op onderduiken |
| **PL** | ryzyko ucieczki |
| **PT** | perigo de fuga |
| **RO** | riscul de a se sustrage |
| **SK** | riziko úteku |
| **SL** | tveganje pobega |
| **SV** | risk för avvikande |
| **NO** | risiko for unndragelse (b) / risiko for unndraging (n) |

**Definition**

In the EU context, existence of reasons in an individual case which are based on objective criteria defined by law to believe that a third-country national who is subject to return procedures may abscond.

**Source**


**Broader term**

* absconding

**Note**

This covers one type of absconding.
safe country of origin

**Definition**
A country where, on the basis of the legal situation, the application of the law within a democratic system and the general political circumstances, it can be shown that there is generally and consistently no *persecution* as defined in Art. 9 of Directive 2011/95/EU (Recast Qualification Directive), no torture or inhuman or degrading treatment or punishment and no threat by reason of indiscriminate violence in situations of international or internal armed conflict.

**Source**

**Broader term**
★ country of origin

**Narrower term**
★ concept of safe country of origin

**Related term**
★ safe third country

**Notes**
1. According to Art. 37 of Directive 2013/32/EU (Recast Asylum Procedures Directive), Member States may retain or introduce legislation that allows for the national designation of safe countries of origin for the purposes of examining applications for international protection.

2. According to the Protocol 29 of TFEU, EU Member States shall be regarded as constituting safe countries of origin in respect of each other for all legal and practical purposes in relation to asylum matters. Accordingly, any application for asylum made by a national of a Member State are normally not taken into consideration.

3. Member States shall regularly review the situation in third countries that are designated as safe countries of origin.

4. The assessment of whether a country is a safe country of origin shall be based on a range of sources of information, including in particular information from other Member States, EASO, UNHCR, the Council of Europe and other relevant international organisations.

5. According to Art. 36 of Directive 2013/32/EU, the ‘concept of safe country of origin’ means that a third country is – after an individual examination of the application – considered as a safe country of origin for a particular applicant only if:

(a) they have the nationality of that country; or

(b) they are a *stateless person* and were formerly habitually resident in that country, and they have not submitted any serious grounds for considering the country not to be a safe country of origin in their particular circumstances and in terms of their qualification as a *beneficiary of international protection* in accordance with Directive 2011/95/EU (Recast Qualification Directive).
Definition

A third country that treats a person seeking international protection in accordance with the following principles:

(a) life and liberty are not threatened on account of race, religion, nationality, membership of a particular social group or political opinion;

(b) there is no risk of serious harm as defined in Directive 2011/95/EU;

(c) the principle of non-refoulement in accordance with the Geneva Convention of 1951 is respected;

(d) the prohibition of removal, in violation of the right to freedom from torture and cruel, inhuman or degrading treatment as laid down in international law, is respected; and

(e) the possibility exists to request refugee status and, if found to be a refugee, to receive protection in accordance with the Geneva Convention.

Source


Broader term

* third country

Related term

* safe country of origin
**Definition**
An agreement between some EU Member States and some neighbouring non-Member States to gradually remove controls at their common borders and introduce freedom of movement for all nationals of the signatory Member States, other Member States or third countries.

**Source**
Derived by EMN from the Schengen acquis

**Related terms**
* Schengen Borders Code
* Schengen Convention
* Schengen Information System

**Notes**
1. The Schengen Agreement was signed on 14 June 1985 between BE, FR, DE, LU, NL.

2. The Agreement and the Convention, the rules adopted on that basis and the related agreements together form the ‘Schengen acquis’. Since 1999, this has formed part of the institutional and legal framework of the European Union by virtue of a protocol to the Treaty of Amsterdam.

3. The rules governing the movement of persons across borders are set out in Regulation (EC) No 562/2006 (*Schengen Borders Code*).

**Schengen Convention**

**Definition**
Legislation supplementing the Schengen Agreement and laying down the arrangements and safeguards for implementing freedom of movement.

**Source**
Derived by EMN from the Schengen acquis

**Synonym**
★ Convention implementing the Schengen Agreement

**Related terms**
★ Schengen Agreement
★ Schengen Borders Code
★ Schengen Information System

---

**Schengen Borders Code**

**Definition**
The rules governing border control of persons crossing the external EU borders of the Member States of the European Union.

**Source**
Derived by the EMN from Regulation (EC) No 562/2006 (Schengen Borders Code)

**Related terms**
★ border control
★ external EU border
★ internal EU border
★ irregular entry
★ legal entry
★ refusal of entry
★ Schengen Agreement
★ Schengen Convention
★ Schengen Information System
Schengen Information System

Definition
A joint information system that enables the relevant authorities in each Member State, by means of an automated search procedure, to have access to alerts on persons and property for the purposes of border checks and other police and customs checks carried out within the country in accordance with national law and, for some specific categories of alerts (Art. 96), for the purposes of issuing visas, residence permits and the administration of legislation on aliens in the context of the application of the provisions of the Schengen Convention relating to the movement of persons.

Source
Derived by EMN from the Schengen acquis

Synonyms
★ second-generation Schengen Information System
★ SIS
★ SIS II

Related terms
★ Schengen Agreement
★ Schengen Convention
★ Schengen Borders Code

Note
The second-generation Schengen Information System (SIS II) was launched in April 2013 with enhanced functionalities, such as the possibility to use biometrics, new types of alerts, the possibility to link different alerts (such as an alert on a person and a vehicle) and a facility for direct queries on the system. SIS II also contains copies of European arrest warrants (EAW), which are recognised as having the same legal value as the originals, making it easier and quicker for the competent authorities to ensure the necessary follow-up. For more information, see the DG Home e-Library Glossary.
Definition
In the EU migration context, a third-country national admitted to the territory of a Member State to follow a recognised programme of secondary education in the context of an exchange scheme operated by an organisation recognised for that purpose by the Member State in accordance with its national legislation or administrative practice.

Source
Derived by EMN from Art. 2(c) of Council Directive 2004/114/EC (Student Directive) and Art. 3(d) of Proposal for a Directive on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing, COM(2013) 151 final

Related terms
* researcher
* student

Note

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**seasonal worker**

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<td>Stagedjoni / tal-istașun</td>
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<td>NL</td>
<td>buitenlandse seizoensarbeider</td>
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<td>PL</td>
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<td>PT</td>
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<td>RO</td>
<td>lucrător / muncitor sezonier</td>
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**Definition**

A third-country national who retains their principal place of residence in a third country and stays legally and temporarily in the territory of a Member State to carry out an activity dependent on the passing of the seasons, under one or more fixed-term work contracts concluded directly between that third-country national and the employer established in that Member State.

**Source**

Art. 3 of Directive 2014/36/EU (Seasonal Workers’ Directive)

**Synonyms**

★ seasonal migrant
★ seasonal worker migrant

**Related terms**

★ circular migration
★ contract migrant worker

**Note**

This term is specifically referring to a third-country national, although it is known that other types of seasonal workers exist, e.g. for nationals within the same country, as well as intra-EU seasonal workers.
**second-generation migrant**

**Definition**
A person who was born in and is residing in a country that at least one of their parents previously entered as a migrant.

**Source**
Developed by EMN

**Synonym**
★ second-generation immigrant

**Broader term**
★ person with a migratory background

**Related terms**
★ first-generation migrant
★ third-generation migrant

**Notes**
1. This term is not defined in legislation but has a more sociological context; a broad definition encompassing the concept of a ‘second-generation migrant’ has been used.

2. Strictly this term does not relate to a migrant, since the person concerned has not undertaken a migration, but the term is included as it is commonly used in publications and the media.

3. According to the Recommendations for the 2010 Censuses of Population and Housing, the group referred to as ‘second-generation’ is generally restricted to those persons whose parents were born abroad, whereas those persons having one parent born in the country and the other one born abroad represent a special case (they form the group of persons with a mixed background). As explained in 1. above, a broader definition was considered more appropriate for the work of the EMN.
**Definition**
The phenomenon of *migrants*, including *refugees* and *asylum seekers*, who for different reasons move from the country in which they first arrived to seek *protection* or permanent *resettlement* elsewhere.

**Source**
Derived by EMN from UNHCR Executive Committee (ExCom) Conclusion No 58 (1989)

**Synonyms**
* secondary movement of migrants
* secondary migrant
* secondary movement of asylum seekers and refugees

**Broader term**
* irregular migration

**Narrower term**
* asylum shopping

**Note**
This movement is without the prior consent of the national authorities, without an entry visa, or with no or insufficient documentation normally required for travel purposes, or with false or fraudulent documentation.
**segregation**

**Definition**
The act by which a (natural or legal) person separates other persons on the basis of race, colour, language, religion, nationality or national or ethnic origin without an objective and reasonable justification.

**Source**
European Commission against Racism and Intolerance (ECRI): General Policy Recommendation No 7: National legislation to combat racism and racial discrimination

**Broader term**
- discrimination

---

**self-employed person**

**Definition**
A person who is the sole or joint owner of the unincorporated enterprise (one that has not been incorporated, i.e. formed into a legal corporation) in which they work, unless they are also in paid employment which is their main activity. (In that case, they are considered to be employees.)

**Source**
Eurostat’s Concepts and Definitions Database

**Related terms**
- employee
- employer

**Note**
According to ILO’s ICSE-93, self-employment jobs are those jobs where the remuneration is directly dependent upon the profits (or the potential for profits) derived from the goods and services produced (where own consumption is considered to be part of the profits). The incumbents make the operational decisions affecting the enterprise, or delegate such decisions while retaining responsibility for the welfare of the enterprise. (In this context, ‘enterprise’ includes one-person operations.)
**separated child**

**Definition**

A child under 18 years of age who is outside their *country of origin* and separated from both parents or their previous legal / customary primary caregiver.

**Source**

Art. 8 of UN Committee on the Rights of the Child, General Comment No 6 and FRA: Study on separated, asylum seeking children in EU Member States, 2010

**Narrower term**

★ unaccompanied minor

**Notes**

1. This definition covers both third-country-national and EU-national children.

2. A child may be totally alone while another may be living with extended family members. All such children are separated children and entitled to international protection under a broad range of international and regional instruments.

**serious harm**

**Definition**

Harm consisting of (a) the death penalty or execution; or (b) torture or inhuman or degrading treatment or punishment of an applicant in the *country of origin*; or (c) serious and individual threat to a civilian’s life or person by reason of indiscriminate violence in situations of international or internal armed conflict.

**Source**

Art. 15 of Directive 2011/95/EU (Recast Qualification Directive)

**Narrower term**

★ real risk of suffering serious harm

**Related terms**

★ persecution
★ torture
sex

**Definition**
The biological characteristics of a person, predominantly female or male.

**Source**
Derived by EMN from UN Woman website and EuropeAid Glossary of gender and development terms

**Related term**
* gender

---

short-term migrant

**Definition**
A person who moves to a country other than that of their usual residence for a period of at least three months but less than a year (12 months) except in cases where the movement to that country is for purposes of recreation, holiday, visits to friends or relatives, business, medical treatment or religious pilgrimage.

**Source**
Derived by EMN from the UN Recommendations on Statistics of International Migration and OECD Glossary of Statistical Terms

**Broader term**
* migrant

**Related terms**
* emigrant
* immigrant
* long-term migrant
* temporary migration

**Note**
For purposes of international migration statistics, the country of usual residence of short-term migrants is considered to be the country of destination during the period they spend in it.
**short-term migration**

**Definition**
Movement of individuals who change their country of *usual residence* for a period of at least three months but less than a year (12 months) except in cases where the movement to that country is for purposes of recreation, holiday, visits to friends or relatives, business, medical treatment or religious pilgrimage.

**Source**
Derived by EMN from the UN Recommendations on Statistics of International Migration and OECD Glossary of Statistical Terms

**Broader term**
★ migration

**Related terms**
★ long-term migration
★ temporary migration

---

**short-stay visa**

**Definition**
The authorisation or decision of a Member State with a view to *transit* through or an intended stay on the territory of one or more or all the Member States of a duration of no more than 90 days in any 180-day period.

**Source**
Art. 2(2) of Regulation (EU) No 610/2013 (Visa Code Regulation) and Art. 2(m) of Regulation (EU) No 604/2013 (Dublin III Regulation)

**Synonyms**
★ short-term visa
★ transit visa

**Broader term**
★ visa

**Related terms**
★ airport transit visa
★ long-stay visa
**single application procedure**

A procedure leading, on the basis of a single application made by a third-country national, or by their employer, for the authorisation of residence and work in the territory of a Member State, to a decision ruling on that application for the single permit.

**Source**
Art. 2(d) of Directive 2011/98/EU (Single Permit Directive)

**Related term**
★ single permit

---

**single permit**

A residence permit issued by the authorities of a Member State after a single application procedure allowing a third-country national to reside legally in its territory for the purpose of work.

**Source**
Derived by EMN from Art. 2(d) of Directive 2011/98/EU (Single Permit Directive)

**Broader term**
★ residence permit

**Related term**
★ single application procedure

**Note**
A single permit is a combined title encompassing both residence and work permits within a single administrative act based on a common set of rights for third-country workers legally residing in a Member State.
### Smuggling of Migrants

**Definition**
The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the *irregular entry* of a person into a Member State of which the person is not a national or a permanent resident.

**Source**
Art. 3 of UN Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the UN Convention against Transnational Organised Crime

**Note**
The UN Protocol was approved by Council Decision 2006/616/EC.

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<td>BG</td>
<td>контрабанда на мигранти</td>
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### Social Exclusion

**Definition**
In the EU context, a situation whereby a person is prevented (or excluded) from contributing to and benefiting from economic and social progress.

**Source**
Developed by EMN from the website of the European Commission, DG Employment and Social Affairs

**Related term**
*social inclusion*
### social dumping

**Definition**
The practice whereby workers are given pay and / or working and living conditions which are sub-standard compared to those specified by law or collective agreements in the relevant labour market, or otherwise prevalent there.

**Source**
Derived by EMN from the Norwegian Regulations regarding workers from the new EU Member States

**Narrower term**
* wage dumping

**Notes**
1. There is no clear, universally accepted definition of social dumping.
2. In the EU context, this practice usually refers to EU / EFTA and third-country nationals.

### social inclusion

**Definition**
In the EU context, a framework for national strategy development, as well as for policy coordination between the Member States, on issues relating to tackling poverty and social exclusion.

**Source**
Derived by EMN from DG Employment and Social Affairs

**Related term**
* social exclusion
**social protection benefits**

**Definition**
Transfers, in cash or in kind, by social protection schemes to households and individuals to relieve them of the burden of one or more of the risks defined in the European Commission’s Mutual Information System on Social Protection.

**Source**
Derived by EMN from Art. 2 of Council Regulation (EC) No 458/2007 (ESSPROS Regulation) and European Commission’s Mutual Information System on Social Protection (MISSOC)

**Narrower term**
★ access to healthcare

**Note**
The European Commission’s Mutual Information System on Social Protection uses the following categorisation of 11 groups or branches dedicated to specific risks:

- healthcare,
- sickness cash benefits,
- maternity and paternity benefits,
- invalidity benefits,
- old-age pensions and benefits,
- survivors’ benefits,
- benefits in respect of accidents at work and occupational diseases,
- family benefits,
- unemployment benefits,
- guaranteed minimum resources,
- long-term care benefits.
### social security

**Definition**
A right to which every member of society is entitled to realise through national effort and international cooperation and in accordance with the organisation and resources of each state, of the economic, social and cultural rights indispensable for their dignity and the free development of their personality.

**Source**
Art. 22 of Universal Declaration of Human Rights

**Note**
According to this concept, everyone has the right to a standard of living adequate for the health and well-being of themselves and of their families, including food, clothing, housing and medical care, and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond their control (Art. 25 of the Universal Declaration of Human Rights).

### sponsor

**Definition**
In the global context, a person or entity which undertakes a (legal, financial or personal) engagement, promise or pledge, on behalf of another.

In the EU context of family reunification, a third-country national residing lawfully in a Member State and applying, or whose family members apply, for family reunification to be joined with them.

**Source**
General context: developed by EMN

**Related terms**
- dependant
- family member
spontaneous migration

Definition
The movement of a person or a group of persons who initiate and proceed with their migration plans without any outside assistance.

Source
IOM Glossary on Migration, 2nd ed., 2011

Broader term
★ migration

Related term
★ immigration programme

Notes
1. Spontaneous migration is usually caused by push-pull factors and is characterised by the lack of state assistance or any other type of international or national assistance.
2. The term is not in common use.

stateless person

Definition
Person who is not considered as a national by any state under the operation of its law.

Source
Art. 1 of UN Convention relating to the Status of Stateless Persons

Note
The definition also includes a person whose nationality is not established.
<table>
<thead>
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<th>Translation</th>
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<td>konventionsflykting</td>
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<tr>
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<td>statuttflyktning</td>
</tr>
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</table>

**Definition**

Person considered to be a **refugee** (according to the criteria of Art. 1A(I) of the **Geneva Convention of 1951**) under the provision of the international instruments preceding the Geneva Convention of 1951 or a person who has been recognised as a refugee by the former International Refugee Organisation during the period of its activities.

**Source**

Derived by EMN from the UNHCR International Thesaurus of Refugee Terminology

**Notes**

1. These instruments are: the *Arrangements with regard to Russian and Armenian Refugees of 12 May 1926*, the *Arrangement with regard to Turkish and Assyrian Refugees of 30 June 1928*, the *Conventions of 28 October 1933 and 10 February 1938*, the *Protocol of 14 September 1939* and the *Constitution of the International Refugee Organisation*.

2. This type of status is normally no longer granted, although the term is still used by the UNHCR in its activities.
Stockholm Programme

**Definition**
A five-year political, strategic document describing the focus of cooperation in the policy areas of justice and home affairs of the Member States of the European Union for the years 2010 to 2014.

**Source**
Communication on an area of freedom, security and justice serving the citizen (Stockholm Programme), COM(2009) 262

**Notes**
1. The Stockholm Programme is the third programme in this area. The first programme was adopted in 1999 in Tampere. The second programme, the Hague Programme, was adopted in 2004 and expired in December 2009.

2. The Programme contains guidelines for common politics on the topics of protection of fundamental rights, privacy, minority rights and the rights of groups of people in need of special protection, as well as citizenship of the European Union. The programme also outlined plans for measures in the area of border-crossing data exchange between State authorities and surveillance of the Internet. The Programme’s work programme also attaches great importance to how the EU should work to guarantee respect for fundamental freedoms and privacy, while guaranteeing security in Europe. Chapter 5 specifically outlines the priorities in migration and asylum matters (based on the principles and objectives of the Pact on Immigration and Asylum). It underlines that solidarity is an important objective of a common immigration and asylum policy and that the EU should provide support to Member States most exposed to migratory pressures.

3. For more information, see the Communication on the Stockholm Programme.
stock of foreigners

**Definition**
The number of foreign nationals in a given area on a certain date (e.g. 1 January or 31 December) of the year in question.

**Source**
Developed by EMN

**Broader term**
* foreign population of a country

**Narrower term**
* migrant stock

**Related term**
* population stock

**Notes**
1. The term is added because of the two methods used to calculate population stock.
2. Foreign stock can include migrants plus those born in a given area to foreign parents living in given area.

stranded migrant

**Definition**
A migrant who for reasons beyond their control has been unintentionally forced to stay in a country.

**Source**
Developed by EMN

**Notes**
1. There is no legal definition of the term ‘stranded migrant’; however, the term has been used by academics and organisations such as IOM since 2006.
2. According to UNESCO, migrants may become stranded due to circumstances in the country of origin, a position of prolonged detention or practical difficulties. Stranded migrants may be individuals whose claim for refugee status has been rejected.
3. For further information, see UNESCO’s People on the Move Handbook: http://unesdoc.unesco.org/images/0016/001636/163621e.pdf
**Definition**

A forum for the exchange of information amongst the Member States, consisting of senior officials in the fields of asylum, immigration and frontiers, which aims to implement a European Union strategic approach to matters related to asylum, immigration and frontiers.

**Source**

Note from the President of the EU Council to SCIFA, Document 17476/10

**Synonym**

★ SCIFA

**Related term**

★ High-Level Working Group on Asylum and Migration

**Notes**

1. SCIFA was set up as part of a new working structure to prepare the Council’s discussions with regard to immigration, frontiers and asylum. SCIFA focuses on in-depth discussions on issues of a more strategic nature, such as politically important issues and issues of a horizontal or cross-cutting character to deal with questions arising from Articles 62, 63 and 64 of the Treaty of the European Community (TEC) with a view to synthesising and, where necessary, solving them and to give substantive input to Coreper’s discussions. SCIFA provides its conclusions to Coreper, after which they are considered by the Justice and Home Affairs (JHA) Council.

2. SCIFA can create Working Parties (e.g. Working Party on Migration and Expulsion) to consider in detail the specific proposals tabled by the European Commission. These Working Parties report on their outcomes to SCIFA.
student

In the EU migration context, a **third-country national** accepted by an establishment of higher education and admitted to the territory of a Member State to pursue as their main activity a full-time course of study leading to a higher education qualification recognized by the Member State, including diplomas, certificates or doctoral degrees, which may cover a preparatory course prior to such education according to its national legislation.

**Source**

**Related terms**
* researcher
* school pupil

---

**subsequent application for international protection**

A further **application for international protection** made after a **final decision** has been taken on a previous application, including cases where the applicant has explicitly withdrawn their application and cases where the **determining authority** has rejected an application following its implicit withdrawal in accordance with Art. 28 (1) of Directive 2013/32/EU.

**Source**
Art. 2(q) of Directive 2013/32/EU (Recast Asylum Procedures Directive)

**Broader term**
* application for international protection
**Definition**
The protection given to a third-country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to their country of origin, or in the case of a stateless person to their country of former habitual residence, would face a real risk of suffering serious harm as defined in Art. 15 of 2011/95/EU, and to whom Art. 17(1) and (2) of Directive 2011/95/EU do not apply, and is unable or, owing to such risk, unwilling to avail themselves of the protection of that country.

**Source**
Derived by EMN from Art. 2(f) of Directive 2011/95/EC (Recast Qualification Directive)

**Broader term**
* international protection

**Narrower term**
* person eligible for subsidiary protection

**Related terms**
* (civil) war refugee
* humanitarian protection
* temporary protection

**Note**
This term is not used in UK (see ‘humanitarian protection’).

**subsidiary protection**

<table>
<thead>
<tr>
<th>Language</th>
<th>Translation</th>
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<tbody>
<tr>
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<td>subsidiær beskyttelse (b) / subsidiært vern (n)</td>
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</table>
### Definition
The recognition by a Member State of a third-country national or a stateless person as a person eligible for subsidiary protection.

### Source
Art. 2(g) of Directive 2011/95/EU (Recast Qualification Directive)

### Broader term
★ subsidiary protection

### Narrower term
★ person eligible for subsidiary protection

### Related terms
★ refugee status
★ withdrawal of international protection

<table>
<thead>
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</table>
**suspensive effect**

**Definition**
A consequence of an appeal, which suspends the enforceability of a challenged decision allowing the appellant to remain in a **host country** pending the outcome.

**Source**
Developed by EMN

**Synonyms**
★ right to remain pending the examination of an application  
★ right to remain pending the decision

**Broader term**
★ legal remedy

**Notes**
1. The Directive 2013/32/EU (Recast Asylum Procedures Directive) recognises in Art. 9 an automatic right of applicants to **remain in the Member State**, for the sole purpose of the procedure, until the **determining authority** has made a decision in accordance with the procedures at first instance, and in Art. 46(3) – in line with international refugee law and with the jurisprudence of the European Courts – an automatic right of applicants appealing against negative decisions to remain in the territory of the concerned Member State.

2. In some circumstances (listed in Art. 46(6)), such as decisions considering an application to be manifestly unfounded in accordance with Art. 32(2) or unfounded after examination in accordance with Art. 31(8), the suspensive effect of appeal is not automatic. However, the possibility remains to request a court or tribunal for a right to stay, pending the second instance decision (Art. 46(3) of Directive 2013/32/EU).
**temporary external border**

**Definition**
(a) The common border between a Member State fully implementing the Schengen acquis and a Member State bound to apply the Schengen acquis in full, in conformity with its Act of Accession, but for which the relevant Council Decision authorising it to fully apply that acquis has not entered into force.

(b) The common border between two Member States bound to apply the Schengen acquis in full, in conformity with their respective Acts of Accession, but for which the relevant Council Decision authorising them to fully apply that acquis has not yet entered into force.

**Source**
Art. 2 (2) of Council Decision 574/2007/EC (External Border Fund Decision)

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**temporary migration**

**Definition**
Migration for a specific motivation and / or purpose with the intention that afterwards there will be a return to the country of origin or onward movement.

**Source**
Developed by EMN

**Broader term**
* migration

**Related terms**
* long-term migration
* short-term migration

**Note**
With regard to the development of EU policy, this may be seen in the context of inter alia circular migration and / or seasonal workers.
## temporary protection

A procedure of exceptional character to provide, in the event of a **mass influx** or imminent mass influx of **displaced persons** from **third countries** who are unable to return to their **country of origin**, immediate and temporary protection to such persons, in particular if there is also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons.

### Source


### Broader term

* **protection**

### Related terms

* **(civil) war refugee**
* **displacement**
* **international protection**
* **mass influx**
* **subsidiary protection**

### Note

In LV, temporary protection is granted for a specified period of time if the applicant needs protection because they have been forced to leave their country of citizenship or, if the persons is stateless persons, their country of former residence due to ethnic conflict or civil war.

## third country

A country that is not a member of the European Union as well as a country or territory whose citizens do not enjoy the European Union **right to free movement**, as defined in Art. 2(5) of the **Schengen Borders Code**.

### Source

Derived by EMN from the description of ‘free movement of citizens’ on the website of Eurofound

### Narrower terms

* **safe third country**
* **third-country national**
**third-country national**

**Definition**
Any person who is not a citizen of the European Union within the meaning of Art. 20(1) of TFEU and who is not a person enjoying the European Union right to free movement, as defined in Art. 2(5) of the Schengen Borders Code.

**Source**

**Synonyms**
- CH national
- EEA national
- non-EU national

**Broader terms**
- non-EU national
- third country

**Related terms**
- alien
- union citizen

**Notes**
1. According to this definition, nationals of NO, IS, LI and CH are not considered to be third-country nationals. This is also consistent with Art. 2(6) of the Schengen Borders Code.


3. Nationals of Micro-States (MC, SM, VA) are treated as third-country nationals since, although there are no border controls, there is no formal agreement for them to be ‘beneficiaries of the free movement of persons’ as defined in the EU acquis. This also means that they cannot be part of the Schengen Agreement.
third-country national found to be illegally present

**Definition**
A third-country national who is officially found to be on the territory of a Member State and who does not fulfil, or no longer fulfils, the conditions for stay or residence in that Member State.

**Source**
Art. 2(r) of Regulation (EC) No 862/2007 (Migration Statistics Regulation)

**Synonyms**
* illegally resident migrant
* illegally staying migrant
* illegally staying third-country national

**Broader terms**
* irregular migrant
* irregular stay

**Narrower term**
* overstay(er)

**Related terms**
* apprehension
* illegal employment of an illegally staying third-country national

**Note**
Directive 2009/52/EC (Employer Sanctions Directive) uses the term ‘illegally staying third-country national’ with the same definition.
torture

**Definition**
Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from them or a third person information or a confession, punishing them for an act they or a third person has committed or is suspected of having committed, or intimidating or coercing them or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

**Source**
Art. 1 of UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

**Related terms**
- serious harm
- vulnerable person

**Notes**
1. The right to freedom from torture is enshrined in many international treaties, most notably the International Covenant on Civil and Political Rights (ICCPR) and the UN Convention against Torture (UNCAT). The acceptance that torture is forbidden under any circumstances, including war, public emergency or terrorist threat, indicates that universally it is considered as a fundamental principle of customary international law. This means that even States that have not ratified any of the international treaties explicitly prohibiting torture are banned from using it against anyone, anywhere, under any circumstances.

2. Regional conventions, such as the European Convention on Human Rights (Art. 3) and the Charter of Fundamental Rights of the European Union (Art. 4), also recognise torture as a prohibited act.

3. Both the UNCAT and the Geneva Refugee Convention of 1951 expressly prohibit the return of an asylum-seeker to a country where they may be at risk of torture.

4. In the EU, Art. 21 of Directive 2013/33/EU (Recast Receptions Conditions Directive) explicitly considers the situation of vulnerable asylum seekers with special needs, including victims of torture. EU Member States are obliged to identify victims of torture within the asylum procedure and to assess whether they have special reception needs, including the need to access appropriate medical and psychological treatment or care.
### Definition

The sum of the immigrations and emigrations which yields the total volume of migration.

### Source

Towards Harmonised European Statistics on International Migration (THESIM) project

### Related terms

- crude rate of net migration
- migration flow
- net migration
- population stock

### total migration

| BG   | общ размер на миграцията |
| CS   | celková migrace           |
| DE   | Wanderungsvolumen         |
| EL   | καθολική μετανάστευση      |
| ES   | migración total           |
| ET   | rände koguarv             |
| FI   | kokonaismuutto            |
| FR   | volume migratoire         |
| GA   | imirce ioimlán            |
| HU   | teljes migráció           |
| IT   | migrazione totale         |
| LT   | bendra migracija          |
| LV   | migrācijas apjoms / bruto migrācija |
| MT   | Migrazioni totali         |
| NL   | totale migratie           |
| PL   | migracja (brutto)         |
| PT   | migração bruta            |
| RO   | migraţie totală           |
| SK   | celková migrácia          |
| SL   | sum migracija / skupna migracija |
| SV   | bruttomigration           |
| NO   | samlet migrasjon (b) / samla migrasjon (n) |

### trainee

| BG   | стажант                   |
| CS   | stážista                  |
| DE   | Auszubildender            |
| EL   | εκπαιδευόμενος             |
| ES   | persona en prácticas      |
| ET   | praktikant                |
| FI   | harjoittelija             |
| FR   | stagiaire                 |
| GA   | duine faoi oiliünt        |
| HU   | gyakornok                 |
| IT   | tirocinante / apprendista |
| LT   | stažuotojas               |
| LV   | praktikants / stažieris   |
| MT   | Persuna tiharreg / fuq taḥrig |
| NL   | stagair                   |
| PL   | stażysta                  |
| PT   | estagiários / formandos   |
| RO   | stagiar                   |
| SK   | stážista                  |
| SL   | pripravnik                |
| SV   | praktikant                |
| NO   | praktikant                |
trafficking in human beings

Definition
The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Source
Art. 2 of Directive 2011/36/EU (Trafficking Directive)

Synonym
★ human trafficking

Narrower terms
★ detection of a victim of trafficking in human beings
★ identification of a victim of trafficking in human beings

Related terms
★ exploitation
★ national referral mechanism
★ Palermo Protocol

Notes
1. A position of vulnerability means a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved.

2. Exploitation includes, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs.

3. The EU anti-trafficking website provides a one-stop-shop for practitioners and the public interested in the problem of trafficking.
**transfer order**

**Definition**
The formal obligation of an applicant for international protection to leave a Member State and, within a specified period, go to the designated Member State responsible for examining their application for international protection.

**Source**
Derived by EMN from Regulation (EU) No 604/2013 (Dublin III Regulation)

**Broader term**
* Dublin transfer

**Related terms**
* Dublin Convention
* Dublin Regulation

**transit**

**Definition**
In the context of migration: Passage through a country of transit of a third-country national travelling from their country of origin to an EU Member State.
In the context of a visa: Passage through a Member State(s) of a third-country national travelling from one third country to another third country.

**Source**
Context of migration: Developed by EMN
Context of a visa: Derived by EMN from definition for ‘transit visa’ in Common Consular Instructions (2005/C 326/01)
**travel document**

**Definition**
A document issued by a government or international treaty organisation which is acceptable proof of identity for the purpose of entering another country.

**Source**
Derived by EMN from IOM Glossary on Migration, 2nd ed., 2011

**Narrower term**
* visa

**Related terms**
* fraudulent travel or identity document
* residence document

**Notes**
1. Passports and visas are the most widely used forms of travel documents.
2. Some States also accept certain identity cards or other documents, such as residence permits.
Definition
A minor who arrives on the territory of the Member States unaccompanied by the adult responsible for them by law or by the practice of the Member State concerned, and for as long as they are not effectively taken into the care of such a person. It includes a minor who is left unaccompanied after they have entered the territory of the Member States.

Source
Art. 2(l) of Directive 2011/95/EU (Recast Qualification Directive)

Synonyms
★ UASC
★ unaccompanied and separated child

Broader term
★ separated child

Related terms
★ representative
★ vulnerable person

Notes
1. There are significant differences between Member States with respect to national definitions and recording practices, for instance with regard to the age limit to be considered and whether or not they are unaccompanied.

2. In some (Member) States, statistics include all those who claim they are unaccompanied minors (i.e. before an age assessment has confirmed this), whereas other (Member) States only count those recognised as such by a competent authority (i.e. following an age assessment).

3. For further information, see EMN: Policies on Reception, Return and Integration Arrangements for, and numbers of, Unaccompanied Minors – an EU comparative study, 2009. An update for this 2009 study is forthcoming, entitled ‘Policies, practices and data on unaccompanied minors in 2014’, and will be available on the website of EMN.
unfounded application for international protection

**Definition**
An application which the **determining authority** has established as unfounded because the applicant does not qualify for **international protection** pursuant to Directive 2011/95/EU.

**Source**
Art. 32 of Directive 2013/32/EU (Recast Asylum Procedures Directive)

**Broader term**
*application for international protection*

**Note**
Member States may also consider an application to be manifestly unfounded because of the existence of circumstances listed in Art. 31(8) of Directive 2013/32/EU (Recast Asylum Procedures Directive) apply.
### union citizen

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**Definition**
Any person having the nationality of an EU Member State.

**Source**
Art. 20 (1) of TFEU

**Synonym**
* EU citizen

**Broader term**
* citizenship

**Related terms**
* non-EU national
* third-country national

### union preference

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**Definition**
The preference given by a Member State to workers who are nationals of other Member States over workers who are nationals of third countries in regard to access to their labour market.

**Source**
Derived by EMN from Act of Accession 2005 (Annexes VI, Art. 14 and VII, Art. 14 to Art. 20) of the Protocol concerning the conditions and arrangements for admission of the Republics of Bulgaria and Romania to the European Union

**Synonym**
* Community preference

**Narrower term**
* labour market test

**Note**
Before the entry into force of the Lisbon Treaty, the term ‘community preference’ was the preferred term to use.
United Nations High Commissioner for Refugees

**Definition**
The refugee agency of the United Nations (UN) mandated to lead and coordinate international action to protect refugees and resolve refugee problems worldwide, and to safeguard the rights and well-being of refugees.

**Source**
Website of UNHCR

**Synonym**
*UNHCR*

**Related terms**
* International Organization for Migration
* international protection
* refugee law

**Notes**
1. The Office of the United Nations High Commissioner for Refugees was established on 14 December 1950 by the UN General Assembly.
2. The Geneva Convention of 1951 is the basic statute guiding the UNHCR’s work. The functions of the UNHCR are defined in the Statute of the Office of the UN High Commissioner for Refugees, which was adopted by the General Assembly on 14 December 1950.
3. For further information, see the website of the UNHCR: http://www.unhcr.org/cgi-bin/texis/vtx/home
unremunerated trainee

**Definition**
A third-country national who has been admitted to the territory of a Member State for a training period without remuneration in accordance with its national legislation.

**Source**

**Broader term**
- *trainee*

**Related terms**
- *remunerated trainee*
- *researcher*

usual residence

**Definition**
The place at which a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimage or, in default, the place of legal or registered residence.

**Source**
Art. 2(1).a of Regulation (EC) No 862/2007 (Migration Statistics Regulation)

**Synonym**
- *habitual residence*
**Definition**

The number of persons who, on a given reference date, are usually resident in a defined geographical area (e.g. national, regional or local).

**Source**

Derived by EMN from Art. 2(d) of Regulation (EC) No 763/2008 (Population and Housing Censuses Regulation) and Art. 2(1)a of Regulation (EC) No 862/2007 (Migration Statistics Regulation)

**Related term**

☆ population stock

**Notes**

1. The ‘number of persons’ includes both nationals and foreigners (and can include both legally and irregularly residing).

2. In this context, ‘usually resident’ means the place where a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holidays, visits to friends and relatives, business, medical treatment or religious pilgrimage.

3. The following persons alone shall be considered to be usual residents of the geographical area in question:

   (i) those who have lived in their place of usual residence for a continuous period of at least 12 months before the reference date; or

   (ii) those who arrived in their place of usual residence during the 12 months before the reference date with the intention of staying there for at least one year.

Where the circumstances described in point (i) or (ii) cannot be established, ‘usual residence’ shall mean the place of legal or registered residence.
Definition
Adverse treatment or adverse consequence as a reaction to a complaint or to proceedings aimed at enforcing compliance with the principle of equal treatment.

Source

Related term
* principle of equal treatment
**visa**

**Definition**
The authorisation or decision of a Member State required for transit or entry for an intended stay in that Member State or in several Member States.

**Source**
Art. 2(m) of Regulation (EU) No 604/2013 (Dublin III Regulation)

**Broader term**
★ travel document

**Narrower terms**
★ airport transit visa
★ long-stay visa
★ short-stay visa
★ Visa Code
★ Visa Information System
★ visa facilitation agreement

**Note**
For some third countries (specifically, and as of December 2011, Albania, Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia, Georgia, Moldova, Montenegro, Serbia, Russian Federation and Ukraine) there are visa facilitation agreements which facilitate, on the basis of reciprocity, the issuance of visas for an intended stay of no more than 90 days per period of 180 days to the citizens of the European Union and the third country party to the agreement.

These are often concluded at the same time as readmission agreements. For more information see the DG HOME website, webpage on visa policy: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm)
Visa Code

**Definition**
Regulation outlining the procedures and conditions for issuing visas for transit through or intended stays in the territory of the Schengen Member States not exceeding three months in any six-month period.

**Source**
Art. 1(1) of Regulation (EU) No 610/2013 (Visa Code Regulation)

**Synonym**
★ Schengen Visa Code

**Broader term**
★ Visa

**Related terms**
★ visa facilitation agreement
★ Visa Information System

**Note**
The Visa Code Regulation entered into force on 5 April 2010.

---

visa facilitation agreement

**Definition**
Agreement between the EU and a non-EU country that facilitates the issuance by an EU Member State of authorisations to the citizens of that non-EU country for transiting through or an intended stay in the territory of the EU Member States of a duration of no more than three months in any six-month period from the date of first entry into the territory of the EU Member States.

**Source**
DG HOME e-Library Glossary

**Broader term**
★ visa

**Related terms**
★ visa facilitation agreement
★ Visa Information System

**Note**
For a list of visa facilitation agreements concluded so far, see the website of DG HOME: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm
**Visa Information System**

**Definition**
A system for the exchange of visa data between Member States, which enables authorised national authorities to enter and update visa data and to consult this data electronically.

**Source**
Art. 1 of Council Decision 2004/512/EC

**Synonym**
★ VIS

**Broader term**
★ visa

**Related terms**
★ Schengen Information System
★ Visa Code
★ visa facilitation agreement

**Note**
The Visa Information System (VIS) started operating in North Africa on 11 October 2011 (see: European Commission Press release IP/11/1169).

---

**voluntary departure**

**Definition**
Compliance with the obligation to return within the time-limit fixed for that purpose in the return decision.

**Source**

**Synonym**
★ independent return

**Broader term**
★ compulsory return

**Narrower term**
★ assisted voluntary return

**Related terms**
★ return decision
★ voluntary return

**Note**
1. The term ‘independent return’ is only used in UK.
2. The term is different from voluntary return, as with voluntary departure, ultimately there will be an obligation to return.
**Definition**
The assisted or independent return to the country of origin, transit or third country, based on the free will of the returnee.

**Source**
IOM Glossary 2nd ed., 2011

**Synonym**
* voluntary repatriation

**Broader term**
* return

**Narrower term**
* assisted voluntary return

**Related terms**
* compulsory return
* voluntary departure

**Notes**
1. The term is different from 'voluntary departure' and, as with voluntary departure, ultimately there will be an obligation to return.

2. The types of persons returning without the assistance of the State include those who:

   (a) would be under no (legal) obligation to do so. As stated in the definition, it is entirely their decision as to whether they return or not;

   (b) are irregularly resident and have not (yet) been apprehended / detected (e.g. overstayer), but who decide to return anyway;

   (c) have applied to stay (e.g. asylum seeker, person applying for protection) and whose application has not yet been finalised, but decide to return anyway.

3. UNHCR prefers the term ‘voluntary repatriation’.
Definition
Minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of trafficking in human beings, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation.

Source
Art. 21 of Directive 2013/33/EU (Recast Reception Conditions Directive)

Narrower term
★ applicant with special reception needs

Related terms
★ identified victim of trafficking in human beings
★ presumed victim of trafficking in human beings
★ torture
★ unaccompanied minor

Note
Directive 2011/36/EU (Trafficking Directive) defines a ‘position of vulnerability’ as a ‘situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved’.
**Definition**
Grave breaches of the Geneva Conventions or other serious violations of the laws and customs applicable in international armed conflict within the established framework of international law, as defined in the Rome Statute of the International Criminal Court.

**Source**
Art. 8(2) of the Rome Statute of the International Criminal Court

**Related terms**
* crime against humanity
* exclusion clause
Definition
The fear of persecution experienced by an applicant for international protection that is considered both genuine and objectively justifiable (e.g. because the person concerned has already been subject to persecution or serious harm, or to direct threats of such persecution or such harm, and there is no good reason to consider that such persecution or serious harm will not be repeated).

Source
Derived by EMN from IOM Glossary 2nd ed., 2011

Broader term
* persecution

Related terms
* credibility assessment
* real risk of suffering serious harm

Notes
1. This is a key element of the definition of a refugee in the Geneva Convention of 1951 and Protocol of 1967. Well-foundedness of fear contains both a subjective element (fear of persecution) and an objective element (the fear must have an objectively justifiable basis). Both elements must be established for the fear to be considered well-founded within the meaning of the refugee definition. According to the 1951 Convention, persecution must be linked to any one of the five specified grounds: race, religion, nationality, membership of a particular social group and political opinion.

2. The subjective element is satisfied if the applicant’s fear of persecution is genuine. In the context of refugee status determination, fear has been defined as an apprehension or awareness of danger. General dissent or disagreement with a government or the desire for more personal freedom or an improved economic situation without anything more does not satisfy this element (see UNHCR guidelines on international protection on the UNHCR website).

3. The objective element is satisfied when the applicant has established that there is a reasonable possibility that they will actually suffer the feared persecution.
**Definition**

The actions by which the applicant terminates the procedures initiated by the submission of their application for international protection, in accordance with Directive 2013/32/EU, either explicitly or tacitly.

**Source**

Derived by EMN from Art. 27 and 28 of Directive 2013/32/EU (Recast Asylum Procedures Directive)

**Broader term**

* application for international protection

---

**Withdrawal of an application for international protection**

| **BG** | оттегляне на молба за международна закрила |
| **CS** | vzít zpět žádost o udělení mezinárodní ochrany |
| **DE** | Rücknahme des Antrags auf internationalen Schutz |
| **EL** | ανάκλησης της αίτησης για διεθνή προστασία |
| **ES** | retirada de una solicitud de protección internacional |
| **ET** | rahvusvahelise kaitse taotluse tagasiühtrmine |
| **FI** | kansainvälistä suojelua koskevan hakemuksen peruuttaminen |
| **FR** | retrait d’une demande de protection internationale |
| **GA** | iarratas ar chosaint idimáisiúnta a tharraingt siar |
| **HU** | nemzetközi védelem iránti kérelem visszavonása |
| **IT** | ritiro della domanda di protezione internazionale |
| **LT** | prašymo suteikti priežiūro nagrinėjimo nutraukimas |
| **LV** | starptautiskās aizsardzības pieteikuma atsaukšana |
| **MT** | Itrirat ta’ applikazzjoni għall-protezzjoni internazzjonali |
| **NL** | intrekking van een verzoek om internationale bescherming |
| **PL** | wycofanie wniosku o ochronę międzynarodową |
| **PT** | retirada do pedido de protecção internacional |
| **RO** | retragerea cererei de protecție internațională |
| **SK** | spáťvzatie žiadosti o medzinárodnej ochrane / spáťvzatie žiadosti o udelenie medzinárodnej ochrany |
| **SL** | umik prošnje za mednarodno zaščito |
| **SV** | återkallande av ansökan om internationellt skydd |
| **NO** | tilbaketrekking av søknad om internasjonal beskyttelse (b)/ tilbaketrekking av søknad om internasjonal betyggelse (n) |
withdrawal of international protection

**Definition**
The decision by a competent authority to revoke, end or refuse to renew the refugee or subsidiary protection status of a person in accordance with Directive 2011/95/EU.

**Source**
Art. 2(o) of Directive 2013/32/EU (Recast Asylum Procedures Directive)

**Narrower term**
* withdrawal of refugee status

**Related terms**
* refugee status
* subsidiary protection status

withdrawal of refugee status

**Definition**
The decision by a competent authority to revoke, end or refuse to renew the refugee status of a person in accordance with Directive 2011/95/EU.

**Source**
Derived by EMN from Art. 2(o) of Directive 2013/32/EU (Recast Asylum Procedures Directive)

**Broader term**
* withdrawal of international protection

**Related term**
* refugee status
**Definition**
Attitudes, prejudices and behaviour that reject, exclude and often vilify persons, based on the perception that they are outsiders or foreigners to the community, society or national identity.

**Source**
UNESCO Glossary of migration-related terms

**Related terms**
★ racial discrimination
★ racism

**Notes**
1. According to the EU acquis, and specifically Art. 1 of Framework Decision 2008/913/JHA, offences concerning racism and xenophobia are considered to be:

   (a) publicly inciting to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin;

   (b) the commission of an act referred to in point (a) by public dissemination or distribution of tracts, pictures or other material;

   (c) publicly condoning, denying or grossly trivialising crimes of genocide, crimes against humanity and war crimes as defined in Articles 6, 7 and 8 of the Statute of the International Criminal Court, directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin when the conduct is carried out in a manner likely to incite violence or hatred against such a group or a member of such a group;

   (d) publicly condoning, denying or grossly trivialising the crimes defined in Art. 6 of the Charter of the International Military Tribunal appended to the London Agreement of 8 August 1945, directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin when the conduct is carried out in a manner likely to incite violence or hatred against such a group or a member of such a group.
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