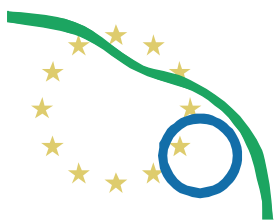


# Western Balkans Annual Risk Analysis 2011

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



**FRONTEX**  
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**Warsaw, April 2011**

**Risk Analysis Unit**

**For Public Release**

**Frontex reference number: 7046**

**ISBN: 978-92-95033-36-8**

**DOI: 10.2819/20560**

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## Executive summary

When compared to 2009, the overall situation at the common borders between Western Balkan countries and their EU neighbours did not change dramatically in 2010. The only important change is linked with the visa liberalisation process for Western Balkan countries that has led to a sharp rise in asylum abuse throughout the EU and put the region in the spot light again. Consequently, this development is described in detail as an 'Issue in Focus'.

Notwithstanding visa liberalisation, the geographical position of the Western Balkans and existing regional economic/political realities still largely determine the type, size and composition of irregular migration flows. By and large, the region remains impacted by the three distinct flows, clearly identified already in 2009: (1) Albanian circular migration (mostly to Greece), (2) transiting flow of non-European irregular migrants that enter the EU at the Greece-Turkey border and continue from Greece to other Member States and (3) a flow routing through the Western Balkans by air and continuing by land to the EU.

The transiting flow from Greece increasingly impacts the majority of Western Balkan countries. Namely, the relative difference between detections at the Hungary-Serbia and Slovenia-Croatia border sections confirms a partial shift of this flow away from Hungary and towards Slovenia. Likewise, alternative routes (from Greece to Albania and further towards Slovenia) have been identified.

Similarly to 2009, facilitation continued to be mainly limited to local inhabitants, with only a small percentage of transiting migrants detected using more costly organised smuggling services. Hand written instructions (about the route to be taken) and extensive use of public transport remain the main *modus operandi*.

Likewise, asylum is increasingly abused by the transiting migrants as a method to avoid detention. Serbia, the Former Yugoslav Republic of Macedonia (fYROM) and Croatia all saw a sharp rise in asylum claims in 2010. Most of the increases were recorded after May 2010 and thus corresponded to significant increases of illegal border-crossings at the Greece-Turkey border.

Given the described correlation between the developments at the Greece-Turkey border and subsequent detections at the Hungary-Serbia, Croatia-Serbia or Croatia-Slovenia borders, the transiting flow through Western Balkan countries is significantly affected by factors such as Turkish visa policy, possible Schengen enlargement and suspension of Dublin II returns to Greece.

The flow routing through the Western Balkans by air and continuing by land to the EU remains generally limited to Turkish nationals who enjoy visa-exempt status in all six WB-RAN countries. After arrival (mostly by air) some attempt to enter the EU illegally at borders with the EU. As indicated by information from Bosnia and Herzegovina, the *modus operandi* remains rather simple. No major changes are expected in the near future, both in terms of the (quite limited) size and the direction of this flow.

As anticipated in the WB ARA 2010, Albanian circular migration (illegal border-crossings) started to decrease in the run-up to visa liberalisation for Albania at the end of 2010. This trend is likely to intensify in 2011, both due to availability of legal travel channels and reduced demand for labour in Greece (economic crisis).

## 1. Introduction

This second Western Balkans Annual Risk Analysis (WB ARA) has been developed in accordance with the Frontex May 2009 proposal to establish a permanent Western Balkan Risk Analysis Network (WB-RAN) among the Risk Analysis Units of the competent border-control authorities of Albania, Bosnia and Herzegovina (BIH), Croatia, the former Yugoslav Republic of Macedonia (fYROM), Montenegro, Serbia and the Frontex Risk Analysis Unit (RAU).

The report draws on the main findings from the WB ARA 2010 (describing the situation in 2009) and quarterly developments as described in WB-RAN Quarterly Reports throughout 2010. It also incorporates relevant findings from the Western Balkans Risk Analysis Conference held in November 2010 and other Frontex reports, including the Annual Risk Analysis 2011, Frontex Risk Analysis Network (FRAN) Quarterlylies and different Frontex Tailored Risk Analyses.

Given the current scope of regular information exchange in the context of WB-RAN and FRAN, the WB ARA 2011 focuses mainly on irregular migration. The analysis is structured around the following elements: (1) a description of the situation at common borders through a set of six indicators on irregular migration, (2) update on different distinctive irregular migration flows, impacting both the area of the Western Balkans and Member States, (3) in-depth description of misuse of visa liberalisation throughout 2010, and (4) forecasts for 2012 based on factors likely to influence irregular migration in the area of the Western Balkans and the EU. The statistical annex of the WB ARA includes summary tables, describing the six indicators in detail.

The Frontex Risk Analysis Unit would like to thank all FRAN and WB-RAN members for their active participation throughout 2010 and valuable input provided during the last WB-RAN expert meeting on 28 February 2011.

## 2. Methodology

Similarly to the information exchange within the FRAN, the Commission and Frontex set up a secure Internet platform on the European Commission's Circa server to facilitate the exchange of information between the WB-RAN countries and Frontex. This platform is used exclusively by WB-RAN countries and the Frontex Risk Analysis Unit. WB-RAN statistical data have been available since January 2009.

The backbone of this analysis is thus composed of the WB-RAN and monthly statistical data of neighbouring (only common borders) FRAN countries, covering the two-year period of 2009 and 2010. This regular data collection exercise focuses on six key indicators, specific to the risk of irregular migration: (1) detections of illegal border-crossing, (2) detections of facilitators, (3) detections of illegal stay, (4) refusals of entry, (5) asylum applications and (6) detections of false documents.

The collected data were categorised by border type (land, air and sea) and by land border section, i.e. borders with different neighbouring Member States. Frontex was also able to analyse reference-period FRAN data from Greece, Bulgaria, Romania, Hungary and Slovenia as well as data from other Member States, where relevant.

A preparatory meeting with risk analysis experts from WB-RAN and FRAN countries was organised in the Agency's premises at the end of February 2011. All WB-RAN countries had been addressed with specific requests for information prior to the meeting. Most of the requested information was shared during the meeting itself both in the form of written contributions and oral presentations. In addition, Quarterly Analytical Reports, using Frontex template, were shared by some WB-RAN countries, thus providing additional insight into 2010 developments.

**Table 1 :**  
**SUMMARY OF FRAN AND WB-RAN INDICATORS**

As reported by Member States and Western Balkan Countries

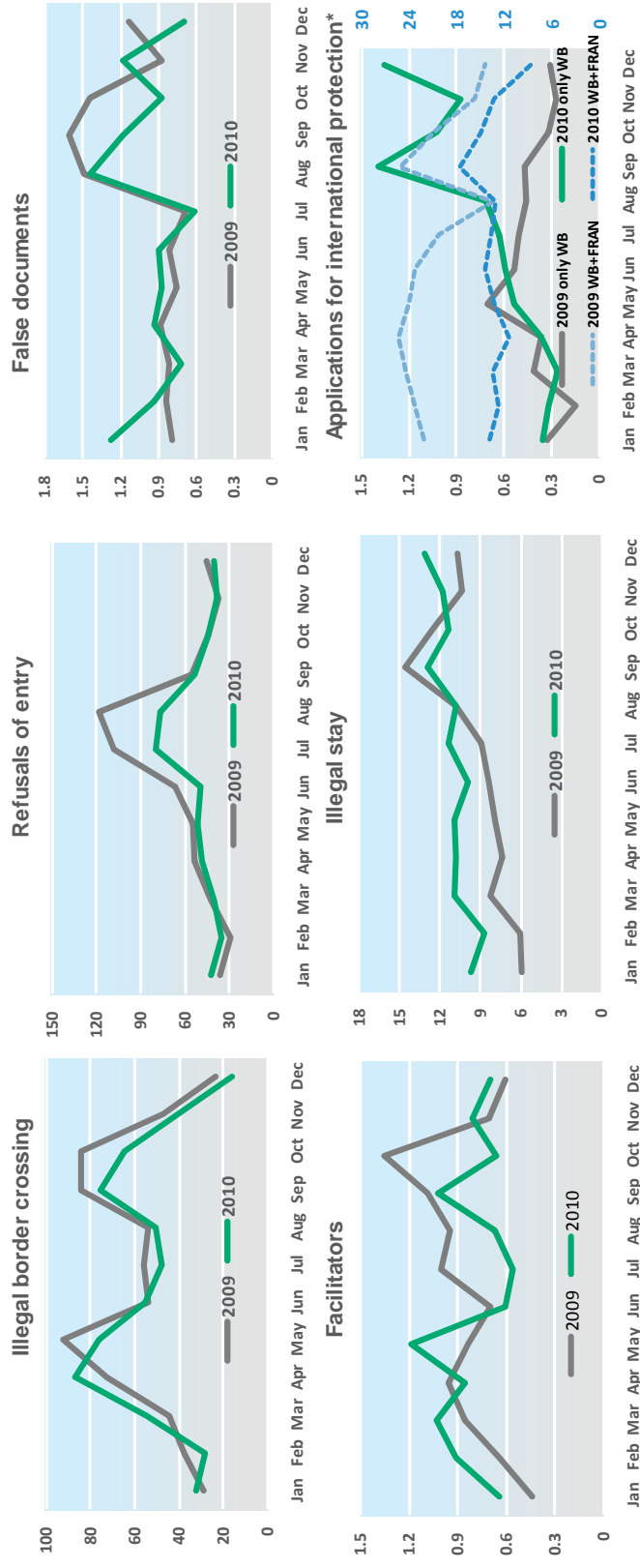
	2009	2010	% change on a year ago
<b>Illegal border-crossings between BCPs</b>	66 482	<b>61 609</b>	-7.3%
<b>Illegal border-crossings at BCPs</b>	1 473	<b>1 374</b>	-6.7%
<b>Facilitators</b>	1 015	<b>966</b>	-4.8%
<b>Illegal stay</b>	11 203	<b>13 274</b>	18%
<b>Refusals of entry</b>	69 391	<b>60 357</b>	-13%
<b>Applications for asylum</b>	25 246	<b>16 035</b>	-36%
<b>False travel-document users</b>	1 215	<b>1 164</b>	-4.2%

Source: WB-RAN and FRAN as of 28 February 2011

Figure 1 :

**EVOLUTION OF FRAN AND WB-RAN INDICATORS**

Detections reported by Member States and WB countries, hundreds of persons



\* WB+FRAN data are shown on the right hand side axe  
Source: WB-RAN and FRAN as of 28 February 2011

### 3. Situation at the common borders between WB-RAN countries and neighbouring Member States

When compared to 2009, the overall situation in 2010 did not change dramatically. Geographical position of the Western Balkans and existing regional economic/political realities still largely determine the type, size and composition of irregular migration flows that effect both Member States and the six countries of the region. As shown in the summary table (Table 1), apart from detections of illegal stay, all other indicators demonstrated a stable or decreasing trend.

Having said that, it is important to analyse relevant indicators in greater detail. A closer look at different border sections or inland detections (for asylum) reveals a significant variation, often hidden in the overall numbers. Importantly, the region still is impacted mostly by three distinct flows (in terms of direction, composition and size): 'Albanian circular irregular migration', 'transiting migration from Greece' and 'the Western Balkans as an entry point', all described already in the WB ARA 2010. This analysis endeavours to provide updates, if and when relevant.

#### 3.1 Illegal border-crossings

A total of 61 609 detections of illegal border-crossing were reported in 2010 by WB-RAN countries and neighbouring FRAN Members at their common borders. The detections decreased by 7.3% when compared to 2009, exhibiting the same seasonal variation with peaks in spring and autumn.

More than four fifths of detections (83%) occurred at the Albania-Greece border, where almost all detected migrants were Albanians (circular migration to Greece). Similarly, with an 86% share, Albanian nationals were the single largest group detected at the fYROM-Greece border (direction Greece). As illustrated in Map 1, the remaining 17% of non-Albanian detections were divided between roughly three border sections: the fYROM-Serbia, Croatia-Slovenia and Hungary-Serbia, all indicating the direction of the previously mentioned transiting migration flow from Greece.

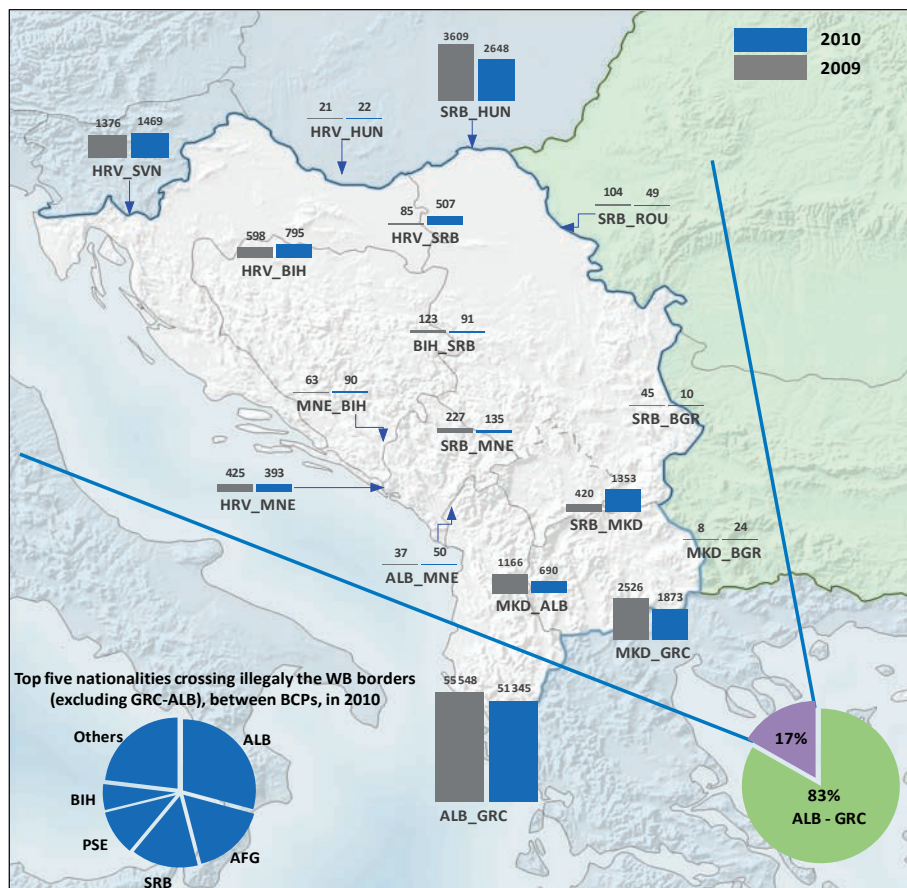
Importantly, the majority of border sections displayed a clear decreasing trend, including the section between Albania and Greece, where roughly 4 000 fewer Albanians were detected (due to visa liberalization and economic crisis in Greece). Contrary to this general rule, the sections between Serbia and the fYROM and the one between Croatia and Serbia reported increases of 222% and 496%, respectively. In both cases, detections of Afghan nationals transiting from Greece were broadly responsible for this increase.



Unsurprisingly, there were almost 24% more detections of Afghan nationals in 2010 at the common borders. However, their relative share in the overall transiting flow from Greece decreased, predominately due to more detections of Arabic-speaking migrants. This development further corroborated our assumption, expressed in the WB ARA 2010, that the transiting flow from Greece was largely a function of detections at the Greece-Turkey border.

Detections of Serbian nationals continued to decrease (55%), a development attributed directly to visa liberalisation for new Serbian biometric passport holders which started at the end of 2009.

**Map 1: Geographical distribution of detections of illegal border-crossings between BCPs; comparison between 2009 and 2010**



Source: WB-RAN and FRAN as of 28 February 2011

## 3.2 Facilitators

With almost 1 000 overall detections of facilitators in 2010, the yearly trend remained rather stable (showing only a marginal decrease). In terms of nationalities, detections were predominately limited to local/regional residents, confirming the assumption that facilitation of illegal border-crossings in the Western Balkans is to a large extent provided in a form of simple services, often limited to provision of transport or guidance.

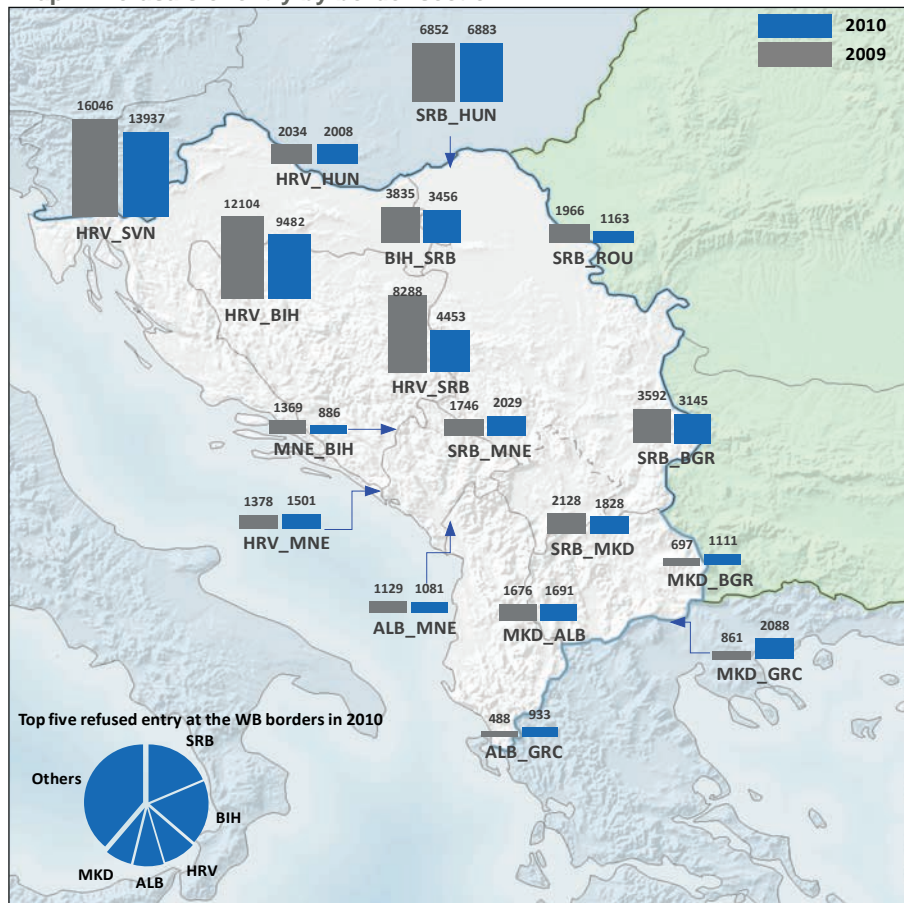
Significant decreases in Hungary (-22%), Croatia (-58%) and Greece (-25%) were offset by increases in Slovenia (108%), Serbia (25%) and Albania (125%). Detections of Slovenian nationals (by Slovenian authorities) at the Slovenia-Croatia border clearly stood out showing an upward trend. The same border section was also the border section with the highest ratio between the number of illegal border-crossings and detected facilitators.

## 3.3 Refusals of entry

Refusals of entry followed a typical seasonal pattern in 2010, increasing during the summer travel season. Overall, there were 13% more refusals compared to 2009 (60 400); however, two opposite trends were observed. Namely, refusals of entry between borders of WB-RAN countries all decreased or remained stable. On the other hand, refusals of entry in the neighbouring Member States increased significantly, most notably in Greece (157%), Romania (73%) and Hungary (49%). The increases in Member States were directly linked to the visa liberalisation process for nationals of Serbia, the fYROM and Montenegro and pre-existing entry bans (reason H of the Schengen Border Code).

Nationals from the region itself were the most often refused, as they constitute the largest share of the regular passengers flow. Serbian nationals ranked first, followed closely by nationals of Bosnia and Herzegovina. Turkish nationals were the only non-regional nationality in the top ten.

Map 2: Refusals of entry by border section



Source: WB-RAN and FRAN as of 28 February 2011

### 3.4 Illegal stay

Detections of illegal stay increased by 18% in 2010. Almost two thirds, or 63%, of illegal stayers were detected while inland and the rest while attempting to exit. Importantly, most of the mentioned increase was due to Palestinian detections of illegal stay on exit in Greece (on exit to Albania) and inland detection of Afghans in Serbia (up 36%).

Contrary to inland detections, there was a clear seasonal pattern of detections of illegal stay on exit. Apart from Afghan and Palestinian detections on exit, the mentioned seasonality is largely linked to summer holiday travel patterns and not to irregular migration.

Most of the detected illegal stayers still came from the region itself. Nationals of Serbia ranked first, albeit in lower numbers when compared to 2009. Their decrease was largely due to significantly lower detections on exit from Bulgaria. Importantly, Serbian illegal stayers were spread widely; only Albania did not report any Serbian nationals staying illegally on its territory. Other widespread nationalities include nationals of Croatia, Bosnia and Herzegovina, the FYROM and Turkey.

### 3.5 Applications for international protection

There were roughly 16 000 applications for international protection lodged in both Western Balkan countries and neighbouring Member States. When compared to 2009, a 36% decrease was recorded in 2010, largely due to significant declines in Hungary (down 60%) and Greece (down 36%). Importantly, almost 95% of all claims were lodged in Member States.

However, by taking into account only the applications made in Western Balkan countries (5% of the regional total), an opposite trend appears. Namely, there were 74% more asylum applications in the six Western Balkan countries, most notably in Serbia, Croatia and the FYROM. In all three countries asylum claims almost doubled when compared to 2009, a development linked to transiting flow from Greece (claimed Afghans and Arabic-speaking migrants) and largely associated with abuse (described later in the analysis).

### 3.6 Detection of false documents

The detections of forged documents decreased by 15% in 2010 compared with 2009. Serbian nationals continued as the largest share with 37% of detections, followed by Albanian nationals with 25%. Serbian nationals were mainly detected on the Hungary-Serbia (17%), the FYROM-Greece (14%) and Croatia-Slovenia (10%) border.

Nevertheless, Greek documents were abused the most in 2010, in vast majority of cases by Albanians at the Greece-Albania border. In terms of border sections, Slovenia-Croatia border recorded the highest share of all regional detections (20%).

Overall, detections at land borders represented a 70% (817 documents) share of the total, with the remaining cases evenly spread between air and sea borders. Importantly, the number of detected false documents is still relatively low when compared to regular passenger flows in the region.

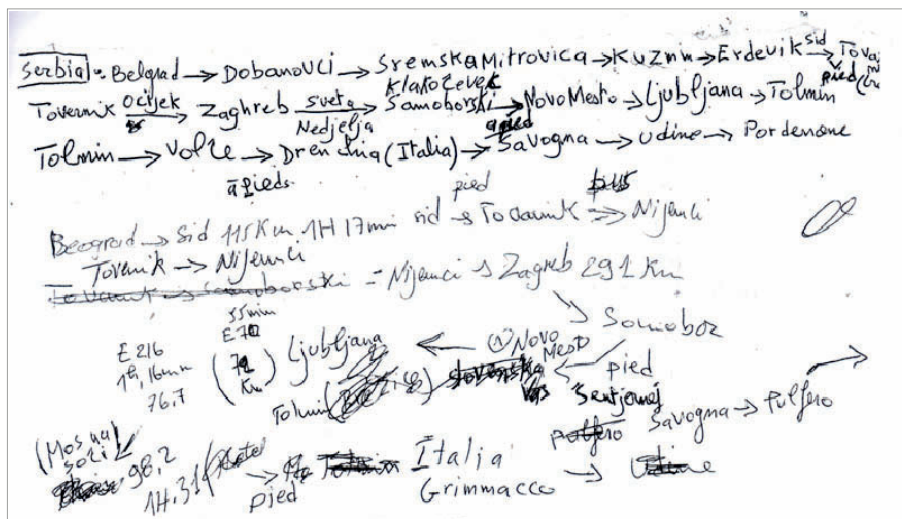
## 4. Irregular migration flows impacting both the area of the Western Balkans and Member States

### 4.1 Transiting flow from Greece

The transiting flow of migrants who illegally enter Greece from Turkey and continue to other Member States through the Western Balkans region was described in detail as the 'Issue in Focus' in the WB ARA 2010. Consequently, the last year's analysis allowed us to identify the following main characteristics of this transiting route, from the migrant perspective:

- **Accessibility:** geographical proximity to Greece and good road infrastructure (Corridor 10) making the Western Balkan route very accessible;
- **Limited need for higher-priced smuggling services** like corruption at BCPs, forged documents or clandestine method of transport;
- **Negligible financial investment:** transport provided by commercial travel companies, making it an affordable and readily available option;
- **Negligible law-enforcement and return risk:** Transiting irregular migrants probably rely on fellow migrants or small-time operators, linked together in flat and unconsolidated networks. By definition, small operators face low risk to their businesses from competitors and from law enforcement.

**Picture 1: Written instructions describing a route from Serbia through Croatia and Slovenia to Italy**



Source: Border Police of Croatia

The combination of the described characteristics continued to render the Western Balkans route a good alternative to other options available to illegal immigrants in Greece. Most migrants, however, still opted for using false documents to board intra-Schengen flights or regular sea ferries between Greece and Italy.

### **Transiting flow in each country**

According to fYROM authorities, most migrants illegally crossed the Greece-fYROM border in Pelagonia region (close to the city of Bitola) and to a lesser extent also in the Gevgeilija-Dojran region. Similarly to 2009, facilitation continued to be mainly limited to local inhabitants also in 2010, with only a small percentage of migrants detected using higher-priced organised smuggling services.

Likewise, irregular migrants used public transport (buses or trains) or taxi companies to reach the capital city of Skopje, from where they continued in small groups towards Serbia (and some also to the territory of Kosovo). If detected by authorities in the fYROM, migrants declared to be of Afghan or Palestinian nationality and expressed a wish to claim asylum. Abuse of asylum provisions was widespread since most claimants absconded from asylum shelters and continued towards Serbia.

In Serbia, the *modus operandi* remained practically identical to 2009. Transiting migrants would still use public transport and were often detected travelling in small groups. As in the fYROM, facilitation tended to be very limited and migrants seemed well informed about where to go and how to avoid detention by claiming asylum.

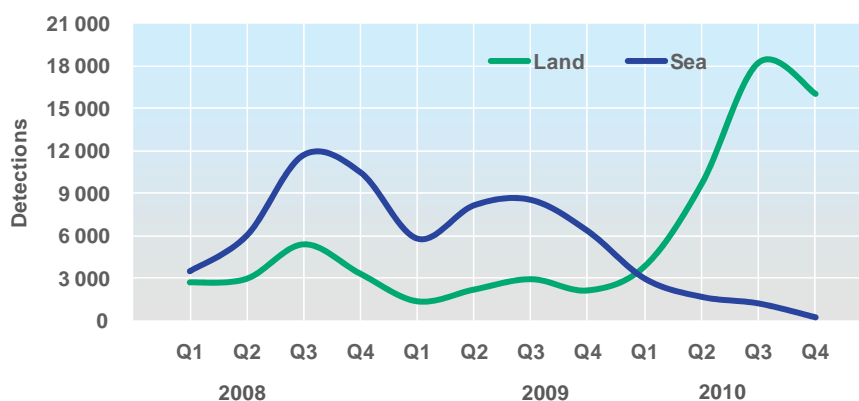
In Croatia, migrants were also detected in small groups of up to five people and always without documents. Most notably, detections of facilitators remained very limited and Croatian authorities did not find any proof of involvement of organised criminal groups.

Operational information suggests that a large majority of them had claimed asylum in multiple countries before doing so also in Croatia. As was the case in Serbia, migrants used hand-written maps, route instructions and were aware of details regarding asylum procedure in Croatia. In addition, descriptions of asylum provisions in some Member States were found in migrants' possession, clearly indicating the importance of the benefits afforded to asylum seekers in their choosing respective final destinations in the EU.

#### **Box 1: Shift from sea to land at the Turkey-Greece borders**

The Greece-Turkey borders saw a significant shift in detections from mostly maritime (in the Aegean sea) in 2009 to predominately land detections in 2010. The shift intensified in the second quarter of 2010 as shown by Figure 2. As a result, Turkey became the main entry point for non-Albanian irregular migrants entering the EU. A proportion of this flow is later detected at different border sections in the Western Balkans.

**Figure 2: Quarterly detections of illegal border-crossing at the Greek land and sea borders**



Source: FRAN data as of 28 February 2011

### Shift in direction and composition of the flow

The relative difference between detections at the Hungary-Serbia and Slovenia-Croatia border sections, coupled with significant increases in asylum claims lodged by Afghan nationals in Croatia, confirm the partial shift of transiting irregular migration away from Hungary and towards Slovenia. This shift, which was first predicted in the WB ARA 2010 and actually started in Q3 2010, is most apparent for Afghan nationals.

Specifically, in Q4 2010 detections of Afghans at the Hungary-Serbia border (on both sides) declined by 76% compared to Q4 2009. Moreover, this border section no longer reported the highest number of detections of transiting Afghan irregular migrants in the Western Balkans, being surpassed by the Croatia-Serbia border, where detections increased from 9 in Q4 2009 to 106 in Q4 2010. Very similar increases were also recorded from the Slovenia-Croatia border (Table 3). Despite this shift in direction, more than half of detected Afghan nationals in 2010 were still reported by Serbia (a 52% share).

**Picture 2: Asylum centre in Banja Koviljaca – Serbia**



Source: Serbian Ministry of Interior

### Box 2: Shift in transiting flows

The numbers of detected Afghan nationals at Croatia-Serbia borders have been increasing steadily in the second part of 2010 onwards. Most of Afghans crossed the border between Serbia and Croatia on foot, simply following the railroad Belgrade (Serbia) – Tovarnik (Croatia). When detected, Afghan nationals claimed asylum and later absconded from Asylum centre in Kutina in order to continue towards Slovenia. Croatian authorities have been taking additional border-control measures at their borders with Slovenia and Hungary in response.

**Picture 3: Thermovision photograph of a group of five irregular migrants crossing from Serbia to Croatia**



*Source: Border Police of Croatia*

In addition to the shift towards Slovenia, by the end of 2010 Albania and Croatia started to detect irregular migrants from Greece entering Albania and continuing further across Montenegro into Croatia. The number remained relatively low, even though in the first two months of 2011 Albania alone detected 131 irregular migrants trying to enter from Greece (mostly claimed Palestinians).



## 4.2 The Western Balkans as an entry point

This flow was still generally limited to Turkish nationals who enjoy visa-exempt status in all six WB-RAN countries. After arrival (mostly by air) some attempt to enter the EU illegally at regional borders with the EU.

In terms of numbers, the flow of Turkish nationals remained rather limited. Namely, there were almost 29 000 Turkish nationals who had entered BIH at Sarajevo airport alone in 2010. However, only 249 Turkish nationals were detected by different authorities in Western Balkan and neighbouring Member States for illegal border-crossing outside BCPs and additional 168 at BCPs (mostly using false documents) in the same period.

Map 3: Routes of Turkish nationals



In an attempt to further reduce the number, BIH authorities refused 158 Turkish nationals at BIH air borders, which was 10% more than in 2009 and represented a very high refusal ratio (1 refusal per every 183 passengers or 1/183). For comparison, historical data from 2008 and 2009 suggests that the refusal ratio at air borders of Germany was around 1/11 000. Additionally, the same ratio for Serbian nationals entering the EU in Hungary increased from 1/900 in 2009 (prior to visa liberalisation) to 1/600 in 2010.

Unsurprisingly, as was the case also in 2009, Turkish nationals were the most refused nationality at air border of WB-RAN countries. Their relative share rose from 45% in 2009 to 47.4% in 2010. Croatia continued to rank first with 33% of all refusals, regardless of the fact that it had refused 22% fewer Turkish nationals in 2010. Apart from previously mentioned case of BIH, Albania was the only WB-RAN country which reported a significant increase of refused Turkish nationals at its air borders (106%).

### **Box 3: Tunisian refusals at Belgrade airport**

In 2010, there were almost eleven times more Tunisian nationals refused at Serbia air borders (an increase from 9 to 106).

## **4.3 Albanian circular migration**

Albanian irregular migration to the Member States remained largely economically driven, circular in character and focused mainly on the low-skilled, low-wage, informal sectors. As shown by detection figures, Albanian nationals continued to be the single largest group in the Western Balkans detected for illegal border-crossing, mostly in Greece.

As anticipated in the WB ARA 2010, illegal border-crossings started to decrease in the run-up to visa liberalisation for Albania at the end of 2010; 15% in the third quarter and 30% in the last quarter of 2010. Altogether, there was almost 10% less illegal border-crossing by Albanian nationals in 2010. This trend is likely to intensify in 2011, due both to availability of legal travel channels and reduction of labour demand in Greece (economic crises). The decreasing trend in illegal border-crossing will continue to be coupled with increasing trend in refusals of entry to Albanian nationals (mostly in Greece and Italy).

## 5. Environmental scan: Factors likely to influence irregular migration in the area of the Western Balkans and the EU

### 5.1 Visa policy of Turkey

Given the described correlation between the developments at the Greece-Turkey border and subsequent detections at the Hungary-Serbia, Croatia-Serbia or Croatia-Slovenia borders, Turkish visa policy is a relevant factor in the context of the transiting flow through the Western Balkans.

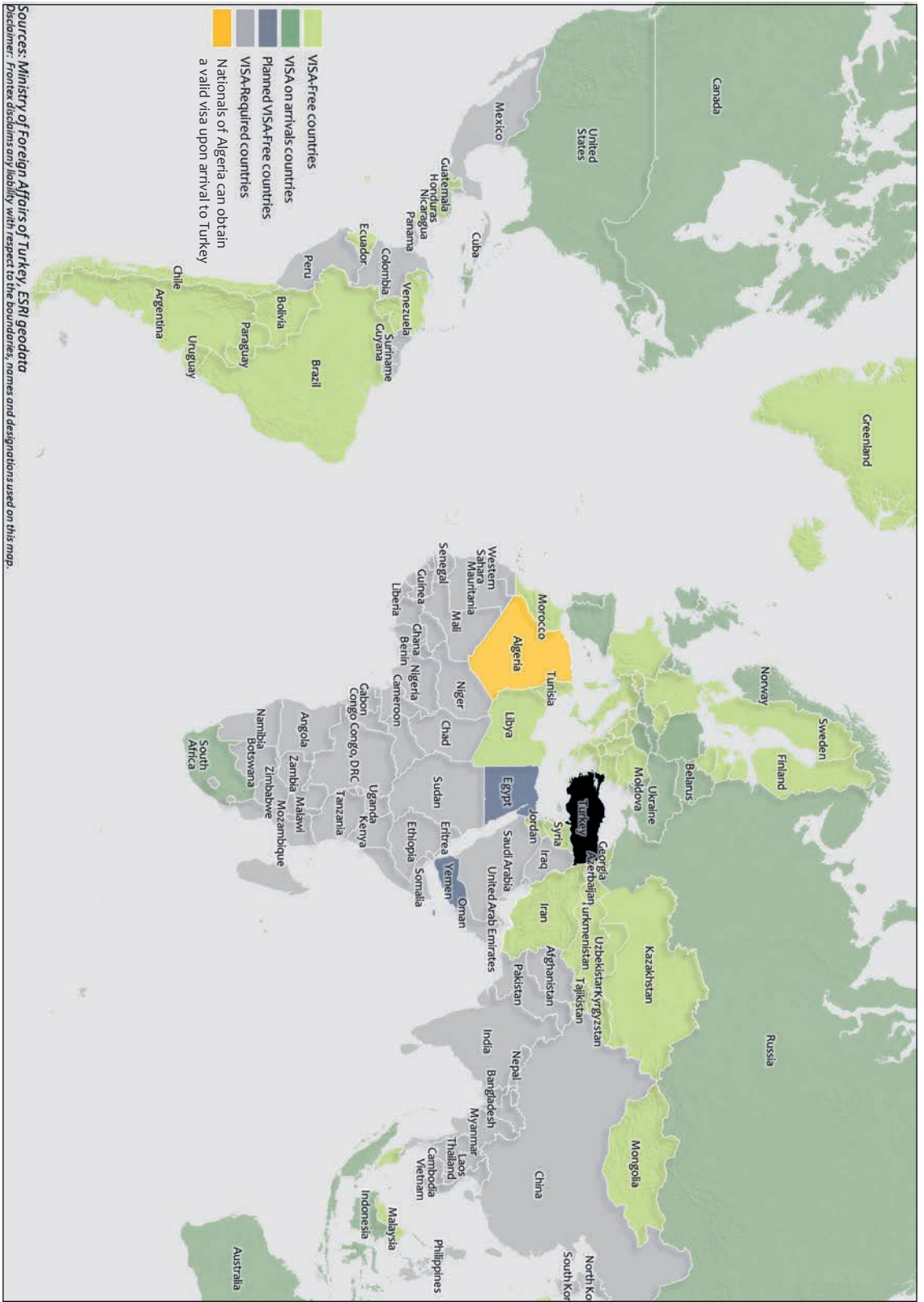
During 2010, many migrants from visa-exempt countries in North Africa and Middle East were able access external land border of the EU in Greece (the vulnerable 12.5 km stretch in the Orestiada area) relatively easy. This in turn made transiting through Turkey a very attractive and inexpensive option when compared to other routes.

#### **Box 4: Alarming situation at the Turkey-Greece borders and first RABIT deployment in Greece**

The number of migrants crossing illegally the land border between Greece and Turkey (12.5 km stretch near Orestiada in Greece) reached alarming proportions in September and October 2010. Up to 350 detections per day, spurred in part by the availability of low-cost air companies linking North Africa with Turkey, prompted the Greek government to request a first ever deployment of Rapid Border Intervention Teams (RABITs) in November 2010. During the deployment (2 November 2010 – 1 March 2011) a total of 11 809 irregular migrants and 34 facilitators were detected in the operational area. The largest groups of migrants declared themselves to be from Afghanistan (23%), followed by those claiming to be from Pakistan (16%), Algeria (11%), Occupied Palestinian Territories (7%) and Morocco (7%).

The numbers started to decrease progressively and by the end of the RABIT deployment there were 76% fewer illegal border-crossings detected on average per day when compared to the daily average in October 2010.

Map 4: Turkish visa policy



## 5.2 Suspension of Dublin II returns to Greece

According to the European Court of Human Rights, Belgium should refrain from returning asylum-seekers back to Greece due to inadequate asylum system there. The Court's verdict, given on 21 January 2011, was the first ruling on the Dublin II regulation, with potentially extensive implications.

The temporary suspension of transfer affects Belgium, Finland, France, the Netherlands and the United Kingdom; however, many other Member States (including Germany) had suspended transfers to Greece even prior to the ruling. In addition, Switzerland, Iceland and Norway, which are not members of the EU but apply the Dublin II regulation, also suspended their returns to Greece. Altogether, the ruling directly affects approximately 7 000 asylum seekers thought to have been facing return to Greece in 2010.

Notwithstanding clear humanitarian and legal merits of Court's reasoning, the decision makes return from these countries less likely and, consequently, renders them more attractive as final destinations. This fact has most likely already become a part of individual irregular-migration strategies as to secondary movements between Greece and other Member States.

**Picture 4: Difficult conditions for irregular migrants in Greece**



Namely, limited detection data on intra-Schengen flights seem to suggest that using false documents and flying from Greece to other Member States has both increased in volume and shifted towards those Member States that had suspended Dublin II returns already prior to the mentioned ruling.

### 5.3 Schengen and EU enlargement

The Schengen evaluations for Bulgaria and Romania were ongoing throughout 2010. According to the Council of the EU, both Member States still had to fulfil requirements as regards effective control of their external borders.

In addition, during the JHA Council meeting on 24 February 2011, Member States failed to achieve a compromise as to the way to proceed, both in terms of enlarging the Schengen area and introducing amendments to the Schengen mechanism. The earliest possible date for Romania and Bulgaria to join the Schengen area was therefore pushed to the last quarter of 2011.

The process of EU enlargement continues with Croatia planning to close the negotiations during the first half of 2011. Signing of the accession treaty and Croatian referendum are both expected to take place in the second half of 2011. Thus, the earliest possible time for Croatia's accession to the EU is mid-2012.

**Map 5: Croatian border with Montenegro, BIH and Serbia, future external land border of the EU**



The total length of borders between Croatia and BIH, Serbia and Montenegro is approximately 1 377 km. Thus, after accession to the EU, Croatia will become the Member State with the longest external land border, slightly longer than Finland (1 340 km) and Greece (1 248 km).

## 5.4 Issue in focus: misuse of visa liberalisation throughout 2010

Visa liberalisation dialogues between the European Commission and Western Balkan countries (excluding Croatia) started in early 2008 and culminated in December 2009, when visa obligations were lifted for all biometric passport holders of Serbia, Montenegro and the FYROM.

Unfortunately, throughout 2010, several Member States were confronted with an alarming increase of unfounded asylum applications from Serbia and, to a lesser extent, also from the FYROM, a development directly linked to visa liberalisation.

In the meantime, the visa liberalisation dialogue continued and the JHA Council of 8 November 2010 resolved to lift visa obligations also for Albania and Bosnia and Herzegovina. However, given the clear pattern of asylum abuse in 2010, the European Commission introduced the idea of a post-visa liberalisation monitoring mechanism for Western Balkan countries (excluding Croatia), broadly consisting of two elements: regular progress monitoring and abuse prevention.\*

\* Frontex was given the central role in the abuse prevention part of the monitoring mechanism. All WB-RAN countries are actively participating in the mechanism.

### Asylum abuse

Throughout 2010, Member States experienced two waves of alarming increases in unfounded asylum applications from Serbia and, to a lesser extent, also from the FYROM. Existing or perceived differences in asylum procedures and the type of care afforded to asylum seekers had a major impact on the geographical distribution of asylum claims. The vast majority of asylum claims were lodged in just three Member States (Belgium, Sweden and Germany).

With almost 26 000 applications lodged in 2010 (80% Serbian, 20% FYROM nationals), the share of asylum seekers from the two Western Balkan countries in the whole of the EU rose from 5.3% in 2009 to 12.6% in 2010. Unsurprisingly, according to asylum statistics, Serbian nationals became the second ranking nationality during 2010, falling just short of Afghans. When compared to 2009, asylum applications from Serbia rose by 76%, while those from the FYROM rocketed seven fold (712%).

### Box 5: Extremely low asylum recognition rates in Sweden

According to the Swedish Migration Board's 2010 Annual Report\*\*, out of 5 511 decisions on Serbian claims only 41, or less than 1%, granted asylum. Likewise, out of 708 decisions regarding FYROM claims, only 8, or 1%, granted asylum. Both figures testify to the largely unfounded nature of asylum claims made by Serbian and FYROM nationals. By comparison, asylum seekers from Eritrea and Somalia had 67% and 66% recognition rates, respectively.

\*\* Asylum decisions, Swedish Migration Board, 2010

### The first wave

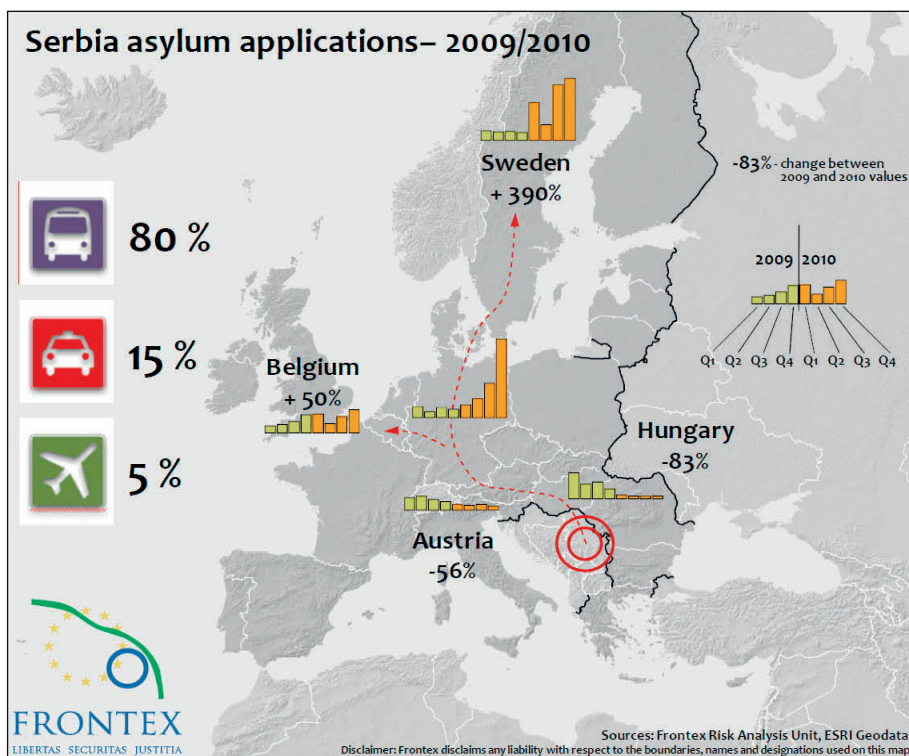
The first asylum wave started in December 2009, mostly targeting Belgium. It peaked in March 2010, when almost 2 500 asylum applications were lodged, half of them in Sweden alone. Consequently, the quarterly share of Serbian asylum applications in the EU rose from 5% in the last quarter of 2009 to almost 9% in the first quarter of 2010. After the issue had been addressed by the most affected Member States in cooperation with Serbia and the fYROM, asylum applications in Sweden, Norway and Belgium started to decrease. Germany, on the other hand, experienced a steady increase, fuelled in part by return incentives Germany was providing for failed asylum seekers from the Western Balkans at that time.

Furthermore, German authorities were able to establish that some of the asylum seekers entered Germany from Belgium, which pointed to a possible displacement.

### The second wave

The second wave began in late August 2010, with almost 58% of all applications lodged in the last four months of 2010. The second wave proved two and a half times bigger in size than the first one. Nine out of ten second-wave applications were filed in Sweden, Germany or Belgium. Importantly, during the last four months of 2010, Germany outpaced Sweden as the top asylum destination country for Serbian and fYROM applicants.

**Map 6: Geographical distribution of the two waves of asylum claims in 2010 and transport methods – the case of Serbia**



Source: FRAN data as of 15 February 2011



### **The role of travel agencies**

Having received this information from Belgian authorities, the Serbian Border and Criminal Police launched joint investigations into the possible criminal role of travel agencies. As part of the same measures, the Serbian Inspector General for Road Transport, who is responsible for the control of travel companies, strengthened control activities regarding the identified companies that operated in Vranje, Nis, Bujanovac and Presevo (southern Serbia). However, no irregularities or elements of any criminal activity were discovered.

Interestingly enough, the second wave of asylum applications was much bigger in size, even though neither Member States nor the Serbian authorities managed to discover any evidence proving that the departures were being organised on a massive scale. It is therefore likely that the second wave was largely driven by word-of-mouth, rumours and deliberate attempts to take advantage of the asylum process itself.

### **Word-of-mouth and rumours**

After returning to Serbia, practically all failed asylum seekers whom the Serbian authorities were able to interview claimed that they had decided to travel to Belgium or Sweden after receiving recommendations to do so from neighbours or relatives (some of them already staying abroad).

Some of them even obtained invitation letters and bought return tickets, which were presented to Hungarian border authorities during border controls. There was not a single case of returned person claiming to have paid anything to a travel agent or any other person for any kind of favour, apart from ticket money. All of them explicitly claimed that no one had promised or offered them anything. Belgian and Swedish authorities also reported that most of the second-wave asylum seekers openly claimed that they were hoping to spend a 'comfortable winter' in one of the two Member States and return home after a negative asylum decision. In the case of Sweden, Roma asylum seekers were even mentioning rumours about a general amnesty for those who would claim asylum before 15 October 2010 as their reason for choosing Sweden.

#### **Box 6: Ethnic background, sex and geographical distribution of failed asylum seekers**

An estimated 80% of all asylum seekers from Serbia and the fYROM were Roma (Romani speaking), mostly from southern Serbia (and Kosovo) but also from the central and northern region (Vojvodina). The remaining 20% were ethnic Albanians from the fYROM and Serbia. Geographical distribution largely corresponds to the regions in Serbia and the fYROM which have the highest Roma or ethnic Albanian population density.

Only slightly more than half of the asylum seekers were male, indicating that most came to the destination Member State(s) as family units (around 40% were minors).

#### **Return measures**

Most of asylum seekers from Serbia and the fYROM were generally willing to return voluntarily after their claim was rejected (affected Member States reported very few cases of absconded failed asylum seekers). Our assumption is that most of them did actually return; however, exact numbers are unavailable since there is no verification system yet in place for voluntary returns.

Belgium, for example, cannot independently confirm that all failed asylum seekers with an order to leave the country, actually did so voluntarily. In addition, out of 251 confirmed voluntary returnees in 2010 (179 from the fYROM and 72 from Serbia), it is not clear how many of them returned as failed asylum seekers.

In Sweden, logistical problems related to housing were hindering more efficient return procedures. Namely, asylum seekers had been placed in temporary housing all over Sweden, which significantly complicated the co-ordination work. In the end, Sweden was only able to forcefully return 19 failed asylum seekers, while around 2 300, i.e. roughly 33% of the total asylum intake from Serbia and the fYROM in 2010, opted for voluntary return.

### Box 7: 48-hour readmission procedures

Serbian Ministry of Interior gave assurances to all Member States that it could accommodate requests for readmission of new biometric passport holders from Serbia within 48 hours, i.e. much faster than the legally required period (10 days according to the EU-Serbia readmission agreement).

### Addressing the abuse issue at the common borders between the EU and the Western Balkans

In response to the abuse, German border-control authorities were able to conclude practical arrangements related to readmission of all Western Balkan nationals by air. In addition, the legal framework for asylum procedures at the airports was amended. German authorities also increased their pre-boarding analysis of air passengers coming from the Western Balkans and the accordingly updated risk profiles now provide additional information on the abuse to German border guards.

Norway took similar measures at the country's main airports, including the sharing of risk profiles with relevant air carriers operating direct flights to and from the Western Balkans.

Swedish border-control authorities have been in contact with their Hungarian (and Slovenian) counterparts, trying to address the abuse on entry to the EU.\*

Intelligence and risk profiles were shared, even though these initiatives failed to produce a noticeable impact on reducing the size of the second

wave of asylum seekers. The refusals of entry issued by Hungarian authorities in 2010 can, therefore, be used to further corroborate this point.

**Picture 5: Failed asylum seekers return to Serbia from Belgium**



Source: *Blin Magazin*

\* Sweden deployed one officer to Slovenia in the context the Joint Operation Focal Points, starting from January 2011.

### **Refusals of entry at the Serbia-Hungary border – limits of this border-control measure**

The vast majority of asylum applicants from Serbia travelled to their asylum application Member States by land, usually through Hungary. Consequently, the situation at the Serbian-Hungarian border section is analysed in greater detail. The aim is to understand the relationship between regular passenger flows, reasons for refusals of entry into the EU, and subsequent asylum abuse.

According to Serbian authorities, more than 1.7 million Serbian nationals entered the EU via the Serbian-Hungarian land border. The number constituted only an 8.3% increase in year-on-year terms, contrary to initial expectations that visa liberalisation would lead to significant increases in regular passenger flows from Serbia to the EU.

However, when comparing monthly passenger data for 2009 (prior to visa liberalisation) with those for 2010, one important observation emerges. Namely, in the last four months of 2010 a 17% year-on-year increase of Serbian nationals leaving Serbia to Hungary was recorded.

In contrast, the first eight months of the year saw only a 4.1% increase, on average, by the same measurement. Importantly, monthly increases in passenger flows during the last four months of 2010 correspond to the much larger second wave of unfounded asylum claims lodged in Member States. The mentioned 17% year-on-year average increase in the last third of 2010 is therefore partially due to an increase in the relative share of the risk category of passengers (according to the profile described previously) in the overall *bona fide* passenger flow from Serbia.

Hungarian refusals of entry to Serbian nationals in 2010 increased by 71%, much more than the 8.3% rise in regular passengers from Serbia. Consequently, average refusal rate increased from one refusal per every 935 passengers in 2009, to one refusal per every 600 passengers in 2010.

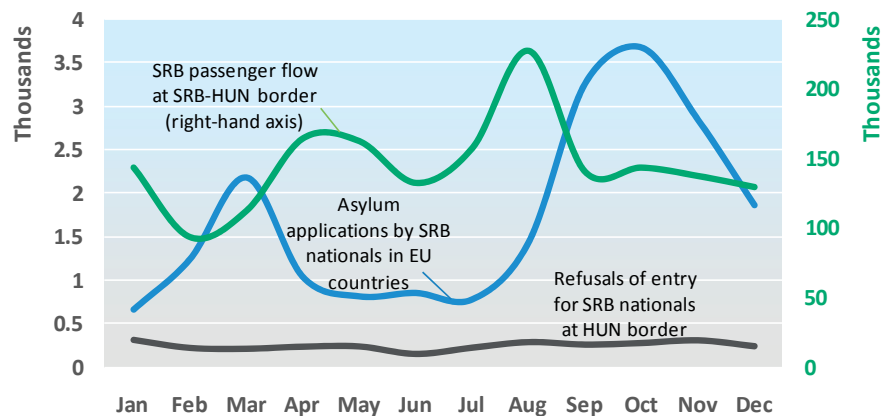
#### **Box 8: Exit refusals – the case of Serbia**

Serbia strengthened exit controls at border crossings with Hungary in order to minimise the abuse after the first wave of asylum claims in the EU. However, there was and still is no legal basis to refuse a Serbian (or other) national to exit if the person fulfils all legal conditions on the basis of information received from the Serbian authorities. In one incident, Serbia prevented a group of FYROM nationals to exit, largely following a lead that they intended to claim asylum in Germany.

However, two out of three refused Serbian nationals in 2010 were refused due to an existing entry ban (reason H of SBC). Furthermore, monthly refusals were closely correlated to the regular passenger flow, thus exhibiting the same seasonal variation. However, no correlation was found with the subsequent two asylum waves in Member States (see Figure 4 below).

In addition, the increased flow of risk categories of Serbian passengers in the last four months of 2010 did not lead to an increase in refusals for reasons that could be associated with subsequent asylum abuse. Namely, in 2010 Hungary issued only six refusals to Serbian nationals for lack of proper justification of intended stay in the EU. The number seems to be extremely low given that more than 1.7 million Serbian nationals entered the EU in 2010 through Hungary. This clearly demonstrates the limits of border-control measures when trying to counter subsequent abuse at the external borders of the EU.

**Figure 4: Asylum, refusals and passenger flow at Hungary-Serbia border in 2010**



Source: FRAN data as of 15 February 2011, Serbian Ministry of Interior as of 1 February 2011

#### Issuing of new biometric passports and subsequent asylum abuse – is there a link?

During the 2009 surge of asylum applications from Georgian nationals in Poland, applicants were often in possession of a new Georgian passport, issued only a few weeks or even a few days prior to departing from Tbilisi. This pattern of applying for new travel documents could point to a more general intention to misuse asylum procedures to enter the EU.

In a similar situation, after the EU/Schengen visa obligation had been lifted for Romania (and Bulgaria) in late 2001 and reports of abuse followed, Romanian authorities addressed the issue by imposing minimum exit conditions for Romanian citizens wishing to travel to Member States, including the requirement to have been in possession of a valid passport for at least six months prior to the departure.

As regards asylum applicants from Serbia and the FYROM, no clear time pattern was identified between the issuing date of a biometric passport and the subsequent asylum application. However, this conclusion only rests on partial data and thus should be further investigated.

Germany, for example, reported that most of FYROM nationals applying for asylum possessed very recently issued biometric passports. Belgium, on the other hand, observed that FYROM biometric passports were in most cases issued at least one year before the asylum claim was made. Conversely, Serbian nationals in Belgium mostly presented very recently issued biometric passports. Other Member States either lacked such data or were only able to provide estimates in this respect.

The information provided by Serbia demonstrates that the issuance of new Serbian passports reached its peak in June 2010 and has been decreasing ever since. More than 2.4 million biometric passports have been issued so far.

Albania has issued 1.5 million such passports to its citizens. When compared to the overall size of the Albanian population, the rate is around one biometric passport per every two persons. This rate is lower for Serbia, where only one in three citizens holds a biometric passport. Given that the capacity rate for the daily issuance of biometric passport is currently around 6 000, most of the working-age population of Albania had already obtained a new biometric passport prior to 15 December 2010.

From 15 October 2009 until the end of January 2011, more than half a million of new biometric passports were issued by competent authorities of Bosnia and Herzegovina. Average monthly trend is about 47 thousand issued passports. However, BIH authorities claim that there is no correlation between the number of newly issued biometric passports and regular passenger flow on exit.

**Box 9: Decreasing trend of Serbian asylum applications, no effect on Albania or BIH applications**

Asylum applications of Serbian and FYROM nationals in Member States continued in the first quarter of 2011, though it exhibited a clear decreasing trend. In 2010 more than 90% of Serbian asylum claims were still lodged in only three Member States: Germany (54%), Belgium (22%) and Sweden (14.5%).

Importantly, there was no noticeable impact of visa liberalisation on the number and distribution of Albanian and BIH asylum claims. Asylum applications for both nationalities remain largely at the low levels observed in 2010.

## 6. Statistical annex

**Legend:** Symbols and abbreviations **n.a.** not applicable  
: data not available

**Source:** FRAN and WB-RAN data as of 25 February 2011

**Note:** Detections of illegal border-crossing, facilitators and false documents at the land border are the total of detections reported from both sides of the border, that is the sum of detections on exit (from country of provenance) and detections on entry (from country of destination). For example, at the border between Slovenia and Croatia, the detections are reported by both the Slovenian authorities (on entry) and the Croatian authorities (on exit). The sum of these detections is considered in this report. Refusals of entry at the land border are reported from both sides of the border, but only on entry. For example, at the border between Hungary and Serbia, refusals of entry to Hungary are reported by the Hungarian authorities and refusals of entry to Serbia are reported by the Serbian authorities. No refusals of exit are reported. In contrast, detections of illegal stay are reported only on exit: in the last example, they would be reported by Hungarian authorities on exit from Hungary and Serbian authorities on exit from Serbia. Applications for international protection are reported from Western Balkan countries and (neighbouring) EU countries on the border with the Western Balkans.

**Table A1 :**

### ILLEGAL BORDER-CROSSING BETWEEN BCPs

Top ten nationalities detected at the land border

	2009	2010	Share in total	% change on a year ago
<b>Nationality</b>				
Albania	58 389	53 078	(86%)	-9.1%
Afghanistan	1 381	1 713	(2.8%)	24%
Serbia	3 354	1 520	(2.5%)	-55%
Palestine	20	1 048	(1.7%)	5 140%
Bosnia and Herzegovina	719	601	(1.0%)	-16%
Iraq	669	589	(1.0%)	-12%
Croatia	400	559	(0.9%)	40%
Somalia	87	375	(0.6%)	331%
Turkey	257	249	(0.4%)	-3.1%
Algeria	1	217	(0.4%)	21 600%
Other	1 205	1 660	(2.7%)	38%
<b>Total</b>	<b>66 482</b>	<b>61 609</b>		<b>-7.3%</b>

Table A2 :

## ILLEGAL BORDER-CROSSING AT BCPs

Top ten nationalities detected at the land border

	2009	2010	Share in total	% change on a year ago
<b>Nationality</b>				
Serbia	460	321	(23%)	-30%
Albania	193	234	(17%)	21%
Turkey	259	168	(12%)	-35%
Afghanistan	84	127	(9.2%)	51%
Palestine	1	99	(7.2%)	9 800%
fYROM	128	90	(6.6%)	-30%
Bosnia and Herzegovina	131	58	(4.2%)	-56%
Italy	22	30	(2.2%)	36%
Croatia	37	20	(1.5%)	-46%
Germany	12	16	(1.2%)	33%
Other	146	211	(15%)	45%
<b>Total</b>	<b>1 473</b>	<b>1 374</b>		<b>-6.7%</b>

## FACILITATORS

Detections by border type and top ten nationalities

	2009	2010	Share in total	% change on a year ago
<b>Border type</b>				
Land	917	928	(96%)	1.2%
Inland	85	20	(2.1%)	-76%
Sea	13	9	(0.9%)	-31%
Air	0	9	(0.9%)	n.a.
<b>Nationality</b>				
Albania	321	310	(32%)	-3.4%
Serbia	222	215	(22%)	-3.2%
Slovenia	35	91	(9.4%)	160%
Greece	112	81	(8.4%)	-28%
Croatia	104	63	(6.5%)	-39%
fYROM	28	40	(4.1%)	43%
Turkey	17	28	(2.9%)	65%
Bosnia and Herzegovina	25	25	(2.6%)	-
Bulgaria	29	22	(2.3%)	-24%
Not specified	12	17	(1.8%)	42%
Other	110	74	(7.7%)	-33%
<b>Total</b>	<b>1 015</b>	<b>966</b>		<b>-4.8%</b>



Table A3 :

## ILLEGAL STAY

Detections by place of detection and top ten nationalities

	2009	2010	Share in total	% change on a year ago
<b>Place of detection</b>				
Inland	7 080	8 394	(63%)	19%
Exit	4 123	4 880	(37%)	18%
<b>Nationality</b>				
Serbia	2 249	2 030	(15%)	-9.7%
Afghanistan	1 489	1 670	(13%)	12%
Croatia	1 129	1 280	(10%)	13%
Bosnia and Herzegovina	1 275	1 214	(9.1%)	-4.8%
Palestine	214	1 168	(8.8%)	446%
Albania	823	1 079	(8.1%)	31%
fYROM	1 079	973	(7.3%)	-10%
Turkey	462	622	(4.7%)	35%
Romania	218	373	(2.8%)	71%
China	221	260	(2.0%)	18%
Other	2 044	2 605	(20%)	27%
<b>Total</b>	<b>11 203</b>	<b>13 274</b>		<b>18%</b>

## APPLICATIONS FOR INTERNATIONAL PROTECTION

Top ten nationalities

	2009	2010	Share in total	% change on a year ago
<b>Nationality</b>				
Pakistan	3 937	2 904	(18%)	-26%
Afghanistan	3 964	1 976	(12%)	-50%
Georgia	2 396	1 272	(7.9%)	-47%
Bangladesh	1 921	1 009	(6.3%)	-47%
Iraq	1 387	957	(6.0%)	-31%
Albania	622	700	(4.4%)	13%
China	515	626	(3.9%)	22%
Serbia	3 166	599	(3.7%)	-81%
Palestine	157	569	(3.5%)	262%
Nigeria	901	476	(3.0%)	-47%
Other	6 280	4 947	(31%)	-21%
<b>Total</b>	<b>25 246</b>	<b>16 035</b>		<b>-36%</b>

Table A4 :

## REFUSALS OF ENTRY

Detections by border type and top ten nationalities

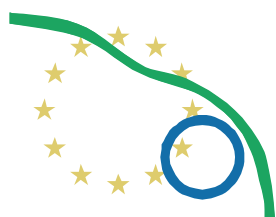
	2009	2010	Share in total	% change on a year ago
<b>Border type</b>				
Land	66 242	57 756	(96%)	-13%
Air	2 826	2 380	(3.9%)	-16%
Sea	323	221	(0.4%)	-32%
<b>Nationality</b>				
Serbia	9 410	10 775	(18%)	15%
Bosnia and Herzegovina	12 657	10 398	(17%)	-18%
Croatia	6 415	5 192	(8.6%)	-19%
Albania	3 891	4 841	(8.0%)	24%
fYROM	3 082	4 240	(7.0%)	38%
Turkey	3 591	3 536	(5.9%)	-1.5%
Bulgaria	1 666	2 039	(3.4%)	22%
Germany	4 492	1 977	(3.3%)	-56%
Romania	3 586	1 549	(2.6%)	-57%
Montenegro	1 318	1 533	(2.5%)	16%
Other	19 283	14 277	(24%)	-26%
<b>Total</b>	<b>69 391</b>	<b>60 357</b>		<b>-13%</b>

## PERSONS USING FALSE DOCUMENTS

Detections by border type and top ten nationalities

	2009	2010	Share in total	% change on a year ago
<b>Border type</b>				
Land	959	817	(70%)	-15%
Air	148	187	(16%)	26%
Sea	108	160	(14%)	48%
<b>Nationality</b>				
Serbia	470	428	(37%)	-8.9%
Albania	217	288	(25%)	33%
fYROM	157	96	(8.2%)	-39%
Turkey	143	81	(7.0%)	-43%
Bosnia and Herzegovina	49	43	(3.7%)	-12%
Afghanistan	37	36	(3.1%)	-2.7%
Croatia	35	24	(2.1%)	-31%
Not specified	9	14	(1.2%)	56%
Germany	11	12	(1.0%)	9.1%
Iran	1	11	(0.9%)	1 000%
Other	86	131	(11%)	52%
<b>Total</b>	<b>1 215</b>	<b>1 164</b>		<b>-4.2%</b>





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