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**COMMISSION STAFF WORKING DOCUMENT**

**EMN Status Report 2014**

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## **SUMMARY OF KEY EMN DEVELOPMENTS IN 2014**

A significant development for the EMN was the launch and consolidation of the **EMN Return Expert Group (REG)**<sup>1</sup> which focused in its first year on collecting and presenting information on policy and practice in (voluntary) return and reintegration. The EMN REG met five times in 2014, and united national practitioners with EU policymakers and representatives of relevant EU funded programmes in the field of return (e.g. the European Reintegration Instrument Network (ERIN) and the European Reintegration Instrument (ERI) as well as international organisations and NGOs. The expert Group delivered a range of outputs focussing on Member States' return and reintegration policies and practices.

The EMN **Glossary**, contributing to improving the comparability of information across the EU, was thoroughly revised and reviewed in 2014; almost 100 new terms were added and 120 were reviewed and updated. The new EMN Glossary Version 3.0 is available both interactively on the EMN website and as a PDF version to download. Several Member States are planning to develop national language versions of the updated Glossary.

The EMN **Ad-Hoc Query** tool was again widely used by EU and National policymakers as a mechanism to collect within a short timeframe, responses from across all Member States (and Norway) on a specific issue. Some 112 EMN Ad-Hoc Queries were launched in 2014 (the highest number recorded in any given year). The Commission launched the most Ad-Hoc Queries of all entities (13 in total). International protection was again the topic most frequently explored in 2014, accounting for 25% of all EMN Ad-Hoc Queries launched.

During 2014, EMN **Reports and Studies** on topical issues were completed and widely read by national, EU and international audiences, and have been used directly to feed into the policymaking process at various stages of the cycle at EU level and national level.

At **EU level**, networking continued amongst the EMN NCPs, the Commission and a wide range of relevant stakeholders including other Directorates General (e.g. Employment and Trade), other relevant Commission Services, the European Parliament, Eurostat and EU Agencies (EASO, FRA, Frontex). In total seven meetings of the EMN were held in Brussels.

At **National level**, EMN NCPs, through their activities, helped to bring together a wide range of national stakeholders to debate policy priorities, often contributing to uniting such stakeholders directly with policymakers.

The **EMN Bulletin**, **EMN Conferences**, **EMN webpage** at EU level plus national newsletters, web-sites and events disseminate information on migration and asylum to wide audiences including the general public. In 2014 the EMN IES was redesigned and is now hosted by the Commission.

**Management of the EMN** took place throughout the year. In line with Article 13 of Council Decision 2008/381/EC, the Commission appointed an external and independent evaluator to review the development of the EMN during 2014 and to provide proposals and recommendations for amendment. The Final Report of the External Evaluation will be made available in 2015. The EMN Bi-annual Work Programme 2015/2016 was adopted in 2014 as Commission Decision C(2014) 7979 (final) on 31<sup>st</sup> October 2014. The maximum contribution authorised by the Decision for the implementation of the work was set at EUR 13 400 000.

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<sup>1</sup> Building on the work of the former Voluntary Return Experts Group (VREN) funded under the EU Return Fund.

## **INTRODUCTION**

This European Migration Network (EMN) Status Report<sup>2</sup> provides a succinct overview of progress made by the EMN during 2014, in accordance with Article 4(5c) of Council Decision 2008/381/EC. The EMN Status Report 2014 presents first an overview of the developments taking place in the year, followed by a summary of the networking that took place at EU and national levels, and the various dissemination and communications activities taken to promote the EMN to policymakers and wider audiences. Information on how the EMN was managed during the year is then also presented. All EMN NCPs established in the Member States<sup>3</sup> and Norway<sup>4</sup> continued to participate in and contributed to the EMN throughout 2014.

## **EMN OUTPUTS IN 2014**

This section provides an overview of the main EMN outputs and impacts, within the framework of the EMN Work Programme 2014. Activities were focussed on understanding and anticipating policymaker needs, and the subsequent collection and analysis of information and statistics to meet these needs, to support policymaking in the EU and the Member States, and to present the information in accessible formats. These formats included Synthesis Reports, used for the Annual Policy Report as well as each of the EMN Studies, presenting an EU level overview of the main findings of a given topic, on the basis of national contributions produced by the EMN National Contact Points according to common specifications; EMN Informs, or policy briefs, summarising succinctly key points to note on a given topic; and regular EMN Bulletins, highlighting recent EU and national updates, as well as latest available statistics. Dissemination of EMN outputs also took place through a range of channels, including EU and national level EMN websites, conferences and events.

### **2.1 Annual Policy Reports 2013 and 2014**

Each year, the EMN reports on the most significant national political and legislative (including EU) developments in the fields of migration and international protection, as well as public debates, and provides latest relevant statistics. Work took place during 2014 to complete the exercise for 2013 and to plan the Annual Policy Report (APR) for 2014. Information compiled in early 2014 was synthesised into an EU level document, which contributed to the development of the Commission's 5<sup>th</sup> Annual Report on Immigration and Asylum<sup>5</sup> and informed the accompanying Commission Staff Working Document<sup>6</sup>. The information collected by EMN NCPs on international protection was used by the European Asylum Support Office (EASO) to compile their own annual report, thus avoiding duplication in data collection. EMN NCPs also developed a separate National Report (following the APR Part 2 specifications) for their respective audiences.

Specifications were developed for the Annual Policy Report 2014 (Part 1), adapted from the previous year to ensure that the collection of national level developments and relevant statistics were in response to the most recent policy developments at EU level. The specifications for 2014 were simplified and developed again in cooperation with EASO (in the area of international protection and asylum). The resulting Synthesis Report will be published in 2015 as an EMN output in an accessible format, intended for a wider circulation. A new, flexible format (Part 2) was developed by EMN NCPs to provide their national reports, in line with the needs and interest of their national audiences.

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<sup>2</sup> As required by Article 4(5c) of Council Decision 2008/381/EC.

<sup>3</sup> In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty establishing the European Community, Denmark does not take part in the adoption of Decision 2008/381/EC and is not bound by it or subject to its application.

<sup>4</sup> Commission Decision C(2010)6171 of 13<sup>th</sup> September 2010 established the basis for administrative cooperation with the Ministry of Justice and the Police of Norway for Norway's participation in the EMN.

<sup>5</sup> COM(2014) 288 final (22<sup>nd</sup> May 2014)

<sup>6</sup> SWD(2014) 165 final

Drawing on information collected and analysed during 2014 from the EMN National Policy Report for 2013, the EMN Country Factsheets, one for each of the 28 Member States, including Croatia, plus Norway were revised and updated to reflect the latest position. The Factsheet give a succinct summary of the main developments in the year, and presenting relevant national migration and international protection statistics covering the three year period 2011-2013.

An evaluation of the impacts of the Stockholm Programme (2010-2014)<sup>7</sup> was finalised and published as ‘A descriptive Analysis of the Stockholm Programme 2010-2013)’ on the EMN website in 2014 which provide a descriptive analysis of national developments based on a synthesis of the EMN Annual Policy Reports and relevant statistics from 2010-2014.

## **2.2 EMN Studies<sup>8</sup>**

The EMN finalised and published a number of policy relevant studies in 2014, and contributed also to the development of Studies which will be finalised in early 2015. The Studies were all developed in collaboration with relevant policymakers and either contributed or are expected to contribute directly to the policymaking process at EU and national levels. EU level synthesis reports were developed from national contributions largely based on desk analysis of existing legislation and policy documents, reports, academic literature, internet resources and reports and information from national authorities. Statistics were sourced from Eurostat, national authorities and other (national) databases. Overall, Studies remained, in general, short in length, analytical, and included comparative information presented in table format rather than as descriptive text. Once finalised, they are published on the EMN website and publicised through the EMN Bulletin and external mailing lists.

Studies finalised or developed during 2014 included:

### ***2.2.1 The organisation of reception facilities for asylum seekers in different Member States***

This Synthesis Report was prepared on the basis of National Contributions from 24 EMN NCPs<sup>9</sup> and published in February 2014. The main results were reported in the EMN Status Report 2013. The Study was developed in cooperation with the European Asylum Support Office (EASO) and is expected to inform EU and national policymaker / practitioner. Since publication, it has also been used and promoted also by the European Network of Asylum Reception Organisations (ENARO), an inter-institutional network of 22 European organisations, set up to arrange the reception of asylum seekers. At national level, in the Netherlands, the Synthesis Report of the Study was quoted by Parliamentarians in 2014 when questioning the State Secretary on the reception system, which is under pressure due to the increased influx of applicants.

### ***2.2.2 Identification of trafficking victims in asylum/migration procedures***

The Study was prepared on the basis of National Contributions from 24 EMN NCPs<sup>10</sup> and was published in March 2014. The main results were reported in the EMN Status Report 2013. The Study was developed in cooperation with DG HOME and the EU Anti-trafficking Coordinator, and it was the first EU level study published to specifically examine this issue.

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<sup>7</sup> 2010/C 115/01

<sup>8</sup> The various reports are available from the [EMN website](#) under "EMN Outputs: EMN Studies"

<sup>9</sup> Austria, Belgium, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom and Norway

<sup>10</sup> Austria, Belgium, Czech Republic, Cyprus, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom, Norway.

The results have been widely disseminated at EU and national level and were also presented to EASO. In Belgium, the results of the Study fed directly into reflections on the future action plan to combat trafficking in human beings post 2014.

### **2.2.3 “Migrant access to social security and healthcare: policies and practices”**

The EMN Main Study on *Migrant access to social security and healthcare: policies and practice* was based on contributions from EMN National Contact Points in 25 Member States<sup>11</sup> was published in July 2014. It had a number of aims; to outline the formal EU and national rules that shape entitlements to social security and healthcare for third-country nationals; to examine how these entitlements compare to those of Member State nationals; to investigate the administrative practices that determine how formal rules on eligibility are applied; and finally, to review the reciprocal agreements on social security that exist between EU Member States and third countries. The study did not cover the take-up by migrants of the various social security payments available.

The Study found that the equal treatment provisions contained in the EU’s Migration Directives have influenced national legislation and practice (e.g. for third-country nationals holding long-term residence permit and EU Blue Card holders); however, in the absence of Union-level harmonisation of social security policies, significant variations exist in relation to the range of benefits available in Member States, the way these benefits are financed (insurance contributions, general taxation or both) and the conditions under which the benefits are granted. A connection however was found between the systems used to finance social security benefits and their accessibility by third-country nationals, with equal treatment for holders of fixed-term residence permits granted more readily in relation to benefits that are financed through employer / employee contributions (e.g. sickness cash benefits, invalidity benefits) than those financed through general taxation (e.g. family benefits, long-term care benefits and guaranteed minimum resources).

In the majority of Member States, claiming social security benefits – in particular social assistance – can have some negative impact on the legal status of third-country nationals in procedures for residence permit renewal, applications for long-term residence permits, naturalisation and family reunification. This negative impact is foreseen in the Directives on the admission of researchers (2005/71/EC) and on EU Blue Card holders (2009/50/EC) which require that these groups have sufficient resources to meet their expenses without having recourse to the Member State’s social assistance system. Bilateral agreements on social security reached by Member States with third-countries extend access by third-country nationals to certain social security benefits, especially benefits that are contributory or partially contributory. However, significant variations in the material scope and geographical coverage of these bilateral agreements mean that many third-country nationals may lose acquired social security rights when they move out of the European Union.

In relation to immediate impacts, at EU level, the results of the Study were shared with policymakers in DG Employment who were closely involved in its design and development through the Study’s Advisory Group.

The Study was used in Finland in 2014 in a Report prepared by the Ministry of Social Welfare and Health, in order to take a closer look at the national residence-based social security system. The EMN National Reports were directly consulted to obtain a comparable analysis and to generate constructive discussion. The Study was also promoted through national events, for example in Belgium and Ireland.

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<sup>11</sup> Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.

#### ***2.2.4 The use of detention and alternatives to detention in the context of immigration policies***

Immigration detention is a non-punitive administrative measure applied by the state to restrict the movement of an individual through confinement in order for an immigration procedure to be implemented.<sup>12</sup> Legal instruments of the EU asylum and migration *acquis*<sup>13</sup>, stipulate that immigration detention is justified only for a set of specific grounds applied in specific situations, such as preventing unauthorised entry into the territory of a Member State, preventing absconding in return procedures and under certain conditions within the asylum procedure. This EMN Study, based on the National Contributions from 26 EMN NCPs<sup>14</sup>, aimed to map and identify similarities, differences and best practices with regard to the use of detention as well as alternatives to detention in the context of (Member) States' immigration policies and procedures. It was first published in November 2014.

The Study found that national legal frameworks do show variations across (Member) States with regard to the categories of third-country nationals that can be placed in detention and the corresponding grounds for detention. The most common grounds for detention are 'risk of absconding'; 'establishing identity of the third-country national' followed by 'threat to national security and public order'; 'non-compliance with the alternatives to detention'; 'presenting destroyed or forged documents' and 'reasonable grounds to believe that the person will commit an offence'. In the vast majority of Member States, detention of vulnerable persons, including unaccompanied minors, accompanied minors and families with children, pregnant women and victims of trafficking in human beings and torture, is either explicitly prohibited or possible only in exceptional circumstances.

All (Member) States have set in place (either in law or in practice) comprehensive and robust (individual) assessment procedures for placing third-country nationals in detention to ensure non-arbitrariness, necessity and proportionality. However, challenges were identified in implementing assessment procedures in some Member States, including in some cases, a lack of clear assessment criteria and/or indicators; complex legal framework; the 'automatic' placement of particular categories of third-country nationals in detention; challenges related to extending the period in detention; and lack of judicial review on the appropriateness of a detention measure. In terms of the types of detention facilities and the basic material conditions provided to detainees, common patterns are discernible across all Member States, notably related to the provision of basic services such as medical care, legal aid, language support and the right to have contact with the outside world, although differences were also apparent.

The Study also found that the majority of (Member) States (24 in total) have developed alternatives to detention, examples of which include: reporting obligations; residence requirements; the obligation to surrender identity or a travel document; release on bail; electronic monitoring; provision of a guarantor; and release to care workers or under a care plan. However, the impacts on the effectiveness of (Member) States' return policies and international protection procedures of detention and indeed alternatives to detention were not easy to determine, due to limited data availability and evaluation evidence.

The Synthesis Report of the Study was presented during the training of Lithuanian Border Guards and the topic formed the focus of national events in, for example, Finland, Latvia and United Kingdom.

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<sup>12</sup> See EMN Glossary Version 3.0

<sup>13</sup> Directive 2008/115/EC ('Return Directive') and Directive 2003/115/EC and its recast 2013/33/EU ('Reception Conditions Directive')

<sup>14</sup> Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom and Norway

### **2.2.5 Good Practices in the return and reintegration of irregular migrants: Member States' entry bans policy & use of readmission agreements between Member States and third countries**

This Synthesis Report was prepared on the basis of National Contributions from 24 EMN NCPs<sup>15</sup> and was published on the EMN website in February 2015. Its main aims were to analyse good practices in return and reintegration of irregular migrants focusing on the application of two specific measures, re-entry bans and readmission agreements, (distinguishing between those concluded at EU level (EURAs) and by Member States with third countries on a bilateral basis). The Study also briefly compared the possible synergies between entry bans and readmission agreements plus reintegration assistance, as tools to assist Member States in implementing effective return policies.

Whilst the Return Directive has resulted in an increased harmonised legal framework on entry bans at national level (in those countries implementing the Directive), the Study found that different approaches for the imposition of entry bans and the institutional framework for enforcement remain. Member States may adopt either more stringent or lenient approaches, and may apply entry bans as a coercive policy measure to serve as a deterrent for irregular third-country nationals, and as an “incentive” to encourage voluntary return, through their withdrawal/suspension where voluntary return has taken place in compliance with the return decision. The Study identified emerging good practices in terms of cooperation between Member States when enforcing entry bans, and some practical cooperation problems limiting their effectiveness. One of the most important challenges is the non-systematic entering of entry ban alerts into the SIS by Member States imposing them, thereby potentially obstructing enforcement of the entry ban in the Schengen area.

Available data suggest that EURAs are generally effective return tools in relation to the share of readmission applications receiving a positive reply, and overall, no systematic problems in cooperating with third countries under EURAs were identified in the Study. However, some practical challenges were highlighted which may limit effectiveness. Where available, national evaluations show that the extent to which EURAs can be judged effective depends on the agreement and the cooperation with a given third country. As well as EURAs, the majority of (Member) States have also signed national bilateral admission agreements as well as certain non-standard agreements, which are mainly (though not exclusively) used to carry out forced return. The main benefits of bilateral agreements include efficient practical cooperation under agreed procedures.

Synergies amongst the various tools at their disposal to bring about better outcomes for sustainable return have been developed in some Member States, but are at the early stages of development. There is scope for information sharing and mutual learning amongst Member States on making links across the different practices in place.

In relation to immediate impacts, at EU level, the Study was presented during the EMN Annual Conference in Athens, Greece in June 2014.

At national level, the Study formed the focus of national events in, for example, Finland and United Kingdom (with detention).

### **2.2.6 Policies, practices and data on unaccompanied minors in 2014**

This Study aimed to update the findings of the 2008-2009 EMN study “Policies on reception, return and integration arrangements for, and numbers of, unaccompanied minors”<sup>16</sup> and to provide up-to-date information and comparable data on the numbers and state of protection of unaccompanied minors (UAMs) arriving in Europe. The Study is based on national contributions from 25 Member States and Norway and was published in May 2015. During 2014 and early 2015, EMN NCPs

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<sup>15</sup> Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom and Norway

<sup>16</sup> <https://emn.gov.pl/download/75/14011/0EMNSynthesisReportUnaccompaniedMinorsFINALVersionMay2010.pdf>

prepared their national contributions and several made this very topical issue the subject of their national conferences and events (see section 3.2).

An unaccompanied minor (UAM) is a child as defined by the UN Convention on the Rights of the Child (CRC), who arrives on the territory of a Member State 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. The definition also includes children left unaccompanied after they have entered the territory of a Member State.<sup>17</sup> This EMN study focuses only on third-country national UAMs, and also makes a distinction between those unaccompanied children are seeking asylum or granted international protection, and those not seeking asylum, including irregular migrant children and child victims of trafficking. Over the past few years, at EU level, significant revisions have taken place in the EU legal acts concerning asylum, which have implications for those unaccompanied children who are seeking asylum. This Study is thus very timely, and has a special focus on several issues identified as knowledge gaps, including entry procedures and arrangements in place for UAMs who are not in the asylum process, including those who entered irregularly and/ or are victims of trafficking; those UAMs who abscond or go missing from care facilities – their profile, reasons for absconding and policies/ practices to prevent this and/ or reduce harm when they do go missing; the arrangements to support the transition to adulthood (i.e. turning 18 years of age); and policies and practices in place for (voluntary) return of unaccompanied minors.

Overall, the Study concludes that whilst many provisions and measures are in place for asylum-seeking UAMs and those granted international protection as part of EU acquis and international legislation, non-asylum seeking UAMs do not appear to benefit from the same level of (legal/legally ensured) protection. The Study highlights some gaps and challenges that still need to be addressed to ensure that all UAMs benefit from the same level of protection – which should also be equivalent to the protection afforded to national children deprived of parental care in the (Member) States. UAMs are not in all Member States treated first and foremost as children, and their protection needs as such are not always recognised fully by the competent national authorities, irrespective of their migration status.

The Study also identifies certain gaps in the collaboration and cooperation that takes place between the various authorities dealing with UAMs in the (Member) States. As mentioned above, this issue is apparent in relation to several procedures and processes, for example, in the process of identifying UAMs when crossing the border or when they are intercepted on the EU territory; in the process of ensuring that a guardian is appointed at the earliest opportunity to ensure the protection of the UAM; and the procedure to ensure that UAMs access appropriate reception support. This issue also relates to the prevention of disappearances of UAMs from reception and care facilities and is also a factor in the determination of durable solutions for UAMs, where cooperation between the authorities, the UAM plus individuals and agencies representing the child, has been reported in some (Member) States but not consistently across all.

A notable outcome of this Study is the identification of some very interesting new practices and measures developed in recent years in the (Member) States to address the above-mentioned issue of ‘inequality’ between asylum-seeking and non-asylum seeking unaccompanied minors, with some (Member) States ensuring that their national childcare policies take priority over migration law in respect of this target group of migrants.

Finally, the Study highlights the general lack of comprehensive and comparable data on the numbers of and outcomes for UAMs receiving some form of protection in the EU. The current

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<sup>17</sup> Art. 2(l) of Directive 2011/95/EU (Recast Qualification Directive)

obligation for (Member) States to provide annual data only on UAMs applying for international protection – and the limited data gathered on non-asylum seeking UAMs through this EMN Study – restricts the scope for properly assessing the situation of all UAMs arriving in the EU

### **2.2.7 Focussed Study on “Admitting third-country nationals for business purposes”**

This Synthesis Report was prepared from National Contributions from 24 EMN NCPs<sup>18</sup>, and aimed to provide an analysis and further understanding of the policies and specific conditions in place in EU Member States that regulate the admission for business purposes of non-EU investors and non-EU business owners who are not yet present/resident in any Member. The Study also considered (“other business persons”, i.e. other third-country nationals who travel to the EU for business reasons including under the six pre-defined categories of “natural persons” providing services, under the EU's specific commitments of the GATS and EU bilateral free-trade agreements (FTAs). It also sought to compare the ways in which EU Member States’ existing legal and policy measures are used to facilitate the admission and stay of third-country nationals for business purposes whilst safeguarding against misuse. The Study was developed in cooperation with DG Trade.

The admission of third-country national investors and business owners is not harmonised at EU level and the study found that Member States have designed and implemented specific programmes for these groups according to national priorities and needs and that this is a growing phenomenon. More than half of all EU Member States seek to actively attract investors and business owners, while supporting international mobility: they implement specific programmes by providing incentives and easing restrictions on entry and/or stay. Similarly for the other categories of business persons the study has confirmed that some of the categories inscribed in GATS and the EU FTAs have not yet been recognised either in EU law or at the national level and are not distinguished in practice by existing definitions in all Member States.

In terms of migration policy design, Member States strive to find the right balance between incentives and rights offered to third-country nationals on the one hand and admission criteria which guarantee effective controls and secure borders on the other. Member States exercise their competence to design policy to favour economic migration, by picking and choosing measures and criteria they deem will best meet their national needs whilst also meeting the requirements of and acting as incentives to business persons. Overall, **few specific instances of misuse/abuse of the investor route** by third country nationals has been reported; however, **for business categories, some incidences were identified in specific sectors**. Member States rely on their standard **measures to detect any misuse / abuse** and controls applied at admission stage are used by Member States to detect cases of *potential misuse / abuse*. **It** is usually at the moment of the renewal of the residence permit or when specific inspections are carried out, for example, that *actual* misuse/abuse becomes manifest.

The Study was published in May 2015. Several Member States focused their national events on this topic during 2014 (see Section 3.2) and it was also a significant theme in the EMN Annual Conference 2015 hosted by the LV EMN NCP.

### **2.2.8 The Organisation of asylum and migration policies in EU Member States**

No further Synthesis Reports are planned for this Study; however, country-based organograms and texts have been developed by the EMN Service Provider and verified by EMN NCPs, who are encouraged to update these as required with new national developments.

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<sup>18</sup> Austria, Belgium, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom

### 2.3 EMN Informs

EMN Informs are designed to improve dissemination of the results of EMN Reports, Studies and Ad-Hoc Queries, and are specifically aimed at policy makers, drawing out key policy / practice messages. Informs typically are short (no more than four pages in length) and are made available on the public EMN website. It should be noted however that Informs developed under the EMN REG were notably longer than the general EMN format and more complex in their scope, consisting also of additional annexes and table of comparative data.

In total, 12 EMN Informs were finalised during (or shortly after the end of) 2014 including those developed for the EMN REG. These were:

*EMN REG: Challenges and good practices in return and reintegration to Western Africa;*

*EMN REG: Practical approaches and good practices in return and reintegration to Afghanistan and Pakistan;*

*EMN REG: Incentives to return and reintegration support (end December 2014) developed with the support of the EMN REG;*

*EMN: Good practices in the return and reintegration of irregular migrants;*

*EMN: Detention and alternatives to detention;*

*EMN: Overview of EU case law on legal migration;*

*EMN: Addressing facilitation of irregular migration by boats;*

*EMN: Migrant access to social security and healthcare;*

*EMN: Applicable fees for residence permits;*

*EMN: Impacts of the European Migration Network,*

*EMN: Identification of victims of trafficking in human beings in international and forced return procedures;*

*EMN: Organisation of reception facilities for asylum seekers in different EU Member States;*

Informs *Unaccompanied minors 2014 update*; and *Admitting third country nationals for business purposes* were also published in May 2015. Several Informs were translated into National Languages by EMN NCPs to improve access to national network members. All EMN Informs, including their translated versions, are available on the EMN website.

### 2.4 Ad-Hoc Queries

The EMN Ad-Hoc Query tool is becoming increasingly recognised by policymakers at EU and national levels as a highly responsive mechanism for collecting comparative information quickly from across the EU Member States (and Norway) on a specific, topical issue.

Since 2008, the numbers of Ad-Hoc Queries *launched* has per year ranged from 62 to 99; however, in 2014, this number reached a total of 112. The Commission launched the highest number of Ad-Hoc Queries in the year (13 Ad Hoc Queries), followed by Estonia (12), Netherlands (10) and the Slovak Republic (9). Other EMN NCPs making frequent use of the information exchange mechanism were Belgium, Finland and Norway (with 7 Ad-Hoc Queries each). Almost all EMN NCPs launched at least one Ad-Hoc Query in 2014. The average number of *responses* received per Ad-Hoc Query in 2014 was 19.5 which is equivalent to almost 2,200 individual responses collectively from EMN NCPs. The high average number of responses received is an indicator that the tool functions well and continues to be a highly effective mechanism for obtaining an EU-wide perspective on an issue in a short timeframe

Ad-Hoc Queries launched in 2014 responded to a wide range of migration and asylum issues. The most frequent topic for Ad-Hoc Queries requested was, as in previous years, that of international

protection, accounting for 25% of all Ad-Hoc Queries in the year. The main themes related to Dublin procedures, planning and management of reception facilities, resettlement, detention and access to the labour market, whilst a number concentrated on the specific circumstances of asylum seekers from Afghanistan, Bangladesh, Eritrea, Syria and Somalia. Return accounted for a further 16%, with Ad-Hoc Queries addressing issues such as voluntary return and reintegration programmes, financial assistance to returnees and return to specific geographical regions, for example, Afghanistan, Pakistan and the countries of Western Africa. Other thematic areas frequently addressed were residence and irregular migration.

The results of EMN Ad-Hoc Queries have been used by policymakers at EU and national levels in a number of ways in their regular work. The Commission makes use of the tool on a daily basis, and is notified first when a new Ad-Hoc Query is launched and again later once the results are compiled. Of the 13 Ad-Hoc Queries launched by the Commission in 2014, almost half were in respect of the work of the EMN Return Experts' Group (REG). The information collected fed directly into EMN REG outputs including Informs on voluntary return and reintegration programmes to the regions of Western Africa and Afghanistan and Pakistan, and on the levels and types of in-kind and in-cash incentives available to returnees. Other Ad-Hoc Queries launched by COM in response to specific needs to understand how EU policies and practices are operating in the Member States, such as the transmission of fingerprint data sets to EURODAC<sup>19</sup>; how the assessment of the resources of third-country national applicants for residence permits is carried out<sup>20</sup> and national institutional frameworks in place to address smuggling of human beings<sup>21</sup>. The Commission's Ad-Hoc Query on the measures applied in (relevant) Member States against the facilitation of irregular migration by boats from North-Africa<sup>22</sup> informed both the development of an EMN Inform in 2014 on this topic and also directly fed into the specifications for the 'EMN Study on smuggling of migrants: characteristics, responses and cooperation with third countries' approved by the EMN Steering Board in 2014.

Direct and timely information was also made available to policymakers at national level in their daily work, amending or developing regulations, investigating or evaluating policies, reviewing practices, or when facing specific challenges or problems. For example, BE EMN NCP collected information via the EMN Ad-Hoc Query tool<sup>23</sup> on national policies on residence permits including fee amounts levied, structure of costs, criteria for differentiation (age, category/duration of residence permit, etc.) and national case-law which was directly used to inform the development of a Program Law establishing a fee covering administrative costs to file certain applications to enter or stay on the territory. In October 2014, the NL EMN NCP launched an Ad-Hoc Query on framing of migration in the media<sup>24</sup> which aimed to collect information on public debates and the image of migration in other Member States for use by the Directorate of Immigration Affairs. The information collected fed into the process of developing a pro-active communication strategy on immigration and asylum. The results of the Ad-Hoc Query on Registering entry bans in SIS launched by FI EMN NCP<sup>25</sup> in November 2014, as well as having a national interest, was also attractive to the Commission in the context of its forthcoming review of the Schengen Information System, and discussion was held on the issue during the first EMN NCP meeting in 2015, and followed-up by a further Ad-Hoc Query by the Commission<sup>26</sup>.

In response to the recognition of the increasingly important role played by the Ad-Hoc Query tool, efforts were made in 2014 to improve the quality, accuracy and in particular the comparability of

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<sup>19</sup> EMN Ad-Hoc Query 2014.588  
<sup>20</sup> EMN Ad-Hoc Query 2014.603  
<sup>21</sup> EMN Ad-Hoc Query 2014.605  
<sup>22</sup> EMN Ad-Hoc Query 2014.562  
<sup>23</sup> EMN Ad-Hoc Query 2014.640  
<sup>24</sup> EMN Ad-Hoc Query 2014.623  
<sup>25</sup> EMN Ad-Hoc Query 2014.628  
<sup>26</sup> EMN Ad-Hoc Query 2014.662

the information collected and summarised. The EMN Ad-Hoc Query Working Group developed a series of Checklists on formulating, responding to and summarising EMN Ad-Hoc Queries based on good practices to encourage robust, transnational comparative research to better facilitate policymaking.

## **2.5 Glossary and Thesaurus<sup>27</sup>**

During the year, the main output from the Glossary and Thesaurus Working Group was the completion and publication of the EMN Glossary Version 3.0. The revised Glossary contains almost 100 new entries and over 120 significant amendments to existing terms to reflect new terminology as well as the evolution in usage of existing terms, introduced through new legislation and policy on asylum and migration in the EU. The source of the new terms includes through the recast asylum acquis, the EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016, plus relevant terms identified through the development of new EMN Studies published since the EMN Glossary 2.0 was finalised, amongst other key documents. The online version of the Glossary was published in October 2014 and is available also for download as an interactive PDF version via the EMN website.

A number of Member States have developed / updated their national language versions of the EMN Glossary, in line with national priorities.

## **3 NETWORKING**

Extensive networking took place in 2014. At the EU level, networking continued amongst the EMN NCPs through EMN NCP meetings organised in Brussels, extended to a wide range of relevant stakeholders including other Directorates General (e.g. Employment and Trade), other relevant Commission Services, the European Parliament, Eurostat and EU Agencies (EASO, FRA, Frontex) for example, to ensure the coordination of activities and to avoid overlaps. A notable development in 2014, was the extension of EMN networking with relevant actors on return policy, specifically in the context of the EMN Return Expert Group (REG). As well as relevant Commission services, these actors included also international organisations and NGOs. At the national level, EMN NCPs were again active in hosting cluster meetings of other EMN NCPs and in developing and extending their national networks and reported on a number of high level impacts in 2014.

### **3.1 Networking at EU level**

#### **3.1.1 Networking amongst EMN NCPs**

Seven EMN NCP meetings (64<sup>th</sup> to 70<sup>th</sup>), organised and hosted by the Commission, were held in 2014, typically attended by one or two delegates from each EMN NCP plus a wide range of stakeholders and representatives from relevant external entities. As well as monitoring the progress of the implementation of the EMN Work Programme, planning for (with relevant policymakers), and discussing the findings from, EMN Studies and Reports, a number of thematic discussions were also included in the meeting agendas. Regular updates were provided by the Commission on the management of EMN grants throughout the year.

EMN NCP workshops were held throughout 2014 in the framework of the formal EMN NCP meetings, and in response to specific identified needs. Workshops were held on the development of the Common Templates for the EMN Studies in 2014, to feedback the findings of specific studies (e.g. the initial findings of the EMN Study on ‘Migrant access to social security and healthcare: policies and practices’); to introduce the new EMN Information Exchange System; and to discuss the development of the APR 2014. A workshop to discuss the Work Programme for 2015 and to plan the timetable for all of the 2015 outputs as well as initial discussions about the scale and scope of each of the Studies was also held towards the end of the year, bringing together EMN NCPs with

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<sup>27</sup> Available from the EMN website under “EMN Outputs: [EMN Glossary](#)”

relevant EU policymakers. The first workshop for the Steering Committee of the EMN Study on Smuggling of migrants was also held at the end of 2014.

Several workshops and cluster meetings developed by individual EMN NCPs were held throughout the year to provide more time and develop and take forward activities introduced during EMN NCP meetings. The workshops focussed on strengthening the EMN and sharing good practices, for example, in organising the EMN Annual Conference (SK); designing a template for the Annual Policy Report Part 2 National Report (IE and SE) or on the development of particular EMN Studies (LT).

### **3.1.2 Networking amongst EMN REG members**

The EMN REG, including participants from all EMN NCPs including Norway, was launched and consolidated its activities during 2014, resulting in a series of EMN REG outputs with a specific focus on the issue of (voluntary) return. In total the EMN REG met five times in 2014, hosted by the Commission and co-chaired by a representative from the NL EMN NCP. The first meeting was held in February as a half day workshop, and provided an opportunity for the REG members to meet for the first time and to discuss the work programme and planned deliverables, and to make a start on the work to be delivered. The subsequent meetings allowed for sharing and exchanging information collected and for discussing and validating the draft deliverables. The meetings included inputs from representatives of other EU funded programmes in the field of return (e.g. the European Reintegration Instrument Network (ERIN) and the European Reintegration Instrument (ERI) and international organisations and NGOs (e.g. the International Organization for Migration (IOM), the International Centre for Migration Policy Development (ICMPD), Caritas and the UN High Commissioner for Refugees (UNHCR).

The main deliverables for the year included the three new EMN Informs on *Challenges and good practices in return and reintegration to Western Africa*; *Practical approaches and good practices in return and reintegration to Afghanistan and Pakistan*; and *Incentives to return and reintegration support*. In addition, the EMN REG also developed the 'EMN REG Directory 2014: Connecting Return Experts across Europe 2014', which brought information about the organisation of return in EU Member States and Norway together with key statistics on return and details of national programmes and projects in operation.

### **3.2 Networking at National level**

EMN NCPs bring together national networks consisting of relevant stakeholders in the policy areas of migration and asylum, and organise national conferences and networking events, host websites, the disseminate newsletters etc. to share information. In 2014, almost all EMN NCPs organised one or more national network meetings and other events involving their network partners, and in most cases, representatives from the Commission or EMN Service Provider and EMN NCPs from other Member States to present an EU level overview of an issue or comparative national information.

National events in 2014 were designed to respond to national priorities and used also to promote recent or planned EMN Studies. Popular themes in 2014 included: unaccompanied minors (IE, DE, MT, LT, SE, SK) and young refugees (AT); detention and return (BG, FI, LV, PL, UK); migrant access to social security (BE, IE, PL); trafficking in human beings (FR, HU); business migration and attracting talented migrants (CZ, EE, ES, LU, PT); and forced migration (SK). EMN NCPs have continued to link, to the extent possible, their national events to the policymaking process.

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

The EMN continued to collaborate with other relevant entities during 2014, in line with its mandate to ensure that EMN activities are consistent and coordinated with relevant Union instruments and structures. Furthermore actors from relevant NGOs also made greater contributions in 2014 in specific areas. Co-operation included the regular participation of external representatives in EMN NCP and EMN REG workshops, (e.g. European Parliament, ESTAT, EASO, Frontex, FRA,

Europol, International Centre for Migration Policy Development (ICMPD), Caritas and ERSO Network, International Organization for Migration (IOM), UNHCR); contributions by external actors to EMN studies (DG Trade, DG Employment); and in the EMN Annual Conference (Migration Policy Institute, Jesuit Refugee Service). Co-operation continued also at the level of the EMN Steering Board (see Section 5 below). The EMN also continued its work during the period to provide contributions to the [EU Immigration Portal](#)<sup>28</sup> by ensuring that the content for their Member State on the portal website remained correct, reliable and up-to-date.

#### **4. Enhancing the EMN's visibility**

Further activities took place in 2014 to increase the visibility of the EMN to policymakers at national and European level, and to inform the wider public about the EMN's objectives and outputs. All EU level outputs continued to be made available to the wider public, principally through the EMN website and EMN NCP national websites also, but also presented at workshops, seminars, meetings and conferences at EU and national levels. The main activities are highlighted below.

##### **4.1 EMN Annual Conference 2014**<sup>29</sup>

The EMN Annual Conference in 2014 was on the theme 'Irregular Migration and Return; Challenges and Practices' and took place on 12<sup>th</sup> and 13<sup>th</sup> June 2014 in Athens under the Hellenic Presidency of the EU Council. Some 180 participants attended the Conference, including representatives from the European Commission, 28 EMN National Contact Points, international and regional organisations (e.g. the Fundamental Rights Agency, IOM, Migration Policy Institute), national and international academics and researchers, and representatives from Governmental Departments in third countries. The EMN National Network for Greece was also significantly represented. The conclusions and summary of the Conference proceedings were widely disseminated via the EMN and Greek national websites.

##### **4.2 International Metropolis Conference 2014**

The EMN was represented during the International Metropolis Conference: Migration: Energy for the Planet: Feeding Cultures, held in Milan, Italy on 3<sup>rd</sup> – 7<sup>th</sup> November 2015. EMN NCPs organised a number of workshops, including on unaccompanied minors, where the early results of the EMN Study 2014 on 'Policies, practices and data on unaccompanied minors in 2014' was presented along with the findings from national reports from several Member States.

The International Metropolis Conference continues to provide an effective platform to showcase the work of the EMN to international as well as EU audiences.

##### **4.3 EMN and National Websites and Wikipedia page**<sup>30</sup>

The [EMN website](#) is the main vehicle for the EMN's various outputs that are made publically available. Throughout the year, the website was updated on a monthly basis with new national and EU level products, and EMN NCPs also provided updated material for their individual web-pages as required. A new web-based Information Exchange System (IES) was developed during 2014 in parallel with the operational system, and 'went live' in January 2015. The new IES has been developed using the Commission's prescribed platform and offers some new features, for example, the possibility for users to themselves upload and share their documents, and enhanced security facilities via the Commission's secure 'ECAS' login system. An on-line facility to launch and respond to EMN Ad-Hoc Queries plus improved access to the EMN internal mailing lists will also be available via the new platform in 2015.

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<sup>28</sup> <http://ec.europa.eu/immigration/>

<sup>29</sup> Conference Conclusions available on the [EMN website](#)

<sup>30</sup> [http://en.wikipedia.org/wiki/European\\_Migration\\_Network](http://en.wikipedia.org/wiki/European_Migration_Network)

EMN NCPs continued to maintain and develop their own national websites during the year, linked reciprocally to the EMN website<sup>31</sup> and proving effective in attracting users to review and download materials. Overall, the EU and national websites together represent considerable capacity for the dissemination and sharing on information to very wide audiences.

The EMN Wikipedia page has the specific aim of improving the EMN's visibility through exploiting social media. EMN NCPs have continued to develop their own language versions of the page, which is now available in DE, EL, FI, FR, HU, IT, LV, NL, PT, SE and SK. All of these pages remained active throughout 2014. The EMN's approach to the use of Wikipedia will be reviewed in 2015 as part of a general review of the EMN Communications and Dissemination Strategy to further facilitate user interaction and also provide stronger guidance and sharing of good practices to adopt a more common dissemination model across the EMN National Contact Points.

#### **4.4 EMN Bulletin**

The *EMN Bulletin*, designed to target (senior) policymakers, has again been produced throughout 2014, and was adapted during the year to be shorter and more concise in line with user-feedback. The Bulletin presents a topical 'headline' article followed by the latest EU and National developments in migration and asylum policy, presented under broad thematic headings that can be accessed through links from the top menu. The Bulletin also provides an overview of the latest available statistics on key topics, including graphs, trends and short analyses. Four editions were produced during the year, in February, June, September and November 2014, with a further edition published in early March 2015.

### **5. MANAGEMENT OF THE EMN**

The EMN Steering Board met twice in 2014 (21<sup>st</sup> May and on 27<sup>th</sup> October 2014). As well as overseeing the implementation of the EMN Annual Work Programme 2014, the Steering Board continued to provide strategic guidance to the EMN by exchanging information on national and EU level strategic priorities in the fields of migration and international protection. The exchange during the May meeting directly informed the process for the development of EMN Study Topics for 2015 and the EMN Work Programme overall for 2015/2016. Wider EU and external entities, such as the European Parliament (EP) and relevant EU Agencies also were invited to contribute their priorities to ensure a 'joined-up' approach.

The Steering Board took a number of decisions in 2014, including:

Approval of the EMN Work Programme 2015/2016 (by written procedure following the May EMN Steering Board meeting);

Approval of the EMN Status Report 2013 (May EMN Steering Board meeting)

Decision to implement a further EMN Study in 2015 on "Smuggling of migrants: characteristics, responses and cooperation with third countries", to be delivered by an external contractor following a procurement procedure and funded through EMN grant budget underspends (by written procedure following the May EMN Steering Board meeting);

Approval of the four EMN Study Topics for 2015.

The EMN Work Programme 2015/2016 was adopted as Commission Decision C (2014) 7979 final on 31<sup>st</sup> October 2014 permitting for the first time the financing of EMN NCPs over a two year funding period, 2015 and 2016. The maximum contribution authorised by the Decision for the implementation of the work was set at EUR 13 400 000, financed from line 18 03 01 02 of the General Budget of the European Union for 2015.

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<sup>31</sup> Links to the various national websites are provided via the [EMN website](#) "EMN NCPs."

Monitoring of the progress of EMN NCPs during the year, their impacts, and levels of spend, took place through the regular submission of Work Progress Reports, in advance of each of the seven EMN NCP meetings, and through the submission of Final Reports for 2013 and 2014.

In line with Article 13 of Council Decision 2008/381/EC, the Commission appointed an external and independent evaluator to review the development of the EMN during 2014 and to provide proposals and recommendations for amendment. The Final Report of the External Evaluation will be made available in the autumn of 2015.

The Commission and the EMN Service Providers met regularly during 2014 to ensure the continued smooth functioning of the EMN, including support work for the EMN NCPs, the preparation and planning of EMN Steering Board and EMN NCP meetings, the development of Synthesis Reports, Studies, EMN Informs, and the on-going development and functionality of the EMN website and new Information Exchange System.