

Policy Update February 2018

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Photo: DOMINIQUE FAGET / AFP

Relocation quotas Bulgaria's presidency of the Council Refugees in Spain

The question of intra-EU solidarity in managing migration is still a hot topic of debate among member states, and between different EU institutions. The most heated discussions concern relocation quotas and whether these should be mandatory or voluntary (see Special Focus section). In the run-up to the [EU Council Summit](#) in December, Donald Tusk, President of the Council, and Dimitris Avramopoulos, Commissioner for Migration and Home Affairs, had a head-to-head confrontation over the issue. An agreement is unlikely to be reached any time soon.

At the start of 2018, Bulgaria took over the EU Council [rotating presidency](#), with an agenda that strongly focuses on a control-oriented approach to migration. NGOs have called on the presidency to [work towards greater solidarity](#) between member states instead of shifting responsibility to third countries.

In this EPIM Update's 'Closer Look' section, [SOS Racismo](#) (member of EPIM grantee [Migreurop](#)) provides an insight into how Spain deals with the increased number of migrant arrivals, at a time when the Spanish government's treatment of migrants and refugees is drawing considerable criticism.

In the Brexit negotiations [steps](#) have been made towards an agreement on citizens' rights after Brexit. The joint report on the progress of Brexit negotiations triggered strong [criticism](#) from civil society. Concerns revolve mostly around the right to family reunification and residence rights. In parallel, a Dutch Court referred a [case](#) to the European Court of Justice regarding the claims of a group of British citizens living in the Netherlands who argue that they should be able to retain EU citizenship after Brexit. The ruling could have effects on British nationals living across the EU.

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SPECIAL FOCUS



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Disagreement over relocation

Asylum

Going into 2018, relocation and the issue of solidarity between member states remains at the top of the political agenda. NGOs have been highly critical of member states' [lack of commitment](#) to relocating asylum seekers from Greece and Italy. [Human Rights Watch](#) accused the EU as a whole of failing "to show leadership and solidarity in the face of the largest global displacement crisis since World War II", in particular when taking into account the [harsh conditions](#) in the hotspots in Italy and on the Greek islands. Prior to the December EU Council meeting, various NGOs signed a [petition](#) calling on leaders to promote global policies on migration that promote responsibility-sharing and solidarity between EU member states.

As discussed in the October 2017 [Policy Update](#), disagreement persists over the future of the EU's [relocation efforts](#) since the beginning of a first ad hoc relocation scheme adopted by the

EU Commission in 2015. The scheme aimed, initially, to relocate 160,000 people from the Italian and Greek hotspots to other European states. The Czech Republic, Hungary, Romania and Slovakia opposed the scheme in the Council but were outvoted by their counterparts. Two of them (Hungary and Slovakia) subsequently challenged the legality of the Council Decision through actions for annulment before the EU Court of Justice. The actions were dismissed by the [Court](#) in September 2017. In the meantime, neither of the above mentioned countries made earnest moves towards relocating, ignoring as such their obligations under EU law. This led to the start of infringement proceedings initiated by the Commission against the Czech Republic, Poland and Slovakia for a failure to live up to their EU obligations in June 2017. The scheme, which ran up to 26 September 2017, has only relocated around 30,000 people to date. There was some initial confusion in the media about whether, upon reaching the September 2017 end date, the legal obligations flowing from the scheme would also come to an end. A Commission follow-up made it clear that this certainly was not the case. Infringement proceedings were still ongoing and all persons identified as eligible for relocation – up until the 26 September deadline – who were in the hotspots would still need to be relocated.

In the meantime, the discussion on mandatory relocation schemes have also been part of ongoing negotiations on the reform of the Common European Asylum System (the Dublin Regulation in particular). European Council President [Donald Tusk](#), in a first public expression of criticism, declared on 18 October that such options had “no future”. One day later, on 19 October, the European Parliament adopted a position on the file strongly favouring the introduction of mandatory relocation schemes. MEP [Cecilia Wikström](#), author of the Parliament [report](#), stated that Tusk was “isolated”. There was maybe a “handful of countries with a very high voice” but “no blocking minority” against mandatory relocation in the Council. Political tensions reached new heights at the turn of the year. On 7 December the [Commission](#) moved the infringement proceedings to the next stage by referring the Czech Republic, Hungary and Poland to the European Court of Justice. A few days later, Tusk published a [note](#) to member states that called mandatory relocation quotas “highly divisive” and “inefficient”. His position did not only garner considerable [criticism](#) from civil society, it also led to [Dimitris Avramopoulos](#), Commissioner for Migration and Home Affairs, calling the statement “unacceptable” and “anti-European”.

Under close media scrutiny, the December Council Summit saw [tensions](#) deepening over EU relocation mechanisms and whether or not these should have a mandatory character. The [Visegrád countries](#) offered to provide financial support to border control measures in the Central Mediterranean with EUR 35 million as a token of solidarity. German Chancellor [Angela Merkel](#) however stated that “solidarity cannot just exist in the external dimension, it also has to exist internally” and similar [critical remarks](#) were voiced by Dutch Prime Minister Mark Rutte. The Council discussions themselves are reported to have been heated and unsuccessful in bridging the [divide](#) between European countries. An agreement is planned for June 2018, but may prove hard to find.

In the meantime, an [informal JHA Council](#) was held at the end of January. At the meeting, Home Affairs Ministers looked into prioritising and intensifying the work on other issues of the Common European Asylum System (CEAS) reform and postponing the question of mandatory relocation to a later stage. It is expected that this thorny issue will be further discussed at higher political levels. Around the same time, the heads of government of the Visegrád four held a [joint meeting](#) in Budapest where they reiterated their opposition to mandatory quotas stating that the objective must be “not to distribute but to prevent the migratory pressure on Europe”. Some days later, at a [meeting](#) with Hungarian Prime Minister Viktor Orbán, Austrian Chancellor [Sebastian Kurz](#) similarly stated that “the system of relocation in Europe does not work”. The Chancellor’s position on the Dublin file is especially important in light of the upcoming Austrian Presidency of the EU Council in the second half of 2018.



Bulgarian Presidency's approach to migration

Asylum

Bulgaria has taken over the presidency of the European Council. Its [priorities](#) with regards to migration are security, strengthening border controls, exchanging information between relevant bodies and “a more effective management of migration processes”. While aiming to achieve progress on the reform of the CEAS, the presidency adopted “increasing the effectiveness of the return policy” as a [key priority](#), including by working more closely with third countries. Civil society organisations [criticised](#) the Bulgarian position for its “over-reliance on the idea of externalising asylum responsibilities”. Both IOM and UNHCR have published recommendations to the Bulgarian presidency. [IOM](#) proposed, amongst other things, the creation of an EU visa for vulnerable migrants. It also underlined the [importance](#) of a “rights-based, non-discriminatory and comprehensive approach to return and reintegration policies” thereby responding to the presidency’s emphasis on return policies. UNHCR similarly presented a set of [recommendations](#), which included focusing on swift and efficient asylum procedures as well as the introduction of an intra-EU solidarity mechanism for the reformed Dublin system.

Developments in Southern Europe

Asylum

The Greek government pledged to [transfer 5,000 asylum-seekers](#) from the islands to mainland Greece as winter set in. Until now, [4,152 people have been transferred](#) amid increasing [pressure](#) from local authorities demanding the Greek government to accelerate the transfer of asylum seekers to the mainland. [Civil society organisations](#) have welcomed this step. However, concerns remain about the critical conditions faced by those who are left in overcrowded and ill-equipped facilities on the islands. In an [exchange of letters](#) with the European Commission that started in November, 11 NGOs complained about the conditions on the island of Chios, denouncing the lack of dignified accommodation and medical care, inadequate provision of food and delayed asylum procedures. In its response, the Commission reaffirmed the ‘stabilising effect’ of the EU-Turkey Statement and emphasised that EU funding has been and continues to be dedicated to providing essential facilities and services for refugees in the hotspots. NGOs wrote back stating that they found the Commission’s assessment of the situation to be ‘at considerable odds with the factual situation’ they witnessed on the ground. They stressed that living conditions in the hotspots together with the geographical restriction implemented due to the EU-Turkey Statement

have led to an overall inhumane situation. Moreover they condemned the fact that asylum procedures were being carried out in violation of Greek and European Asylum law, and lamented the lack of legal assistance, the occurrence of errors during the registration process, and EASO exceeding its competences while assisting the Greek Asylum Service.

New developments also took place in Italy where a [group of 162 people](#) were flown from Libya to Italy on 22 December via a new humanitarian corridor established through an agreement between the Italian and Libyan governments, UNHCR and the Italian Bishops Conference. The group consisted mostly of women and children who had been kept in one of Tripoli's migrant detention centres and were chosen by UNHCR based on their vulnerability. Italy's Interior Minister Marco Minniti has urged the EU to follow [Italy's lead](#) on humanitarian corridors. Migration also [dominated conversations](#) during the meeting of the 'Southern Seven'. The leaders of Portugal, Spain, France, Italy, Greece, Malta and Cyprus met in Rome in what was the 4th meeting of its kind since Alexis Tsipras launched the initiative in 2016. The meeting concluded with a [joint statement](#) in which, among other things, the leaders urged the EU to share the responsibility of receiving refugees and helping those states that are at the forefront of the EU's external borders. They also expressed their determination to continue working with countries of origin and transit.

Macron and Calais

Asylum Children and Youth

At the beginning of the year and against the background of progressing Brexit talks, French Prime Minister Emmanuel Macron and British Prime Minister Theresa May met to discuss cooperation on the UK-French common border amid [scrutiny](#) by civil society organisations. The bilateral cooperation in this respect is based on the 2004 Le Touquet [agreement](#) that introduced juxtaposed border controls between the UK and France. A now newly adopted [Sandhurst Treaty](#) will act in addition to the prior agreement. With the new treaty, the UK and France agree to [increase border control measures](#) by means of installing more surveillance equipment and fences around Calais and at the border points. Moreover, the [two countries](#) agreed that the UK would transfer 260 unaccompanied minors from France, Greece and Italy as well as another 480 children under previous agreements. The move was welcomed by a [number of aid organisations](#) that had called for specific child protection frameworks, safe legal routes and adequate reception centres in the run-up to the summit.

The common border between the UK and France has been a contentious issue for some time, especially the former makeshift refugee camp in Calais, dubbed the 'Calais Jungle', which was widely reported on until its [demolition in 2016](#). Before meeting his British counterpart, President [Macron](#) vowed not to "allow another Jungle". Yet a number of NGOs have detailed the [continuously unsustainable situation of migrants](#) in other [camps](#) in Northern France. Especially the situation of young migrants and unaccompanied minors has repeatedly been [criticized](#). The border crossing between France and the UK is very dangerous and a number of people, including [unaccompanied minors](#), have lost their lives or were critically injured while trying to jump on trucks and trains crossing into the UK. [NGOs](#) have campaigned to [offer legal alternatives](#) for migrants that do not have access to asylum in France, nor have a chance for family reunification in the UK. The signing of the Sandhurst Treaty led to [tensions](#) and violence amid migrant communities in Calais. As the UK will leave the EU in 2019, it remains to be seen how and to what extent the Sandhurst Treaty will apply [after Brexit](#). The Treaty does specify that the parts concerning this EU legislation are only applicable as long as both France and the UK are participants to the Dublin Regulation.

Brexit and Citizens' rights

Mobile EU citizens

On 8 December, a ['joint report'](#) was issued on the progress of Brexit negotiations towards a withdrawal agreement. The report sets out [important developments](#) concerning citizens' rights after Brexit, both for EU27 citizens in the UK and UK citizens in the EU27. Regarding family reunion, current standards are significantly lowered. The report establishes that current rules will only apply to those family members who are related to EU27 or UK nationals on Brexit day already, leaving out those who become related after, to whom national law will apply (except children born after Brexit day). Concerning extended family members, the EU Citizens' Directive requirement to consider applications for their admissions and justify any refusal to admit will be cut down to apply only to non-registered partners and only to those whose partnerships have started before Brexit day. With regards to residence rights, the joint report allows the parties to require UK or EU27 citizens respectively to apply for a new residence status under national law. Those who already hold a documented form of permanent residence will be able to get the new national status but will have to go through a security and criminality check as well as a verification of identity and residence. Conversely, those who are entitled to permanent residency but do not have a valid document to prove it, will not benefit from such guarantee. In terms of access to healthcare and social assistance, EU27 and UK citizens will retain their rights if they have moved before Brexit day.

The report triggered widespread criticism from civil society. [The3million](#), an NGO representing EU citizens in the UK, published an analysis of the results of the first phase of negotiations calling, among other things, for the right of family reunification to include future partners and for the new status of EU citizens in the UK to be a declaratory registration system instead of conditional on a successful application. [Migrants Rights Network](#) also expressed its concern on the joint report and pointed out that disabled EU citizens who are not able to work and EU carers of disabled relatives are not considered workers and therefore will be excluded from acquiring settled status. The [EU Rights Clinic](#) submitted a [letter](#), on behalf of 60 signatories, to President of the European Council Donald Tusk calling on the Council to prioritise citizens' rights. It denounces the fact that the acquired rights of certain family members and primary carers of children, who currently enjoy rights of residence, work and equal treatment, were left out of the deal.

In preparation of the second phase of negotiations, EU leaders met in Brussels on 29 January to finalise their negotiating position regarding the transition period that will follow Brexit. Such transition period is set to last from March 2019 to 31 December 2020 and it is meant to cushion the blow when the UK leaves the EU. In their negotiating [guidelines](#), the EU states that all EU regulations should apply to the UK during the transition phase, including free movement. On the other hand, the UK will not be allowed to take part in the decision-making of EU bodies. These new demands by the EU have reopened the provision on citizens' rights agreed in December. [Theresa May](#) said she will fight the proposal. On 7 February, a group of British citizens living in the Netherlands filed a case to retain their European citizenship after Brexit. The [Dutch Court](#) has now referred the issue to the European Court of Justice. The questions raised concern [article 20](#) of the Treaty of the Functioning of the European Union and whether EU citizenship is linked to nationality and whether it could be retained after Brexit. A favourable ruling by the ECJ could affect British nationals living across the EU.

Hungary - Proposed bill targets immigration NGOs

Asylum

Inclusion

In a further tightening of rules on NGOs, Hungary's government [submitted a bill](#) to parliament that has the potential to significantly restrain the work of NGOs working on migration in the country. The [bill](#), which is part of a package allegedly designed to "Stop Soros", states that NGOs that "sponsor, organize or support the entry or stay of third-country citizens on Hungarian territory via a safe third country ...qualify as organizations supporting migration" and would therefore have to be approved by the interior minister. Non-approval could lead to legal and financial problems.

The proposed bill was met with wide-spread [criticism](#) in the media. Civil society organisations and human rights groups were also vocal in their [dismissal](#) of the proposed bill, with [Amnesty International](#) calling it a "deeply disturbing and unjustified assault on civil society". The [Hungarian Helsinki Committee and the Hungarian Civil Liberties Union](#) accused the government of repressing Hungary's civic spirit, while the [Conference of INGOs and the Expert Council on NGO Law](#) highlighted the negative impact the bill would have on the rights of free expression and the rights of migrants and refugees. Council of Europe Commissioner for Human Rights [Nils Muižnieks](#) called on Hungary "to refrain from penalizing, stigmatizing or putting at any disadvantage whatsoever NGOs, including those working in the field of migration". In December 2017, the [Commission](#) already referred Hungary to the Court of Justice over provisions in its NGO Law which, according to the Commission, constitute indirect discrimination, violate the right to freedom of association and the rights to protection of private life and personal data. This latest proposed bill is seen as a further escalation in a [crackdown](#) on migration advocates ahead of the [general elections](#) in Hungary in April.

LEGISLATIVE DEVELOPMENTS



Update on CEAS reforms

Asylum

Asylum Procedures Regulation: Negotiations between the different political groups of the European Parliament are still ongoing based on the draft report by MEP Laura Ferrara. A possible date for a vote in the LIBE Committee is expected at the end of February. The Parliament's report is likely to propose a number of key changes to the Commission

proposal, such as giving a definition of “meaningful connection”, used in reference to family or cultural or residential ties to a third country; a restriction of member states ability to revoke the right to remain for an applicant, and other changes that aim to improve an applicant’s standing within the asylum procedure, both on a technical as well as on an information-sharing level. However, there is still disagreement between the political groups when it comes to the question whether the safe country concept should have a mandatory (the EPP’s position) or an optional nature (Greens, S&D and GUE) in deciding on the admissibility of an asylum application. The safe country concepts will also be discussed in Asylum Working Party meetings after January, but the Council’s general position is not yet finalised. A [leaked Council document](#) shows that discussions are currently focusing, among other things, on the right to remain (explicitly restricted to the member state’s territory where the application is being processed) and the right to free legal assistance (described by a number of member states as too costly beyond the appeal stage). Other points of discussion concern time limits for lodging an application and decisions during the examination procedure, all of which are likely to be proposed to be extended in comparison to the current legislation. The negotiating mandate on the regulation is expected to be obtained both in the Council and in the Parliament by May 2018.

Dublin Regulation: With MEP Cecilia Wikström’s [report](#) on the [Dublin file](#) adopted by the Parliament in October 2017, the onus is now on the European Council to build a consensus before trilogue negotiations can start. The issue of solidarity in the context of relocating asylum seekers still causes divides among member states. In December 2017, the Commission pushed for the Council to finalise its negotiating position by June 2018 (see also the ‘Special Focus’ above). On the initiative of the Bulgarian presidency, several meetings will be convened up until March 2018 to discuss the chapters of the regulation, including the issue of solidarity, on a technical level. It is assumed that the Dublin proposal will take up principles established by the Estonian presidency on effective solidarity, in particular with regards to [three stages](#): preventive measures, measures reacting to a particular pressure and measures to tackle severe crisis circumstances, all relating to total numbers of persons to be relocated under the Dublin regulation. Other issues that are currently on the table include applicants’ obligation to lodge asylum applications and the sanctions they would face in case of non-compliance. The Commission’s proposal was met with more optimism with regards to its provisions on detention and the right to an effective remedy. The start of the Austrian presidency and the developments in terms of migration numbers in June are likely to further shape the negotiations on the [file](#) in the Council.

EU Resettlement Framework Regulation: After the European Parliament confirmed its mandate to enter inter-institutional negotiations and following the endorsement of a mandate for [negotiations](#) by the European Council, the institutions started negotiations on the Commission’s proposal of a [Resettlement Framework](#). The first trilogue took place in December 2017, followed by a second meeting in January 2018. One main point of contention is the question of whether member states’ contributions to resettlement efforts should be voluntary, as proposed by the Council, or binding and based on protection needs as projected by UNHCR, and in line with the Parliament’s position. Moreover, there was a disagreement over the introduction of a maximum number of resettlement spaces as requested by the Council and whether humanitarian admission and family reunification cases should count as a resettlement commitment, a point on which the Parliament remains skeptical. The status of family members and whether they should be exempt from the requirement of being in need of international protection also forms a matter of discussion.

Other developments

Inclusion

Consultation of EU funding on migration

In 2018, the European Commission will make various proposals for the next round of discussions on financial programmes for the post-2020 [Multiannual Financial Framework](#) (MFF). To inform this next budget, the Commission is currently in the process of undertaking [consultations](#) to which civil society organisations, citizens and other stakeholders are invited to participate. The public [consultation](#) on EU funds in the area of migration runs from 10 January to 8 March 2018 and concentrates on core tasks of migration policy inside the EU, with the [Asylum, Migration and Integration Fund](#) (AMIF) as the main tool of financial support.

SELECTED ECJ CASE LAW & LEGAL ACTIONS



Asylum

Mobile EU citizens

Case [C-636/16](#) Wilber López Pastuzano V Delegación del Gobierno en Navarra, 7 December 2017

In this ruling, the Court established that a third-country national who has been granted long-term resident status cannot be expelled on the sole basis of having committed a criminal offence without taking into account his personal circumstances and his links to the country of residence. The case concerns a Colombian national (Mr. López Pastuzano) who was granted a long-term residence permit in Spain in October 2013. In April 2014, he was sentenced to two prison sentences amounting to 15 months. He was imprisoned and expulsion proceedings were initiated against him. Against this background, questions were raised on the application of the Spanish Law on Foreigners, which allows the expulsion of a third-country national when he/she has been condemned for an offence sanctioned by prison of more than one year, in light of the [Long-Term Residence Directive](#). In cases involving prison sentences, Spanish law did not consider the requirement of taking the personal circumstances of the long-term resident into account as set in Article 12 of the Directive. This requirement was only regarded in other cases of expulsion (e.g. in case of a serious administrative sanction). The Court ruled that it is irrelevant whether the decision to expel a third-country national who is a long-term resident has been delivered in the form of an administrative penalty or whether it is the result of a criminal conviction. Such a decision cannot be adopted without accounting for the elements included in Article 12 of the Directive. On that basis, Spain was found to be in breach of EU law.

In this ruling the Court established that an asylum seeker may not be subjected to a psychological test in order to determine his sexual orientation as this amounts to a disproportionate interference with the right to private life. The case concerned a Nigerian national who submitted an application for asylum in Hungary in April 2015. He claimed that he feared persecution in Nigeria due to his homosexuality. The Hungarian authorities commissioned a psychological report despite not finding his statements to be contradictory. His application was later denied on the basis that the psychological report had not confirmed his alleged sexual orientation. Whilst the Qualification Directive (Directive 2011/95/EU) allows national authorities to commission an expert report to better determine the asylum seeker's actual need for international protection, it requires that such report be consistent with the fundamental rights of the applicant guaranteed by the EU Charter of Fundamental Rights. Given that such report is intended to give insight into the most intimate part of the person's life, the Court considered it to have a disproportionate impact on the private life of the asylum seeker in relation to the objective of collecting information useful to determine the asylum claim. The Court therefore concluded that the recourse to a psychological report with the aim of assessing the veracity of a claim relating to sexual orientation is not consistent with the Directive read in light of the Charter.

Other relevant case law

Case [C-403/16](#) Soufiane El Hassani v Minister Spraw Zagranicznych

Case [C-442/16](#) Mr Florea Gusa v Minister for Social Protection and the Attorney General

Case [C-240/17](#) E

A CLOSER LOOK FROM...



Spain: Policing the Southern Border on EU's behalf

Asylum Immigration Detention

By Peio Aierbe, [SOS Racismo](#) (Member of EPIM grantee [Migreurop](#))

In 2017, the number of migrant and refugee arrivals to Spain increased significantly, tripling in comparison to 2016 and reaching a total of 28,349 (UNHCR). 22,103 people arrived on boats (including 8% women), while 6,800 entered through Ceuta and Melilla. According to

the Spanish Ministry of the Interior, 56.7% of them were Sub-Saharan Africans, 22.4% were Moroccans and 20.5% were Algerians. 223 individuals died at sea (IOM).

As of 1 October 2017, more than 23,000 asylum claims had been lodged. This represents the highest number of asylum seekers in Spain in 33 years. In all of 2016, 15,755 asylum claims were registered. This increase represents 13% of all arrivals to Europe, in comparison with 2% the previous year. Two main reasons account for this situation. First, other migration routes were closed through bilateral and EU agreements with Turkey, Libya, and other African countries. Second, the situation in Morocco has worsened. The authorities have cracked down on immigration by dismantling Sub-Saharan migrants' camps, which led many to continue their journey across the sea or to attempt to jump over the fences of Ceuta and Melilla. Morocco has also been experiencing a critical situation, with many protest movements being harshly suppressed. Lastly, Morocco has loosened border surveillance on its northern coasts as a form of blackmail in reaction to a year-old [ECJ decision](#) which declared Western Sahara separate from Morocco.

In response, the Spanish government has continued to conduct summary push-backs from Ceuta and Melilla, despite a [decision](#) rendered on 3 October 2017 by the ECtHR, which considered these a gross violation of the prohibition of collective deportations, a principle contained in international treaties ratified by Spain. Courts have fostered an atmosphere of impunity among the security forces. The most recent example of this is the [Tarajal case](#), which involved the death of 15 migrants on the Tarajal beach in Ceuta as a result of the actions of the Spanish Civil Guard. The criminal investigation, which had been opened in 2014 upon "popular accusation", was closed on January 28.

Among its initiatives to fight against police brutality, SOS Racismo developed the campaign "[Stop Stopping Me](#)" against ethnic profiling in identity checks. We have also witnessed great hostility towards those supporting immigrants and refugees at risk. The Spanish and Moroccan administrations have worked hand in hand on this. On January 31, Helena Maleno, a well-known human rights defender, testified in Tanger on allegations of human trafficking. The recent use of the prison of Archidona (Malaga) to detain 500 immigrants and refugees upon their arrival by sea in November was the last in a long series of illegal measures, since using penitentiary facilities for this purpose is prohibited. The protest staged by detainees was repressed by the riot police and one person committed suicide in December. At least eight people have died in Spanish internment centers.

The position of the Spanish administration can be summed up in a statement of a government delegate in Murcia, who referred to boat arrivals as an "attack on the EU". In response, SOS Racismo [monitors xenophobic discourse](#) in the media, assists with filing [complaints against discrimination](#) and documents the [situation of racism](#) in Spain. In the end, while Spanish policies of control and deportation were once criticized in the EU, they are now considered as an example to follow.

FACTS & FIGURES

Mediterranean migrant arrivals reached 171,635 in 2017, deaths reach 3,116.

Source: IOM, January 2017

UNHCR statistics on arrivals

Asylum

Recent data by the UNHCR [reveal](#) the following trends:

- 8,097 sea arrivals have been recorded since the beginning of the year. 4,704 have arrived in Italy, while 1,957 have arrived in Greece and 1,400 have arrived in Spain;
- So far, an estimated 382 people have been reported dead or missing in 2018;
- In Italy, the majority of refugees come from Nigeria, Guinea and Cote d'Ivoire, while more than a third of refugees arriving in Greece originate from Syria (41,1%). In Spain, the majority of refugees come from Morocco, Algeria and Guinea.

Relevant reports

Children and Youth

Asylum

Inclusion

Refugees International: I Am Only Looking for My Rights: Legal Employment Still Inaccessible to Refugees in Turkey

This [report](#) analyses the difficulties refugees in Turkey face when looking for employment opportunities. Although many do manage to find jobs, almost all work happens in the informal job sector characterised by temporary employment, long hours, precarious working conditions, and low wages often paid late if at all. With this report, Refugees International calls on the Turkish government, the EU and its member states, the US government and UNHCR to change the legal framework or increase livelihood and financial assistance to improve the economic outlook for refugees in Turkey.

Amnesty International: Libya's Dark Web of Collusion: Abuses Against Europe-Bound Refugees and Migrants

Amnesty International presents a number of [findings](#) about the EU member states entering into co-operation agreements with Libyan authorities and accuses them of grave human rights violations as well as of pursuing the sole goal of restricting the flow of refugees across the Mediterranean. According to Amnesty, member states display little thought for the consequences of refugees and migrants detained in centres in Libya.

EASO: Country of Origin Information Report Afghanistan Security Situation

In this recent country of origin [report](#), the European Asylum Support Office (EASO) provides detailed information on the security situation in the different Afghan regions and provinces. EASO lists the different types of risks present in everyday life in Afghanistan as well as the actors participating in the conflict. The report also assesses the impact of violence on the civilian population and in particular on refugees, internally displaced persons, returnees and children.

JRS Europe: Promoting best practices to prevent racism and xenophobia towards forced migrants through community building

With this [report](#), JRS Europe highlights how community building initiatives can be a useful opportunity to make newcomers feel more welcome. They see community initiatives as necessary to prevent racism and challenge public perceptions while promoting encounters

between migrants and locals. Based on the experiences analysed in this research, JRS Europe calls for public policies that make integration more effective.

UNHCR and ECRE: Follow the Money: Assessing the use of EU Asylum, Migration and Integration Fund (AMIF) funding at the national level

A result of the strategic partnership between the European Council for Refugee and Exiles (ECRE) and UNHCR, this [report](#) presents a critical analysis of the design, the programming and the implementation of the AMIF via AMIF national programmes. It makes recommendations for the better management and use of AMIF funds during the remainder of the AMIF multiannual funding period and provides input for developing European asylum, migration and integration funding instruments post-2020.

EU Funding opportunities

Inclusion Children and Youth Asylum

Calls for proposals - EU funding

The European Commission has published the following calls for proposals:

- [AMIF-2017-AG-INTE-01](#): Raising Awareness on migrants' contribution to EU Societies
 - o call out on 21.11.2017 - Deadline: 01.03.2018
- [AMIF-2017-AG-INTE-02](#): Community building at local level for integration including through volunteering activities
 - o call out on 21.11.2017 – Deadline: 01.03.2018
- [AMIF-2017-AG-INTE-03](#): Pre-departure and post-arrival support for the integration of persons in need of international protection who are resettled from a third country
 - o call out on 21.11.2017 – Deadline: 01.03.2018
- [AMIF-2017-AG-INTE-04](#): Promote swift integration of TCNs into the labour market through strengthened cooperation and mobilisation of employers and social and economic partners
 - o call out on 21.11.2017 – Deadline: 01.03.2018
- [AMIF-2017-AG-INTE-05](#): Integration of victims of trafficking in human beings
 - o call out on 21.11.2017 – Deadline: 01.03.2018
- [MIGRATION-08-2018](#): Addressing the challenge of forced displacement
 - o call out on 07.11.2017 - Deadline: 13.03.2018
- [MIGRATION-05-2018-2020](#): Mapping and overcoming integration challenges for migrant children
 - o call out on 07.11.2017 - Deadline: 13.03.2018
- [MIGRATION-02-2018](#): Towards forward-looking migration governance: addressing the challenges, assessing capacities and designing future strategies
 - o call out on 07.11.2017 - Deadline: 13.03.2018
- [DT-MIGRATION-06-2018-2019](#): Addressing the challenge of migrant integration through ICT-enabled solutions

o call out on 07.11.2017 - Deadline: 13.03.2018

- [SU-GOVERNANCE-11-2018](#): Extreme ideologies and polarisation

o call out on 07.11.2017 - Deadline: 13.03.2018

- [GOVERNANCE-03-2018](#): Addressing populism and boosting civic and democratic engagement

o call out on 07.11.2017 - Deadline: 13.03.2018

- [AMIF-2017-AG-INFO](#): Call for proposals to support awareness raising and information campaigns on the risks of irregular migration in selected third-countries

o call out on 19.12.2017 - Deadline: 05.04.2018

Other opportunities

[EPIM Call for Proposals on advising long-term EU funding on migrant inclusion and community cohesion](#), EPIM

o Deadline: 16.03.2018

[UNHCR & European Youth Forum Call for Project Proposals](#), European Youth Initiative Fund 2018

o Deadline: 04.03.2018

EU CALENDAR: UPCOMING EVENTS

European Council and Council of the European Union



23 February

European Council



8-9 March

JHA Council



22-23 March

European Council

European Parliament



26-27 February

LIBE Committee Meeting



28 February-1 March

EP Plenary



5 March

LIBE Committee Meeting



8 March

LIBE Committee Meeting



12-15 March

EP Plenary



19-20 March

LIBE Committee Meeting



26-27 March

LIBE Committee Meeting

Other events

	22 February	Relocation and refugee quotas - Which way forward? European Policy Centre
	23 February	Debate of Young Mediterranean Voices: the refugee policy of the EU , IEMed
	24 February	La Migration dans un État de Droit; Regards Croisés entre la Belgique et la Tunisie , Comité de Vigilance pour la Démocratie en Tunisie
	27 February	Moving forward together - Red Cross approach to the social inclusion of migrants , Red Cross EU Office & European Economic and Social Committee
	1 March	Working Across the Lines: Connecting Struggles , Respecting Difference, Migrants Rights Network and Voice4Change
	3 March	Seminar & Workshop on Modern Migration and Refused Applicants Reintegration , Affirm Human Rights and Centre for Youth Integrated Development (CYID)
	6 March	Life on the frontline of the refugee crisis , King's College London Friends of MSF
	6-7 March	European Migration Forum , European Economic and Social Committee
	20 March	The EU-Turkey Statement Two Years On – Lessons Learned , European Policy Centre & Friedrich Ebert Stiftung
	20 March	Migration and the future of Britain in Europe , Migration Policy Centre
	28 March	Refugiados. Diálogos entre los actores implicados , CIDOB
	28 April	Refugees: Lives in Transition , Huguenot Museum
	21 May	The UN's 'Comprehensive Refugee Response Framework': Actually a 'Contingent Refugee Assistance Project' , Refugee Law Initiative

This document provides a focused analysis of recent EU level policy-making, legislation and jurisprudence relevant to EPIM's sub-funds on (1) Immigration detention; (2) Reforming the European Asylum System; (3) Children and Youth on the Move; (4) Mobile EU citizens and (5) Building Inclusive European Societies and covers the period from 4 December 2017 to 19 February 2018. We kindly ask the readers to keep in mind that the present Policy Update is composed of a selection of documents and does not claim to be exhaustive.

Should you, as representatives from EPIM's Partner Foundations or EPIM-supported organisations, have questions related to the analysis provided in this document or on EU developments in the field of migration and integration in general, you are invited to contact the authors (k.bamberg@epc.eu, m.llonch@epc.eu, m.desomer@epc.eu). The sole responsibility for the content lies with the author(s) and the content may not necessarily reflect the positions of EPIM, NEF or EPIM's Partner Foundations.

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