

# Secondary movements of asylum seekers in the EU

Research  
Report



Adviescommissie voor  
Vreemdelingenzaken

## **ACVZ**

The Advisory Committee on Migration Affairs (*Adviescommissie voor Vreemdelingenzaken, ACVZ*) consists of ten experts. The ACVZ is an independent advisory body established by law. The Committee advises the government and the Parliament on migration issues. It examines policy and legislation and indicates possible areas of improvement. The ACVZ issues practical recommendations that are aimed at solving both existing and anticipated problems.

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**Chapter 1**

# **Introduction**

**This Research Report is about secondary movements of asylum seekers in the EU+.<sup>1</sup> It forms the basis for and must be read in conjunction with the accompanying Advisory Report.<sup>2</sup> The Advisory Report contains a summary of this Research Report and the Committee's recommendations. In this chapter, we describe what is meant by the term 'secondary movements of asylum seekers', the questions we will answer, where these questions arise from and the type of research we have undertaken to answer these questions.**

## **1.1 Request for advice: how do EU(+) Member States deal with secondary movements of asylum seekers?**

The Minister for Migration has requested our advice regarding the secondary movements of asylum seekers. He particularly wanted to know how other EU(+) Member States deal with this and whether the Netherlands can learn anything from their approach.<sup>3</sup> For this, we have carried out research in Belgium, Germany, Greece, Italy, the Netherlands, Austria, Spain, Sweden and Switzerland. We based our research on the following research questions:

1. To what extent and in what way are EU+ Member States confronted with the secondary movements of asylum seekers?
2. How do Member State governments clarify the existence of secondary movements of asylum seekers?
3. What types of measures do the Member States take to counter the secondary movements of asylum seekers?
4. How do the Member State governments assess the effectiveness of these measures?
5. Based on the comparative research, to what extent can we derive prospects for action for the Netherlands, both at the national and European level?

Since the abolition of checks on persons at the common borders of Luxembourg, Belgium, France, Germany and the Netherlands in 1985, an extensive area without internal borders has gradually emerged in Europe. By now, most EU Member States as well as Liechtenstein, Iceland, Norway and Switzerland are part of the Schengen Area.<sup>4</sup> Not just Schengen country nationals, but also migrants from third countries can benefit from the free movement of persons in the Schengen Area once they have entered the EU+. Hence, this freedom of movement facilitates secondary movements within the EU+.

The creation of a European area with open borders and free movement has been an important basis for jointly addressing the issue of asylum in Europe. In 1990, in order to prevent asylum seekers from being shuttled from one Member State to another within this area of free movement and to ensure that their asylum application would be processed promptly by a single Member State, European leaders signed the Dublin Convention.<sup>5</sup> This was not aimed at ensuring a fair allocation of responsibility for examining asylum applications. The Dublin

Convention was subsequently integrated into European asylum law in 2003 by transposing it into a regulation. This Dublin Regulation (also referred to as 'Dublin II') was amended in 2013 and the current Dublin Regulation (hereinafter: 'Dublin III') is in effect since 1 January 2014.<sup>6</sup>

Therefore, the Dublin system was already in existence before the creation of the Common European Asylum System (CEAS), which the EU had been trying to set up since the Treaty of Amsterdam in 1999. The aim of the CEAS is to ensure that clear, uniform, fair, humane and effective asylum procedures are followed throughout the EU. The Dublin system forms the cornerstone of the CEAS because it is the basis for 'unambiguously' determining which Member State is responsible for examining an asylum application.<sup>7</sup> In the context of a common asylum system based on solidarity, this is the first question to be answered when an asylum application is lodged in the EU+. In addition to the Dublin Regulation, the CEAS also includes the Qualification Directive,<sup>8</sup> the Asylum Procedures Directive,<sup>9</sup> the Reception Conditions Directive<sup>10</sup> and the Eurodac Regulation.<sup>11</sup>

The increased number of asylum seekers in the EU in 2015 and the beginning of 2016 placed great pressure on the asylum systems of (some of) the Member States. This also revealed systematic shortcomings in the CEAS, including the complexity and ineffectiveness of the Dublin system. It appeared that the Member States were unable to effectively monitor irregular entries and subsequent secondary movements.<sup>12</sup> This is why the European Commission (EC) presented a proposal in 2016 for a reform of the CEAS.<sup>13</sup> In addition to the general objective of further harmonising the CEAS, these proposals were specifically intended to better monitor, discourage and penalise secondary movements within the EU+. Member States had to provide for 'effective, deterrent and proportionate sanctions for irregular secondary movements.'<sup>14</sup>

Just as in the case of the EC reform agenda, discouraging secondary movements within the EU+ is one of the most important objectives of the Dutch government's integrated migration agenda, which is the guideline for Dutch migration planning.<sup>15</sup>

## **1.2 What are secondary movements?**

Migrants from third countries entering the EU+ often do not remain in the Member State where they arrive. For various reasons, they may decide to move on to another Member State. This does not only involve asylum seekers. Other types of migrants may also move onwards: persons with refugee status, holders of a subsidiary protection status or a residence permit based on other (nationally-) determined grounds, as well as migrants without residence status who do not intend to regularise their stay. This kind of transit within the EU is referred to as 'secondary movements'. This Research Report deals with the secondary movements of asylum seekers.<sup>16</sup>

The Dublin Regulation determines which Member State is responsible for examining the content of an asylum application (see Chapter 2).<sup>17</sup> This system has partly been developed to reduce the secondary movements of asylum seekers.

We define secondary movements of asylum seekers as:  
The onward migration of asylum seekers within the EU(+) from the Member State that is responsible under the Dublin system for processing the asylum application, to another Member State.

Whenever we refer to the secondary movements of asylum seekers, we are also referring in particular to the functioning of the Dublin system.

The term 'secondary movements' is somewhat misleading because it gives the impression that the asylum seeker is making a 'second' stop or looking for another destination as 'a second choice' while many asylum seekers, both before and after their entry in the EU+, have often have been in transit for some time and have resided in other countries before lodging an asylum application. The term does not really explain what is happening in practice, which often involves consecutive journeys but not necessarily journeys immediately following one another. However, since 'secondary movements' is the commonly used term and there is no better way to describe the subject of the Advisory Report, we also use this term.<sup>18</sup>

## 1.3 Research methods, scope and limitations

### 1.3.1 Research methods

To answer the research questions, we have followed various methods for performing the research. We have studied the relevant literature, various databases on asylum applications and Dublin procedures as well as case files of the Dutch Immigration and Naturalisation Service (*Immigratie- en Naturalisatiedienst, IND*). We have also conducted interviews in eight EU Member States and Switzerland with government officials, employees of non-governmental organisations (NGOs), lawyers and academics.<sup>19</sup>

We have examined the publicly available EU data:

- Data on asylum applications and Dublin procedures available at the EU statistical office (Eurostat)
- Data on the transmission of fingerprints of asylum seekers and irregular migrants to the Eurodac and the resulting hits available at the European Union Agency for the Operational Management of Large-Scale IT Systems (eu-LISA)
- Data on the detection of irregular crossings of external EU borders and irregular stay available at the European Border and Coast Guard Agency (Frontex)

Based on an IND data file, we selected a random sample of almost 200 case files, which we divided into four subpopulations:

- Asylum applications for which the IND has not initiated a Dublin procedure (to find out the extent to which there were indications of secondary movements)
- Initiated Dublin procedures where the IND has ultimately not sent out any Dublin request (to find out why no request was ultimately submitted)
- Dublin requests sent (referred to as 'outgoing request') to one or more of the other Member States surveyed (to examine bottlenecks in the implementation of the Dublin Regulation)
- Cases in which the Netherlands has received a Dublin request from one or more of the other Member States surveyed (referred to as 'incoming request') (also to examine bottlenecks in the implementation of the Dublin Regulation).

The purpose of the case file review was to obtain a picture of secondary movements in practice, in preparation for the research in the Member States. Chapter 4 of this Research Report contains a number of anonymised cases from the case file review which demonstrate the reasons for and ways in which asylum seekers transit within the EU+ and how the Member States deal with this.

### 1.3.2 Scope

This research relates to:

- Secondary movements of asylum seekers
- The following EU+ Member States: the Netherlands, Belgium, Germany, France, Austria, Switzerland, Sweden, Spain, Italy and Greece
- The period from 2014 to the first six months of 2019

### 1.3.3 Limitations

Both quantitative and qualitative research have a number of limitations. The limitations of the quantitative research are as follows:

- There are an unknown number of asylum seekers who manage to enter and transit through the EU+ without registration or continue to transit further undetected after registration. Therefore, the research results only provide an idea of the *observed* secondary movements.
- The available European data collections are not interlinked, contain gaps in data and are usually not available in cohort form, which means that an accurate overview cannot be obtained. Although the Eurodac data, for example, can be used to gain an idea of the total number of hits, it is not possible to find out the extent to which a particular transmission of fingerprint data yields one or multiple hits. At present, this information can only be retrieved from the case files of the migration authorities and we have only conducted a case file review at the Dutch IND.
- This case file review (due to its limited scope) in combination with the selected samples cannot be considered representative.<sup>20</sup> However, as mentioned earlier, this was not the objective.

The limitations of the qualitative research are as follows:

- The authorities of France, Spain, Italy and Greece did not cooperate in this research despite repeated requests.

- We also failed to conduct interviews with the other respondent groups in France. Despite these limitations, we believe that our research has provided insights that can contribute to a more in-depth and nuanced political, policy and social debate concerning the secondary movements of asylum seekers and, therefore, about the practical functioning of the Dublin system and the CEAS.

## **1.4 Guide to reading this research report**

In Chapter 2, we outline the main provisions of Dublin III and the main proposals for amendments to Dublin IV. In Chapter 3, we answer the question of how and to what extent EU+ Member States are confronted with the secondary movements of asylum seekers (Question 1). In Chapter 4, we explain this in concrete terms based on cases from the case file review at the IND. In Chapter 5, we discuss the question of how the authorities in the surveyed Member States interpret the existence of secondary movements of asylum seekers to and from their country (Question 2). In this context, we also discuss the perception of the other respondent groups and compare both with academic insights into factors that may influence the secondary movements of asylum seekers. In Chapter 6, we describe the measures taken by Member States to influence secondary movements and describe how the effectiveness of these measures is assessed (Questions 3 and 4). In Chapter 5 of the accompanying Advisory Report, we have formulated a number of recommendations for possible prospects for action (Question 5).

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<sup>1</sup> The EU+ consists of all countries that are part of the Dublin system. These include all EU Member States, plus Norway, Switzerland, Iceland and Liechtenstein.

<sup>2</sup> Advisory Committee on Migration Affairs, *Secondary movements of asylum seekers in the EU: Advisory Report*, The Hague ACVZ, 2019.

<sup>3</sup> See Annex 1 for the request for advice.

<sup>4</sup> The EU Member States that are not part of the Schengen Area are Bulgaria, Cyprus, Ireland, Croatia, Romania and the United Kingdom.

<sup>5</sup> Preamble to the [Dublin Convention](#), OJEC, No. C 254/1.

<sup>6</sup> [Regulation \(EU\) No. 604/2013](#) of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast), OJEU L 180/31 (referred to as 'Dublin III').

<sup>7</sup> Preamble, Recital 7, [Dublin III](#).

<sup>8</sup> [Directive 2011/95/EU](#) of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), OJEU L 337/9.

<sup>9</sup> [Directive 2013/32/EU](#) of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast), OJEU L 180/60.

<sup>10</sup> [Directive 2013/33/EU](#) of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast), OJEU L 180/96.

<sup>11</sup> [Regulation \(EU\) No. 603/2013](#) of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No. 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No. 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast), OJEU L 180/1.

<sup>12</sup> In line with the definition provided by the International Organization for Migration (IOM), 'irregular migration' means the movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the country of origin, transit or destination.

<sup>13</sup> [COM \(2016\) 197 Final](#).

<sup>14</sup> [COM \(2016\) 197 Final](#), p. 13.

<sup>15</sup> *Parliamentary Papers II* 2017/18, 19 637, No. [2375](#).

<sup>16</sup> By 'asylum seeker' we mean an applicant for international protection, as defined in Article 2i of the Qualification Directive (Directive 2011/95/EU).

<sup>17</sup> By 'asylum application' we mean an application for international protection, as defined in Article 2h of the Qualification Directive (Directive 2011/95/EU).

<sup>18</sup> Another term used to describe the transit of migrants within the EU is 'onward migration'. However, the use of this term is also confusing since in the literature it usually refers to transit to countries outside the EU, such as Canada and the United States.

<sup>19</sup> The list of respondents is included at the end of this Research Report.

<sup>20</sup> This is partly due to the size of the sample, but also because it contains a selection bias. The purpose of including the selection bias was to ensure that the cases were evenly spread over the research period (10 cases per year) and that, for Subpopulations 3 and 4, there was an even spread across the Member States surveyed and the number of rejections/acceptances. The selection bias was needed in order to get an idea of the variety of patterns and as many relevant aspects of these patterns as possible.



## Chapter 2

# The Dublin system

**To properly understand the functioning of the Dublin system, this chapter briefly outlines the most important Dublin criteria, the obligations arising from these criteria, circumstances that could lead to the termination of these obligations, different types of requests that Member States can send to one another and the time limits applicable hereto. Finally, we briefly explain the current status of 'Dublin IV'.**

## **2.1 Dublin criteria**

Pursuant to Article 18 of the Charter of Fundamental Rights of the European Union, everyone has the right to seek and enjoy asylum in another country. However, this does not automatically mean that the asylum application will be examined by that country. Dublin III contains the criteria and mechanisms for determining which Member State is responsible for examining an asylum application. As stated earlier, the purpose of this is to ensure that asylum seekers have quick access to an asylum procedure and that their application is examined by one clearly defined Member State. The aim is also to prevent asylum seekers from going 'shopping' for asylum and looking for the country where they have the best chances or simultaneously lodging an asylum application in different countries.

The Member State where the asylum seeker is located must assess which Member State is responsible for handling the asylum application (Article 20.4). The criteria in the Dublin Regulation are binding and must be applied in the following order:

1. Member State where a family member, brother or sister or family member of an unaccompanied minor is lawfully present (Article 8)
2. Member State where a family member is allowed to reside as a beneficiary of international protection (Article 9)
3. Member State where a family member has lodged an asylum application about which a decision has not yet been taken (Article 10)
4. Member State competent for the largest number of family members and/or minor unmarried brothers or sisters or for the oldest of them (Article 11)
5. Member State that has previously issued a residence document or visa to the asylum seeker (Article 12)
6. Member State where the asylum seeker has crossed the external EU border in an irregular manner (Article 13)
7. Member State where the asylum seeker has entered and where there is no need for him or her to hold a visa (Article 14)<sup>21</sup>
8. Member State where the asylum seeker applies for asylum in the international transit zone of an airport (Article 15)
9. Member State where the parent, child, brother or sister, on whom the asylum seeker is dependent, is legally resident (Article 16)
10. Member State where the asylum application was first lodged (Article 3.2)

Five of the ten criteria relate to existing family ties. Four of these are the top four in the list of the most important criteria.

Each Member State may also decide to examine an asylum application even if such examination is not its responsibility under the abovementioned criteria (*discretionary clause*, Article 17.1). In addition, the Member State in which an asylum application is lodged may, at any time before a first instance decision on this application is issued, request another Member State to take charge of an asylum seeker in order to bring together any family relations, even if that other Member State is not responsible under the abovementioned criteria (*humanitarian clause*, Article 17.2).

If the asylum seeker cannot be transferred to the competent Member State because the asylum procedure and/or reception conditions reveal *systemic flaws* which may result in inhuman or degrading treatment, the Member State entrusted with the task of determining the responsible Member State shall examine whether another Member State may be designated as being responsible. Only if no transfer is possible on the basis of the 10 criteria listed above, the Member State entrusted with the task of indicating the responsible Member State shall become the Member State responsible (Article 3.2).

The responsible Member State is obliged to take charge of the asylum seeker or take him back from another Member State, examine the application for asylum and ensure that the asylum seeker can rely on an effective remedy if the application is rejected (Article 18).

## **2.2 Take charge or take back requests and time limits**

The Dublin system has two types of requests: a take charge request and a take back request.

A Member State may submit a take charge request to another Member State, if there are indications during the asylum application that another Member State is possibly responsible. In this case, the Member State must submit the request to the responsible Member State within three months (Article 21.1). If the responsibility is based on a Eurodac hit, a shorter time limit of two months applies (Article 21.1). If the Member State does not send the request within these time limits, it will become responsible for examining the asylum application. The receiving Member State must send a response to the take charge request within two months (Article 22.1). If the receiving Member State does not respond within this time limit, this is considered an implicit acceptance of the request (Article 22.7).<sup>22</sup>

The second type of request is a take back request. Such a request may be sent for two reasons. Firstly, it may be sent if a third-country national has previously applied for asylum in another Member State and subsequently lodges a new asylum application to the requesting Member State (Article 23). In addition, a take back request may be sent if a third-country national has previously lodged an application

for asylum in another Member State and is residing without a residence document in the requesting Member State but has not lodged an asylum application there (Article 24). A take back request must also be submitted within two months if it is based on Eurodac hits and otherwise within three months (Article 23.2). The response times for a take back request are shorter than those for a take charge request, i.e. one month, and in case of a request based on Eurodac hits, two weeks (Article 25.1). Here, too, the failure to respond within the specified period is tantamount to acceptance of the request (Article 25.2).

An asylum seeker must be transferred from the requesting Member State to the responsible Member State as soon as practically possible, but no later than six months of the acceptance of the request or within six months of the final decision on the application for review or appeal having suspensive effect (Article 29.1).

## **2.3 Termination of the obligations**

The aforementioned obligations of the responsible Member State lapse under the following circumstances:

- Another Member State issues a residence document to an asylum seeker (Article 19.1)
- The responsible Member State can prove that the asylum seeker has left the EU+ for at least three months, unless the asylum seeker holds a valid residence document issued by the responsible Member State (Article 19.2)
- This Member State can prove, in case of a take back request, that the person concerned has left the EU+ based on a return decision or removal order issued after the withdrawal or the rejection of the asylum application (Article 19.3)
- The transfer does not take place within the stipulated period of six months

If the transfer cannot be carried out because the asylum seeker is in prison, the transfer period may be extended by a maximum of one year. If the asylum seeker has absconded, this period may be extended up to a maximum of 18 months (Article 29.2).

## 2.4 Dublin IV?

### 2.4.1 Proposal by the European Commission

In May 2016, the European Commission proposed a fundamental reform of the Dublin system. The purpose of this proposal was to:

- Make the system more effective and efficient
- Achieve a fairer distribution of the asylum pressure among Member States
- Discourage misuse of the system and prevent the secondary movements of asylum seekers in the EU+<sup>23</sup>

To achieve this, the European Commission proposed the introduction of obligations and sanctions for asylum seekers, acceleration of procedures and reduction of time limits and ensuring the Member State to remain permanently responsible once it is designated as such. It was also proposed that the definition of 'family member' should be broadened, the discretionary clauses tightened and a corrective allocation mechanism introduced for Member States where a disproportionately high or disproportionately low number of asylum applications are lodged. This involved the following specific adjustments:

- Introduction of the obligation for asylum seekers to lodge their application in the Member State of first irregular entry or the Member State of legal residence: if this obligation is not complied with, the Member State must process the application via an accelerated procedure. Moreover, in such cases, an asylum seeker is only entitled to material reception conditions during the procedure.
- The Member State where the application is lodged will be obliged to check, before starting the process of determining the Member State responsible, whether the application is inadmissible because the asylum seeker is from a country where he or she already enjoys international protection or which is designated as a safe third country.
- The time limits for the various procedural steps will be shortened.
- Specific, restricted time limits for the use of legal remedies will be defined and the use of a legal remedy will automatically lead to a suspension of the transfer.
- The rule will be introduced that once a Member State has examined the application, this Member State remains responsible for examining subsequent applications from the same asylum seeker.
- Expiry of the time limits will no longer imply a shift in responsibility between Member States (with the exception of the time limit for responding to take charge requests): the new rule should be that, as soon as a Member State has been designated as responsible, that Member State remains responsible (referred to as a 'stable responsibility').
- Take back requests will be converted into simple take back notifications (because it is clear which Member State is responsible and this responsibility can no longer be shifted).
- The definition of 'family member' will be broadened to include siblings as well as family relationships established after leaving the country of origin but before arriving in the Member State.

- The discretionary clause will be tightened to ensure that it is only used on humanitarian grounds relating to the family in a broad sense.
- A take back obligation will be imposed on the responsible Member State for a person who has been granted international protection but who has lodged an asylum request or is residing irregularly in a different Member State.
- For unaccompanied minors, the Member State where they first lodged their application will be considered responsible, unless it can be demonstrated that this is not in the interest of the minors.
- A corrective allocation mechanism will be introduced allowing Member States, which are faced with a disproportionately high number of asylum applications (>150% of the predefined proportion), to transfer asylum seekers to Member States which have a disproportionately low number of asylum applications.
- A Member State that is part of the allocation system may decide not to participate in the corrective allocation mechanism for a period of one year, if this Member State pays a solidarity contribution of €250,000 per asylum seeker who is not taken charge of to the Member State designated as responsible for examining these applications.

#### 2.4.2 Opinion of the European Parliament

On 19 October 2017, the LIBE Committee of the European Parliament adopted the report submitted by *rapporteur* Wikström.<sup>24</sup> The Parliament is critical of the European Commission's proposal. Instead of introducing more obligations and enforcement instruments, the Parliament is in favour of providing more incentives for both asylum seekers and Member States. The Parliament believes that eliminating the reasons for secondary movements is more effective than imposing sanctions on asylum seekers. Based on these views, Parliament has proposed the following changes:

- The threshold at which the corrective allocation mechanism comes into effect should be reduced from 150% of the proportion allocated to the Member State, to 100%.
- The proposal for a so-called 'solidarity contribution' of €250,000 per asylum seeker who is not relocated and which is to be paid by Member States that temporarily do not participate in the corrective allocation mechanism, should be dropped. Instead, participation in the corrective allocation mechanism should be made a condition for requesting assistance under the European Structural and Investment Fund.
- The proposed admissibility procedures should be dropped because this would place an unreasonable amount of additional pressure on those Member States where asylum seekers first enter the EU. The Parliament considers the time limits proposed by the European Commission as unrealistic.
- There should be no restriction but rather an expansion of the discretionary scope for Member States to attract asylum applications. Asylum seekers should be given the opportunity to request a Member State to take responsibility for examining their asylum application.

- The right should be granted to asylum seekers to be considered for transfer as a group to a Member State.
- Asylum seekers registered in a Member State that cannot be reached directly from a third country, should automatically be relocated to another Member State.

### 2.4.3 Division in the Council

Most of the Member States are in agreement about the fact that there is a need to adjust the Dublin system to make the procedure for determining responsibility faster and more efficient and to counter secondary movements.<sup>25</sup> However, even after long negotiations, the Member States have not yet managed to reach a unified Council position. In fact, the negotiations on Dublin IV are completely deadlocked. This is mainly because the Member States have failed to reach a political agreement on the issue of solidarity.

The Member States are deeply divided on the proposal to introduce the corrective allocation mechanism. In particular, the Visegrád countries (V4: Poland, the Czech Republic, Slovakia and Hungary) are completely against the proposed mandatory requirement of taking charge of asylum seekers from Member States with a disproportionate number of asylum applications and the associated fines for default. According to the V4, this will attract migrants to Europe, increase the divisions within and between Member States and will simply not work in practice.<sup>26</sup> This was also why these Member States did not agree in 2015 with the introduction of a temporary relocation mechanism for asylum seekers from Greece and Italy to other Member States. The JHA Council, however, adopted this temporary solidarity measure with a qualified majority of votes. Ultimately, the V4 did not take charge of any asylum seekers (Poland, Hungary) or only a very small number of asylum seekers (Czech Republic, Slovakia) from Greece and none from Italy.<sup>27</sup> In February 2018, the Hungarian government once again stated that it would vote against any proposal implying an obligation to take charge of asylum seekers from other Member States.<sup>28</sup>

The southern Member States (Cyprus, Greece, Italy, Malta and Spain) are, in fact, very much in favour of a corrective allocation mechanism. However, they too have opposed the Commission's proposals.<sup>29</sup> In a joint position paper, they challenge proposals that, in their opinion, result in them becoming more frequently responsible for examining asylum applications and/or being assigned more tasks.<sup>30</sup> The proposals challenged by them include those relating to the principle of stable responsibility, exclusion of asylum seekers from safe countries of origin from procedures for determining responsibility, bringing persons who are beneficiaries of international protection under the operation of the Dublin system and the performance of pre-Dublin checks.

In a search for alternatives to no solidarity, temporary solidarity or mandatory solidarity, various ideas on 'flexible' solidarity were put forward by the Presidencies

of Malta, Estonia and Bulgaria, where a distinction was made between measures under normal and challenging circumstances and measures in times of serious crises.<sup>31</sup> The Austrian Presidency has further investigated these possibilities both in the Council and bilaterally with the other Member States, but this too has not led to a breakthrough in the political impasse.<sup>32</sup> Under the Romanian Presidency, the main focus was on achieving progress regarding the other CEAS legislative proposals, as achieving progress in the Dublin dossier was deemed unrealistic in the short term.<sup>33</sup> These efforts have resulted in a provisional agreement between the Council and the Parliament with regard to some elements; but since these proposals are closely related to the proposals for amending the Dublin Regulation and the opinions in that regard, it was also not possible to complete these legislative processes. The current Finnish Presidency has abandoned the so-called 'package' approach and aims to reach agreement on those proposals on which agreement is possible.<sup>34</sup>

So far, none of the proposals for adapting the Dublin system have resulted in any political consensus and the establishment of the mandate for negotiations with the European Parliament. Partly in view of the changed composition of Parliament after the elections and the appointment of a new European Commission, it is uncertain whether the proposals will hold up, and if so in what form.

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<sup>21</sup> This applies if the need to have a visa for entry into the territory is waived only by that particular Member State (article 14.1). If the person applies for asylum in another Member State in which the need for him or her to have a visa is also waived, that other Member State shall be responsible for examining the application (article 14.2).

<sup>22</sup> In the case of a take charge request, the requesting Member State may ask for an urgent reply if the application for asylum was lodged after leave to enter or remain was refused, after an arrest for an unlawful stay or after the service or execution of a removal order. This expedited period for a reply cannot be less than one week (Article 21.2).

<sup>23</sup> [COM \(2016\) 270 Final](#), p. 4.

<sup>24</sup> [Report](#) on the proposal for a regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast).

<sup>25</sup> European Parliament, [Briefing](#) EU Legislation in Progress.

<sup>26</sup> Joint [Declaration](#) of the Visegrád Group Prime Ministers.

<sup>27</sup> Member States' [Support](#) to Emergency Relocation Mechanism.

<sup>28</sup> [Statement](#) of the Hungarian Government, 15 February 2018.

<sup>29</sup> [Southern rim rebels against EU migration proposal – POLITICO](#).

<sup>30</sup> [Position paper](#) of Cyprus, Greece, Italy, Malta and Spain on the Proposal for recasting the Dublin Regulation.

<sup>31</sup> [Leaders to avoid Estonian asylum plan at EU summit](#), Council of the European Union, [Reform of the Common European Asylum System and Resettlement](#), 30 May 2018.

<sup>32</sup> Council of the European Union, [Reform of the Common European Asylum System and Resettlement](#), 4 October 2018, Council of the European Union, [Outcome of the Council Meeting Justice and Home Affairs, 6 and 7 December 2018](#).

<sup>33</sup> Council of the European Union, [Justice and Home Affairs Council 7 and 8 March 2019](#).

<sup>34</sup> Finland's Presidency Programme, [Sustainable Europe, Sustainable Future](#).



### Chapter 3

# Extent and characteristics of secondary movements

**In this chapter, we provide an answer to Question 1: To what extent and in what way are EU+ Member States confronted with the secondary movements of asylum seekers? We answer this question based on the available data at the European level, supplemented with information from the interviews. In addition, for the Netherlands we provide more detailed data and information based on the case file review.**

### **3.1 Secondary movements cannot be fully quantified**

The exact extent of secondary movements cannot be determined. This is because secondary movements involve irregular migration, where it is in the interest of third-country nationals to avoid being tracked as far as possible. Available data such as Eurodac hits and Dublin requests do provide an indication of such movements, but in fact this only relates to the *observed* secondary movements of asylum seekers. For example, a record of an irregular crossing of an external EU border is automatically erased from Eurodac after 18 months and the responsibility of the Member State of entry under Dublin ends 12 months after the irregular entry. Therefore, if the third-country national moves onwards after these time limits and applies for asylum elsewhere, this information cannot be derived from the Eurodac and Dublin data.

In addition, there are certain technical and legal limitations in the available data collections, which also make it difficult to accurately identify the extent of the observed secondary movements. This is because the data collections are not interlinked and not available in cohort form. As a result, it is not possible to determine how many people have entered the EU and applied for asylum in a given period, the transit routes they have followed within the EU, the extent to which they have undergone Dublin procedures and how many of them have actually left the EU.

What's more, the current information potential has not yet been fully exploited, partly due to legal restrictions. For example, Eurodac data could be used to establish, on a cohort basis, how many asylum seekers older than 14 years of age have entered the EU in a given period and the route they have taken within the EU. How many of them have entered the EU in an irregular manner can also be examined. However, due to legal constraints, the Eurodac data are not used for this purpose; only data on the use of this system and the hits yielded with other Member States are published. This results in considerable limitations in the analyses at the European level as performed by the EU agencies EASO, Frontex and eu-LISA, and at a national level, by the Member States. Some Member States, including the Netherlands and Germany, are in the process of setting up national databases with results from the comparison of fingerprint data following the transmission of fingerprint data by the national authorities to Eurodac's Central System, in order to form a better idea of the transit routes to their countries.

However, this is a suboptimal solution and does not provide a complete picture of the situation at the European level.

Hits for asylum seekers based on searches in the Visa Information System (VIS) could also be used to gain insight into the relationship between regular entry with a short-stay visa, asylum applications in the Schengen Member State that has issued the visa and the possible transit to other Schengen Member States. However, the VIS Regulation does not provide for the generation of such data.<sup>35</sup> Two new regulations were adopted on 14 May 2019 regarding the interoperability of existing EU information systems on borders, visas, asylum, migration and security, including the Eurodac and VIS systems. Article 39 of both regulations provides for a centralised statistical reporting tool. This offers an opportunity to perform cohort analyses of asylum-related migration that EASO would like to carry out.<sup>36</sup> However, the question is whether the existing legal basis is broad enough to allow such analyses. For example, Frontex is mentioned as a possible user, but not EASO.<sup>37</sup>

Therefore, the available data that are discussed in this chapter only provide an indicative picture of the extent and composition of secondary movements of asylum seekers within the EU+.

### **3.2 Three forms of secondary movements**

Asylum seekers may decide to move onwards at different times. Based on the case file review and the interviews in the Member States, we have distinguished three forms of secondary movements of asylum seekers depending on the passage of time from their moment of entry in the EU+:

- 1) Almost immediate onward migration
- 2) Onward migration during an asylum procedure
- 3) Onward migration after rejection of an asylum application

The first form is particularly prevalent in the secondary movements of asylum seekers from Southern European to Central and North-Western European Member States. Of all three forms, this type of onward migration is most directly related to the number of irregular crossings of external EU borders. For example, many Eritreans who arrived in the Netherlands in 2015 and applied for asylum had entered the EU+ in Italy about a month earlier.<sup>38</sup> The second form may take place starting from either the country where the asylum seeker has first entered the EU+ or from other Member States. Based on our research, we find that this form of secondary movement may be related to the duration of the asylum procedure and/or the quality of the reception facilities. In 2015, for example, asylum seekers who had to wait a long time in Germany for the decision on their asylum application moved on to the Netherlands to re-apply for asylum there. The third form of secondary movements of asylum seekers mainly (although not exclusively) occurs from the Central and North-Western European Member States. This relates to the flawed application of the return policies of Member States. Transit after refusal of an asylum application indicates that the Member State where this application had

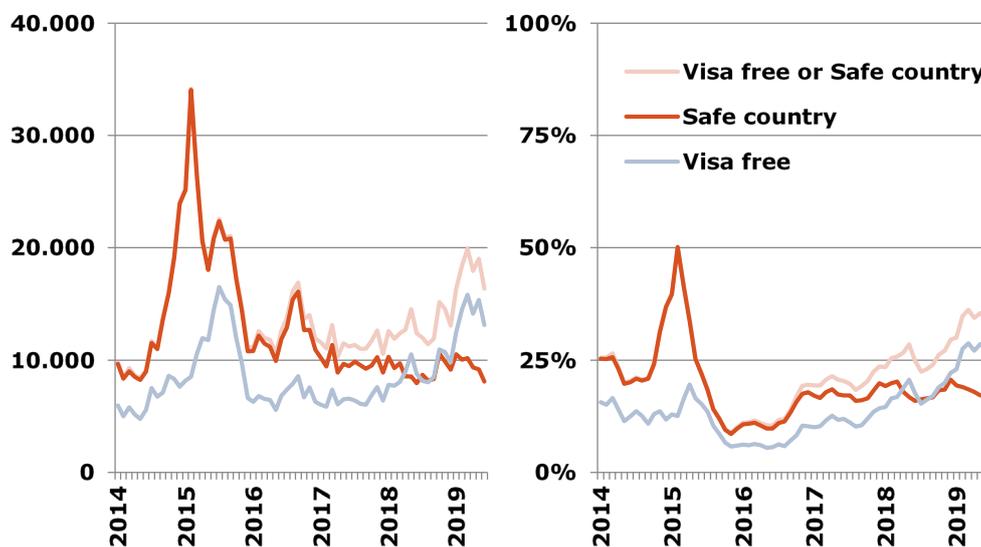
been lodged was actually the desired destination for a longer period of time. In Sweden, for example, most asylum seekers abscond after their asylum application has been irrevocably rejected.<sup>39</sup>

There is a group of third-country nationals who may, in practice, fall under all three forms of secondary movements. These are persons who do not have a need for international protection, but who nevertheless apply for asylum in several Member States. They often move onwards to another Member State during the asylum procedure because they expect a negative decision. This mainly concerns asylum seekers from countries that are designated as safe countries of origin by Member States.<sup>40</sup>

Figure 1 below gives an overview of first-time asylum applications in the EU+ lodged in the period from 2014 to the first half of 2019 by third-country nationals from a safe country of origin<sup>41</sup> or from a country that is exempt from a short-stay visa requirement in the Schengen Area.<sup>42</sup> It shows both the number of applications per month and their share in the total number of first-time applications. This shows that a substantial proportion of third-country nationals applying for asylum in the EU+ come from a safe country of origin. The number of applications by third-country nationals from safe countries hovered around 10,000 per month in the EU+ during the first eight months of 2014 and then rose to nearly 35,000 in February 2015. Since December 2015, it is again around 10,000 a month. Since then it has been fairly stable. After the peak in 2015, the proportion was initially lower than before the peak as a result of the large increase in other nationalities. Since December 2017, the proportion of this group in the total number of first-time applications has been fairly stable at around 20%.

Another group that we highlight here are asylum seekers who are able to travel visa-free to and within the Schengen Area. This is also a substantially large group. The trend in the monthly number/proportion of applications for this group shows great similarities with that of asylum seekers from safe countries of origin. An important difference is the substantial increase in applications by third-country nationals who are exempt from the visa requirement from around 7,000 in January 2018 to almost 15,000 since March 2019. At the same time, the proportion has also doubled from around 15% to almost 30% of the number of first-time asylum applications. There is a considerable overlap between both groups of asylum seekers. For example, many applications are lodged by Albanians and Georgians, who fall under both categories. But many applications are also lodged by Moroccans and Algerians, who are not exempt from the visa requirement, but whose country of origin is considered safe. Recently there has been a significant increase in asylum applications from third-country nationals from Latin America. They are exempt from the visa requirement, but their country of origin is not part of any list of safe countries. The total proportion of asylum seekers from a safe country of origin along with asylum seekers who are exempt from the visa requirement has also risen sharply from around 25% at the start of 2018 to around 35% at the start of 2019, and has remained fairly stable since then.

Figure 1: Monthly number/proportion of first-time asylum applications in the EU+ lodged by persons from safe and visa-free countries, 2014-2019



Source: Eurostat database<sup>43</sup>

[See table for Figure 1](#)

The above-mentioned three forms of secondary movements also make it clear that the *potential* number of asylum seekers for secondary movements is determined by the following:

- Asylum seekers arriving in the EU+
- Pending asylum applications in the EU+
- Rejected asylum applications where the asylum seeker has not left the EU+

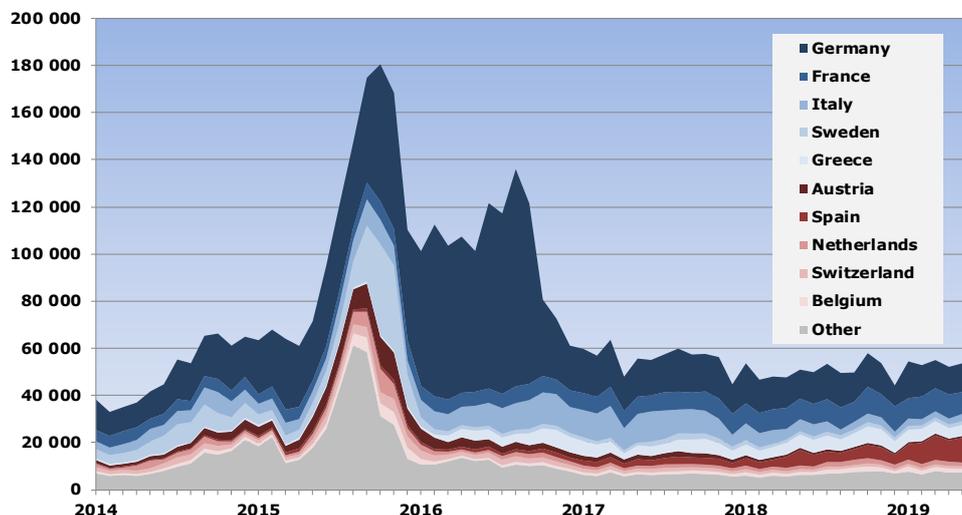
### 3.3 Significant differences in the number of asylum applications and their outcomes

In this section, we analyse the trends in:

- Asylum applications lodged
- Pending asylum applications
- Decisions on asylum applications
- Extent of return

### 3.3.1 Significant differences in the number of asylum applications and the profile of asylum seekers

Figure 2: Monthly number of first-time asylum applications lodged in the EU+, 2014-2019



[See table for Figure 2](#)

Source: Eurostat database<sup>44</sup>

Figure 2 above displays an overview of the number of first-time asylum applications per month, registered in the EU+ as a whole and for the 10 Member States examined individually, during the period from 2014 to the first half of 2019. The Member States are sorted from highest (top-most segment) to lowest numbers of asylum applications. The EU+ Member States have registered a total of around 4.8 million first-time applications. Four million of these were accounted for by the 10 Member States that we examined. The number of asylum applications in the EU+ was around 30,000 per month at the beginning of 2014 and increased to around 60,000 at the end of 2014. The summer of 2015 saw a very strong increase to almost 180,000 applications per month. From the beginning of 2016, the number of asylum applications dropped sharply again to the level before the summer of 2015. Since the end of 2016, the monthly number of first-time asylum applications in the EU+ has been fairly stable at around 50,000. In fact, the peak at the end of 2015 was even higher than this and the return to the previous level occurred before the end of 2016. Due to the large backlogs in registration procedures in Germany, many applicants who arrived in 2015 were only able to lodge their application in the course of 2016.

Although the number of first-time asylum applications for the EU+ as a whole has remained fairly stable since the end of 2016 and is approximately at the pre-2015 level, there have been certain significant shifts within the EU+. **Germany** still registers the highest number of applications (around 15,000 per month, both in 2014 and in the period from 2017 to the first half of 2019). In **The Netherlands** and **Belgium** as well, the number of applications lodged has been reasonably stable since the end of 2016, and is currently close to the pre-2015 level. The

number of asylum applications in **France** has increased considerably from around 5,000 per month in 2014 to around 10,000 per month in the period 2017-2019. In **Italy**, the number of applications lodged in 2017 was much higher than in 2014 (around 10,000 versus 3,000), but this has since decreased to the 2014 level. In **Greece**, despite the large number of irregular entries of migrants till the beginning of 2016, a maximum of around 1,000 asylum applications per month were lodged. During the course of 2016, this number has risen sharply to more than 5,000 per month and since then it has remained at this much higher level, despite the sharp drop in the number of irregular entries. In **Spain**, the number of asylum applications has gradually increased from around 500 per month at the beginning of 2014 to around 10,000 in the first half of 2019, with a particularly large increase in the period 2018-2019. In contrast, in Sweden, Hungary (part of the 'Other' group), Switzerland and Austria, far fewer applications were lodged in the period 2017-2019 than in 2014. In brief: since 2016, Spain, Greece and Italy (until 2018) has accounted for a much larger proportion of registered asylum applications in the EU+ than earlier.

Figure 3 shows the top five nationalities of first-time asylum seekers in the 10 Member States surveyed per year in the period 2014-2018. The Member States are sorted from highest to lowest numbers of asylum applications. This shows that the large increase in **France** is mainly due to Afghans, who hardly lodged any applications in France prior to 2015. The initial increase in **Italy** was caused by nationalities that also lodged many applications there before 2015, i.e. West African, Pakistani and Bangladeshi nationals. The sharp increase in **Greece** concerns, in particular, Syrians, Afghans, Iraqis and Pakistanis. Although these nationalities were also part of the top five in 2014, their numbers were much smaller then. The substantial increase in **Spain** is mainly due to South Americans, especially Venezuelans and Colombians. These groups rarely applied for asylum in the EU+ during the period 2014-2015. In **Germany** and **the Netherlands**, many more applications were lodged by Iranians and Turks in the period 2017-2018, compared to 2014. On the other hand, the number of asylum applications lodged by persons from the Western Balkans has decreased in both these Member States.

Figure 3: Top 5 nationalities that lodged first-time asylum applications in the 10 EU+ Member States, 2014-2018

	Total	Top 5 citizenship
2014	Germany (173070)	Syria (39330), Serbia (17170), Eritrea (13200), Afghanistan (9115), Albania (7865)
	France (58845)	DR Congo (5195), Russia (3620), Albania (2845), Syria (2830), China (2670)
	Italy (63655)	Mali (9760), Nigeria (9690), Gambia (8490), Pakistan (7095), Senegal (4660)
	Sweden (75090)	Syria (30315), Eritrea (11055), Stateless (7540), Somalia (3785), Afghanistan (2880)
	Greece (7590)	Afghanistan (1550), Pakistan (1125), Syria (730), Albania (555), Bangladesh (370)
	Austria (25700)	Syria (7660), Afghanistan (4915), Kosovo (1745), Russia (1485), Stateless (1295)
	Spain (5460)	Syria (1495), Ukraine (890), Mali (585), Algeria (300), Palestine (195)
	Netherlands (21810)	Syria (8750), Eritrea (3835), Stateless (2705), Iraq (615), Iran (505)
	Switzerland (22130)	Eritrea (6825), Syria (3770), Sri Lanka (905), Nigeria (850), Somalia (770)
	Belgium (14130)	Syria (2635), Iraq (975), Unknown (960), Afghanistan (805), Eritrea (790)
2015	Germany (441900)	Syria (158655), Albania (53805), Kosovo (33425), Afghanistan (31380), Iraq (29785)
	France (70570)	Sudan (5315), Syria (4625), Kosovo (3825), DR Congo (3800), Bangladesh (3345)
	Italy (82830)	Nigeria (17755), Pakistan (10275), Gambia (7975), Senegal (6340), Bangladesh (6010)
	Sweden (156195)	Syria (50890), Afghanistan (41190), Iraq (20190), Stateless (7445), Eritrea (6515)
	Greece (11370)	Syria (3325), Afghanistan (1545), Pakistan (1505), Albania (915), Iraq (575)
	Austria (85520)	Afghanistan (24840), Syria (24720), Iraq (13225), Iran (3380), Pakistan (2890)
	Spain (14610)	Syria (5720), Ukraine (3340), Palestine (795), Algeria (650), Venezuela (585)
	Netherlands (43035)	Syria (18640), Eritrea (7390), Iraq (3010), Afghanistan (2550), Stateless (2460)
	Switzerland (38120)	Eritrea (9860), Afghanistan (7800), Syria (4650), Iraq (2285), Sri Lanka (1775)
	Belgium (39065)	Syria (10295), Iraq (9215), Afghanistan (7730), Somalia (2010), Unknown (1090)
2016	Germany (722365)	Syria (266250), Afghanistan (127010), Iraq (96115), Iran (26425), Eritrea (18855)
	France (76790)	Albania (6945), Sudan (6085), Afghanistan (6015), Haiti (5290), Syria (4765)
	Italy (121185)	Nigeria (26550), Pakistan (13470), Gambia (8845), Senegal (7550), Côte d'Ivoire (7435)
	Sweden (22385)	Syria (4710), Afghanistan (2145), Iraq (2045), Somalia (1280), Stateless (985)
	Greece (49875)	Syria (26630), Iraq (4770), Pakistan (4420), Afghanistan (4295), Albania (1300)
	Austria (39905)	Afghanistan (11520), Syria (8640), Iraq (2725), Pakistan (2415), Iran (2400)
	Spain (15755)	Venezuela (3960), Syria (2975), Ukraine (2570), Algeria (740), Colombia (615)
	Netherlands (19285)	Syria (2865), Eritrea (1865), Albania (1665), Morocco (1270), Afghanistan (1025)
	Switzerland (25875)	Eritrea (5040), Afghanistan (3185), Syria (2040), Somalia (1530), Sri Lanka (1315)
	Belgium (14290)	Syria (2235), Afghanistan (2225), Iraq (760), Somalia (725), Guinea (720)
2017	Germany (198310)	Syria (48970), Iraq (21930), Afghanistan (16425), Eritrea (10225), Iran (8610)
	France (91965)	Albania (11425), Afghanistan (6600), Haiti (5600), Syria (4695), Sudan (4680)
	Italy (126560)	Nigeria (24950), Bangladesh (12125), Pakistan (9470), Gambia (8705), Côte d'Ivoire (8380)
	Sweden (22225)	Syria (5250), Eritrea (1540), Iraq (1475), Afghanistan (1245), Georgia (1005)
	Greece (56950)	Syria (16305), Pakistan (8345), Iraq (7870), Afghanistan (7480), Albania (2345)
	Austria (22470)	Syria (7255), Afghanistan (3525), Pakistan (1445), Iraq (1345), Nigeria (1135)
	Spain (33040)	Venezuela (11390), Syria (4120), Colombia (3150), Ukraine (2175), Palestine (1225)
	Netherlands (16090)	Syria (2965), Eritrea (1590), Morocco (980), Algeria (890), Iraq (845)
	Switzerland (16670)	Eritrea (3155), Syria (1810), Afghanistan (1180), Somalia (795), Guinea (785)
	Belgium (14055)	Syria (2625), Afghanistan (995), Palestine (815), Guinea (750), Albania (670)
2018	Germany (161930)	Syria (44165), Iraq (16330), Iran (10855), Nigeria (10170), Turkey (10160)
	France (111415)	Afghanistan (10255), Albania (8300), Georgia (6755), Guinea (6685), Côte d'Ivoire (5295)
	Italy (53440)	Pakistan (7445), Nigeria (5510), Bangladesh (4165), Ukraine (3015), Senegal (2490)
	Sweden (18110)	Syria (2615), Iran (1095), Iraq (1065), Georgia (1040), Eritrea (750)
	Greece (64985)	Syria (13145), Afghanistan (11820), Iraq (9640), Pakistan (7185), Turkey (4820)
	Austria (11415)	Syria (3275), Afghanistan (1735), Iran (1040), Russia (670), Iraq (635)
	Spain (52745)	Venezuela (19070), Colombia (8465), Syria (2725), Honduras (2400), El Salvador (2240)
	Netherlands (20465)	Syria (2960), Iran (1870), Eritrea (1410), Turkey (1300), Algeria (1270)
	Switzerland (13535)	Eritrea (2495), Syria (1195), Afghanistan (1125), Turkey (925), Georgia (805)
	Belgium (18160)	Syria (2770), Palestine (2420), Afghanistan (1045), Guinea (1000), Iraq (895)

Source: Eurostat database<sup>45</sup>

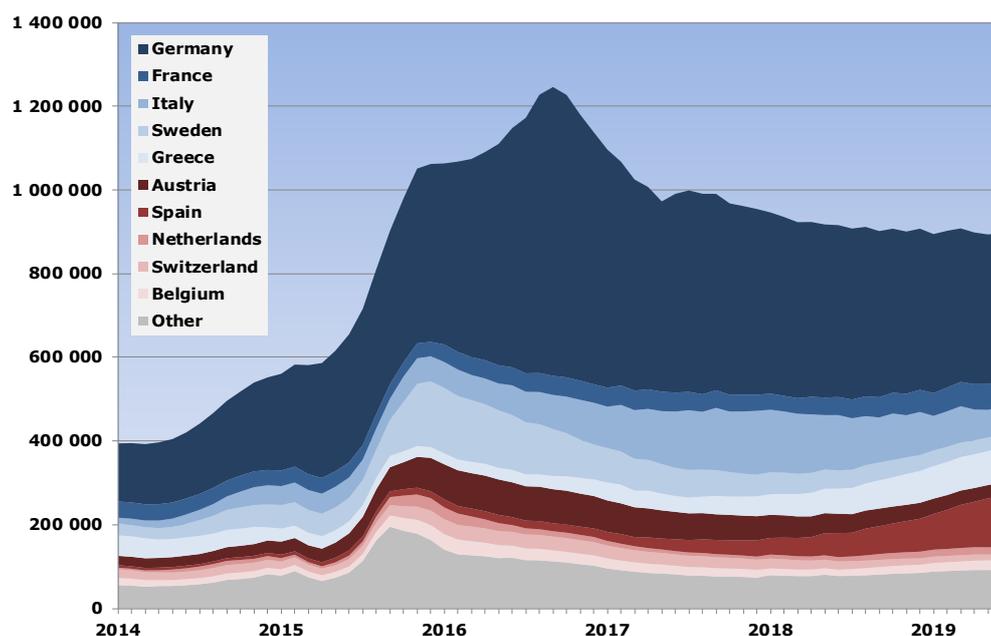
As a result of double counting, the number of first-time asylum applications registered is an overestimation of the actual number of people who have applied for asylum in the EU+. If a person applies for asylum in several Member States, each individual Member State registers this application as the first-time application. These double counts cannot be filtered out from the Eurostat data and therefore there are no data available for the number of unique persons who have applied for asylum in the EU+.

With the help of Eurodac, it is possible to generate data for the number of unique asylum seekers aged 14 years and above, but no reports are currently available for this group (see section 3.1). eu-LISA publishes overviews of the number of hits after an asylum registration, but a single transmission of fingerprints can produce hits with several Member States, so the exact proportion of multiple applications

in the EU cannot be deduced from this. eu-LISA only publishes a figure for the EU+ as a whole for the number of asylum registrations with and without a hit (see subsection 3.4.3). In case of multiple applications, it is not reported whether this is due to a hit with a previous transmitted and stored set of fingerprints from the same or another Member State.

### 3.3.2 Number of pending asylum applications continues to be higher than before 2015

Figure 4: Number of pending asylum applications in the EU+, 2014-2019



[See table for Figure 4](#)

Source: Eurostat database<sup>46</sup>

Figure 4 above gives an overview of the trends in the number of pending asylum applications in the EU+ as a whole, as well as separately for the 10 Member States surveyed, in the period from 2014 to the first half of 2019. The Member States are sorted from highest (top-most segment) to lowest numbers of asylum applications. The figure shows that the sharp increase in the number of asylum applications in 2015 has translated into a correspondingly sharp increase in the number of pending asylum applications: from around 400,000 at the beginning of 2014 to more than 1.2 million in mid-2016. However, the reduction in the 'stock' of pending asylum applications has not kept pace with the decline in asylum applications after 2015. While the number of asylum applications lodged has returned to the same level as before 2015, the number of pending asylum applications (almost 900,000) remains more than double than before 2015. The rate of decrease is particularly slow in Germany.

This indicates that the pressure on the asylum system in the EU+ remains high. A larger number of pending asylum applications (active working stock) in relation to

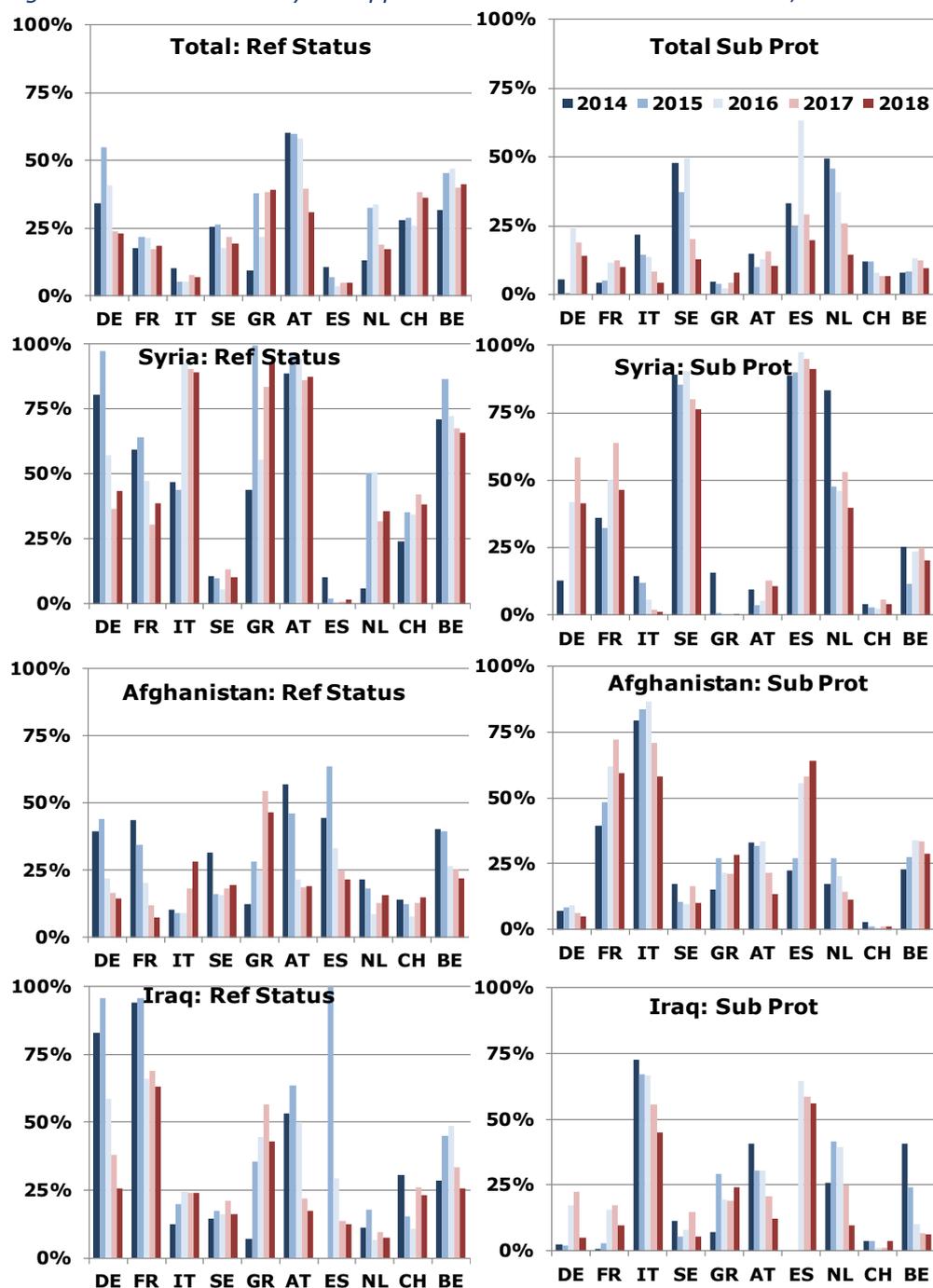
the number of new applications indicates longer processing times. This also means that the potential for secondary movements after 2015 is greater than before.

Furthermore, the recent rapid increase in the number of pending asylum applications in Greece, and especially in Spain, is striking. This reflects the increased number of asylum applications and the fact that the processing capacity is not keeping pace with this. This was also true for Italy until the summer of 2017. Since about mid-2018, there has also been a substantial increase in the number of pending asylum applications in France, the Netherlands and Belgium. The working stocks in these countries are now higher than before 2015. The number of pending asylum applications in Germany, Sweden, Austria and Switzerland continues to fall unabated after the peak in mid-2016.

However, within the asylum system, there has been a shift from pending asylum applications at first instance determination bodies to pending cases at appeal bodies.<sup>47</sup> The number of pending asylum applications in the first instance at the end of 2018 was almost back to the same level as at the end of 2014 (around 400,000). But these applications are now pending for a longer period: at the end of 2018, the proportion pending for more than six months was roughly the same as the proportion pending for less than six months, while at the end of 2014 two-thirds of the cases were pending for less than six months. The number of pending asylum cases at appeal bodies has risen sharply, from around 100,000 in mid-2016 to around 400,000 in mid-2018. Since then the numbers have remained fairly stable.

### 3.3.3 Significant differences in outcomes of asylum procedures

Figure 5: Decisions on asylum applications in 10 EU+ Member States, 2014-2018



[See table for Figure 5](#)

Source: Eurostat database<sup>48</sup>

Figure 5 provides an overview of the trends in first instance decisions on asylum applications, lodged in the 10 surveyed Member States in the period 2014-2018. The Member States are sorted from highest (left) to lowest (right) numbers of asylum applications. The figure shows the proportion of decisions in which refugee status or subsidiary protection status has been granted. Decisions in cases where

a Member State has accepted responsibility under the Dublin Regulation have not been taken into account in the statistics, so that the percentages of cases where a status is granted can be properly compared with one another. Differences in acceptance rates are strongly influenced by differences in the profile of asylum seekers. The top three nationalities are also displayed so that they can be compared better.

Figure 5 shows that there are major differences between the outcomes of asylum applications in the Member States. These differences can be seen not only in the proportion of applications that resulted in the granting of international protection (refugee status and subsidiary protection status jointly), but also in the relationship between these two statuses. Moreover, this figure shows that major changes have taken place in the Member States during the period 2014-2018. For example, the proportion of decisions in which international protection was granted to all nationalities considered jointly varied from 14% to 75% in 2014. For Syrian, Afghan and Iraqi applications, the variation was 28-100%, 17-90%, 14-95%, respectively. In 2018, the variation remained as large as before: 11-51% for all nationalities jointly, 42-98% for Syrians, 16-87% for Afghans and 17-73% for Iraqis. The low minimum acceptance rate for Syrians is striking. This relates to Switzerland, which often grants Syrians a national protection status.

For the EU+ as a whole, the proportion of positive decisions has decreased from 42% in 2014 to 32% in 2018. If the non-harmonised national protection status is also included, this represents a decrease from 47% in 2014 to 39% in 2018. Switzerland and Italy, in particular, often grant national protection. The proportion of cases in which international protection was granted has also declined for the top three nationalities: from 91% to 85% for Syrians, from 51% to 37% for Afghans, and 65% to 37% for Iraqis. Remarkably, the acceptance rates initially increased and subsequently started falling sharply from 2017 onwards. This either means that Member States have become stricter and/or that the situation in the countries of origin has improved.

The proportion of positive decisions has fallen sharply in Sweden (from 73% in 2014 to 32% in 2018), Austria (from 75% to 41%), the Netherlands (from 63% to 32%), Italy (from 32% to 11%) and Spain (from 44% to 24%). This proportion has remained fairly stable in Germany (from 40% to 37%) and Switzerland (from 40% to 43%). At the same time, the proportion of positive decisions has increased in Greece (from 14% to 47%), France (from 22% to 28%) and Belgium (39% to 51%). These differences may partly be related to a change in the composition of asylum applications (lower proportion of well-founded asylum applications and higher proportion of unfounded asylum applications). However, if we look at the top three nationalities, the 10 Member States also show different trends for Afghans and Iraqis. For Syrians, the proportion of positive decisions has remained stable, without major differences.

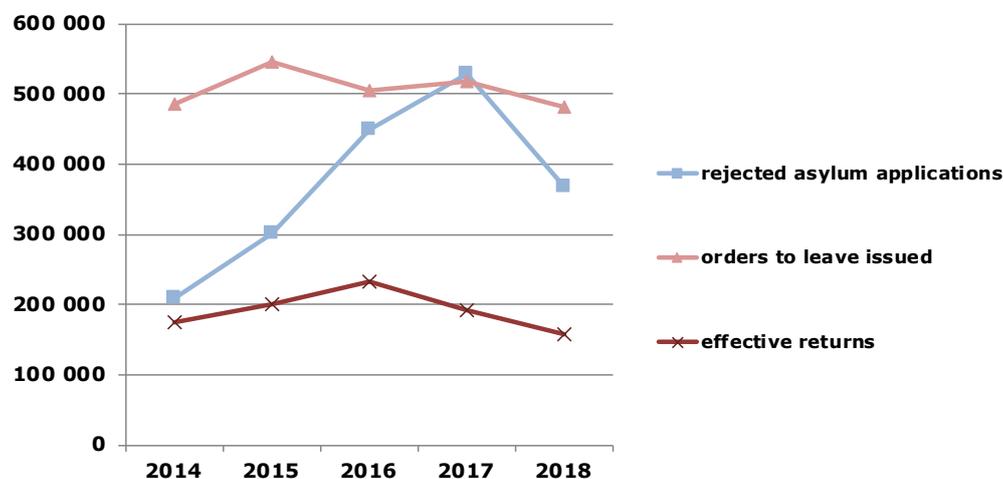
The proportion of positive decisions for Afghan asylum applications has fallen sharply in Austria (from 90% in 2014 to 32% in 2018), Germany (from 46% to 19%), Sweden (from 49% to 29%) and the Netherlands (from 39% to 27%). Whereas this group of countries only granted protection in a minority of cases, other EU Member States generally granted international protection for a very large majority of the applications in 2018. In France, this was 67% (83% in 2014), Belgium 51% (63% in 2014), Greece 75% (27% in 2014) Italy 87% (89% in 2014) and Spain 86% (67% in 2014). Although the proportion of positive decisions on Afghan asylum applications has fallen slightly in France and Belgium, the difference with other Member States in North-Western and Central Europe has become much larger. The proportion of positive decisions on Iraqi asylum applications has declined sharply for Germany, Belgium and Austria, from around 80% in 2014 to around 30% in 2018. There is also a visible decrease to 20% in 2018 for Sweden and the Netherlands, but the acceptance rate in these two countries was also much lower in 2014 (around 30%). On the other hand, the proportion of positive decisions at approximately 70% in France and Italy is still very high (but this was approximately 90% earlier).

There are considerable differences between Member States in the relationship between the granting of refugee status and the granting of subsidiary protection status. For example, in the vast majority of cases where international protection was granted in 2014 by Germany, France, Austria and Belgium, this involved the conferral of refugee status. This also constituted a substantial majority in Greece and Switzerland. However, the vast majority of cases where international protection was granted by the Netherlands, Sweden, Spain and Italy involved subsidiary protection. These differences are even greater if we only consider a nationality with a high EU+-wide acceptance rate (i.e. Syrians). Broadly speaking, these differences were still visible in 2018, but a number of changes have occurred. The proportion of positive decisions in which refugee status was granted has fallen sharply in Germany and to a lesser extent in France. Yet in the Netherlands, Sweden and Italy, this proportion has increased considerably. Except in the case of Sweden, these changes are also clearly visible if only Syrians are considered.

In short: for an asylum seeker, the Member State in which he or she is applying makes a considerable difference. This encourages secondary movements. In some Member States, the residence rights for a third-country national with subsidiary protection status are much more limited than for a third-country national with refugee status. This relates not only to the period of validity of the status, but also the right to family reunification. The Family Reunification Directive only obliges Member States to introduce more flexible rules for persons who have been granted refugee status.<sup>49</sup>

### 3.3.4 Most third-country nationals for whom a return decision has been issued do not demonstrably leave the EU+

Figure 6: Rejected asylum applications in and return from the EU+, 2014-2018



	2014	2015	2016	2017	2018
<b>rejected asylum applications</b>	209 295	300 755	450 335	528 350	367 415
<b>orders to leave issued</b>	486 730	546 100	504 965	518 340	481 325
<b>effective returns</b>	174 175	199 735	232 715	192 080	157 890

Source: Eurostat database<sup>50</sup>

Figure 6 shows the trends in the number of asylum applications in the EU+ rejected annually in the first instance, as well as the number of return decisions and actual number of returns. The return decisions and actual returns relate to all third-country nationals who are not or no longer entitled to the right of stay, and therefore not only to rejected asylum seekers. There are no return data available that only refer to rejected asylum seekers. This represents a major gap in international data collections. Since July 2015, Member States are obliged to update the fingerprint data of asylum seekers stored in Eurodac with a return date, if a return has taken place. However, the Eurodac Regulation does not provide for any statistical reports on this and neither is the data made available to EASO or Frontex for analysis purposes. Although EASO and Frontex also collect data on the return of rejected asylum seekers, these are not made public, not available in a cohort form and are incomplete because not all EU+ countries provide these data.

However, the available data yield some general information about the effectiveness of return policies. Figure 6 reveals that there is a big difference between the number of return decisions and actual returns and that this difference is also fairly stable. The number of return decisions hovers around 500,000 a year and the number of actual returnees around 200,000 a year. This indicates that only a minority (around 40%) of persons who are not or no longer entitled to the right of stay demonstrably leave the EU+ and that large numbers of such persons do not demonstrably return to their country of origin.

There are no reasons to assume that this return problem will be less in the case of rejected asylum seekers. Given the high number of rejected asylum applications, this creates great potential for secondary movements. Figure 6 shows that the annual number of negative decisions on asylum applications increased sharply in the period 2014-2017, from less than 200,000 to almost 500,000, before falling again in 2018 to somewhat more than 300,000. This proves that the number of rejections is still much higher than it was before 2015. This also increases the potential for secondary movements.

It is striking that the number of rejected asylum applications has increased much more drastically than the number of return decisions and that the number of rejected asylum applications in 2017 was even slightly higher than the number of return decisions. It would be more logical if the number of return decisions each year was much higher than the number of rejected asylum applications, since return decisions are not merely related to rejected asylum applications. This discrepancy arises due to the system of issuing a return decision. In many countries, including the Netherlands, a negative asylum decision also contains a return decision, and the number of return decisions is much higher than the number of rejected asylum applications. In some other countries, including Germany, there is no direct link, and return decisions are only issued if the third-country national is also immediately removable, which is not always the case. This is why the number of return decisions in these countries is considerably lower than the number of rejected asylum applications. In fact, EU+ data on return decisions are underestimating the number of third-country nationals who are supposed to return. The return ratio is actually even lower than the aforementioned 40%.

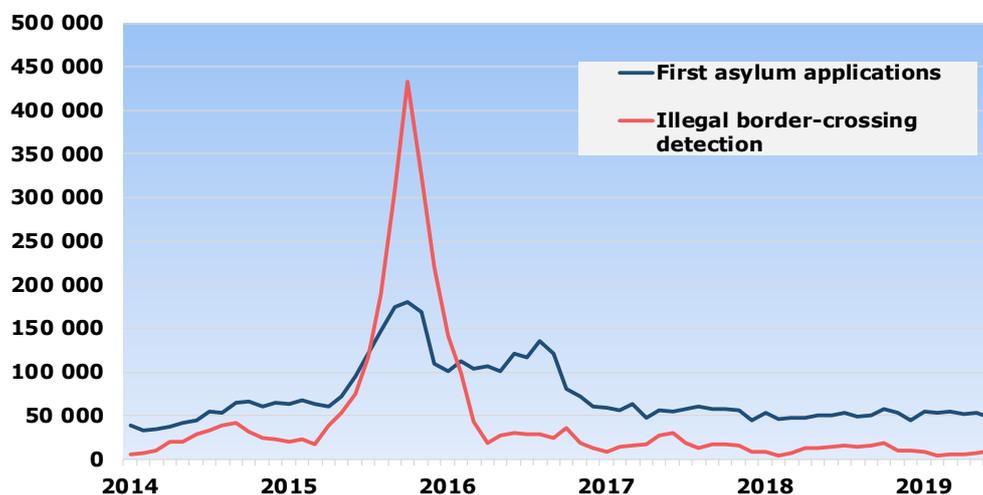
### **3.4 High proportion of secondary movements in asylum applications of many Member States**

In this section, we analyse the extent to which the registered asylum applications are the result of secondary movements. In addition, we look at the characteristics of secondary movements from and to the 10 Member States examined and the related trends.<sup>51</sup> We use the following statistical indicators for this:

- Frontex data on the irregular crossing of external borders
- Frontex data on irregular stay
- eu-LISA data on Eurodac hits
- Eurostat data on Dublin requests

### 3.4.1 Irregular crossings of external EU borders have become less decisive for asylum applications in the EU

Figure 7: Monthly number of detections of irregular crossings of external EU borders versus the number of first-time asylum applications lodged in the EU+, 2014-2019



[See table for Figure 7](#)

Source: Eurostat database<sup>52</sup> and Frontex statistics<sup>53</sup>

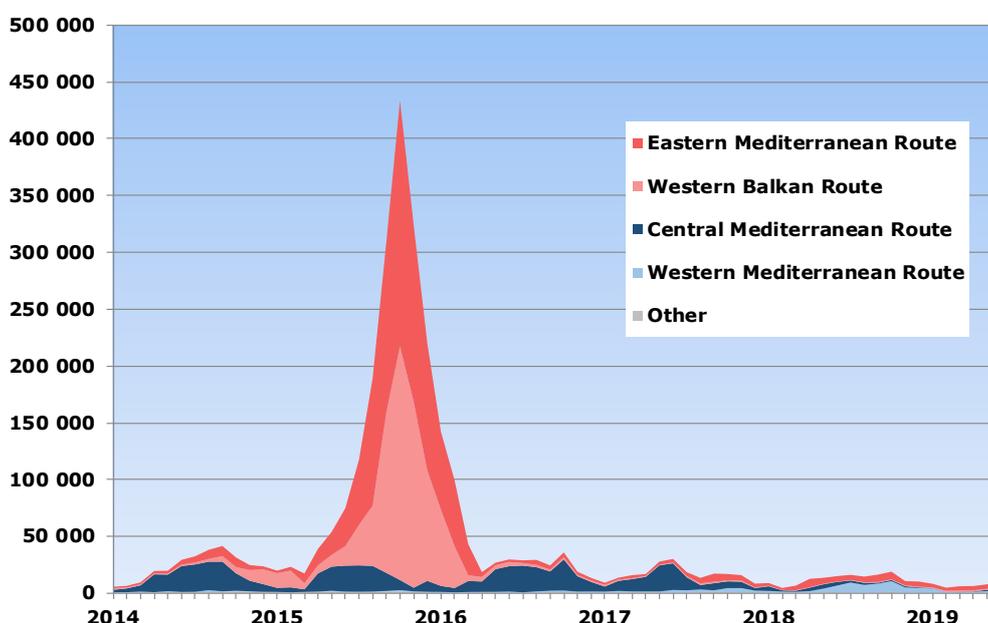
Figure 7 shows the trends in detections of irregular crossings of external EU borders and first-time asylum applications in the period from 2014 to the first half of 2019. A total of around 3 million detections of irregular border crossings took place during this period, compared to around 4.8 million first-time asylum applications. It is not surprising that the number of detections of irregular crossings of external EU borders is lower than the number of asylum applications. Other types of entries are not included in these analyses, and moreover, all irregular entries are not detected. For example, asylum applications are also lodged at the external borders. However, this comprises a relatively limited group. Asylum applications are also lodged by persons who have entered the EU+ in a regular manner, with a valid passport and/or visa. This group is considerably large and includes, in particular, applications from third-country nationals from visa-free countries in the Western Balkans and, more recently, Latin America. On the other hand, not all persons who have entered in an irregular manner apply for asylum in the EU+.

The shape of the trend lines shows great similarities. This is an indication of correlation. The number of first-time asylum applications was consistently higher than the number of detections of irregular border crossings. An exception to this is the period between the autumn of 2015 and summer of 2016. This is due to the backlog in Germany with the registration and formal submission of asylum applications. It is notable that the number of asylum applications has been reasonably stable since 2017 and is at a level comparable to that before 2015 (around 50,000 per month). The number of detections of irregular border crossings

shows a downward trend and is much lower than before 2015 (halved from around 24,000 a month in 2014 to around 12,000 a month in 2019).

This indicates that the number of detected irregular crossings of external EU borders has become less decisive for the number of asylum applications and secondary movements within the EU+. This is also in line with the information provided by respondents in different Member States. A larger proportion of the registered asylum applications are from asylum seekers who lodge an asylum application just before or after a negative decision on their asylum application in another EU+ Member State. We suspect that this is a delayed effect of the previously large number of arrivals. Based on this, we can conclude that the number of asylum applications is more closely related to the defective functioning of the return policy than to the number of irregular crossings of external EU borders.

*Figure 8: Monthly number of detections of irregular crossings of external EU borders by region in the EU+, 2014-2019*



[See table for Figure 8](#)

Source: Frontex statistics<sup>54</sup>

Figure 8 shows the trends in the number of detections of irregular crossings of external EU borders by region. The regions are sorted from highest (top-most segment) to lowest number of detections. The region of entry has an influence on the opportunities for migrating within the EU+ and the route used for this. For example, Switzerland lies on a main route of secondary movements within the EU+ after entry in Italy, but not on a main route after entry in Greece or Spain. More than 95% of detections take place in the Mediterranean and the Western Balkans. Before 2015, most of the detections took place in the Central Mediterranean, in particular, by Italy. The increased number of irregular crossings of external EU borders can also be seen in the huge peak in detections in the Eastern Mediterranean (in particular, Greece) and in the border crossings from the Western

Balkans (in particular, to Hungary and Croatia). These detections relate partly to the same group of people because many of them have travelled from Greece via the Western Balkans to North-Western Europe. The data for irregular border crossings are therefore an overestimation of the number of people who have entered the EU+ in an irregular manner.

After the so-called 'closure' of the Balkan route in the autumn of 2015 and the implementation of the EU-Turkey Statement in March 2016, the number of detections in the Eastern Mediterranean and in the Western Balkans declined to earlier levels. Since 2017, the number of persons entering via the Central Mediterranean route (Italy) has decreased sharply, while the number of persons entering via the Western (Spain) and Eastern (both by sea and land to Greece) Mediterranean routes has been increasing. It is striking that the high number of persons entering via Greece until the closure of the Western Balkan route and the implementation of the EU-Turkey Statement has hardly translated into asylum applications in Greece, while since then the number of asylum applications in Greece has been at a comparable level to the number of detections of irregular entry. This is an indication of a much lower number of secondary movements from Greece immediately after arrival. Many more migrants are applying for asylum in Greece and also staying there initially.<sup>55</sup>

Figure 9: Top five nationalities involved in detections of irregular crossings of external EU borders in the EU+ by region, 2014-2018

Year	Total	Top 5 citizenship
2014	Eastern Med. (50834)	Syria (31673), Afghanistan (12475), Somalia (1655), Iraq (865), Eritrea (778)
	Western Balkan (43355)	Kosovo (22059), Afghanistan (8342), Syria (7320), Palestine (947), Albania (501)
	Central Med. (170664)	Syria (39651), Eritrea (33559), Unsp. sub-Sahara (26340), Mali (9375), Gambia (8549)
	Western Med. (7183)	Cameroon (1469), Mali (880), Guinea (715), Algeria (693), Morocco (473)
2015	Eastern Med. (885386)	Syria (496340), Afghanistan (213635), Iraq (92721), Pakistan (24203), Iran (23062)
	Western Balkan (764033)	Unknown (556238), Syria (90064), Afghanistan (53237), Kosovo (23786), Pakistan (17057)
	Central Med. (153946)	Eritrea (38791), Nigeria (21914), Somalia (12430), Sudan (8916), Unsp. sub-Sahara (8519)
	Western Med. (7004)	Guinea (1946), Algeria (1193), Cameroon (843), Morocco (684), Côte d'Ivoire (609)
2016	Eastern Med. (182277)	Syria (84585), Afghanistan (43120), Iraq (27978), Pakistan (9575), Iran (5516)
	Western Balkan (130261)	Unknown (102429), Afghanistan (10620), Pakistan (5583), Syria (2705), Iraq (2607)
	Central Med. (181376)	Nigeria (37554), Eritrea (20721), Guinea (13550), Côte d'Ivoire (12399), Gambia (11929)
	Western Med. (9990)	Guinea (2184), Algeria (1698), Côte d'Ivoire (1646), Gambia (899), Cameroon (878)
2017	Eastern Med. (42319)	Syria (16395), Iraq (7202), Afghanistan (3985), Pakistan (2600), Turkey (2519)
	Western Balkan (12179)	Pakistan (4355), Afghanistan (3388), Iraq (960), Kosovo (852), Syria (634)
	Central Med. (118962)	Nigeria (18163), Guinea (9714), Côte d'Ivoire (9509), Bangladesh (9009), Mali (7119)
	Western Med. (23063)	Morocco (4704), Algeria (4293), Côte d'Ivoire (3517), Guinea (3283), Gambia (2660)
2018	Eastern Med. (56560)	Syria (13906), Afghanistan (10738), Iraq (8970), Turkey (7918), Pakistan (2414)
	Western Balkan (5844)	Afghanistan (1669), Pakistan (1017), Iran (980), Turkey (407), Kosovo (350)
	Central Med. (23485)	Tunisia (5182), Eritrea (3529), Sudan (2037), Pakistan (1513), Nigeria (1262)
	Western Med. (56245)	Guinea (12233), Morocco (11881), Mali (10747), Algeria (4349), Côte d'Ivoire (4045)

Source: Frontex statistics<sup>56</sup>

Figure 9 shows the nationalities that are most frequently detected per region in irregular border crossings. The regions are sorted from highest to lowest numbers of detections.

Syrians, Afghans and Iraqis are often detected in the **Eastern Mediterranean**. These nationalities lodge many asylum applications in Greece itself (especially in recent years) as well as in various other Member States (particularly in Germany, Sweden, Austria, the Netherlands, Belgium and recently also in France). This is an indication of the secondary movements of these groups. This is much less the case with Pakistanis. They usually enter via Greece, but lodge far fewer asylum applications in other EU+ Member States. Italy is an exception to this. There are also Pakistanis who enter the EU in Italy, but their proportion in the number of Pakistani asylum applications in Italy is limited.

The most common nationalities detected in irregular border crossings from the **Western Balkans** show a major overlap with the nationalities detected in the Eastern Mediterranean. This indicates that many migrants who entered the EU via Greece have moved onwards via the Western Balkans to the Member States mentioned in the previous paragraph. For example, many of the detections from the Western Balkans involve migrants from Syria, Afghanistan, Iraq and Pakistan. An important difference is that many Kosovans have also been detected, while this nationality is not reflected in the detections in the Eastern Mediterranean. This makes sense given the geographical location of Kosovo. The number of detections on the Western Balkan route has fallen much more sharply than the number of detections in the Eastern Mediterranean since the borders were closed by various Member States on that route and the implementation of the EU-Turkey Statement. While previously the numbers were more similar, the number of detections on the Western Balkan route from 2017 onwards is just a fraction of the number of detections in the Eastern Mediterranean. Secondary movements from Greece have decreased sharply and now this occurs more often by plane than by land via the Western Balkans.<sup>57</sup>

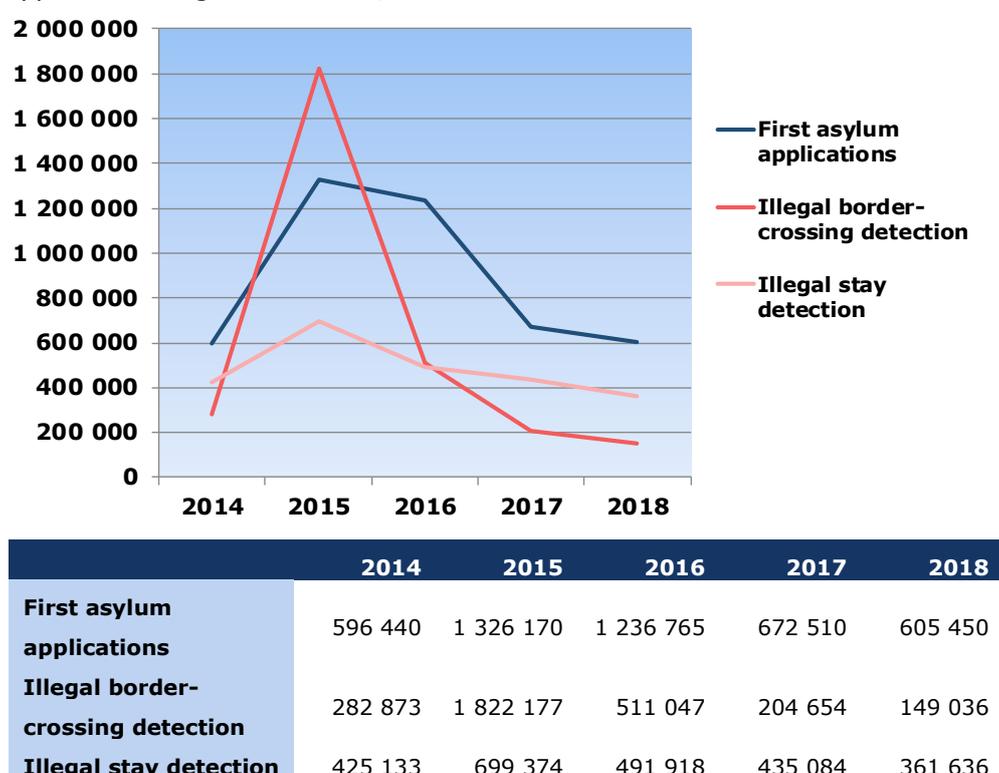
Irregular entries in the **Central Mediterranean** mainly involve migrants from Africa and, to a lesser extent, from Pakistan and Bangladesh (and also from Syria in 2014). The same nationalities also lodge numerous asylum applications in Italy, with the exception of irregular migrants from Somalia, Eritrea and Sudan (and also from Syria in 2014). These migrants hardly ever apply for asylum in Italy. However, Somalis and Eritreans lodge many applications in other EU+ Member States, particularly in Germany, Sweden, Switzerland and the Netherlands. It is probable that they move onwards quickly after arriving in Italy. The Sudanese, in particular, apply for asylum in France. Nigerians, who often apply for asylum in Italy, also do so in Germany. Asylum seekers from Guinea and Ivory Coast also frequently lodge applications in France. This too indicates secondary movements from Italy, but with some delay.

It is worth noting that, although recently both the number of irregular entries in the **Western Mediterranean** (Spain) as well as the number of asylum applications in Spain has risen sharply, this does not involve the same nationalities (compare Figure 9 with Figure 3). On the one hand, asylum applications are being

lodged by migrants from Latin America, who can travel without a visa. On the other hand, it is mainly migrants from North and West Africa who enter Spain in an irregular manner. The most common West African nationalities show a significant overlap with the nationalities that were previously detected in the Central Mediterranean, with the exception of Nigerians. Spain usually manages to send Moroccans and Algerians, who have entered Spain in an irregular manner, back to their countries of origin, so in these cases there is only a question of limited secondary movements. Although Moroccans and Algerians also lodge significant numbers of asylum applications in Germany, Austria, France and the Netherlands, the largest numbers date from the period before the increase in Spain. So these migrants probably entered the EU earlier in 2015 or at the beginning of 2016. It is different in the case of West Africans. They lodge many applications in France (and to a lesser extent, in Belgium). This also indicates secondary movements. Incidentally, it cannot be said with certainty that these are the same persons since the data on irregular border crossings is not linked to the data on asylum applications.

### 3.4.2 Number of detections of irregular stay remains high despite reduction in irregular crossings of external EU borders

Figure 10: Annual number of detections of irregular crossings of EU external borders and irregular stay in the EU+ versus the number of first-time asylum applications lodged in the EU+, 2014-2018



Source: Eurostat database<sup>58</sup>, Frontex statistics<sup>59</sup> and Frontex Risk Analysis<sup>60</sup>

Figure 10 shows the trends in the annual number of detections of irregular border crossings and irregular stay as well as applications for asylum in the EU+ in the period 2014-2018. In total, almost 3 million detections of irregular border crossings took place during this period and more than 2.4 million detections of irregular stay.

Detections of irregular stay are indicative of secondary movements because many of these detections are the result of checks at or in the vicinity of internal EU borders. Other detections result from checks on exit from the EU or the internal surveillance of third-country nationals. Figure 6 points to a correlation between the number of detections of irregular crossings of external EU borders and the number of detections of irregular stay (and the number of asylum applications). The number of detections of irregular stay fluctuates much less dramatically than the number of detections of irregular border crossings. This is because the number of detections of irregular stay depends largely on the limited capacity deployed for checks at or near internal borders and for the internal surveillance of third-country nationals. It is striking that the number of detections of irregular stays is currently much higher than the number of detections of irregular border crossings, while that was rarely the case before 2015. From this, we can also deduce that secondary movements of asylum seekers are not as directly related to the number of irregular crossings of the external borders as before. In other words, secondary movements continue to take place, while the number of irregular crossings of the external EU borders has decreased sharply.

*Figure 11: Top five nationalities in detections of irregular stay in the EU+, 2014-2018*

Total	Top 5 citizenship
<b>2014 (441780)</b>	Syria (74723), Eritrea (34477), Morocco (25329), Unknown (24461), Afghanistan (23393)
<b>2015 (701625)</b>	Syria (140261), Afghanistan (95765), Iraq (61177), Eritrea (39330), Morocco (32549)
<b>2016 (491891)</b>	Afghanistan (50746), Iraq (31883), Syria (31632), Morocco (30038), Ukraine (28996)
<b>2017 (435786)</b>	Ukraine (32599), Morocco (29857), Albania (24800), Iraq (21705), Afghanistan (21492)
<b>2018 (361636)</b>	Ukraine (36251), Albania (21350), Iraq (21307), Morocco (21160), Algeria (15577)

Source: Frontex Risk Analysis<sup>61</sup>

Figure 11 displays the nationalities that are most commonly detected among third-country nationals staying irregularly in the EU+. These nationalities show a considerable overlap with the most common nationalities involved in irregular border crossings, which also points to secondary movements. One of the differences is the high number of detections of irregularly staying Ukrainians. In particular, they are detected in Poland on their journey back to Ukraine. In addition, many Albanians are also found to staying irregularly. They rarely show up in the category of irregular border crossings because they are allowed to stay in the EU for three months without a visa. Furthermore, Moroccans are over-represented. In addition to secondary movements and detection of irregular stay in several Member States, this may also be an indication of overstaying a visa. The

most common nationalities detected as staying irregularly also show great similarities with the most common nationalities lodging asylum applications in the EU+ (compare Figure 10 with Figure 2). This, too, is an indication of secondary movements of asylum seekers within the EU+. Irregular stay by Syrians, Afghans and Iraqis was mainly detected in Greece and Germany, followed with a certain margin by Austria and France (and the UK). Albanians staying irregularly are most often found in Germany, France, Italy and Greece. Detections of irregularly staying Moroccans and Algerians occur most often in Spain, Germany, Italy, France and Belgium.

However, the precise extent of secondary movements cannot be determined based on these detections of irregular stay because they only measure the observed irregular stay depending on the deployed capacity. An unknown part of such stays are not detected. Moreover, it cannot be determined whether the same people are involved.

### 3.4.3 Eurodac hits: increasing number of asylum applications is the result of secondary movements

The Eurodac fingerprint database has been set up to assist Member States in determining the Member State responsible for examining the asylum application. Member States are required to take the fingerprints of all fingers from third-country nationals aged 14 years and above who apply for asylum (Eurodac Category 1) or who have crossed the EU external border in an irregular manner (Eurodac Category 2) and transmit these electronically to Eurodac's Central System. These fingerprints are stored in the Eurodac database. They are stored for 10 years (for Category 1 sets) or for 18 months (for Category 2 sets). The transmitted Category 1 fingerprints are automatically compared with the stored Category 1 and 2 fingerprints. This may result in a hit, both with a set of fingerprints from the same Member State (referred to as a 'local hit') and with a set of fingerprints from another Member State (referred to as a 'foreign hit'). In addition, Member States can check the system if they want to know whether an intercepted third-country national staying irregularly in the Member State (Category 3) has applied for asylum in another Member State. In this case, Category 3 fingerprints are compared (but not stored in the database) with Category 1 fingerprints. However, no comparisons are made between the Category 3 transmissions with previous Category 2 or Category 3 transmissions, because the application of the Dublin Regulation requires that an asylum application has than been lodged somewhere. As a result of which it is not possible to retrieve all the potentially available information on secondary movements from Eurodac.

Figure 12: Eurodac transactions and hits in the EU+, 2014-2018

Category	2014	2015	2016	2017	2018	Total
<b>Cat. 1 (asylum applications) trans.</b>	505 221	1 198 111	1 018 074	633 324	551 253	<b>3 905 983</b>
<b>Cat. 2 (illegal border crossing) trans.</b>	106 980	422 825	370 418	160 816	103 333	<b>1 164 372</b>
<b>Cat. 3 (illegal stay) trans.</b>	144 167	294 807	252 559	217 661	224 180	<b>1 133 374</b>
<b>Hits Cat. 1-1 (local)</b>	61 134	90 008	54 189	58 689	69 445	<b>333 465</b>
<b>Hits Cat. 1-1 (foreign)</b>	137 737	273 701	307 421	257 163	236 098	<b>1 212 120</b>
<b>Hits Cat. 1-2 (local)</b>	44 735	137 273	151 522	134 250	54 597	<b>522 377</b>
<b>Hits Cat. 1-2 (foreign)</b>	52 391	293 581	324 816	99 032	55 022	<b>824 842</b>
<b>Hits Cat. 3-1 (local)</b>	19 513	24 584	47 452	46 615	43 210	<b>181 374</b>
<b>Hits Cat. 3-1 (foreign)</b>	52 607	92 611	124 588	129 433	127 032	<b>526 271</b>
<b>Hits Cat. 1-1 (local)/Cat. 1 trans.</b>	12%	8%	5%	9%	13%	<b>9%</b>
<b>Hits Cat. 1-1 (foreign)/Cat. 1 trans.</b>	27%	23%	30%	41%	43%	<b>31%</b>
<b>Hits Cat. 1-2 (local)/Cat. 1 trans.</b>	9%	11%	15%	21%	10%	<b>13%</b>
<b>Hits Cat. 1-2 (foreign)/Cat. 1 trans.</b>	10%	25%	32%	16%	10%	<b>21%</b>
<b>Hits Cat. 3-1 (local)/Cat. 3 trans.</b>	14%	8%	19%	21%	19%	<b>16%</b>
<b>Hits Cat. 3-1 (foreign)/Cat. 3 trans.</b>	36%	31%	49%	59%	57%	<b>46%</b>
<b>Multiple applications</b>	121 358	261 805	326 335	228 886	202 806	<b>1 141 190</b>
<b>% Multiple applications</b>	24%	22%	32%	36%	37%	<b>29%</b>

Source: eu-LISA<sup>62</sup>

Figure 12 shows how many fingerprint data sets were transmitted jointly by the EU+ Member States to the Eurodac's Central System in the period 2014-2018 and how many hits this yielded. Nearly 4 million fingerprint data sets of asylum seekers (Category 1) were transmitted during this period. These have resulted in more than 1.5 million local and foreign hits with previously transmitted sets of fingerprints of asylum seekers (Category 1) and more than 1.3 million local and foreign hits with previously transmitted sets fingerprints of third-country nationals who entered the EU in an irregular manner (Category 2). In addition, the more than 1.1 million transmitted sets of fingerprints of intercepted third-country nationals staying irregularly in the Member State (Category 3) have resulted in more than 0.7 million local and foreign hits with previously transmitted sets of fingerprints of asylum seekers (Category 1). There is an overlap between local and foreign hits because a single set of fingerprints transmitted can result in both types of hits at the same time. The foreign hits are an indication of the observed secondary movements.

The transmission of one set of fingerprints can result in multiple foreign hits. This may include multiple hits with different Member States as well as multiple hits with the same Member State (for example, with both a Category 1 and Category 2 set of fingerprint data for a third-country national who, after irregular entry, has also applied for asylum in the country of entry and then moved on to another Member State). So the number of foreign hits overestimates the number of third-country nationals aged 14 and above who migrate onwards. As a result, linking the number of hits to the number of transmitted sets of fingerprints leads to an overestimation of the actual proportion of secondary movements. Data on the number of persons with at least one foreign hit would provide an accurate picture, but these data are not available. Technically, it is possible to get these data from Eurodac, but they are not published.<sup>63</sup>

Figure 12 shows that the total number of foreign hits has increased sharply, from around 250,000 in 2014 to around 700,000 on an annual basis in the period 2015-2016. Subsequently, the number of hits decreased again and stabilised at 450,000 hits on an annual basis in the period 2017-2018. This indicates that the extent of secondary movements has increased compared to the period before 2015 or is observed more often. The proportion of secondary movements has also increased because the annual number of asylum applications is back to what it was before 2015.

To determine the proportion of secondary movements in the total number of asylum applications in a Member State, it must be determined which proportion of the transmitted Category 1 sets of fingerprint resulted in at least one foreign hit with a previous Category 1 or 2 transmission, and which proportion did not result in any hits. However, these data are not available and instead we can only link the absolute number of hits to the number of fingerprint data sets transmitted. This shows that the proportion is higher since 2016 than before: from 38% in 2015 to 53% in 2018.

In one case, the reports generated by eu-LISA reported on the proportion of fingerprint data sets transmitted with at least one hit, but it did this only for the EU+ Member States as a whole (see below in Figure 12). This refers to the number of Category 1 fingerprint data sets transmitted that have resulted in at least one hit with a Category 1 stored data set (repeated asylum application) and in no hits (first-time asylum application). Figure 12 shows that the number of Category 1-1 hits in 2018 amounted to 55% (13% local hits + 43% foreign hits) of the total number of fingerprint data sets transmitted. These hits related to 37% of the fingerprint data sets (i.e. 63% first-time applications versus 37% repeated applications). This 37% is not further clarified in terms of local or foreign hits. However, the data for the number of hits indicate that these mainly involve foreign hits. Only foreign hits indicate secondary movements, so it is not possible to determine, based on the available data, which proportion of the asylum applications is demonstrably related to secondary movements. In addition, Category 1-2 hits also indicate asylum applications involving secondary movements and these are not included.

However, the number of Category 1-1 foreign hits in proportion to the number of transmitted Category 1 fingerprints provides an *indicative* picture of secondary movements where asylum applications have been lodged in multiple Member States. Figure 12 shows that there is an upward trend (just as in the proportion of multiple applications).<sup>64</sup> In 2018, this was no less than 43% of the number of transmissions. The absolute annual number of hits in the period 2017-2018 is about the same as the annual number in the period 2015-2016, but the number of asylum applications was much higher at that time. In 2014, the number of hits was much lower, while the number of asylum applications was about the same as in 2018. *In short: a larger proportion of registered asylum applications are demonstrably the result of secondary movements.* However, the question is whether secondary movements have actually increased or whether it is simply being demonstrated more often. The latter also certainly plays a role since the Eurodac registration of asylum seekers and other migrants who have entered irregularly in Italy and Greece has greatly improved since 2015, thanks to EU support in the hotspots.

It is striking that, in the period 2014-2015, the number of detections of irregular crossings of external EU borders was about four times greater than the number of fingerprint data sets transmitted to Eurodac's Central System for this category. This confirms the considerable registration issues in the Member States concerned (compare Figure 12 with Figure 10). In the period 2016-2018, this fell sharply to a factor of 1.4, which indicates a major improvement in the transmission of fingerprints to Eurodac's Central System. Several respondents confirmed that the EU support activities (hotspots) in Italy and Greece have led to a significant improvement in registration.<sup>65</sup> The European Commission, which initiated infringement proceedings against Greece and Italy in 2015 for failing to comply with the obligations under the Eurodac Regulation, also believes these problems

to be over and has therefore closed these cases at the end of 2016.<sup>66</sup> At present, fingerprints of almost everyone who is detected are being taken and transmitted to Eurodac's Central System. The fact that the number of detections is still around 40% higher than the number of Category 2 transmissions is probably partly because no fingerprints from children younger than 14 years are collected and transmitted.

Of the number of Category 1 fingerprint data sets transmitted to Eurodac, 10% resulted in hits with a foreign Category 2 stored data set. Here too, a single Category 1 transmission may result in multiple hits with a Category 2 stored data set. The proportion of Category 1 transmissions, where there is at least one Category 2 hit with another Member State, could yield an accurate picture of the proportion of asylum applications, whereby a concrete link can be made with irregular entry into the EU. These data are also not published, although it is technically possible to do so. As a result, after a Category 1 transmission, the number of hits generated with a foreign Category 2 stored data set can only be used as indicative information. It is noticeable that the number of hits fell sharply after 2016, both in absolute terms and in relation to the number of Category 1 transmissions. This too is an indication that there is a lower correlation between the number of irregular crossings of external borders and the number of asylum applications elsewhere in the EU+. Other data in this Chapter and the information collected from various respondents also point to this. At the same time, it has already been established that the number of hits with a previous Category 1 transmitted data set by another Member State has not decreased, even though the number of asylum applications has fallen after 2016. This means that secondary movements of asylum seekers within the EU+ continue, despite the decrease in the number of irregular crossings of the external borders. What's more, secondary movements are actually observed more often, in relative terms. This may be partly due to a delayed effect of the high number of arrivals of asylum seekers in the period 2015-2016.

Eurodac checks prompted by the interception of irregularly staying third-country nationals (Category 3) yield a relatively large number of foreign hits with fingerprint data sets of asylum seekers (Category 1). In 2018, this represented 57% of the number of transmissions, but here too it is not possible to determine which part of the check results this actually involves. It is clear, however, that there are concrete indications for secondary movements among many of the irregularly staying third-country nationals who are intercepted. The annual number of foreign hits was fairly stable in the period 2016-2018 and was at a higher level than in the period 2014-2015. On the other hand, the number of irregular entries in the EU fell sharply after 2015. This also indicates that secondary movements continue to take place despite the reduced number of irregular crossings of external borders. We have also noticed this when analysing the relevant Frontex data. However, these numbers are consistently higher than the Category 3 checks. This is probably because, firstly, children under the age of 14 are not recorded in Eurodac and, secondly, Member States are not obliged to carry out Category 3

checks for persons who are identified as irregularly staying third-country nationals and who have not yet applied for asylum in the relevant Member State. In some cases (for example, at the time of departure), such a check is not relevant.

It is notable that Eurodac checks prompted by the interception of irregularly staying third-country nationals (Category 3) also yield a considerable number of local hits with fingerprint data sets of asylum seekers (Category 1). This also means that a large group of former asylum seekers are staying irregularly in the Member State where the asylum application has been rejected.

The available data on Eurodac hits have been broken down by the relevant pairs of Member States. This gives a reasonable idea of the Member States between which secondary movements take place and in which direction. However, no concrete data on routes and transit time can be obtained from this. Based on the data on Eurodac hits, it is not possible to derive any information about the combination of Member States involved in a hit, the order in which the data were transmitted or the intervening period of time. These data are present in the system, but eu-LISA does not report these data and they are also not made available to interested agencies such as Frontex and EASO. This is because the Eurodac Regulation does not provide for this.

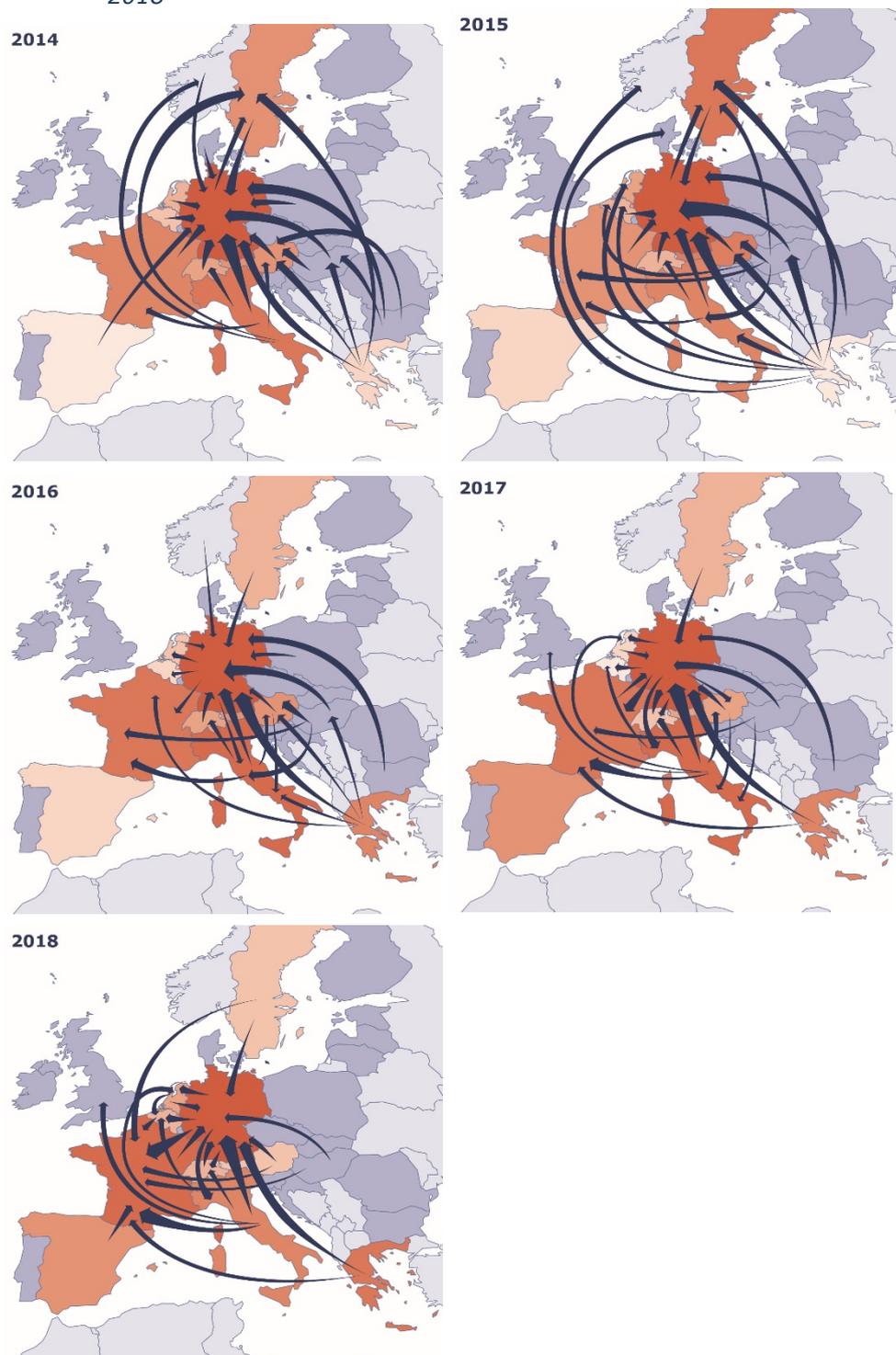
As an alternative, some Member States, including the Netherlands and Germany, are in the process of setting up national databases with the results from the transmission of fingerprint data sets to Eurodac's Central System, in order to form a better idea of transit routes to their countries and the transit times. An initial Dutch analysis shows that, of the asylum applications lodged in 2018 involving a Eurodac hit, there is an average gap of around 700 days between the first data set stored in Eurodac and the Dutch hit, with large variations depending on the nationality.<sup>67</sup>

Information on transit routes is also incomplete because the transmitted fingerprint data sets of Category 3 checks are not stored. In addition, no information on regular entry is stored in Eurodac. Hence, the first transmission of fingerprint data to Eurodac's Central System does not always take place in the country where the persons have entered the EU. The future link between Eurodac, VIS and the Entry-Exit System (EES) could provide a solution in this respect.

Furthermore, no information about nationalities is transmitted to Eurodac. Therefore, it is not possible to analyse secondary movements by nationality based on Eurodac data.

Member States are confronted with secondary movements to varying degrees

Figure 13: Top 25 Eurodac hits to and from the 10 EU+ Member States, 2014-2018



[See table for Figure 13](#)

Source: eu-LISA<sup>68</sup>

Figure 13 shows the most significant secondary movements to and from the 10 EU+ Member States surveyed, based on the number of Eurodac hits. This concerns

Category 1, 2 and 3 Eurodac hits. The thicker the triangle that forms the arrow, the higher the number of hits. The direction of the arrow indicates the direction of the secondary movements. The length of an arrow is determined by the distance between two countries and not by the number of Eurodac hits. The arrows do not represent transit routes, but merely indicate movements between pairs of countries. The number of hits is higher than the number of third-country nationals because the transmission of one set of fingerprints can yield multiple hits. This refers to multiple hits with the same country (Category 1-1 and 1-2 hits or Category 3-1 and 1-1 hits) and with different countries. Data on the number of people involved are not available. Hence, the same third-country national may be represented in several arrows.

The Member States included in our study are involved in 95% to 98% of the total number of hits for the EU+ as a whole. For the sake of readability, only the top 25 highest numbers of Eurodac hits between pairs of Member States are shown per year. The 25 combinations represent between 54% and 73% of the total number of Eurodac hits. The exact numbers can be found in Table 1 of Annex 2.

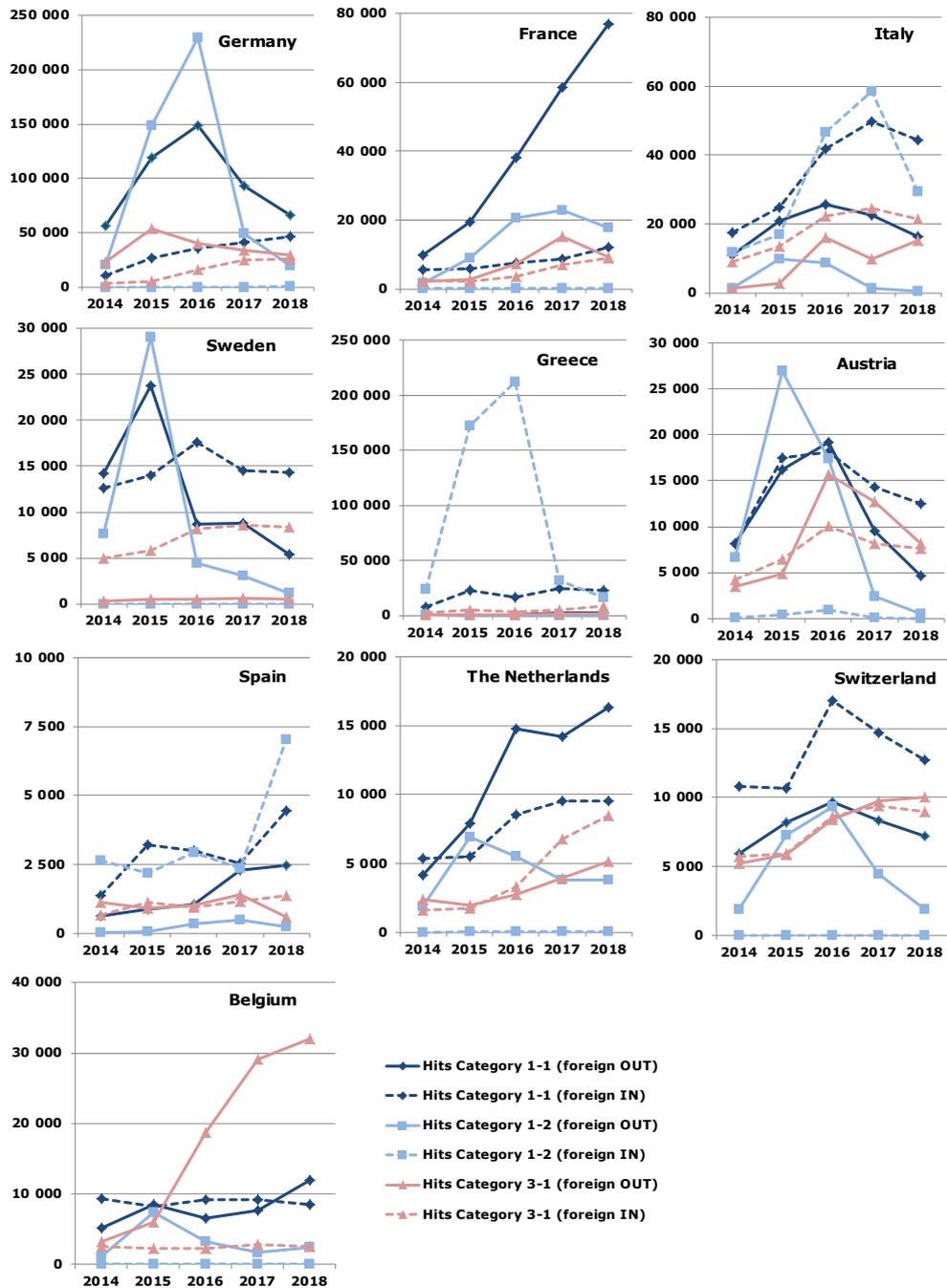
Figure 13 also shows the number of first-time asylum applications. The redder a country, the more asylum applications have been lodged in that country. The other EU+ Member States are shown in dark grey and countries outside the EU+ in light grey. Of all the first-time asylum applications in the EU+, 74% to 90% originated jointly from the 10 Member States examined. The exact number of asylum applications can be found in Table 1 of Annex 2.

The maps show that secondary movements have changed considerably. In the period 2014-2015, the direction of movement was mainly from south to north and from east to west. Since 2016, the picture has become much more diffuse, with less one-way traffic from south to north, less east to west migration, and more movements between the North-Western Member States. At the same time, the number of asylum applications in Southern Europe has increased, suggesting that people are now applying for asylum there more often initially, rather than moving on immediately. Secondary movements from Greece have decreased sharply and substantial secondary movements to Italy can also be observed at present. Germany is still the focal point of secondary movements in the EU+, but now there is a lesser amount of one-way traffic to Germany. France has increasingly become an important country of destination, while Sweden has become less important in this respect. Bulgaria and especially Hungary have become less important source countries of secondary movements.

Therefore, the picture emerging from the maps is in line with the earlier finding in this chapter that irregular entries in Southern Europe have become less decisive for the secondary movements of asylum seekers within the EU+.

The remainder of this section discusses in more detail the trends in secondary movements to and from the 10 Member States individually.

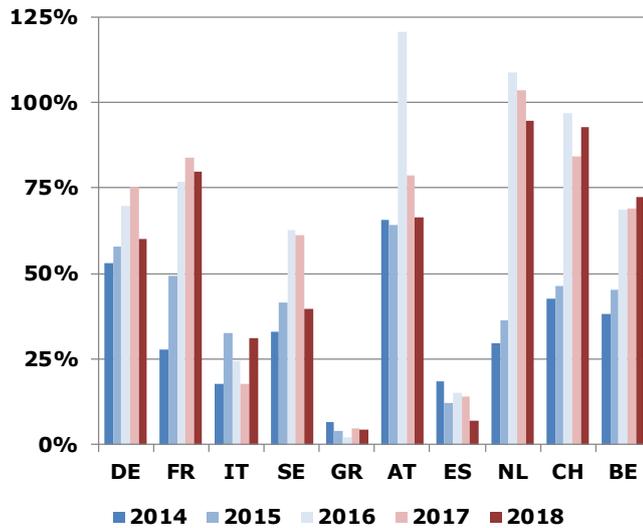
Figure 14: Eurodac hits 10 EU+ Member States by category, 2014-2018



[See table for Figure 14](#)

Source: eu-LISA<sup>69</sup>

Figure 15: Number of foreign hits in proportion to the number of Category 1 transactions in the 10 EU+ Member States, 2014-2018



	2014	2015	2016	2017	2018
<b>Germany</b>	53%	58%	70%	75%	60%
<b>France</b>	28%	49%	77%	84%	80%
<b>Italy</b>	18%	33%	25%	18%	31%
<b>Sweden</b>	33%	42%	63%	61%	40%
<b>Greece</b>	7%	4%	2%	5%	4%
<b>Austria</b>	66%	64%	121%	79%	67%
<b>Spain</b>	18%	12%	15%	14%	7%
<b>The Netherlands</b>	30%	36%	109%	104%	95%
<b>Switzerland</b>	43%	47%	97%	84%	93%
<b>Belgium</b>	38%	45%	69%	69%	72%

Source: eu-LISA<sup>70</sup>

Figure 14 shows the trend in the number of foreign Eurodac hits for the 10 EU+ Member States surveyed in the period 2014-2018, both as a result of fingerprints transmitted by these Member States themselves (OUT) and as a result of fingerprints transmitted by other Member States (IN). The scale differs per Member State so that the trends are more clearly visible. This shows the extent to which the Member States are source or destination countries for secondary movements. Tables 2A (OUT) and 2B (IN) of Annex 2 list the Member States with which the most number of hits were generated. This gives an idea of the most important transit countries. Member States have been sorted from highest to lowest numbers of asylum applications in the period from 2014 to the first half of 2019. The choice of the OUT and IN classification, for understanding the perspective from which the Member State is involved in the hits, is based on whether this could lead to an outgoing Dublin request or an incoming Dublin request. Figure 15 shows the number of hits with other countries (Categories 1 and 2) in relation to the number of fingerprint data sets of asylum seekers transmitted to Eurodac's Central System. This gives an indication of the proportion of asylum applications in which secondary movements can be demonstrated. However, this is an overestimation because a set of fingerprints transmitted to Eurodac may lead to multiple hits. It would be more accurate to look at the

proportion of asylum applications involving one or more hits after a previous Category 1 or 2 transmission by another Member State, but, as noted earlier, these data are not available.

Figure 14 reveals that the 10 EU+ Member States examined have, in general, both many Eurodac hits with other Member States based on their own transmissions and vice versa. This indicates that they usually face substantial secondary movements to their country as well as from their country to other EU+ Member States. The ratio between incoming and outgoing secondary movements varies considerably between the surveyed Member States. Four main groups can be distinguished:

- Net countries of destination: Germany, France, Belgium and the Netherlands
- Shift from net country of destination to net source country: Sweden
- Incoming and outgoing reasonably balanced: Austria and Switzerland
- Net source countries: Spain, Greece and Italy

**Germany, France, Belgium and the Netherlands** consistently had more hits with other Member States in the period 2014-2018 after their own transmissions than vice versa. This is an indication of net secondary movements to their country. Moreover, the difference between the number of hits after own transmissions and the number of hits after transmissions by other Member States has become much smaller for Germany and to a lesser extent for the Netherlands, and much larger for France and Belgium. The number of hits of a Category 1 transmission with a previously transmitted Category 1 or 2 set of fingerprints was high for these Member States: Germany 64%, France 70%, Belgium 56% and the Netherlands 67% for the period 2014-2018 as a whole. This indicates a large extent of secondary movements in the asylum applications lodged in these Member States. The number of hits in relation to the number of asylum applications was also considerably higher in the period 2016-2018 than in the period 2014-2015. The difference was greatest for the Netherlands. This may indicate an increase in secondary movements or, on the contrary, an improved registration in the Member States of entry. In addition, it is possible that asylum seekers visit more Member States than before. The increase can be seen both in the hits with previously transmitted Category 1 (asylum seekers) and Category 2 fingerprints (irregular entry). The greatest number of hits are with Category 1 fingerprints.

The actual proportion of the asylum applications to which these hits relate will be lower since a single application may result in multiple hits. The Dutch have developed a method to measure this for the Netherlands which showed that the proportion of any fingerprint data recorded in Eurodac was approximately 50% of the number of applications in the period 2016-2018.<sup>71</sup> This is significantly lower than the number of hits in relation to the number of fingerprints transmitted (it was around 100% in the same period). This implies that there are multiple hits per application. So, one Dutch Category 1 transmission resulted in an average of two foreign hits.

**Germany**, the country with the highest number of asylum applications in the period 2014-2018 also had, by far, the highest number of hits after transmitting fingerprints to Eurodac (44% of total). However, its dominant position has diminished: in 2018, the proportion had declined to 28%. This concerns, in particular, hits with Greece, Hungary and Italy, followed with a large margin by Bulgaria, Switzerland, Sweden and Austria. This means that many of the secondary movements to Germany occur via those Member States. The number of hits with Hungary, and to a lesser extent with Greece, Italy and Bulgaria, has however fallen sharply. This suggests that there is a lower correlation than before between irregular crossings of the external EU borders and secondary movements to Germany.

There is also a substantial amount of secondary movements from Germany: 9% of all Eurodac hits related to an earlier German transmission in the period 2014-2018. Germany's proportion has also increased to 17% in 2018. These secondary movements primarily take place to France, followed with a certain margin by Belgium, Italy and the Netherlands, since these Member States had the most hits with Germany resulting from their transmissions to Eurodac's Central System. What is striking is the large number of hits after the transmission of fingerprints by Italy in recent years. Although the abovementioned number of hits is still smaller than vice versa, this shows that secondary movements are not one-way traffic. It is quite possible that the profile of the migrants is different. Personal characteristics such as nationality and age are not recorded in Eurodac. This makes it difficult to explain these movements. However, several respondents have indicated that they have recently observed a significant number of movements involving Nigerians from Italy to Germany, as well as a significant number of movements involving Pakistanis from Germany to Italy.

After its own transmissions to Eurodac's Central System, **France** mainly yields hits with Italy, Germany and Hungary. Although the number of hits with Hungary has fallen sharply and the recent increase is mainly due to hits with Italy and Germany, followed with a certain margin by hits with Spain and Sweden. For the first time, Spain was in the top three Member States with most hits in 2018 (while it was not even in the top 10 in 2017). Secondary movements to France now originate particularly from Italy, Germany, Spain and Sweden. The proportion of French hits in the EU+ total has risen sharply, from 6% in 2014 to 25% in 2018 (12% in the period 2014-2018 taken as a whole). There are much fewer secondary movements originating from France: France accounts for 3% of the number of Eurodac hits in the period 2014-2018. Secondary movements originating from France mainly take place to Germany, followed with a certain margin by Belgium and Italy. These Member States had a vast majority of hits with France. Hence, there is no question of one-way traffic from Germany and Italy to France, but the secondary movements from these Member States to France are much greater than the other way around.

In the period 2014-2018, 6% of the Eurodac hits occurred as a result of fingerprints transmitted by **Belgium** (rising trend). In addition, 2% of the hits of other Member States were with Belgium (fairly stable). It is notable that the vast majority of Belgian hits relate to Eurodac searches for irregularly staying third-country nationals (Category 3), which indicates significant secondary movements via Belgium and a strong commitment by Belgium to prevent this.<sup>72</sup> Belgium had the most number of hits with Germany, followed with a certain margin by Greece, Italy and the Netherlands. At the start of the research period, there were also many hits with Hungary and, more recently, many hits with France and Switzerland. The vast majority of the hits with Belgium were on account of Germany and France, with Germany heading the list at the start of the research period. At the end of the research period, this position was taken over by France. Given the number of hits, it is clear that significant secondary movements are taking place in both directions with Germany and France, with net more hits with Germany (i.e. secondary movements particularly from Germany to Belgium) and net fewer hits with France (i.e. secondary movements particularly from Belgium to France).

Of the Eurodac hits, 4% were a result of fingerprints transmitted by **the Netherlands**. Of the number of hits resulting from fingerprints transmitted by other Member States, 2% related to the Netherlands. In the period 2014-2018, the Netherlands had the most number of hits with Germany, followed with a certain margin by Greece and Italy. This is a sign of secondary movements from these Member States to the Netherlands. The dominance of these three Member States was fairly constant during the research period. Most of the hits with the Netherlands were also due to Germany. This means that there are a considerable number of secondary movements involving Germany in both directions, with more movements to the Netherlands than the other way around. After Germany, the countries with the most number of hits with the Netherlands were Belgium and France. Conversely, the Netherlands also had a substantial number of hits with these Member States, but the numbers were lower. So there was a net amount of secondary movements from the Netherlands to Belgium and France.

**Sweden** initially had many more hits with other Member States after its own transmissions than the other way around, but this has now completely changed. Sweden has now become more of a source country for secondary movements than a country of destination. The number of Swedish Eurodac hits after transmission of fingerprints of asylum seekers whose fingerprints had been previously transmitted by other Member States, amounted to 42% of the total in the period 2014-2018. This indicates that a large part of the number of asylum applications in Sweden relates to secondary movements. Following an initial increase after 2015, this percentage declined once again.

Eurodac hits after transmissions by Sweden represented 4% of the total number of hits in the period 2014-2018 (decreasing trend) and hits with Sweden after transmissions by other Member States also represented 4% (increasing trend). Based on the number of Eurodac hits, the secondary movements mainly originated from Greece, followed with a certain margin by Germany, Hungary and Italy.

However, the number of hits with Hungary has fallen sharply. Secondary movements from Sweden are mainly to Germany, and also increasingly to France. Various Swedish respondents have indicated that there are many rejected Afghan asylum seekers who move on to France to again apply for asylum there. As far as Germany is concerned, secondary movements therefore take place in both directions, with the movements to Germany being considerably greater than to Sweden, in view of the number of Eurodac hits.

The Member States centrally located within Europe, i.e. **Austria** and **Switzerland**, had many hits in both directions throughout the period, where the numbers fluctuated sharply but the difference remained fairly constant. In Switzerland, the number of hits during the period 2014-2018 was approximately the same in both directions, but with annual fluctuations. Neighbouring country Austria had a consistently higher number of hits per year until 2017 as a result of its own transmissions, but fewer in 2018. The number of Austrian Eurodac hits, after transmission of fingerprints of asylum seekers whose fingerprints had been previously transmitted by other Member States, amounted to 78% and 67% of the total in the period 2014-2018 for Austria and Switzerland, respectively. This indicates that a large proportion of the number of asylum applications in these Member States relates to secondary movements. For Austria, this percentage remained fairly constant, with a major peak occurring in 2016. For Switzerland, this proportion is considerably higher in the period 2016-2018, compared to the period 2014-2015.

Eurodac hits after transmission of fingerprints by **Austria** formed 6% of the EU+ total (declining trend) and 4% in the other direction (constant proportion). Fingerprints transmitted by Austria resulted in the highest number of hits with Hungary, Greece and Italy in the period 2014-2018. However, hits with Hungary and Greece have become much less common in recent years. On the other hand, there are more hits with Italy and Germany. Hits of other Member States with a previous Austrian transmission mainly relate to Germany, followed with a certain margin by Italy and France. This shows that secondary movements both to and from Germany and Italy involve two-way traffic. There are more movements to Germany than the other way around and the flow from Italy is somewhat larger than the other way around.

Eurodac hits based on fingerprints transmitted by **Switzerland** comprised, just as the hits in the other direction, 4% of the EU+ total in the period 2014-2018, with only limited fluctuations in this period. Switzerland had the most number of hits with Italy, and subsequently with Germany and Greece. Hits of other Member States with Switzerland mainly involved Germany, followed with a large margin by France and Belgium. This indicates a two-way traffic with Germany in terms of secondary movements. But the number of hits for Switzerland after its own transmissions is considerably lower than the other way around, which means that there are more secondary movements to Germany than vice versa.

The Southern European Member States **Spain, Greece and Italy**, where the vast majority of irregular migrants enter the EU, logically have far fewer hits after their own transmissions than vice versa. Nevertheless, Italy in particular also has a large number of hits with other Member States after its own transmissions. The difference with the number of hits due to transmissions of other Member States has also fallen sharply (the number of hits after own transmissions has increased and the number of hits vice versa has actually decreased). This indicates that Italy is not only an important source country for secondary movements, but has become also an important country of destination. There is no one-way traffic in the case of Spain either, but the numbers are considerably lower than for Italy. It is only in the case of Greece that the number of hits after own transmissions are negligible in proportion to the number of hits in the other direction. Therefore, Greece can almost entirely be regarded as a source country in terms of secondary movements. The number of hits of the other Member States with Greece has decreased drastically since the Western Balkan countries closed their borders and the EU-Turkey Statement was implemented.

In the period 2014-2018, after the transmission of asylum seekers' fingerprints by these Member States, the proportion of Eurodac hits with previously transmitted fingerprints from other Member States was significantly lower than for the seven Member States described above: Spain 11%, Greece 4% and Italy 24%. This indicates that there is a limited number of secondary movements to Spain and Greece; and for Italy, the number of secondary movements from Italy were still far more than the - also substantial - movements to Italy.

Although **Spain**, just as Greece, currently accounts for a large proportion of the number of European asylum applications, the proportion of Spanish hits in the EU+ total in the period 2014-2018 after its own transmissions is quite small, i.e. 1%. Despite the large number of asylum applications, this has hardly increased (remains rounded off at 1% in 2018). This shows that there are few secondary movements to Spain. The most hits were with Germany, Italy and Switzerland. Hits in the other direction could also be rounded off at 1%. However, the rounding-off conceals that the fact that the number of incoming hits was about three times as high as the number of outgoing hits: this indicates a net amount of secondary movements to Spain. The incoming hits are mainly on account of transmissions by Germany, France and Belgium. Although there is two-way traffic in the case of Germany, the number of hits after transmission of fingerprints by Germany is much higher than the other way around.

**Greece** is the country with the highest number of irregular entries in the EU+ in the period 2014-2018. Due to the high numbers of entries in 2015-2016, Greece also featured in the largest proportion of Eurodac hits after transmissions by other Member States: 22% of the total. In 2018, the proportion was 11%, far below the level of Italy and Germany. Secondary movements from Greece were mainly to Germany (majority of hits), followed with a considerable gap by Hungary, Sweden and Austria. However, the pattern has changed after 2015. Germany still accounts

for almost half of the number of hits, but the number of hits after Hungarian transmissions has decreased sharply. Following the hits based on German transmissions, the most number of hits in 2018 occurred after transmissions by France, Italy, Belgium and the Netherlands. There are few hits after the transmission of Greek fingerprints, even though the number of asylum applications in Greece has risen sharply (mainly relates to hits with Germany, Bulgaria and Hungary). This shows that there are hardly any secondary movements to Greece.

In the period 2014-2018, 17% of the Eurodac hits after the transmission of fingerprints involved hits with a previous transmission by **Italy**. This proportion has increased to 23% in 2018. This has made Italy the most important source country for secondary movements. This increase is partially related to the improved registration process. Almost half of the hits with Italy are on account of Germany and almost a quarter of the hits are on account of France, followed with a certain margin by Switzerland (8%). This indicates that most of the secondary movements take place from Italy to these Member States. There are also significant observed secondary movements to Italy: 6% of the number of hits in the period 2014-2018 and 8% in 2018. Hits after Italian transmissions relate, in particular, to Hungary, Germany, Greece and Austria, with the number of hits with Hungary falling sharply and those with Germany rising sharply. There were also a substantial number of hits with France in 2018. Hence, there are also significant secondary movements in the direction of Italy from these Member States.

#### *More secondary movements than can be demonstrated based on Eurodac*

The percentage of asylum applications in which secondary movements can be demonstrated based on Eurodac data (approximately 50%) is only known to us for **the Netherlands**. The number of asylum applications where the Member State of entry into the EU is the same as the Member State where the application is lodged, can be demonstrated by considering the asylum applications lodged at or near the external EU border (land, sea and air). There are no publicly available EU data on the number of asylum applications lodged at the external EU border at the official border posts (land, sea and air). Data from the Dutch IND show that, for the Netherlands, approximately 3% of the first-time asylum applications in the period from 2014 to the first half of 2019 were lodged at the external border. The vast majority of these were asylum applications lodged at Schiphol Airport. These asylum applications were lodged after refusals at the border.<sup>73</sup> Our respondents in the other Member States (with the exception of Southern Europe) indicated that in their case as well, the demonstrable number of arrivals at the external borders, where the persons concerned do not hold the required documents for entry, only account for a small part of the total number of asylum applications. At the same time, they indicated that asylum applications in their country are fairly rare after regular entry via their external EU border (based on a valid passport and/or visa). They indicated that, although only part of the secondary movements can be demonstrated via Eurodac hits, the vast majority of asylum applications in their country consist of secondary movements.<sup>74</sup> The case file review that we conducted

at the Dutch IND (see Chapter 4) also shows that there are indications of this in many of the cases where secondary movements cannot be demonstrated.

After transmission of an asylum seeker's fingerprints, Eurodac hits with fingerprints previously transmitted by the same country due to an irregular border crossing do, however, give an idea of the number of asylum applications in the relevant Member States that do not involve any secondary movements. This is because this concerns asylum applications where the Member State of irregular entry into the EU is the same as the Member State where the asylum application was lodged. Logically, this proportion is generally high for those Member States where the vast majority of irregular crossings of external EU borders occur: Greece, Italy and Spain. For the other EU+ Member States investigated, this proportion is zero. For Greece, the proportion of local hits with irregular border crossing was 61% in the period 2014-2018, while for Italy, this was 60%, and for Spain, 5%. For Italy and Greece, this percentage has increased considerably in the period 2016-2018, compared to the period 2014-2015. This is due to improved registration procedures. For Italy, the proportion has declined sharply again in 2018. This is due to the sharp decrease in the number of irregular entries in Italy, as a result of which the proportion of secondary movements has increased. It is striking that there are hardly any secondary movements to Greece, while the proportion of local hits was only 61% in the period 2017-2018. One would expect this to be almost 100%. This difference is probably due to the fact that a considerable group of people manage to enter Greece undetected via the national borders. Several respondents in Greece have indicated that not all irregular entries via national borders are detected, and therefore these are not recorded in Eurodac. For Spain, the percentage is very low because the nationalities applying for asylum in Spain hardly overlap with the nationalities that irregularly enter the EU in Spain. Asylum seekers in Spain are, for the most part, South Americans who can enter the EU without a visa and who usually travel directly to Spain in a regular manner, i.e. by plane.

Secondary movements in cases where the migrant has entered the EU in a regular manner, based on a valid passport and/or valid visa, cannot be retrieved from Eurodac. This results in a hit only if asylum is subsequently applied for in several Member States, but even then there is no connection to the location where the person has entered the EU.

Information on the onward transit of persons who hold an international protection status in a EU+ Member State and who move on to another Member State can be retrieved from Eurodac, but this does not fall under the definition of secondary movements as used in our Advisory Report since the Dublin Regulation does not apply to such cases. In these cases, the take back occurs based on bilateral readmission agreements. But the number of hits with these so-called 'marked' fingerprints is small compared to the total number of hits. In 2018, for example, this involved a total of around 15,000 hits with marked fingerprints compared to more than 400,000 'normal' hits.<sup>75</sup>

If, on the basis of a valid visa issued by Schengen Member State A, a person enters the EU in a regular manner and subsequently applies for asylum in Schengen Member State B, the secondary movement to Member State B can be detected after checking of the European Visa Information System (VIS) by Member State B. eu-LISA, which manages the VIS, only publishes incomplete and general data on this. The data published by this agency are based on information supplied by the Member States. Only a few Member States provide this information and the provided information does not specify the Member States to which the hits refer. Moreover, it is not yet possible to connect this information to the Eurodac information. As a result, it is also not yet possible to monitor the entire process from regular entry, through all subsequent asylum applications.<sup>76</sup> The number of Dublin take charge requests based on an issued visa or residence permit is relatively small (see Dublin data in the following subsection). It is possible that this number will increase once the scope of the VIS is extended to include visas issued for a period longer than three months as well as granted residence permits. Currently, the VIS only contains data on short-stay visas. At the time of writing, negotiations regarding a revised VIS Regulation, which provides for this extension of scope, were not yet complete.<sup>77</sup>

In section 3.2, we found that there is a large group of asylum seekers who do not need a visa, who enter the EU in a regular manner and then apply for asylum. The fact that a substantial proportion of the asylum applications are lodged by third-country nationals from visa-free countries does not mean that the same proportion can be considered as where the Member State of entry into the EU is the same as the Member State where the application is lodged. In fact, this group lodges applications relatively often in several Member States. It is not possible to trace the secondary movements of this group from the moment of entry since there is no European Entry-Exit System (EES) yet. This system has been provided for in the EES Regulation adopted in 2017 for implementation in the near future.<sup>78</sup> Interoperability is also provided for between European IT systems with respect to borders, visas, asylum, migration and security, including Eurodac, VIS and EES. This will make it possible to analyse the relationship between regular entry and secondary movements and to identify a larger proportion of secondary movements. However, it depends on the eventual design of the central statistical reporting tool and to what extent eu-LISA and other interested agencies, such as the EASO, are able to use it for analytical purposes.<sup>79</sup>

Strictly speaking, the transit of migrants from visa-free countries from the Member State of entry to the Member State where the first asylum application is lodged is not covered under the definition of secondary movements used in this Report because, under the Dublin Regulation, the country where the first asylum application is lodged is responsible for examining these applications and not necessarily the country of entry. Only if the asylum seeker moves on further from the country where the first asylum application has been lodged, does he or she fall under the definition used by us.

### 3.4.4 Dublin requests also show that an increasing number of asylum applications are due to secondary movements

*Legal basis of Dublin requests often indicates secondary movements*

Figure 16: Outgoing Dublin requests 10 EU+ Member States by legal basis 2014-2018

Legal basis (article)	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE	EU+
<b>Take charge requests</b>	<b>70 045</b>	<b>37 384</b>	<b>1 671</b>	<b>15 425</b>	<b>20 739</b>	<b>16 220</b>	<b>15</b>	<b>8 866</b>	<b>30 125</b>	<b>9 698</b>	<b>230 405</b>
<b>8 Unaccompanied Minors</b>	64	181	112	165	2 864	142	2	263	104	26	<b>4 474</b>
<b>9 Fam. mem. - beneficiaries</b>	318	100	31	86	7 780	81	5	26	26	8	<b>8 949</b>
<b>10 Fam. mem. - applicants</b>	9 042	159	23	19	6 612	128	2	22	14	74	<b>16 342</b>
<b>11 Family procedure</b>	822	1 161	17	195	24	122	0	40	67	133	<b>3 484</b>
<b>12.1 Valid res. document</b>	970	137	26	565	8	801	1	202	1 780	230	<b>5 926</b>
<b>12.2 Valid visa</b>	10 062	7 071	263	4 305	9	2 425	0	2 411	1 178	2 458	<b>33 419</b>
<b>12.3 &gt;1 Valid res. doc./visa</b>	151	29	22	0	0	0	0	0	29	37	<b>310</b>
<b>12.4 Expired res. doc./visa</b>	20 852	5 685	339	4 406	35	1 538	5	2 039	1 056	3 119	<b>41 852</b>
<b>13.1 Irregular entry</b>	26 353	12 038	571	5 098	90	10 499	0	3 719	14 984	3 485	<b>86 247</b>
<b>13.2 Irregular stay</b>	847	10 697	201	42	0	293	0	88	0	91	<b>12 422</b>
<b>14 Visa waived entry</b>	98	31	5	2	0	0	0	2	10	6	<b>702</b>
<b>15 Appl. in transit area</b>	16	0	1	2	0	0	0	0	0	0	<b>50</b>
<b>16 Dependent persons</b>	14	48	8	0	399	16	0	10	26	2	<b>595</b>
<b>17.2 Humanitarian reasons</b>	284	47	52	137	2 918	175	0	44	210	29	<b>4 344</b>
<b>Unknown</b>	152	0	0	403	0	0	0	0	10 641	0	<b>11 289</b>
<b>Take back requests</b>	<b>181 451</b>	<b>91 200</b>	<b>23 312</b>	<b>18 098</b>	<b>1 455</b>	<b>43 818</b>	<b>12</b>	<b>25 398</b>	<b>27 488</b>	<b>19 859</b>	<b>481 986</b>
<b>18.1.b Under examination</b>	175 905	71 389	19 766	10 521	1 427	41 025	11	14 168	21 659	13 869	<b>410 193</b>
<b>18.1.c Withdrawal</b>	598	3 903	14	283	20	58	0	263	149	726	<b>7 027</b>
<b>18.1.d Rejection</b>	4 660	10 845	1 543	7 184	5	2 481	1	10 950	5 670	5 048	<b>55 132</b>
<b>20.5 With. during Dub. proc.</b>	98	5 063	1 989	19	3	254	0	17	10	216	<b>9 181</b>
<b>Unknown</b>	190	0	0	91	0	0	0	0	0	0	<b>453</b>
<b>Total</b>	<b>251 496</b>	<b>128 584</b>	<b>24 983</b>	<b>33 523</b>	<b>22 194</b>	<b>60 038</b>	<b>27</b>	<b>34 264</b>	<b>57 613</b>	<b>29 557</b>	<b>712 391</b>

Legal basis (article)	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE	EU+
<b>Take charge requests</b>	<b>28%</b>	<b>29%</b>	<b>7%</b>	<b>46%</b>	<b>93%</b>	<b>27%</b>	<b>56%</b>	<b>26%</b>	<b>52%</b>	<b>33%</b>	<b>32%</b>
<b>8 Unaccompanied Minors</b>	0%	0%	0%	0%	13%	0%	7%	1%	0%	0%	<b>1%</b>
<b>9 Fam. mem. - beneficiaries</b>	0%	0%	0%	0%	35%	0%	19%	0%	0%	0%	<b>1%</b>
<b>10 Fam. mem. - applicants</b>	4%	0%	0%	0%	30%	0%	7%	0%	0%	0%	<b>2%</b>
<b>11 Family procedure</b>	0%	1%	0%	1%	0%	0%	0%	0%	0%	0%	<b>0%</b>
<b>12.1 Valid res. document</b>	0%	0%	0%	2%	0%	1%	4%	1%	3%	1%	<b>1%</b>
<b>12.2 Valid visa</b>	4%	5%	1%	13%	0%	4%	0%	7%	2%	8%	<b>5%</b>
<b>12.3 &gt;1 Valid res. doc./visa</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	<b>0%</b>
<b>12.4 Expired res. doc./visa</b>	8%	4%	1%	13%	0%	3%	19%	6%	2%	11%	<b>6%</b>
<b>13.1 Irregular entry</b>	10%	9%	2%	15%	0%	17%	0%	11%	26%	12%	<b>12%</b>
<b>13.2 Irregular stay</b>	0%	8%	1%	0%	0%	0%	0%	0%	0%	0%	<b>2%</b>
<b>14 Visa waived entry</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	<b>0%</b>
<b>15 Appl. in transit area</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	<b>0%</b>
<b>16 Dependent persons</b>	0%	0%	0%	0%	2%	0%	0%	0%	0%	0%	<b>0%</b>
<b>17.2 Humanitarian reasons</b>	0%	0%	0%	0%	13%	0%	0%	0%	0%	0%	<b>1%</b>
<b>Unknown</b>	0%	0%	0%	1%	0%	0%	0%	0%	18%	0%	<b>2%</b>
<b>Take back requests</b>	<b>72%</b>	<b>71%</b>	<b>93%</b>	<b>54%</b>	<b>7%</b>	<b>73%</b>	<b>44%</b>	<b>74%</b>	<b>48%</b>	<b>67%</b>	<b>68%</b>
<b>18.1.b Under examination</b>	70%	56%	79%	31%	6%	68%	41%	41%	38%	47%	<b>58%</b>
<b>18.1.c Withdrawal</b>	0%	3%	0%	1%	0%	0%	0%	1%	0%	2%	<b>1%</b>
<b>18.1.d Rejection</b>	2%	8%	6%	21%	0%	4%	4%	32%	10%	17%	<b>8%</b>
<b>20.5 With. during Dub. proc.</b>	0%	4%	8%	0%	0%	0%	0%	0%	0%	1%	<b>1%</b>
<b>Unknown</b>	<b>0%</b>										
<b>Total</b>	<b>100%</b>										

Source: Eurostat database<sup>80</sup>

Figure 17: Incoming Dublin requests 10 EU+ Member States by legal basis 2014-2018

Legal basis (article)	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE	EU+
<b>Take charge requests</b>	<b>18 892</b>	<b>15 111</b>	<b>74 752</b>	<b>2 777</b>	<b>11 319</b>	<b>2 632</b>	<b>14 782</b>	<b>4 182</b>	<b>2 913</b>	<b>2 161</b>	<b>192 061</b>
<b>8 Unaccompanied Minors</b>	1 769	182	81	527	40	175	143	214	139	76	4 585
<b>9 Fam. mem. - beneficiaries</b>	4 569	62	22	465	17	382	9	292	127	130	8 146
<b>10 Fam. mem. - applicants</b>	5 222	78	22	340	24	367	45	140	223	131	6 992
<b>11 Family procedure</b>	514	236	238	124	51	125	142	166	66	135	3 067
<b>12.1 Valid res. document</b>	202	151	1 264	76	117	46	338	93	26	51	5 172
<b>12.2 Valid visa</b>	1 377	7 343	3 434	220	694	323	1 999	1 319	263	433	26 661
<b>12.3 &gt;1 Valid res. doc./visa</b>	210	51	305	0	0	1	5	0	6	25	1 658
<b>12.4 Expired res. doc./visa</b>	2 638	5 929	6 880	431	1 171	667	2 627	1 584	809	796	35 546
<b>13.1 Irregular entry</b>	252	482	60 480	47	9 163	283	6 214	99	31	64	85 617
<b>13.2 Irregular stay</b>	76	355	1 628	9	18	19	162	33	15	102	2 521
<b>14 Visa waived entry</b>	44	59	278	6	1	22	18	29	5	38	681
<b>15 Appl. in transit area</b>	11	0	21	0	0	0	1	0	0	0	61
<b>16 Dependent persons</b>	304	24	7	47	0	24	4	40	0	26	580
<b>17.2 Humanitarian reasons</b>	1 689	159	92	346	23	198	64	173	335	154	4 229
<b>Unknown</b>	15	0	0	139	0	0	3 011	0	868	0	6 545
<b>Take back requests</b>	<b>81 870</b>	<b>16 571</b>	<b>106 374</b>	<b>20 108</b>	<b>6 019</b>	<b>21 174</b>	<b>7 836</b>	<b>12 176</b>	<b>19 875</b>	<b>14 623</b>	<b>450 976</b>
<b>18.1.b Under examination</b>	62 265	14 514	99 454	16 357	5 965	19 165	5 862	10 257	16 520	11 941	366 067
<b>18.1.c Withdrawal</b>	594	374	860	117	19	67	138	81	254	81	16 672
<b>18.1.d Rejection</b>	17 646	1 644	5 846	3 013	30	1 729	1 170	1 646	2 900	2 377	58 684
<b>20.5 With. during Dub. proc.</b>	1 321	39	214	176	5	213	4	192	201	224	3 619
<b>Unknown</b>	44	0	0	445	0	0	662	0	0	0	5 934
<b>Total</b>	<b>100 762</b>	<b>31 682</b>	<b>181 126</b>	<b>22 885</b>	<b>17 338</b>	<b>23 806</b>	<b>22 618</b>	<b>16 358</b>	<b>22 788</b>	<b>16 784</b>	<b>643 037</b>

Legal basis (article)	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE	EU+
<b>Take charge requests</b>	<b>19%</b>	<b>48%</b>	<b>41%</b>	<b>12%</b>	<b>65%</b>	<b>11%</b>	<b>65%</b>	<b>26%</b>	<b>13%</b>	<b>13%</b>	<b>30%</b>
<b>8 Unaccompanied Minors</b>	2%	1%	0%	2%	0%	1%	1%	1%	1%	0%	<b>1%</b>
<b>9 Fam. mem. - beneficiaries</b>	5%	0%	0%	2%	0%	2%	0%	2%	1%	1%	<b>1%</b>
<b>10 Fam. mem. - applicants</b>	5%	0%	0%	1%	0%	2%	0%	1%	1%	1%	<b>1%</b>
<b>11 Family procedure</b>	1%	1%	0%	1%	0%	1%	1%	1%	0%	1%	<b>0%</b>
<b>12.1 Valid res. document</b>	0%	0%	1%	0%	1%	0%	1%	1%	0%	0%	<b>1%</b>
<b>12.2 Valid visa</b>	1%	23%	2%	1%	4%	1%	9%	8%	1%	3%	<b>4%</b>
<b>12.3 &gt;1 Valid res. doc./visa</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	<b>0%</b>
<b>12.4 Expired res. doc./visa</b>	3%	19%	4%	2%	7%	3%	12%	10%	4%	5%	<b>6%</b>
<b>13.1 Irregular entry</b>	0%	2%	33%	0%	53%	1%	27%	1%	0%	0%	<b>13%</b>
<b>13.2 Irregular stay</b>	0%	1%	1%	0%	0%	0%	1%	0%	0%	1%	<b>0%</b>
<b>14 Visa waived entry</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	<b>0%</b>
<b>15 Appl. in transit area</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	<b>0%</b>
<b>16 Dependent persons</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	<b>0%</b>
<b>17.2 Humanitarian reasons</b>	2%	1%	0%	2%	0%	1%	0%	1%	1%	1%	<b>1%</b>
<b>Unknown</b>	0%	0%	0%	1%	0%	0%	13%	0%	4%	0%	<b>1%</b>
<b>Take back requests</b>	<b>81%</b>	<b>52%</b>	<b>59%</b>	<b>88%</b>	<b>35%</b>	<b>89%</b>	<b>35%</b>	<b>74%</b>	<b>87%</b>	<b>87%</b>	<b>70%</b>
<b>18.1.b Under examination</b>	62%	46%	55%	71%	34%	81%	26%	63%	72%	71%	<b>57%</b>
<b>18.1.c Withdrawal</b>	1%	1%	0%	1%	0%	0%	1%	0%	1%	0%	<b>3%</b>
<b>18.1.d Rejection</b>	18%	5%	3%	13%	0%	7%	5%	10%	13%	14%	<b>9%</b>
<b>20.5 With. during Dub. proc.</b>	1%	0%	0%	1%	0%	1%	0%	1%	1%	1%	<b>1%</b>
<b>Unknown</b>	0%	0%	0%	2%	0%	0%	3%	0%	0%	0%	<b>1%</b>
<b>Total</b>	<b>100%</b>										

Source: Eurostat database<sup>81</sup>

Figure 16 shows the number of Dublin requests sent by the 10 EU+ Member States surveyed and by the EU+ as a whole, by legal basis. Figure 17 shows the number of Dublin requests received. Approximately two-thirds of the requests relate to take back requests (where an asylum application has already been lodged in the other Member State) and about one-third relate to take charge requests (where, in principle, no asylum application has yet been lodged in the other Member State). The purpose of the Dublin Regulation is to determine the Member State responsible

for examining the asylum application. If this concerns a different Member State (B) than the Member State of application (A), then Member State A requests Member State B to take charge of the applicant. However, the vast majority of the Dublin procedures do not relate to take charge requests but to take back requests. This is an indication that the Dublin system is not functioning as intended.

Take back requests mean that secondary movements have already taken place. This also applies to take charge requests based on reasons of entry and residence (Articles 12-15, Dublin III). In case of take charge requests on grounds of family reunification and humanitarian grounds (Articles 8-11, 16 and 17.2), no secondary movements have yet occurred to the Member State sending the Dublin request.<sup>82</sup> However, the number of outgoing requests on family and humanitarian grounds was fairly limited (38,188) in the period 2014-2018: around 5% of the total number of outgoing requests in the EU+ (712,391). The vast majority of these requests were submitted by Greece (20,597), followed with a certain margin by Germany (10,544) and France (1,696). The other EU+ Member States examined submitted fewer than 1,000 requests based on these grounds. For these Member States, the proportion of requests on family or humanitarian grounds was generally 1% of the total number of requests made by them. Almost all the Dublin requests by Greece in the period 2014-2018 were made on these grounds (93%), while such requests accounted for only a limited number of the requests made by Germany (4%) and France (1%). Moreover, due to a lack of capacity in terms of personnel, only a few Dublin requests were sent out by Spain in the period 2014-2018. Except for Greece and Spain, the total number of outgoing Dublin requests is therefore a good indication for secondary movements to the Member States examined.

The results of the analysis of Dublin data show a strong correlation to results based on an analysis of Eurodac data. Take back and take charge requests based on irregular entry into the EU are generally based on Eurodac hits. This relates to 80% of the Dublin requests in the EU+: 68% take back and 12% take charge requests based on irregular entry. A take back request is based on a hit with previously transmitted Category 1 fingerprints (asylum application), in response to a transmission of Category 1 (asylum application) or Category 3 (irregular stay) fingerprints. A take charge request due to irregular entry is based on a hit with previously transmitted Category 2 fingerprints (irregular entry), in response to a transmission of Category 1 fingerprints (asylum application). The proportion of take charge requests on grounds of irregular entry was slightly lower in 2017-2018 compared to 2014 and the proportion of take back requests was slightly higher. This is also an indication that secondary movements are not as directly related as before to the number of irregular crossings of the external EU borders. Some caution needs to be exercised with respect to this finding, since in case of both a Category 1 and Category 2 hit with the same Member State, usually a take back request - rather than a take charge request based on irregular entry - will be sent. In these cases, the relationship with irregular entry cannot be derived from the Dublin data.

There is another category of Dublin requests which indicates secondary movements and which is not related to Eurodac hits: take charge requests based on a valid or expired visa or residence permit (11% of the total number of requests). This information is connected to VIS hits, as far as short-stay visas are concerned. After the planned extension of the VIS with data on long-stay visas and residence permits, hits with long-stay visas and issued residence permits will also be possible. Perhaps this will lead to an increase in these requests because they can be better recognised.

Although the number of Dublin requests is closely related to the number of Eurodac hits, the number of foreign Eurodac hits in the period 2014-2018 was about 3.5 times as high as the number of Dublin requests sent. This is because a single Dublin request is usually sent if there are multiple foreign hits after transmission of a set of fingerprints.<sup>83</sup> Since there are only data available for the number of Eurodac hits and not for the number of fingerprints transmitted that led to at least one hit, the number of Dublin requests is more useful for determining the proportion of observable secondary movements in the total number of asylum applications.

Eurodac hits, on the other hand, again provide a more comprehensive picture of the transit countries because all Member States with a hit are visible and not just those to which a Dublin request has been sent. Also, transit from Greece is underexposed in the Dublin data since, until 2018, most Member States hardly sent any requests to Greece due to flaws in the Greek asylum and reception system, while Greece was probably responsible for many of the applications. If a Member State decides to deal with an asylum application itself instead of sending a request, the secondary movements are not visible in the Dublin request data. In addition to the cases involving Greece, some Member States also apply their discretion to cases involving persons from certain safe countries of origin who accept the readmission of their nationals. Transit to Spain is underexposed in the Dublin data because, in the period 2014-2018, Spain sent only a small number of Dublin requests despite a substantial number of Eurodac hits due to a lack of personnel capacity.

The consistency of the Dublin data is less than that of data from Eurodac because the former do not come from a common information system but must be provided by the Member States themselves. As a result, the data on outgoing requests do not match the data on incoming requests either for the EU+ as a whole or at the level of the Member States (for example, compare the EU+ data in Figure 16 with the data in Figure 17). On the one hand, this is due to gaps in data provision by certain Member States. On the other hand, there appear to be issues regarding the quality of the data provided by a number of Member States. The latter, in particular, was true with respect to Italy during a large part of the research period. In the period 2014-2016, Italy reported a much larger number of outgoing requests than other Member States reported having received from Italy. In case

of incoming requests, there were also major differences in the period 2014-2017 without any clear consistency. This problem appears to have been solved since 2017 for outgoing requests and since 2018 for incoming requests.

Moreover, the Eurostat Dublin data and Eurostat asylum data are part of separate data collections which means that, in contrast to data from Eurodac, no direct relationship can be established between asylum applications and Dublin requests. Therefore, it is also not possible to determine exactly what proportion of the total number of asylum applications includes a Dublin component. The time factor also plays a role in this: a Dublin request is sent/received at a later time than the registration of the asylum application. Another problem is that a take back request may also be sent by a Member State if a third-country national is found to be staying irregularly in the country but has not applied for asylum there. This group cannot be filtered out from the Eurostat data. Data obtained from the Dutch IND show that 10% of the outgoing Dublin procedures initiated in the period from 2014 to the first half of 2019 concerned this group of third-country nationals.<sup>84</sup> This percentage may be different in other Member States. In case of incoming take charge requests, an asylum application has usually not yet been lodged in the receiving Member State. This only occurs after a successful transfer. As we wrote earlier, about a third of the Dublin requests are take charge requests.

In addition to the proportion of requests on family and humanitarian grounds, there are a number of differences in the outgoing Dublin requests between the 10 Member States surveyed. Greece, Spain and Italy rarely submit any take charge requests based on irregular entry, while the proportion for the seven other surveyed Member States varies between 9% and 17%, with the centrally-located Switzerland as the outlier with 26%. It is quite logical that Spain, Greece and Italy make hardly any such requests since the vast majority of irregular crossings of the external EU borders take place in these Member States. In addition, the high proportion of take charge requests based on the issue of a visa or residence permit (Article 12) for Sweden is striking: 28% versus 11% for the EU+ as a whole. This proportion was also far above the average for Belgium: 20%. In absolute numbers, however, the number of requests submitted on these grounds is greater for Germany and France. During the period 2014-2018, there have been no major shifts in the above-mentioned pattern.

There are also differences between the legal bases of the incoming Dublin requests in the 10 EU+ Member States. The vast majority of all take charge requests on the basis of irregular entry in the EU+ were received by the Southern European Member States: in absolute numbers, the largest number by far was received by Italy and, relative to the total number of incoming requests, by Greece. However, take back requests also constitute the majority of requests for Italy and around one-third for Greece and Spain. In case of an asylum application after irregular entry in the same Member State, usually a take back request is sent. The other seven Member States examined barely received any take charge requests on grounds of irregular entry. This difference is related to the fact that the vast

majority of irregular entries to the EU+ take place in Southern Europe. The large number of incoming requests in France based on the issue of a visa or residence permit is striking: 43% versus 11% for the EU+. In absolute numbers, this is about the same for Italy, but such requests accounted for only 7% of the incoming requests received by Italy. The proportion of these requests is also above average in Spain (22%) and the Netherlands (18%). The proportion of take charge requests on family or humanitarian grounds is highest in Germany (14%), Sweden (8%) and the Netherlands (6%), with by far the most number of requests - in absolute numbers - being received by Germany, followed with a large gap by Sweden and the Netherlands. During the period 2014-2018, there have been no major shifts in the above-mentioned pattern.

*Proportion of asylum applications involving a Dublin procedure has increased and differs between the 10 Member States surveyed*

*Figure 18: Number of Dublin requests in relation to the number of asylum applications in the EU+, 2014-2018*

	2014	2015	2016	2017	2018	Total
<b>First time asylum applicants</b>	596 445	1 326 175	1 236 760	676 160	603 300	<b>4 438 840</b>
<b>Outgoing Dublin requests</b>	91 898	131 124	167 683	166 359	155 327	<b>712 391</b>
<b>Incoming Dublin requests</b>	77 980	79 553	192 747	140 047	152 710	<b>643 037</b>
<b>Out. req. excl fam-hum reasons</b>	88 628	128 051	156 280	152 796	148 448	<b>674 203</b>
<b>Inc. req. excl fam-hum reasons</b>	76 375	77 652	185 700	129 160	146 551	<b>615 438</b>
<b>Outgoing / Asylum applicants</b>	15%	10%	14%	25%	26%	<b>16%</b>
<b>Incoming / Asylum applicants</b>	13%	6%	16%	21%	25%	<b>14%</b>
<b>Out. excl fam-hum / applicants</b>	15%	10%	13%	23%	25%	<b>15%</b>
<b>Inc. excl fam-hum / applicants</b>	13%	6%	15%	19%	24%	<b>14%</b>

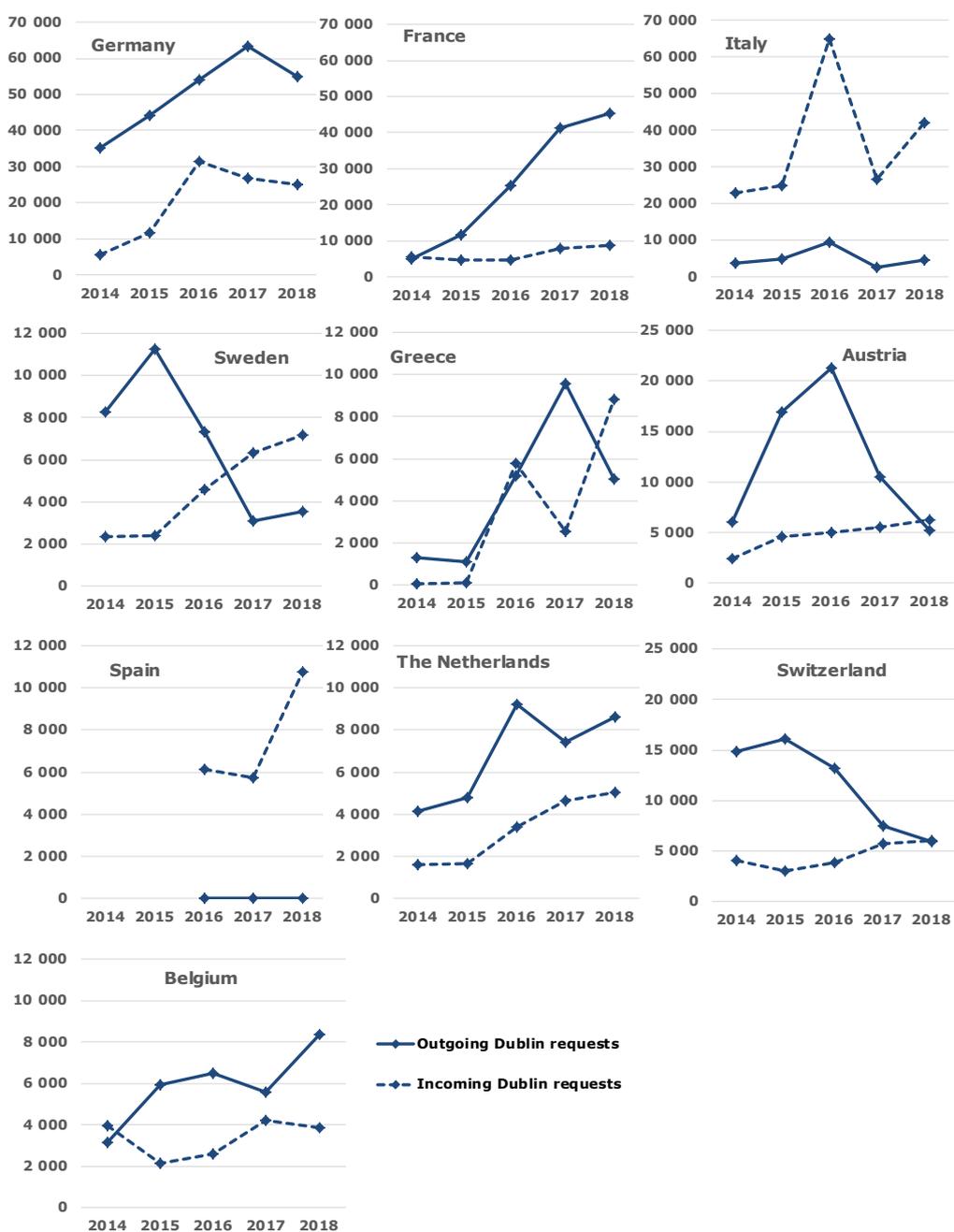
Source: Eurostat database<sup>85</sup>

Figure 18 shows the number of Dublin requests in relation to the number of asylum applications in the EU+ in the period 2014-2018. This shows that the annual number of requests has almost doubled, while the annual number of asylum applications lodged is once again about the same as before 2015. This indicates an increase in observed secondary movements, both in absolute numbers and in proportion to the number of asylum applications. This is in line with the results obtained from the earlier analysis of Eurodac hits.

The number of outgoing requests was around 16% of the total number of asylum applications. If the take charge requests on family and humanitarian grounds are excluded, the proportion is 15%. If the reported incoming requests are taken as the starting point, these percentages are 1-2 percentage points lower. Earlier in this subsection, we referred to all the limitations for estimating the proportion of secondary movements in the total number of asylum applications based on Dublin data. These percentages can therefore only be considered indicative of the observed secondary movements. The proportion of Dublin requests is higher after 2015 than before. The proportion was 25-26% in the period 2017-2018, compared

to 15% in 2014. This is an indication that the proportion of secondary movements in the total number of asylum applications has increased.

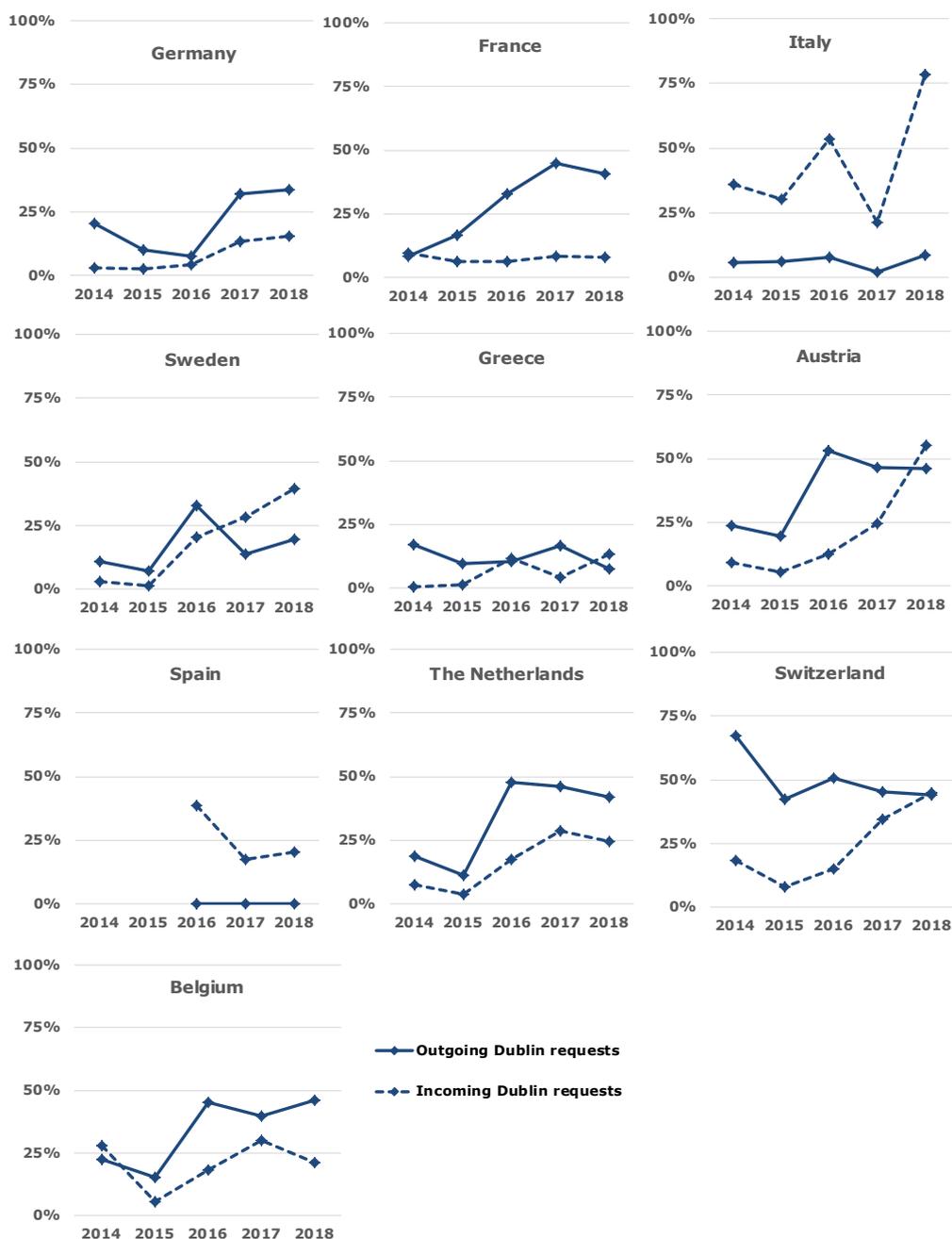
Figure 19: Outgoing and incoming Dublin requests 10 EU+ Member States, 2014-2018



[See table for Figure 19](#)

Source: Eurostat database<sup>86</sup>

Figure 20: Proportion of asylum applications involving Dublin requests, 2014-2018



[See table for Figure 20](#)

Source: Eurostat database<sup>87</sup>

Figures 19 and 20 show the trends in the number of outgoing and incoming Dublin requests for the 10 EU+ Member States examined in the period 2014-2018: in absolute numbers (Figure 19) and in relation to the total number of asylum applications (Figure 20). The exact numbers can be found in Table 4 of Annex 2. Member States have been sorted from highest to lowest numbers of asylum applications in the period from 2014 to the first half of 2019. The scale in Figure 19 differs per Member State so that the trends are more clearly visible. Outgoing

Dublin requests are indicative of observed secondary movements to the relevant Member States, while incoming requests are indicative of observed secondary movements from the relevant Member States. Table 3A of Annex 2 lists the particular Member States to which the 10 EU+ Member States surveyed sent most of their Dublin requests. Table 3B of Annex 2 shows the Member States from which they received the most Dublin requests.

The picture that emerges, based on the figures and annexes containing Dublin data, shows great similarities with that based on the comparable graphs in the previous section with Eurodac data (compare Figure 14 with Figure 19, Figure 15 with Figure 20, Table 2A with Table 3A and Table 2B with Table 3B). This is why the analysis of secondary movements in this section focuses on differences and similarities. The number of Dublin requests is considerably lower than the number of Eurodac hits because a single Dublin request often involves multiple Eurodac hits. As a result, the number of Dublin requests in relation to the number of asylum applications is lower than the number of Eurodac hits in relation to the number of asylum applications.

Figures 19 and 20 show that the 10 EU+ Member States surveyed have sent many Dublin requests to other Member States as well as have received many from other Member States. This is in line with the finding in the previous subsection that the Member States have many Eurodac hits with other Member States, and vice versa. The trends with respect to the Dublin requests confirm the finding that these Member States generally deal with both a substantial number of secondary movements to their country as well as from their country to other EU+ Member States.

As with Eurodac hits with other countries (43%), Germany accounted for, by far, the largest number of outgoing Dublin requests (35%). This indicates that by far the largest number of secondary movements took place to Germany. This was followed with a certain margin by France (12% of the Eurodac hits and 18% of the outgoing Dublin requests). The German proportion has decreased and the French proportion has increased during the research period. Austria was number 3: 6% of the Eurodac hits and 8% of the outgoing Dublin requests. When measured based on Eurodac hits of other countries and incoming Dublin requests, Greece (22% of the Eurodac hits and 3% of the Dublin requests), Italy (17% of the Eurodac hits and 28% of the Dublin requests) and Germany (9% of the Eurodac hits and 16% of the Dublin requests) were the main source countries for secondary movements.

The ratio between incoming and outgoing secondary movements measured based on Dublin requests also shows great similarities with the ratio measured based on Eurodac hits, although there are also certain differences.

**Germany, France, Belgium and the Netherlands** are Member States with net incoming secondary movements in the period 2014-2018, based on trends in Dublin requests in line with the analysis of Eurodac hits. These countries had far

more outgoing than incoming Dublin requests almost every year. Although the difference between outgoing and incoming requests is fairly stable for Germany and the Netherlands, the number of incoming requests has risen sharply for both countries compared to the initial low numbers. In contrast, for France and Belgium, the number of incoming requests has hardly increased, while the number of outgoing requests has sharply increased. The number of outgoing Dublin requests is high in proportion to the total number of asylum applications and has, moreover, increased sharply for these Member States: for Germany, from 20% in 2014 to 34% in 2018; for France, from 8% to 41%; for the Netherlands, from 19% to 42%; and for Belgium, from 22% to 46%. This points to a large and sharply increased demonstrable component of secondary movements in the number of asylum applications as well as a more active implementation of the Dublin Regulation. We also saw this when analysing the Eurodac data.

As described earlier, the percentages should be considered as indicative. On the one hand, irregularly staying third-country nationals who do not apply for asylum have an upward effect while, on the other hand, the failure to send requests despite a clear indication that another Member State is responsible (application of Article 17.1), has a downward effect. For the Netherlands, we have requested these specific data from the IND. These show that the actual proportion of asylum applications with an indication that another Member State could be responsible (so-called 'Dublin indication') almost corresponds to the percentages in Figure 15.<sup>88</sup> The net effect is, therefore, zero.

Also, the number of incoming requests as proportion of the number of asylum applications is substantial which proves that a significant number of asylum seekers are moving onwards from these four Member States. This is a relatively new phenomenon for the Netherlands and Germany. In Germany, this percentage increased from 3% in 2014 to 14% in 2018 and, in the Netherlands, from 7% to 23%. The proportion remained stable, i.e. relatively low, at around 8% for France and hovered around a reasonably high level of 21% for Belgium.

**Sweden** initially had far more outgoing than incoming Dublin requests, but this has completely changed now, making Sweden more of a source country for secondary movements than a destination country. This was also apparent from the analysis of the Eurodac data. The number of outgoing requests in relation to the total number of asylum applications lodged in Sweden has risen from 11% in 2014 to 20% in 2018, but the proportion of incoming requests has increased even sharper: from 3% to 40%. This means that, although secondary movements to Sweden can be demonstrated for a considerable proportion of the total number of asylum applications lodged in Sweden, there is a much higher proportion of secondary movements originating from Sweden. The recent large number of incoming requests mainly concerns asylum seekers who arrived in 2015 or early 2016, whose asylum application was rejected and who then moved on to another Member State to once again apply for asylum there.<sup>89</sup>

Throughout the research period, **Austria** and **Switzerland** had many outgoing as well as incoming Dublin requests, with the number of outgoing requests being significantly higher than the number of incoming requests. With respect to the Eurodac hits, this difference between the two directions was much smaller. This is probably due to the fact that, in case of many of the Eurodac hits with Switzerland or Austria, another country (for example, Italy) was ultimately responsible since people were only transiting via Austria or Switzerland. It is notable that the number of incoming requests showed a gradually increasing trend during the research period, while the number of outgoing requests fell sharply for Switzerland and peaked sharply for Austria in 2015-2016. For both Member States, the number of outgoing and incoming requests was roughly the same in 2018, with a slightly higher number of incoming than outgoing requests in 2018. The number of outgoing Dublin requests in relation to the number of asylum applications was approximately the same for both Member States in 2018: 46% for Austria and 44% for Switzerland. Compared to 2014, this indicates a sharp increase for Austria (previously 24%) and a sharp decrease for Switzerland (previously 67%). At the same time, the proportion of incoming requests has risen sharply for both Member States: from 9% to 55% for Austria and from 18% to 45% for Switzerland. This shows that both Member States have a large component of secondary movements in their total number of asylum applications, as well as a high proportion of asylum seekers who leave for another Member State.

**Spain, Greece** and **Italy**, where the vast majority of irregular crossings of the external EU borders take place, generally have far more incoming than outgoing Dublin requests. This is in line with the relationship between own Eurodac hits and Eurodac hits of other Member States. This means that there are more observed secondary movements from these Member States than to these Member States.

An exception is Greece, where there is little difference between the numbers of incoming and outgoing Dublin requests, because Greece sends many take charge requests on family and humanitarian grounds (these are not based on Eurodac hits). Unlike other grounds on which requests are made, these requests do not imply secondary movements to Greece, but rather to other Member States. This is because there are frequent cases where a family member has already moved on to another Member State and the remaining family members then request the Greek authorities to submit a take charge request for family reunification.<sup>90</sup> If the requests on family or humanitarian grounds are excluded, there are many more incoming than outgoing requests for Greece. However, the number of incoming requests is very low compared to the large number of Eurodac hits of other Member States with fingerprints transmitted by Greece. This is because, in the period 2014-2018, most of the Member States hardly sent any Dublin requests to Greece due to serious deficiencies in the Greek asylum and reception system.

It is also worth noting that the number of outgoing requests from Spain is virtually zero, while there are a substantial number of Eurodac hits resulting from fingerprints transmitted by Spain. This may be related to a lack of personnel in

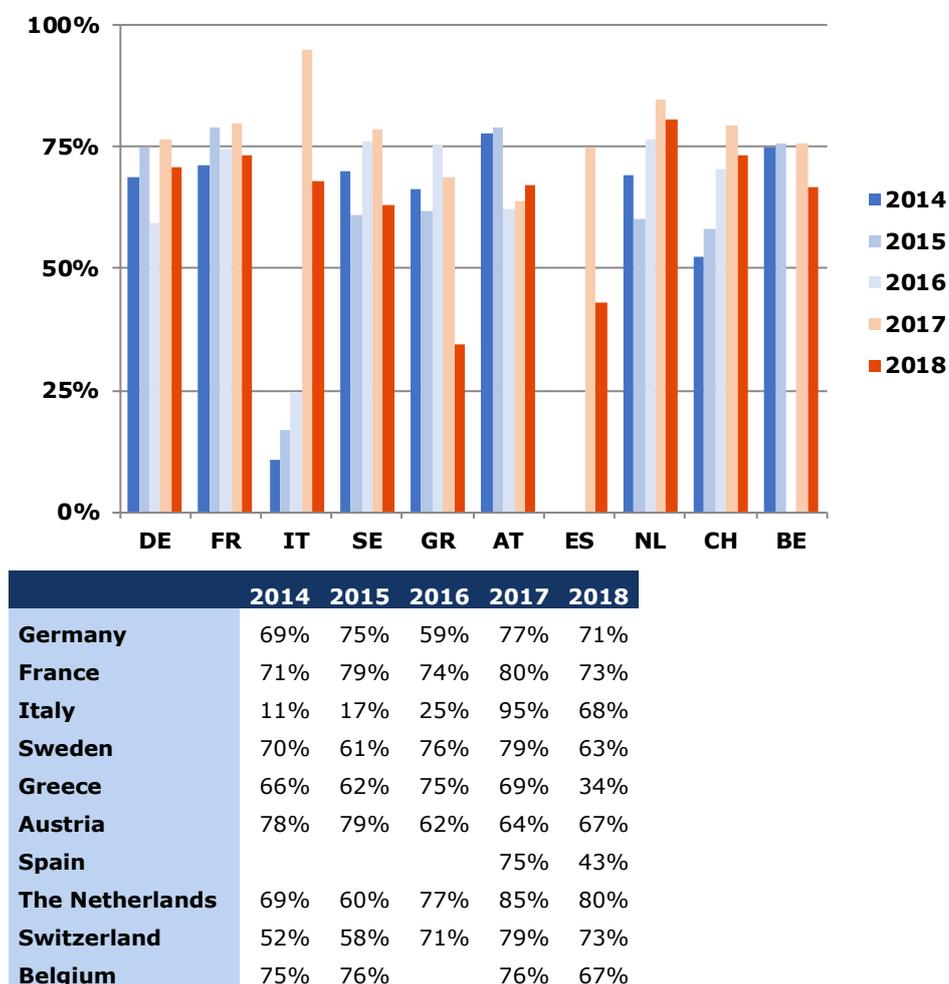
Spain to carry out outgoing Dublin procedures. In 2018, the number of incoming requests amounted to 20% of the number of asylum applications. This indicates limited secondary movements from Spain to other Member States.

In line with the Eurodac analysis, Italy has a substantial number of outgoing requests as well as a large number of incoming requests. This means that there are a considerable number of secondary movements both from and to Italy, although the difference between these is still quite large. As described earlier, the quality of the data supplied by Italy for the period 2014-2017 is questionable, as a result of which the increase in outgoing requests is not clearly visible.<sup>91</sup> Respondents in various Member States have indicated that it is only since 2017 that Italy has been actively formulating Dublin requests and sending them to Member States, with support from EASO.<sup>92</sup> In the case of incoming requests, the sharp fluctuations seem to primarily reflect a difference in the reporting system. Based on the data provided, it is seen that the proportion of outgoing requests in the total number of asylum applications has risen from 6% in 2014 to 9% in 2018. Incoming requests represented 40% of the total number of asylum applications over the entire period 2014-2018, with large fluctuations.

The list of the most important transit countries for the 10 EU+ Member States based on Dublin data shows great similarities with the countries based on Eurodac hits. One of the differences is that, unlike the Eurodac hits, Greece does not appear to be an important transit country based on outgoing Dublin requests. As mentioned, this is because many Member States hardly sent any Dublin requests to Greece in the period 2014-2018, despite frequent Dublin indications. Greece, on the other hand, is more often seen as an important country of origin for incoming requests due to take charge requests on family and humanitarian grounds that are not related to Eurodac hits. Despite the existence of Eurodac hits, Spain sends almost no Dublin requests as a result of which Dublin data provide little information about transit countries on the way to Spain. For Italy, there is a data quality issue with respect to Dublin requests. This does not play a role with Eurodac data because they come from the information system itself. Finally, there are many more hits than Dublin requests which means that, in case of multiple hits, as a rule only one of the Member States concerned receives a Dublin request.

## Dublin system not effective in preventing secondary movements

Figure 21: Rate of acceptance of outgoing Dublin requests from the 10 EU+ Member States, 2014-2018



Source: Eurostat database<sup>93</sup>

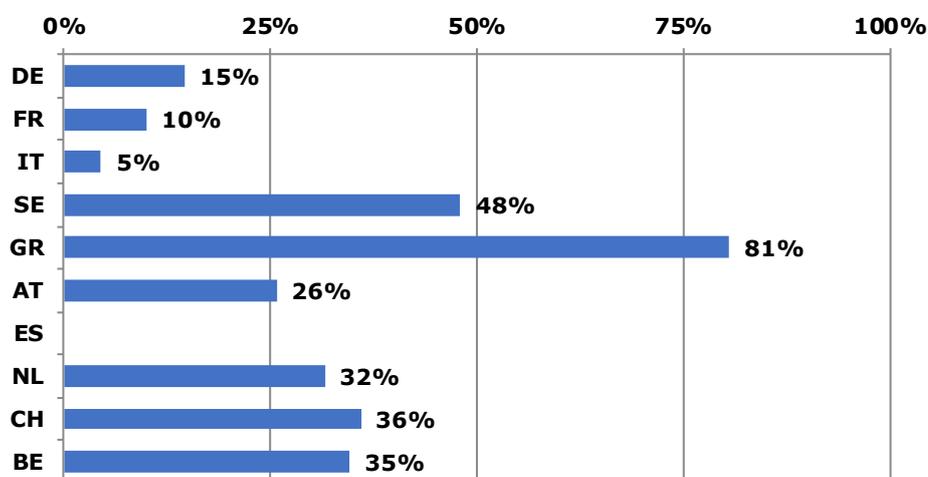
Figure 21 shows the rate of acceptance of the Dublin requests sent by the 10 EU+ Member States examined and for the EU+ as a whole for the period 2014-2018. Member States have been sorted from highest to lowest numbers of asylum applications in the period from 2014 to the first half of 2019. Table 5A of Annex 2 contains the exact numbers for the results of outgoing requests.

Figure 21 and the Annex reveal that 69% of all outgoing requests (630,389) have been accepted and 31% have been rejected. In case of the accepted requests, no distinction is made between a positive response (explicit acceptance) and the absence of a response within the period laid down in the Dublin Regulation (implicit acceptance). Data received from the Dutch IND show that the 10 Member States surveyed generally accept the requests explicitly. Italy, where failure to act within the time limit accounts for almost half of the acceptances, is an exception to this. This phenomenon has, however, decreased recently.<sup>94</sup>

Approximately half of the requests sent for re-examination following a rejection were eventually accepted. Acceptances after requests for re-examination increase the acceptance rate by 2 percentage points. However, even then the final acceptance rate is far below 100%. On the one hand, this indicates that there are differences in interpretation between Member States when implementing the Dublin Regulation. This has also been confirmed by various respondents and is also apparent from the case file review at the Dutch IND. On the other hand, this shows that it is not always easy to identify the responsible Member State since several Member States are often involved.

There are limited differences in the acceptance rate of requests between the 10 Member States surveyed, where this varied from 62% of Greek requests to 76% of Dutch requests. Italy is an outlier with an acceptance rate of 38%. This is mainly because, according to Italian data provision, almost all requests have been rejected in the period 2014-2016. These decisions are barely reflected in the data provisions by the other Member States. We suspect that many requests were not actually sent due to a lack of capacity and were only internally classified as rejected. What is striking is that the acceptance rate in the EU+ in 2018 (69%) was substantially lower than in 2017 (76%). The decrease applies to all Member States examined, with the exception of Austria. In addition, the decrease is by far the largest for Greece: from 69% to 34%. Reasons for this may be that Member States have become stricter in assessing take charge requests on family or humanitarian grounds sent by Greece. These are usually not submitted within the required time limits and there are indications, moreover, of an improper use of these procedures by families who deliberately send a minor child to another Member State (the so-called 'anchor child') and then request transfer for family reunification purposes.<sup>95</sup> The differences between the Member States are greater with respect to requests for re-examination, but this concerns much smaller numbers.

Figure 22: Transfer ratio of accepted outgoing Dublin requests 10 EU+ Member States, 2014-2018



DE	FR	IT	SE	GR	AT	ES	NL	CH	BE
15%	10%	5%	48%	81%	26%		32%	36%	35%

Source: Eurostat database<sup>96</sup>

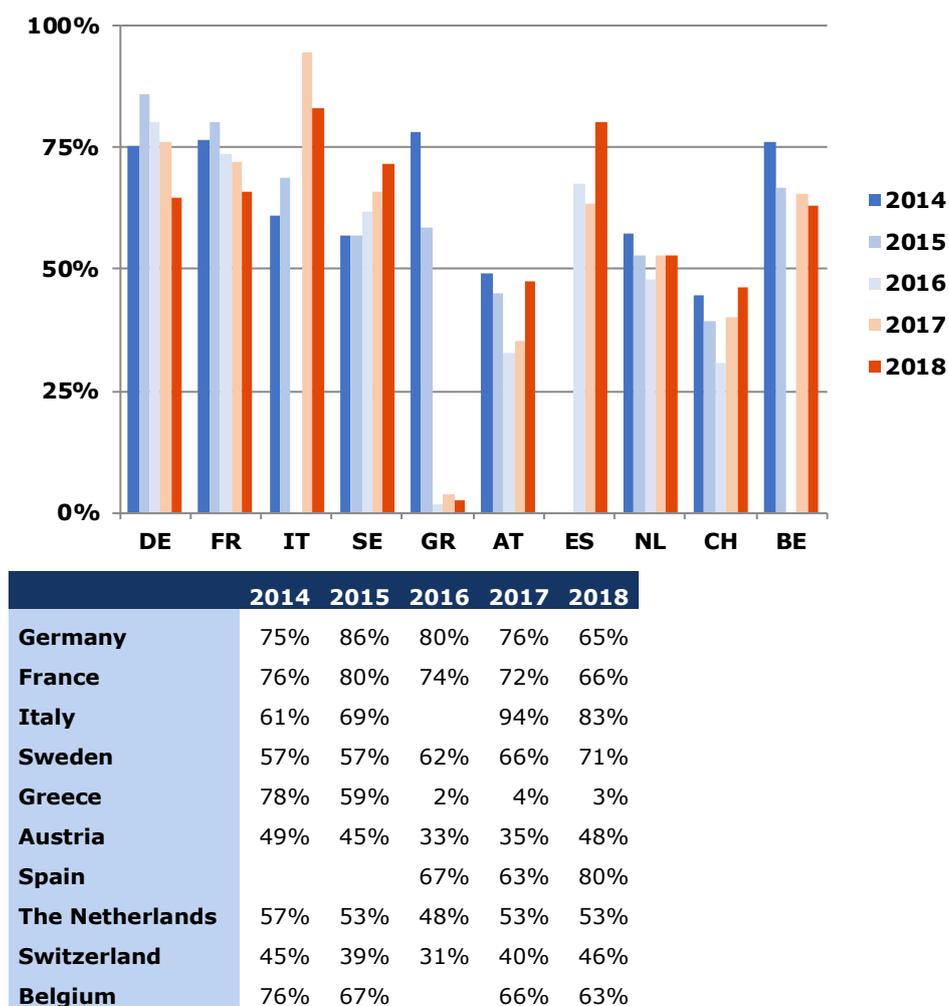
Figure 22 shows the number of transfers as a percentage of the total number of accepted outgoing Dublin requests (transfer ratio) for the 10 EU+ Member States surveyed. Member States have been sorted from highest to lowest numbers of asylum applications in the period from 2014 to the first half of 2019. Table 5A of Annex 2 contains the exact number of accepted requests and transfers.

In the period 2014-2018, 447,569 outgoing requests (implicit or explicit) were accepted in the EU+ and 105,147 transfers took place based on an accepted request. This corresponds to a transfer ratio of 23%. Since these are not cohort data, this percentage is not absolute and should be considered as indicative. After all, there is a certain amount of time that elapses between the time of acceptance of the request and the actual transfer of the third-country national. This distortion can be reduced by calculating this ratio over a long period of time (2014-2018), but this will play a significant role on an annual basis in case of strongly fluctuating numbers of requests. In contrast to this, the data received from the Dutch IND display the results in cohort form and this shows that the percentage hovers around 35% for the various annual cohorts during the period 2014-2018. It is clear that the vast majority of Dublin requests accepted in the EU+ do not lead to an actual transfer and that the Dublin system is therefore not effective in preventing the secondary movements of asylum seekers. In addition, it is regularly seen that, after being transferred, the third-country national again returns to the Member State that transferred him or her.<sup>97</sup> In addition, the third-country nationals often abscond before the transfer. These persons frequently try to stay under the radar for 18 months to avoid being transferred. In addition, people regularly return to the country of origin with IOM assistance.<sup>98</sup>

The transfer ratio varied considerably between the 10 Member States examined: from 5% of the accepted Italian requests to 81% of the accepted Greek requests. The low percentage for Italy has to do with the fact that Italy has been sending substantial numbers of requests only since 2017, and in response to this, also receiving substantial numbers of acceptances, although it still does not have sufficient capacity to organise the transfers.<sup>99</sup> The high percentage for Greece has to do with the fact that most of the accepted requests relate to family or humanitarian grounds, in which the third-country national has a direct interest. Requests on other grounds relate to secondary movements and the third-country national often does not want to be transferred. For the eight other Member States, the transfer ratio is far below 50% but still varies considerably. France (10%) and Germany (15%) are not very successful in implementing their accepted requests, while Sweden is more successful (48%). According to the Swedish migration authorities, this is because the responsibility for all steps in the procedure rests with a single organisation.<sup>100</sup> Austria (26%), the Netherlands (32%), Belgium (35%) and Switzerland (36%) fall within the middle bracket. It is striking that the

transfer ratio of accepted Austrian outgoing requests has risen sharply during the research period to around 50% in the period 2017-2018. The Austrian migration authorities indicated that they are collaborating very successfully with the most important partner countries and that Austria has stationed liaison officers in these countries.<sup>101</sup>

Figure 23: Acceptance rate of incoming Dublin requests 10 EU+ Member States, 2014-2018



Source: Eurostat database<sup>102</sup>

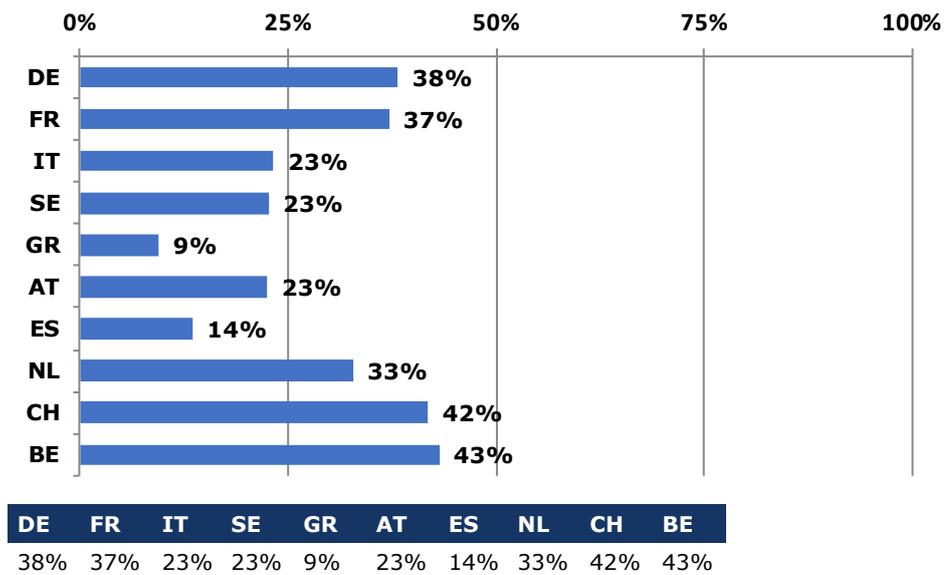
Figure 23 shows the rate of acceptance of the Dublin requests received by the 10 EU+ Member States examined and for the EU+ as a whole for the period 2014-2018. The Member States are sorted from highest to lowest numbers of asylum applications. Table 5B of Annex 2 contains the exact numbers for the results of incoming requests. The numbers for the EU+ as a whole in Table 5B differ slightly from those in Table 5A because data from a number of Member States are missing and there are inconsistencies between the data provided on outgoing and incoming requests.

It is worth noting that the variation in the acceptance rate of incoming requests is greater than in the case of outgoing requests: from 3% by Greece to 79% by Italy. In 2018, most Member States resumed sending Dublin requests to Greece. However, these are almost always rejected because Greece cannot guarantee reception after a possible transfer.<sup>103</sup> The data also show that requests for re-examination sent to Greece have almost no chance: only 2% of them are accepted. Secondary movements from Greece therefore have a high chance of success.

There is also more variation between the other surveyed Member States, with a noticeably low acceptance rate for requests sent to Austria and Switzerland: both 41%. This is because these are often requests that also involve other Member States. Austria and Switzerland often refer the matter to those other Member States (for example, Italy). The acceptance rate of the Netherlands is also below average: 52%. On the other hand, Italy (79%), Germany (76%), France (73%) and Spain (73%) have above-average acceptance rates. Sweden and Belgium are close to the EU+ average.

The acceptance rate of requests to Germany and France suddenly decreased in 2018 compared to 2017, after having remained relatively stable for years. Sweden, Spain, Austria and Switzerland, on the other hand, have accepted relatively more requests. In line with this finding, respondents in Greece have noted that Germany has become stricter in handling requests.<sup>104</sup> As far as requests for re-examination are concerned, it is noticeable that, not only Greece, but also Spain and France reject the large majority of such requests, while the other Member States examined reject about half and Italy only one-third.

Figure 24: Transfer ratio of accepted incoming Dublin requests 10 EU+ Member States, 2014-2018



Source: Eurostat database<sup>105</sup>

Figure 24 shows the number of transfers as a percentage of the total number of accepted incoming Dublin requests (transfer ratio) for the 10 EU+ Member States surveyed. Member States have been sorted from highest to lowest numbers of asylum applications in the period from 2014 to the first half of 2019. Table 5B of Annex 2 contains the exact number of accepted requests and transfers.

The transfer ratio for accepted incoming requests varies from 9% for Greece to 43% for Belgium. Apart from Greece, Spain (14%) also has a low transfer ratio. We suspect that the quality of reception conditions plays a role in this, as a result of which asylum seekers are even less inclined to cooperate in a transfer. Besides Belgium, other Member States such as Switzerland (42%), Germany (38%), France (37%) and the Netherlands (33%) also have relatively high transfer ratios, although this still concerns a minority of cases in these Member States. Sweden, Italy and Austria, each with a transfer ratio of 23%, fall in the middle bracket.

### 3.5 Conclusion

It is difficult to comprehensively identify the secondary movements of asylum seekers: not only because this is a form of irregular migration, but also because of the technical and legal limitations of existing EU data collection systems. Therefore, it is only possible to form an idea of the *observed* secondary movements.

Despite these limitations, a detailed *indicative* picture can be formed, based on the available data, of the extent and characteristics of secondary movements of asylum seekers in the 10 surveyed Member States over the period 2014-2018.

The three forms of secondary movements of asylum seekers distinguished by us show that these movements are determined by the following elements:

- Number of asylum seekers arriving in the EU+
- Number of pending asylum procedures in the EU+
- Number of rejected asylum seekers who have not left the EU+

Although the number of first-time asylum applications for the EU+ as a whole has remained fairly stable since the end of 2016 and is approximately at the pre-2015 level, there have been certain significant shifts within the EU+. The number of asylum applications in France, Italy (until 2017), Greece and Spain has risen sharply. On the other hand, far fewer applications are lodged in Sweden, Switzerland and Austria. The number of asylum applications in Germany (still heading the list, but less dominant than before), Belgium and the Netherlands is roughly the same as before 2015.

#### *Increased potential for secondary movements*

The number of pending asylum applications is much higher than before 2015. This indicates that procedures are taking longer and therefore creating an increased potential for secondary movements. The outcomes of the asylum applications differ greatly between the Member States surveyed and these differences are as high as before. This too forms an incentive for secondary movements. Although the number of asylum applications lodged has returned to the pre-2015 level, a much higher number of applications are being rejected at present. This also creates an increased potential for secondary movements because only a minority of third-country nationals subject to return decision are demonstrably leaving the EU+.

*Irregular crossings of external EU borders have become less decisive for asylum applications in the EU*

There is a less direct connection than before between the number of asylum applications in the EU+ and the number of irregular crossings of external borders. The number of detections of irregular border crossings shows a downward trend and is much lower than before 2015, while the number of asylum applications has been reasonably stable since 2017 and is at a comparable level to earlier levels. Data on Eurodac hits and Dublin requests also show that there is a lower correlation between the number of irregular crossings of external EU borders and the number of asylum applications elsewhere in the EU+. Moreover, migrants who are entering via Greece in an irregular manner since the closure of the borders on the Balkan route and the implementation of the EU-Turkey Statement are usually lodging an asylum application in Greece at present, while previously they rarely did this and would usually move on as quickly as possible to another EU+ Member State.

Despite the fall in the number of irregular entries in the EU+, various data sources show that secondary movements continue to occur and that they are increasing rather than decreasing. An increasingly larger proportion of registered asylum applications are from asylum seekers who lodge an asylum application just before or after a negative decision on their asylum application in another EU+ Member State. Based on this, we can conclude that the number of asylum applications is more closely related to the defective functioning of the return policy than to the number of irregular crossings of external EU borders.

*Increasing number of asylum applications are the result of secondary movements*

The number of Eurodac hits and Dublin requests in the EU+ continues to be much higher than before 2015, while the number of asylum applications has returned to about the same level as before. This indicates that secondary movements have increased, both in absolute numbers as well as in proportion of such movements in the total number of asylum applications in the EU+. An alternative explanation could be that this is due to improved Eurodac registration and more active implementation of the Dublin Regulation by Member States, as a result of which secondary movements have become more visible.

The data on Eurodac hits and Dublin requests also show that the 10 Member States surveyed are generally faced with substantial secondary movements to their country as well as from their country to other EU+ Member States. All 10 Member States are both destination and source countries, but they have had to deal with secondary movements to varying degrees.

**Germany, France, Belgium and the Netherlands** had significant net secondary movements to their country. Germany was also the most important destination country for secondary movements. However, in recent years, Germany has also become one of the most important source countries of secondary movements. The

Netherlands too has been facing not only a high number of incoming secondary movements, but also an increasing number of outgoing secondary movements. Initially, there were many more secondary movements to **Sweden** rather than from Sweden to other Member States, but this has now completely changed. At present, Sweden has become more of a source country for secondary movements than a destination country.

**Austria** and **Switzerland** have to deal with a significant number of secondary movements to their country as well as from their country to other Member States. **Spain, Greece** and **Italy**, where the vast majority of irregular crossings of the external EU borders occur, also logically experience a lot of secondary movements from their country to other Member States. Although Italy has become the largest source country for secondary movements during the research period (initially this was Greece), there were also a large number of secondary movements to Italy.

#### *Dublin system is not effective in preventing secondary movements*

The Dublin system has not proved effective in preventing secondary movements. For a long period of time, no or hardly any Dublin requests were sent to Greece, an important source country for secondary movements. In addition, about a third of the Dublin requests in the EU+ are not accepted. Only a quarter of the cases in which the requests are accepted, actually lead to a transfer of the asylum seeker. Often this involves transfers which are not permanent. The asylum seeker frequently returns to the Member State that transferred him.

- <sup>35</sup> Regulation (EC) No. 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas ([VIS Regulation](#)) OJEU L218/60.
- <sup>36</sup> Interviews with EASO employees, 19 September 2018 and 7 December 2018.
- <sup>37</sup> [Interoperability between EU information systems: Council adopts regulations](#).
- <sup>38</sup> Interview with the Royal Netherlands Marechaussee (The Hague, 26 February 2019).
- <sup>39</sup> Interview with Swedish Migration Agency (Stockholm, 14 November 2018).
- <sup>40</sup> The specific countries on the list of safe countries differ greatly depending on the Member State and are a reflection of national priorities and national assessment frameworks. The Netherlands uses a relatively extensive list, but it has excluded specific groups or regions for some countries.
- <sup>41</sup> This refers to all countries of origin that have been designated as safe countries of origin by at least one of the 10 Member States surveyed. A list of the countries concerned can be found in Annex I of the [EMN Inform Safe Countries of Origin](#), 2018.
- <sup>42</sup> The list of exempt countries can be found in Annex II of [EU Regulation 2018/1806](#).
- <sup>43</sup> [Eurostat database](#), consulted on 12 September 2019.
- <sup>44</sup> [Eurostat database](#), consulted on 3 October 2019.
- <sup>45</sup> [Eurostat database](#), consulted on 29 May 2019.
- <sup>46</sup> [Eurostat database](#), consulted on 3 October 2019.
- <sup>47</sup> The data in this paragraph can be deduced from Figure 24 of the [Annual Report on the Situation of Asylum in the European Union 2018](#) from EASO. Eurostat data cannot be broken down by procedural stage and duration. Though the EASO data contain these breakdowns, they are not public. EASO only reports at an aggregated EU+ level. Figure 24 from the Annual Report shows the trends in pending cases in the period 2014-2018 for the EU+ as a whole.
- <sup>48</sup> [Eurostat database](#), consulted on 29 July 2019.
- <sup>49</sup> See Articles 9-12 of the [Family Reunification Directive](#).
- <sup>50</sup> [Eurostat database](#), consulted on 29 July 2019 (rejected asylum applications) and 3 September 2019 (orders to leave issued and actual returns).
- <sup>51</sup> The irregular border crossing data also relate partly to 2019 because they are available on a monthly basis. The other data are only available on an annual basis.
- <sup>52</sup> [Eurostat database \(asylum applications\)](#), consulted on 3 October 2019.
- <sup>53</sup> [Frontex detections or irregular border crossings](#), consulted on 3 October 2019.
- <sup>54</sup> Idem
- <sup>55</sup> Interviews with UNHCR (Athens, 17 April 2019), Safe Passage, Solidarity Now (Athens, 18 April 2019), Greek Refugee Council (Athens, 18 April 2019), EASO (Athens, 19 April 2019).
- <sup>56</sup> [Frontex detections or irregular border crossings](#), consulted on 3 October 2019.
- <sup>57</sup> Interviews with the Royal Netherlands Marechaussee (The Hague, 26 February 2019), German Federal Office for Migration and Refugees (Nuremberg, 28 March 2019), UNHCR (Athens, 17 April 2019), Greek Refugee Council (Athens, 18 April 2019).
- <sup>58</sup> [Eurostat database \(asylum applications\)](#), consulted on 3 October 2019.
- <sup>59</sup> [Frontex detections or irregular border crossings](#), consulted on 3 October 2019.
- <sup>60</sup> [Frontex Risk Analysis](#) for 2015, 2016, 2017, 2018 and 2019.
- <sup>61</sup> [Frontex Risk Analysis](#) for 2015, 2016, 2017, 2018 and 2019.
- <sup>62</sup> Annual [Reports](#) on the 2014, 2015, 2016, 2017 and 2018 activities of the Eurodac Central System.
- <sup>63</sup> Article 8 of the Eurodac Regulation states that the Agency [eu-LISA] shall draw up statistics on the work of the Central System.
- <sup>64</sup> The increase is smaller for multiple applications because, since 2016, Germany has stopped searching for local hits, and therefore these cannot be reported.
- <sup>65</sup> Interviews with the Austrian migration authorities (Vienna, 12 December 2018), Swiss migration authorities (Bern, 29 November 2018), UNHCR (Athens, 17 April 2019), EASO (Athens, 19 April 2019), Greek Refugee Council (Athens, 18 April 2019), Italian Council for Refugees (22 January 2019).
- <sup>66</sup> European Commission, [December infringements package: key decisions](#).
- <sup>67</sup> Ministry of Security and Justice, the Netherlands (not public).
- <sup>68</sup> eu-LISA Annual [Reports](#) on the 2014, 2015, 2016, 2017 and 2018 activities of the Eurodac Central System.
- <sup>69</sup> Idem.
- <sup>70</sup> Idem.
- <sup>71</sup> Eurodac analysis, Ministry of Justice and Security (not public).
- <sup>72</sup> In Belgium, the term '*transmigratie*' is used in reference to this group.
- <sup>73</sup> Dutch IND data file for case file review.
- <sup>74</sup> Interviews with Swedish Migration Agency and the Swedish Ministry of Justice (14 November 2018), Belgian Immigration Office (Brussels, 18 December 2018), German

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Federal Office for Migration and Refugees (Nuremberg, 28 March 2019), Austrian Federal Office for Immigration and Asylum and Austrian Ministry of the Interior (Vienna, 12 December 2018) and Swiss State Secretariat for Migration (Bern, 29 November 2018).

<sup>75</sup> eu-LISA Annual [Report](#) on the 2018 activities of the Eurodac Central System.

<sup>76</sup> The adopted Regulation on the interoperability of existing EU information systems as referred to earlier in this chapter does, however, provide for this and this should therefore be theoretically possible.

<sup>77</sup> European Parliament, Legislative train schedule, new regulation on the Visa Information System ([VIS](#)).

<sup>78</sup> [Regulation \(EU\) 2017/2226](#) of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit system (EES) for registering entry and exit data and data on refusal of entry with regard to third-country nationals crossing external borders of the Member States and establishing of the conditions for access to the EES for law enforcement purposes and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011.

<sup>79</sup> See Article 39 of the newly adopted [Regulation](#) on interoperability. Frontex is mentioned as a possible user, but not EASO.

<sup>80</sup> [Eurostat database](#), consulted on 25 September 2019.

<sup>81</sup> *Idem*.

<sup>82</sup> In practice however, it appears that secondary movements have regularly been undertaken by the family member who is already located in the Member State to which the take charge request is sent. It often happens that a family in Greece decides to send out a family member in advance, knowing that there are no transfers to Greece. Subsequently, the remaining family members request the Greek authorities to submit a take charge request on family grounds.

<sup>83</sup> Several respondents indicated that France generally sent a request to all Member States with which it had a hit. Other Member States usually only send a request to several Member States if the first Member State, to which the request is sent, refers it to another Member State. In addition, there may be multiple hits, after transmission of a Category 1 set of fingerprints (asylum seeker), with the same country that had transmitted both Category 1 and Category 2 fingerprints for the same person. A hit may also occur twice in succession for the same person if the person concerned, after detection of an irregular stay (transmission of Category 3 fingerprints), also applies for asylum (transmission of Category 1 fingerprints).

<sup>84</sup> Dutch IND data file for case file review.

<sup>85</sup> [Eurostat database](#), consulted on 25 September 2019.

<sup>86</sup> *Idem*.

<sup>87</sup> *Idem*.

<sup>88</sup> Dutch IND data file for case file review.

<sup>89</sup> Interviews with Swedish Migration Agency and the Swedish Ministry of Justice (Stockholm, 14 November 2018), Swedish Refugee Advice Centre (Stockholm, 15 November 2018).

<sup>90</sup> Interviews with Safe Passage, Solidarity Now (Athens, 18 April 2019), Federal Office for Migration and Refugees (Nuremberg, 28 March 2019).

<sup>91</sup> Many of the outgoing requests reported by Italy in the period 2014-2016 have not been reported as incoming requests by the other Member States concerned.

<sup>92</sup> Interview with Swiss State Secretariat for Migration (Bern, 29 November 2018), Austrian Federal Office for Immigration and Asylum and Austrian Ministry of the Interior (Vienna, 12 December 2018), Belgian Immigration Office (Brussels, 18 December 2018), German Federal Office for Migration and Refugees (Nuremberg, 28 March 2019), Safe Passage, Solidarity Now (Athens, 18 April 2019).

<sup>93</sup> [Eurostat database](#), consulted on 25 September 2019.

<sup>94</sup> Dutch IND data file for case file review.

<sup>95</sup> Interview with German Federal Office for Migration and Refugees (Nuremberg, 28 March 2019), Safe Passage, Solidarity Now (Athens, 18 April 2019).

<sup>96</sup> [Eurostat database](#), consulted on 25 September 2019.

<sup>97</sup> Interviews with migration authorities in Sweden, the Netherlands, Belgium, Germany, Austria and Switzerland.

<sup>98</sup> Dutch IND data file for case file review.

<sup>99</sup> Interviews with Chiesa Valdese and ASGI (Milan, 15 January 2019), Italian Council for Refugees (22 January 2019).

<sup>100</sup> Interview with Swedish Migration Agency (Stockholm, 14 November 2018).

<sup>101</sup> Interview with Austrian Federal Office for Immigration and Asylum and Austrian Ministry of the Interior (Vienna, 12 December 2018).

<sup>102</sup> [Eurostat database](#), consulted on 25 September 2019.

<sup>103</sup> Interviews with Swedish Migration Agency (Stockholm, 14 November 2018), Belgian migration authorities (Brussels, 18 December 2018), Federal Office for Migration and Refugees (Nuremberg, 28 March 2019), Austrian Federal Office for Immigration and Asylum and Austrian Ministry of the Interior (Vienna, 12 December 2018) and Swiss State Secretariat for Migration (Bern, 29 November 2018), interview with Swiss refugee organisation OSAR (30 November 2018).

<sup>104</sup> Interviews with Safe Passage and Solidarity Now (Athens, 18 April 2019).

<sup>105</sup> [Eurostat database](#), consulted on 25 September 2019.



Chapter 4

# Secondary movements of asylum seekers in practice

**In this chapter, we describe what the secondary movements of asylum seekers in the EU+ look like in practice. For this, we base ourselves on the case file review carried out at the Dutch IND and the interviews we conducted in the Member States. Based on this, we offer a concrete answer to the second part of Question 1: In what way are EU+ Member States confronted with the secondary movements of asylum seekers?**

We investigated four subpopulations in the case file review:

- 1) Asylum applications in the Netherlands that did not lead to the initiation of a Dublin procedure (to examine the extent to which there were, nevertheless, indications of secondary movements)
- 2) Initiated Dublin procedures that did not lead to the sending of a Dublin request (to understand why no request was ultimately submitted)
- 3) Initiated Dublin procedures that led to the sending of a Dublin request to one of the other Member States surveyed (to identify bottlenecks in the implementation of the Dublin Regulation)
- 4) Cases in which the Netherlands has received a Dublin request from one of the other Member States surveyed (also in order to identify bottlenecks in the implementation of the Dublin Regulation)

Besides the objectives for analysing the subpopulations, the case file review was intended to help us gain insight into secondary movement patterns, with a particular focus on transit routes, transit period, motives for transit, family composition and family members already present in other Member States. As noted in Chapter 1, the case file review cannot be considered representative. Moreover, the IND files contain limited information on residence status procedures, transit routes, transit motives and relevant practical incidents in other Member States. Despite this, it is possible to show, on the basis of the case file review, what the secondary movements of asylum seekers look like in practice because the case files provide a good picture of the interaction between the surveyed Member States in individual cases of transiting asylum seekers.

We have derived a number of general insights from the case file review and the interviews, which we discuss in section 4.1. In section 4.2, we describe the type of cases we have encountered in the subpopulations of the case file review. In section 4.3, we discuss a few differences between the subpopulations. We conclude each chapter with a conclusion (section 4.4).

## 4.1 General insights

### 4.1.1 Limited view of the number of asylum seekers transiting through and their transit routes

In the previous chapter, it was established that the available data only provide an indicative picture of the transit routes of secondary migrants. Even the case files examined only offer fragmented information about transit routes. We found indications of secondary movements in the vast majority of the case files we examined, including those in which the Netherlands did not ultimately carry out a Dublin procedure. These indications include direct means of proof such as Eurodac and EUVIS hits, entry and exit stamps in identity and travel documents and supporting evidence such as travel tickets, dates on SIM cards from mobile phones, cash receipts etc. and the asylum seeker's statements about the transit route. In most of the cases we studied, where there were indications of secondary movements, the asylum seeker's statements about the transit route formed the only basis for this. In most of these cases, asylum applications had been lodged in the Netherlands in 2014 and 2015. From 2016 onwards, there is an increase in the proportion of cases that also involve Eurodac hits. This finding is in line with the observation in the previous chapter that the fingerprints of asylum seekers are being stored more consistently in Eurodac since that time.

In the vast majority of cases, asylum seekers are not in possession of original and valid identity documents. Most indicate that they have travelled through the EU+ with the help of a so-called 'travel agent' or smuggler and with false or falsified identity documents. These documents are relatively easy to obtain for those who can pay for them:

*'I met a travel agent in Athens. Within a week, he had arranged a Swedish passport for me. I made an attempt with this passport. It did not work. A week later, I used an Italian identity card. That did not work either. The third attempt, with a Polish identity card, also failed. The last attempt was once again with an Italian identity card, and this time I succeeded. The false documents I used earlier were confiscated by the Greek police, but there were no further consequences. Everyone who tried to flee in this way was held by them for 10 or 15 minutes. Then a policeman came and said goodbye and wished us success with our next attempt.'*

In the absence of any Eurodac or EUVIS hits, and if asylum seekers no longer have identity documents and there is no other supporting evidence, the migration authorities are dependent on the asylum seeker's statements about the transit route. These are often vague and brief:

*'We travelled from Turkey in a lorry with the help of a smuggler. After about two days, we switched to a different lorry. I don't know which countries we travelled through, the lorries were locked. The entire trip lasted about a week. We were only allowed to get off briefly for a bathroom break at night. It was dark then and we always stopped in a remote place. Most of the time I only saw trees. We were only subjected to checks in Syria. After that we no longer came in contact with authorities. My personal details are not registered anywhere.'*

In many of the case files examined, asylum seekers did not voluntarily mention that they had previously applied for asylum in other Member States and did not cooperate in the attempt to reconstruct their transit route.

*'Can you explain to me how you can say that you never left Macedonia until five days ago, while our systems show that you applied for asylum in Sweden five months ago and in France three months ago?' 'That's right, but those were short trips. We left from there again within a few weeks.' 'Why didn't you tell me that? I asked you twice whether you had ever left Macedonia.' 'I just forgot to mention that, I didn't know it was important. My memory is not working so well either.' 'What are the countries that you travelled through on your way from your place of residence to the Netherlands?' 'How should I know that? I have no idea.' 'Can't you name a single country?' 'No.' 'Have you undergone any checks at the border of your country?' 'I didn't notice anything of the border because I was sleeping in the van. It was in the evening.'*

It is not only these limited and fragmented statements about the transit route that make it difficult for the migration authorities to carry out their investigation. It is also often seen that asylum seekers do not state their actual nationality and/or make use of one or more aliases. For example, in our case file review, we came across several cases of Moroccans posing as Libyans or Syrians.

*A., of Moroccan nationality and undocumented, lodges an asylum application in the Netherlands in the autumn of 2017. He poses as B., of Libyan origin. During the intake interview with the Aliens Police (AVIM), he admits that he has lied about his identity and that he is a Moroccan national. He summarises his transit route briefly and says that he has travelled via Italy, Sweden and Belgium. The Eurodac search shows that A. indeed applied for asylum in Sweden in 2014 and that his asylum application was rejected there. He states that he did not wait for that decision and that he left for Belgium after a stay of one and a half years in the reception centre in Sweden. It remains unclear where A. stayed from 2015 to 2017. The Netherlands submits a Dublin request to Sweden. Sweden rejects the request because Sweden has previously received a request from France, which has also been rejected because, according to Sweden, France is responsible for examining A.'s asylum application. Subsequently, the Netherlands submits a request to France. France rejects the request from the Netherlands because A. is not registered there. The Netherlands submits a request for reconsideration. France also rejects this request for the same reason. There is also no French Eurodac hit. The Netherlands again submits a request for reconsideration and sends A.'s fingerprints to France with the request to conduct a dactyloscopic examination. This shows that A. was registered in France under 10 aliases with 3 different nationalities and that he was convicted there between 2013 and 2017 for committing a series of crimes. France subsequently accepts the request made by the Netherlands, but the Netherlands cannot transfer A. because A. absconds even before the IND has taken its decision to disregard A.'s application.*

In most cases, although asylum seekers indicate the country through which they have entered the EU+, usually the transit route cannot or can only be partially reconstructed. However, in most of the cases where we have found indications of secondary movements yet where no Dublin procedure was initiated, this is because direct means of proof was lacking. The transit route could not or could not be fully verified in these cases. In the vast majority of these cases, Italy and Greece were mentioned as countries of entry in the EU+. In those cases where there are indications of secondary movements but where the country of entry was unknown, most asylum seekers stated that they had travelled to the EU+ from Turkey or Libya. It is therefore obvious that even in these cases the country of entry was usually Greece or Italy. In the vast majority of Greek cases in our case file review, the asylum seeker entered the Netherlands in the period 2015-2017. From among these cases, all the asylum seekers who came to the Netherlands from Greece in 2015 travelled by land. Asylum seekers who came to the Netherlands from Greece in 2017 all travelled by plane. This observation is in line with the trend identified by the Royal Netherlands Marechaussee and the German migration authorities, i.e. asylum seekers entering the EU+ in Greece via Turkey for the first time nowadays often immediately move on to the Netherlands and Germany via intra-Schengen flights.<sup>106</sup> This shows that it has become more difficult to transit overland from Greece because of the closure of the Balkan route.

What was also striking was that the vast majority of asylum seekers from Italy in Subpopulation 2 (asylum application in the Netherlands, Dublin request initiated but not sent) entered the Netherlands in 2014 and 2015. In our case file review, we did not come across any cases of asylum seekers who entered the EU+ via Italy in 2018. This supports the general impression that the number of asylum seekers entering via Italy decreased sharply in 2018. The data analysis in Chapter 3 has shown that the Netherlands also submitted many requests to Italy in 2018. We think that this is due to the improved registration procedures in Italy, as a result of which there is more direct evidence for initiating requests, and once initiated, these requests are also actually being sent more often to Italy. In such cases, these requests fall outside Subpopulation 2.

#### **4.1.2 Multi-faceted transit patterns**

The data analysis in Chapter 3 has shown that the secondary movements of asylum seekers in the EU+ are no longer a one-way traffic. This observation was confirmed in the interviews. All the consulted authorities indicate that the transit routes taken by asylum seekers after their entry in the EU+ have become more diverse after 2015 and that there is an increased proportion of asylum applications lodged by migrants who have previously been staying for some time in other Member States (often neighbouring or nearby Member States) and who have often already applied for asylum there.

All Member States are, to a greater or lesser extent, countries of entry, transit and destination country, but these classifications are not static. This is evident not just from the analysis of Eurodac hits and Dublin requests with respect to Sweden in Chapter 3. In fact, as an example of the multifaceted nature of secondary

movements, respondents in several Member States have also pointed to the transit or return journey of - in particular, Afghan and mostly minor - asylum seekers to France,<sup>107</sup> Italy<sup>108</sup> and Spain<sup>109</sup> and the fact that in recent years some Member States are receiving an increasing number of requests from Italy.<sup>110</sup>

*C., of Afghan nationality, lodges an asylum application in the Netherlands in mid-2011. With regard to his transit route, he merely states that he has travelled through Iran and Greece and all he knew was that he was on his way to Europe. After his asylum applications were rejected in 2011, C. absconds. In 2014, he is intercepted in the Netherlands and immediately placed in detention, where he lodges another application for asylum. The appeal in these proceedings is declared well-founded, as a result of which the detention is lifted. Four months after his renewed asylum application has been irrevocably rejected, the Netherlands receives a request from Italy. The Netherlands accepts the request. When lodging his asylum application in Italy, C. indicated that he ended up in Italy via Iran, Turkey, Greece, France, the Netherlands and France. The transfer from Italy to the Netherlands never takes place.*

There are various explanations for the decrease, as observed in the data analysis and confirmed in the interviews, between the number of irregular entries in Southern Europe and the number of asylum applications elsewhere in the EU+. Firstly, the vast majority of asylum seekers who entered via Greece before 2016 moved on to other Member States without applying for asylum in Greece. Today, most asylum seekers initially stay in Greece and apply for asylum there. This is related to the closure of the Balkan route and the geographical restriction imposed due to the implementation of the EU-Turkey Statement for asylum seekers arriving from Turkey on the Greek islands in the East Aegean Sea. A second explanation for this is the significant decrease in the number of entries in Italy in 2018. A third explanation is the delayed effect of the large numbers of asylum seekers who came to Europe in 2015 or early 2016. Many of them are still in Europe even after the rejection of their application. A final explanation is that the number and proportion of asylum seekers transiting from Spain to other Member States is less high than the number and proportion of asylum seekers who transited through Greece and Italy in 2015 and early 2016.<sup>111</sup> Although the number of asylum applications lodged in Spain has increased sharply since 2018, the composition of these groups of asylum seekers in terms of nationalities has not shown any major changes in recent years. The focus of the public debate in North-Western Europe may be on the number of entries in Southern Spain by sea, but most asylum seekers actually arrive in Spain by plane (including many Venezuelans). It is not that asylum seekers of certain nationalities who entered the EU+ via Greece in the period 2015-2017 are now doing so via Spain. There is, however, a major overlap between the nationalities that first entered the EU+ via Italy and the nationalities of migrants who have entered Spain since 2018. Hence, there is only a partial indication of the 'shift in asylum-related migration'.<sup>112</sup>

Secondary movements of asylum seekers are often not a linear migration, but one that progresses in a criss-cross manner through Europe. After their entry in the EU+, asylum seekers often move around Europe for a long period of time.

Migration authorities in the Member States only have a limited view of the transit routes followed by asylum seekers before they enter and lodge their asylum applications in their State. This is not usually a continuous transit, but rather a 'transit in stages' alternated with short or longer periods of stay in different Member States. We have encountered many cases of asylum seekers who apply repeatedly for asylum in one or many of the Member States where they reside (and whose fingerprints are thus recorded several times in Eurodac), although this is not true in all cases. Sometimes they submit an application for a regular residence permit, but again move and stay somewhere else without trying to regularise that stay.

*D., of Cameroonian nationality, is arrested in the Netherlands as an irregularly residing third-country national at the beginning of 2018 after committing an act of shoplifting. He is held in custody. The Eurodac search shows that he entered Spain irregularly at the beginning of 2014 and requested asylum in Belgium in mid-2014. D. has not lodged any asylum application in the Netherlands. He declares that he has been in Europe for six years. He stayed in Spain for three years. There he applied for a regular residence permit. After that was rejected, D. travelled on to France where he stayed irregularly for a while and worked in the black economy. He then moved on to Belgium, where he lives with his wife. The Netherlands submits a Dublin request to Belgium. Belgium rejects the request because it had transferred D. to Spain at the beginning of 2015 based on an accepted take charge request. However, D. subsequently returned to Belgium, was arrested several times by the police, but did not request asylum again. Belgium still regards Spain as the responsible Member State. The Netherlands then submits a take charge request to Spain. Spain rejects this request. Moreover, it is notable that, after his transfer by Belgium to Spain, D. had absconded and not applied for asylum in Spain. The Netherlands does not consider it appropriate to submit a request for reconsideration to Spain and thereafter closes the case.*

Hence, an asylum seeker does not lodge an asylum application in every country he or she enters. This may say something about the merits of the request and about the possibilities of regularising the stay other than through the submission of an asylum application, as well as about the prospect of residing irregularly in a certain Member State and yet being able to support oneself. In our case file review, when asylum seekers stated that they had been residing irregularly in one or more Member States, this mainly involved stay in the Southern European Member States and France.

By describing secondary movements as 'movements in all directions', we are not only referring to transit all over the EU+, but also to transit back and forth between the country of origin and Member States of the EU+. In particular, asylum seekers from countries that are designated by the Netherlands as safe countries of origin regularly transit between their country of origin and EU+ territories. This mainly concerns asylum seekers from the Western Balkans and Georgia, who often move back and forth for longer periods (visa-free), with the temporary return to the country of origin often being facilitated by the IOM. However, we have observed that this practice has decreased during our research period, probably because voluntary return assistance for these specific nationalities were curtailed and abolished during 2016 and 2017 (see Chapter 6).

*E., of Georgian nationality, lodges an asylum application in the Netherlands in 2013. The Eurodac Search shows that he has previously lodged asylum applications in Germany (2005) and Sweden (2008) and that he has returned from both the countries to Georgia with the assistance of the IOM. After the irrevocable rejection of his asylum application in the Netherlands, he once again returns from the Netherlands to Georgia with the assistance of the IOM. Half a year later, the Netherlands receives a request from Norway, where E. has again lodged an asylum application shortly after his return to Georgia. The Netherlands rejects the request because E. has demonstrably left the territory of the EU+ in the intervening period. In 2016, E. again lodges an asylum application in the Netherlands. It then emerges that, after his return to Georgia from the Netherlands, he has applied for asylum in Norway (end 2013) as well as in Denmark (mid-2014). Again, E. has returned from both these countries to Georgia with the help of the IOM. This is why the Netherlands does not send any Dublin request to Denmark. At the beginning of 2017, E. withdraws his second asylum application in the Netherlands in order to once again avail of the return facilitation services of the IOM. However, this time the IOM rejects his request for return assistance because he has already availed of this assistance less than five years ago.*

The fact that asylum seekers are able to circulate for a long period between the EU+ Member States clearly shows that Dublin procedures often do not have the intended effect. After all, the objective of the Dublin system is to quickly identify the Member State responsible for examining the content of the asylum application, ensure that the asylum seeker undergoes the asylum procedure in that Member State and prevent the secondary movements of asylum seekers. Our research confirms that it is precisely this goal of preventing secondary movements that is not being achieved. This may be due to differences of opinion between Member States when determining responsibility, but in most cases things also go wrong afterwards: asylum seekers often abscond before they can be transferred to the responsible Member State. This is a problem faced by all the Member States included in our study. During the case file review, we have come across many cases where asylum seekers, in almost all the Member States where they were staying, absconded prematurely to avoid being transferred.

*F., a Kosovar national, lodges an asylum application in the Netherlands at the end of 2016. He is undocumented. A Eurodac search reveals that he has previously lodged asylum applications in Hungary (early 2008), Italy (mid-2009), Belgium (early 2011), Germany (early 2014), Switzerland (early 2015), Austria (autumn 2015) and Romania (early 2016). A month after lodging the asylum application in the Netherlands, a request from Luxembourg is received by the Netherlands because F. has lodged an asylum application there. The Netherlands agrees to take F. back, but Luxembourg informs the Netherlands that F. has absconded. A month later, the Netherlands receives a request from France, where F. has again lodged an asylum application. The Netherlands also accepts this request and a transfer is scheduled for mid-2017. But this transfer does eventually not take place because F. again absconds. However, at the end of 2017, F. is successfully transferred by France to the Netherlands. Shortly thereafter, he again absconds in the Netherlands. Subsequently, the Netherlands receives a request from Switzerland, where F. has again lodged an asylum application. The Netherlands again agrees to take back F., but this does not lead to a transfer. A week later, the Netherlands receives a request from France. And again, the Netherlands*

*agrees to take back F. France announces a transfer date, but shortly thereafter informs the Netherlands that F. has absconded once again.*

Even if an asylum seeker is actually transferred to the responsible Member State at some point, secondary movements often continue. We have encountered many cases in which asylum seekers, even after successful transfers, abscond and then continue their journey through the EU+. Nor is this unique to the Netherlands. Many of the Member States informed us that, after a transfer, asylum seekers sometimes return even earlier than the official responsible for supervising the transfer, especially if asylum seekers are transferred to a neighbouring country.

*G., a Georgian national holding valid identity documents, lodges an asylum application in the Netherlands in mid-2017. Eurodac shows that he has previously applied for asylum in Austria (mid-2008), Germany (early 2009), the Netherlands (early 2010), Sweden (mid-2010 and mid-2012), Lithuania (late 2013), Austria (early 2014), the Netherlands (mid-2014), Lithuania (late 2015), Austria (mid-2016), Belgium (late 2016) and Luxembourg (late 2016). The case file shows that the Netherlands submitted a request to Germany in 2010, that Germany accepted that request and G. was transferred by the Netherlands to Germany at the time. When G. applies for asylum in the Netherlands for the second time in 2014, the Netherlands submits a request to Lithuania. This request is also accepted and the Netherlands transfers G. to Lithuania, who then departs him to Georgia. When G. lodges his third asylum application in the Netherlands in 2017, it appears that shortly after his transfer to Lithuania and deportation from Lithuania to Georgia, he travelled to Austria and again applied for asylum there. The Netherlands submits a request to Austria. The request is accepted and a date is agreed for the transfer. Shortly before this date, the Netherlands reports that the transfer cannot take place because G. has absconded.*

## 4.2 Types of case files in the case file review

### 4.2.1 Asylum application, no Dublin procedure initiated

Sub-population 1 of the case file review included asylum applications lodged in the Netherlands, where the Netherlands has not initiated a Dublin procedure. We examined the extent to which these case files did, nevertheless, contain indications for secondary movements. We found such indications in 36 out of the 50 cases (72%). In the vast majority of these cases (34 out of 36 cases, 94%), these indications emerged from the asylum seeker's statements. This was followed by indications based on Eurodac and EUVIS hits (9 out of 36 cases, 25%), supporting evidence (6 out of 36 cases, 17%) and travel documents (3 out of 36 cases, 8%). In more than half of the cases (19 out of 34, 56%), the only indication of secondary movements that emerged were based on the asylum seeker's statements.

The vast majority of cases with no evidence of secondary movements related to asylum seekers who had entered the Netherlands directly from outside the EU+ by plane, with a Schengen or national visa issued by the Netherlands. Since there was no ambiguity about their travel route, these asylum seekers were generally not questioned more closely. In addition, such persons usually did not

communicate their motive for specifically requesting asylum in the Netherlands. However, most asylum seekers in this category appeared to have family in the Netherlands, usually members of the nuclear family. We assume that their motive for coming to the Netherlands and applying for asylum here is related to the presence of their family members.

In some cases where there were no indications of secondary movements based on our definition (see Chapter 1), this concerned migrants who were transiting through the EU+ despite the fact that they had been granted asylum status in another Member State or were EU citizens.

Despite indications of secondary movements, a Dublin procedure was not initiated for the cases in this subpopulation usually because of the lack of direct evidence. The asylum seeker's statement was not supported by other, more concrete Dublin indications, so that the suspicion of secondary movements could not be sufficiently substantiated.

The reasons why the Netherlands did not initiate a Dublin procedure for the cases in this subpopulation for which there was direct evidence of secondary movements (in the form of a Eurodac or EUVIS hit), are the same as the reasons for not implementing the Dublin procedures that had been initiated for cases in Subpopulation 2 (see below).

#### **4.2.2 Asylum application, Dublin procedure initiated, but not implemented**

Subpopulation 2 of the case file review concerned cases in which:

- There were direct means of proof for the implementation of a Dublin procedure, and therefore concrete indications of secondary movements
- The Netherlands had therefore initially initiated a Dublin procedure
- The Netherlands ultimately did not implement any Dublin procedure

This mainly concerned cases where it could be seen, based on one or more Eurodac hits, that the asylum seeker had previously lodged an asylum application in one or more other EU+ Member States (Category 1 hit) or had irregularly entered that country (Category 2 hit). In these cases, the Netherlands has decided not to or has been unable to implement a Dublin procedure for various reasons.

This primarily concerns applications from asylum seekers with Eurodac hits in Greece who could not, in fact, be transferred for a long time due to systematic deficiencies in the Greek asylum and reception system.<sup>113</sup> In these cases, the Netherlands refrained from submitting a request and was forced to include these asylum applications in the national procedure. In the course of 2018, the Netherlands gradually started sending out requests again. The following case shows the possible consequences this may have for other Member States.

*H., who holds a false French identity card and is of Algerian nationality, applies for asylum in the Netherlands early in 2018. A Eurodac search reveals that he has lodged asylum applications in 2016 in Greece, Hungary (2x) and Austria. The Netherlands submits a request to Austria. The request is rejected. Austria informs*

*the Netherlands that it has previously submitted a request to Hungary, but that Hungary has rejected that request because it regards Greece as the responsible Member State. In the meantime, H. has absconded in Hungary. The Netherlands does not submit a request to Hungary because shortly before that it had taken the decision to stop sending Dublin requests to Hungary due to flaws in the Hungarian asylum legislation and because of Hungary's refusal to accept a mediation procedure regarding a difference of opinion in the interpretation of the Dublin Regulation.<sup>114</sup> H. also decides not to await the decision on his asylum application in the Netherlands. Two months after the Netherlands refuses H.'s asylum application because he has absconded, the Netherlands receives a request from Germany. The Netherlands accepts the request. The transfer period was still open at the time of our research, but the Netherlands had already received notification from Germany that this period was being extended from 6 to 18 months because H. had also absconded in Germany.*

In other cases, the Netherlands deliberately chooses to examine the asylum application within the national procedure. This mainly includes applications lodged by asylum seekers from countries of origin that have been designated as safe by the Netherlands and who cooperate in the readmission of their nationals. The Netherlands handles these cases via an accelerated procedure (Track 2). This mainly concerns applications from asylum seekers from the Western Balkans or from Georgia. The idea here is that it is more effective to process these usually manifestly unfounded applications quickly and impose a return decision and an entry ban (for the entire Schengen area), rather than carry out a time-consuming Dublin procedure involving one or more several other Member States. However, the decision to include such a case in the national asylum procedure does not guarantee the avoidance of Dublin procedures.

*I. lodges an asylum application in the Netherlands at the beginning of 2014. He is a Macedonian and holds valid identity documents. After the rejection of his application, I., facilitated by the IOM, returns to Macedonia. At the beginning of 2017, he again lodges an asylum application in the Netherlands. The Netherlands decides to examine the application, despite an asylum application lodged by I. in 2016 in Germany. After the rejection of his application, I. absconds in the Netherlands. He moves on to Luxembourg, France, Germany, Belgium and Switzerland and applies for asylum in all these Member States. The Netherlands receives Dublin requests from all these Member States and accepts them all. At the time of our research, I. has not yet been transferred to the Netherlands from one of the other Member States. Although all the transfer periods were still open, information from Switzerland, the Member State where he last applied for asylum, revealed that I. had absconded there before he could be interviewed about his motives for seeking asylum.*

The Netherlands does not usually follow the accelerated procedure applicable to asylum seekers from safe countries of origin (Track 2) for applications lodged by asylum seekers from safe countries of origin for which there are less favourable return prospects (such as Morocco and Algeria). If there is direct means of proof for a Dublin procedure in these cases, the Netherlands will submit requests to the Member State that is deemed responsible.

Other reasons why the Netherlands chooses to process an asylum application within the scope of its national asylum procedure, despite direct means of proof for a Dublin procedure and therefore concrete indications for secondary

movements, may be related to the vulnerable position of asylum seekers, such as in the case of unaccompanied minor asylum seekers (AMAs).

*J., of Libyan nationality, undocumented, single and evidently a minor, lodges an asylum application in the Netherlands at the beginning of 2018. A Eurodac search reveals that he has lodged asylum applications in 2017 in Denmark and Sweden. The Netherlands asks both countries about the personal details under which J. is registered there, whether he has submitted documents there, whether an age assessment has taken place, whether his family members reside there, and if so, what is their residence status. Denmark states that J. was also registered as a minor there but that he had absconded before he could be interviewed. After Denmark's reply is received, J. also absconds in the Netherlands. Sweden then replies that J. applied for asylum there both in 2017 and early 2018, that J. is also undocumented there, that based on his own statements he was registered as an unaccompanied minor asylum seeker, that he has stated that he does not have a family in Europe and that he is present in Sweden at that time. The Netherlands decides not to submit a Dublin request to Sweden because there are no indications that J.'s family or family members are residing regularly in the EU+ (CJEU, MA ruling, C 648/11). The Netherlands decides to disregard J.'s application for asylum because he has again absconded.*

*K., a Syrian national, single and minor, lodges an asylum application in the Netherlands at the beginning of 2018. After a while, he says that his mother lives with his stepfather in Belgium and that he has previously stayed with them based on a family reunification residence permit. K. indicates that he absolutely does not want to return to Belgium because he has been mistreated by his stepfather and had mostly wandered around on the streets there. He also says that his father lives in Germany, but that he no longer has contact with him and does not want to stay with him. K. has applied for asylum in the Netherlands because his aunt is a beneficiary of international protection there. He wants to stay with her. He submits a written statement from his mother stating that she is renouncing him. The IND does not consider it to be in K.'s interest to reunite him with his mother and decides to examine his asylum application.*

A final category of cases in which the Netherlands has not started a Dublin procedure despite the presence of one or more Eurodac hits concerns asylum seekers who already enjoy international protection in another EU Member State (in most cases, Greece or Italy) or who have a regular residence status there. Holders of residence statuses are exempted from Dublin III. All the government authorities we interviewed indicated that this group is increasingly on the move within the EU+.

*L., of Afghan nationality, is intercepted in Hoek van Holland in 2017, where ferries depart for the United Kingdom. He is placed in detention on account of irregular entry and risk of absconding because he is undocumented, has no permanent place of residence and no means of subsistence. A Eurodac search reveals that he has lodged asylum applications earlier in the United Kingdom (2009) and Italy (2015). After a while, it emerges that L. enjoys subsidiary protection in Italy. The IND closes the initiated Dublin request and L. returns to Italy under the supervision of the Repatriation & Departure Service (Dienst Terugkeer & Vertrek (DT&V)).*

### 4.2.3 Dublin requests sent by the Netherlands

Many asylum seekers in *Subpopulation 3* of our case file review (asylum application in the Netherlands or detected as residing irregularly as a third-country national without asylum application in the Netherlands, *outgoing request*) have stated that they have transited through or temporarily stayed in several Member States prior to their arrival in the Netherlands. In a quarter of the number of cases examined within this population, it was possible to deduce from the asylum seekers' statements about the transit route that they had not taken the fastest or shortest route to the Netherlands. In these cases, there was therefore a question of 'wandering around' the EU+ before entering the Netherlands. In most cases, these wanderings could only be partially deduced from Eurodac hits. This implies that, in these cases, the asylum seeker did not apply for asylum in all the transit countries.

However, for this subpopulation, most of the Dublin requests sent by the Netherlands to the other surveyed Member States related to an asylum application previously lodged in another Member State (Article 18, Dublin III, 62%). Other reasons for submitting a Dublin request were related to the issue of a residence permit or visa (Article 11, Dublin III, 23%) or irregular entry or irregular stay (Article 13, Dublin III, 13%). In the latter cases, this only involved requests addressed to Spain, Italy and Greece. In one case, the Netherlands requested another Member State to take charge of the case based on family grounds (Article 17.2, Dublin III, humanitarian provision).

Of the 56 requests that the Netherlands sent in these cases, 30 were initially rejected. Eight of them were granted after a request for reconsideration. The reasons for rejecting the outgoing requests are very diverse. The most common reason is that the receiving Member State considers another Member State to be responsible, the evidence supplied is deemed insufficient, or it is assumed that the applicant has in the meantime returned or been deported to his or her country of origin, due to which the receiving Member State is absolved of its responsibility. Member States do not always interpret this last criterion in the same way.

*M., undocumented, of Algerian nationality, lodges an asylum application in the Netherlands at the beginning of 2018. A Eurodac search reveals that he has lodged an asylum application five years earlier in Germany. M. states that he left Algeria in 2009, stayed alternately in France (irregular stay) and Germany from 2010 to 2014, did not wait in Germany for the decision on his asylum application, resided irregularly in Italy from 2014 to 2017 and subsequently resided irregularly in Belgium prior to his entry in the Netherlands. The Netherlands sends a Dublin request to Germany. Germany rejects the request, noting that the evidence provided by the Netherlands means that M. has not left the EU+ since absconding in Germany. The Netherlands submits a request for reconsideration and hereby notes (with reference to Article 19.2 of Dublin III) that this is a reversal of the burden of proof: it is not up to the Netherlands to demonstrate that M. did not leave the EU+ in the intervening period, but up to Germany to prove that that is the case. Germany also rejects the request for reconsideration and notes that the Netherlands did not provide any information about M.'s place of residence after he had absconded in Germany. The Netherlands submits a second request for reconsideration, pointing out that the information referred to has already been provided in the first instance. In addition, the Netherlands again refers to Article*

*19.2. After a reminder, Germany eventually agrees to take back M. Shortly afterwards, the Netherlands informs Germany that the transfer period will be extended because M. has absconded.*

Only one-third of the cases, in which the outgoing request was accepted, has actually resulted in the transfer of the asylum seeker. This is in line with the results of the data analysis in Chapter 3. We have come across quite a few cases where the evidence and grounds for submitting the request were not disputed, communication between Member States was prompt and effective and the request was immediately accepted. In those cases where the transfer did take occur, the entire Dublin procedure (including transfer) was completed within five to six months.

In those cases where the acceptance did not lead to an actual transfer, this was because the asylum seeker had absconded, returned independently to his or her country of origin with the help of the IOM, the Netherlands had decided to settle the matter within its national asylum procedure or the transfer period had expired. In about a quarter of the cases in which the request was accepted, the transfer period was still open at the time of the research. In 75% of these cases, however, it was already reported at that time that the asylum seeker had absconded in the Member State receiving the request.

#### **4.2.4 Dublin requests received by the Netherlands**

The *incoming requests* in *Subpopulation 4* of our case file review concern three groups of asylum seekers:

- Asylum seekers who do not enter the Netherlands (because the Netherlands does not accept the incoming request or because an agreement follows but there is no actual transfer), although this does not mean that these asylum seekers have not been in the Netherlands earlier
- Asylum seekers who enter the Netherlands as a result of a transfer but who had not been in the Netherlands earlier
- Asylum seekers who enter the Netherlands (one or more times) independently, before or after receipt of the incoming request

Approximately 70% of the number of case files in this subpopulation related to the first category, 12% to the second and 16% to the third.

Most of the incoming requests related to asylum applications previously lodged in the Netherlands (Article 18, Dublin III, 63%), family members residing in the Netherlands who were beneficiaries of international protection (Article 9, Dublin III, 14%), the issue of a residence permit or visa (Article 12, Dublin III, 12%), family members of an unaccompanied minor asylum seeker residing in the Netherlands (Article 8, Dublin III, 7%) and requests to make use of the humanitarian provision (Article 17.2, Dublin III, 5%).

The Netherlands rejected 21 of the 43 incoming requests. All requests relating to a residence permit or visa issued by the Netherlands were accepted. All requests submitted on the basis of family members residing in the Netherlands as

beneficiaries of international protection, were rejected. This also applied to the two requests for relying on the humanitarian provision.

The most common reasons for rejecting the incoming requests were that the Netherlands considered another Member State responsible, that the family relationship was insufficiently proven, that the asylum seeker had been granted international protection in another Member State, or that the request had not been sent within the deadline.

*N., single and minor, of Guinean nationality, applies for asylum in Spain at the end of 2016. At the time, she states that her sister lives in the Netherlands and that she wants to stay with her. Spain therefore submits a take charge request to the Netherlands. The Netherlands rejects the request because it believes that the alleged family relationship is insufficiently substantiated. Spain submits a request for reconsideration, encloses a written statement by N. and refers to the interests of the child (Article 8, Dublin III). But the Netherlands also rejects the request for reconsideration. It states that there is no direct evidence and that the family connection could be demonstrated with a DNA test. Spain submits a second request for reconsideration and encloses a statement from the UNHCR on the asylum hearing of N.'s alleged sister, where she states that she has a sister. Spain points out that it has submitted several means of proof and that a DNA test can only be demanded in extreme cases. Moreover, according to Spain, the Netherlands has not sufficiently substantiated why the evidence provided is insufficient. Spain subsequently sends three reminders to the Netherlands along with photos of N. and her alleged sister. The Netherlands also rejects the second request for reconsideration. It states that there is still no direct evidence, that the only thing that can be inferred from the photos that N. and her alleged sister know each other, that N. is now of age and that only a DNA test can provide clarity about the alleged family connection. Spain points out that the conditions as on the date of the asylum application (Article 7.2, Dublin III) are applicable and announces that it will carry out a DNA test. The test shows that the involved parties are indeed sisters. The Netherlands therefore accepts the take charge request for N. Eight months after receiving the request, N. is effectively transferred by Spain to the Netherlands.*

Less than half of the requests accepted by the Netherlands for this subpopulation actually led to a transfer to the Netherlands. By far the most common reason for this is that the asylum seeker absconded before the transfer could take place. The picture that emerges from the data analysis is supported by the interviews conducted. In all the Member States surveyed, a substantial proportion of asylum seekers abscond before the transfer can be implemented. None of the authorities consulted are aware of whether these asylum seekers subsequently reside irregularly in their Member State, move on to another Member State or return to their country of origin. Information about this is often received only in the form of a take back or take charge request from another Member State. What is common to all Member States is that asylum seekers abscond during the maximum extended transfer period (18 months) and then report back to the authorities after the end of this period. In such cases, any responsibility of the Member State that has received the request, lapses (Article 29.2, Dublin III). In all Member States, NGOs and lawyers inform asylum seekers of this option when asked about the possibility of avoiding an announced transfer. The case file review and the majority of the interviews conducted reveal that young or older males travelling alone (often

from safe countries of origin) and unaccompanied minor asylum seekers abscond relatively often.

However, there are pertinent differences between the options available to Member States for transferring asylum seekers of certain nationalities to another Member State or deporting them. For example, the Netherlands, as well as most of the other Member States surveyed, only have limited success in deporting asylum seekers of Moroccan or Algerian descent (whether or not after a possible transfer), while Spain has far fewer problems with Morocco and Algeria thanks to bilateral readmission agreements.<sup>115</sup>

It is notable that all three requests accepted by the Netherlands from Greece have led to an actual transfer. This is in line with picture emerging from the data analysis in Chapter 3. All of these are requests submitted on account of family members residing in the Netherlands. Hence, in these cases, the parties involved had a personal interest in the transfer.

If we look at all the requests that have led to an actual transfer to the Netherlands, it becomes clear that female asylum seekers have been transferred more often than male asylum seekers and that male asylum seekers accompanied by family members have been transferred more often than single males or males travelling alone. This is in keeping with experiences in the other Member States surveyed. This may also mean that it is generally more difficult for women and families to abscond for a long period of time than for single males and/or males travelling alone. In all four subpopulations of the case file review, by far the majority of cases involve men who have entered the Member State alone, even if they are married.<sup>116</sup>

It was also striking that all asylum seekers who came from a country of origin designated as safe by the Netherlands and whose incoming request had been accepted by the Netherlands, had not yet been transferred at the time of this research. In those cases where the transfer deadline had not yet expired, the requesting Member State had, in most cases, already reported that the asylum seeker had absconded. This finding also corresponds to the experiences of authorities in the other Member States surveyed. Everywhere it is seen that the majority of third-country nationals seeking asylum, who are not eligible for international protection, abscond relatively often. They thereby anticipate an expected rejection of their application and/or a transfer decision. Their main aim seems to be to stay in the EU+ for as long as possible. They achieve this goal by lodging asylum applications in several Member States and by moving onwards before they can be transferred to the responsible Member State.

## 4.3 Transit period, motives, family relationships

### 4.3.1 Transit period

In our case file review, when we consider the length of the transit period of asylum seekers from the time of entry in the EU+ to the time of entry in the Netherlands, we see differences between, on the one hand, Subpopulations 1 (asylum application in the Netherlands, no Dublin procedure) and 2 (asylum application in the Netherlands, Dublin request initiated but not sent), and on the other hand, Subpopulations 3 (asylum application in the Netherlands, outgoing request) and 4 (incoming request). In the first two subpopulations, in more than 60% of the cases in which the transit period could be determined to a reasonably specific extent, it was found that asylum seekers entered the Netherlands within one month of their entry in the EU+. The majority of cases, in which no Dublin request was initiated or in which a request was initiated but not sent, therefore involve a fairly quick transit (our first form of secondary movements). In Subpopulations 3 and 4, this percentage is lower, i.e. 20 and 45% respectively. These are all cases in which Dublin requests were either sent or received. It is likely that, as the period of transit continues, there is an increasing chance of direct means of proof for starting a Dublin procedure.

We have also encountered cases in which asylum seekers have travelled through Europe for several years and have resided in various Member States for shorter or longer periods, sometimes regularly (pending a decision on an application for a residence permit or while holding a residence permit) and sometimes irregularly. In some cases, this involved periods ranging from 10 to 20 years, with people sometimes returning to their country of origin during this period (usually for short periods of time).

*O., of Kosovan nationality, in possession of identity documents, lodges an asylum application in the Netherlands in the summer of 2016. During the investigation, it appears that he previously applied for asylum in the Netherlands in 2003. He did not appear for the appointment for the first interview, but moved on to Switzerland. However, O. was stopped in Germany and placed in detention. Germany submitted a Dublin request to the Netherlands. It was accepted and O. was transferred to the Netherlands. After the rejection of his asylum application, he absconds in the Netherlands. Six months later, the Netherlands again receives a Dublin request from Germany. This too is accepted and O. is again transferred to the Netherlands. Subsequently, he indicates that he wants to lodge a new asylum application, but again absconds before doing this. A year and a half later, France sends an inquiry to the Netherlands regarding O.'s residence status. After this, no further information can be found in the Dutch case file until the summer of 2016, when O. relodges an asylum application in the Netherlands. At this time, he declares that he applied for asylum in Switzerland a year and a half earlier, that that application was granted, that he stayed there for a year and a half, but that he voluntarily left Switzerland due to relationship problems. O. also states that he applied for asylum in Germany in 2006 and that he had resided there regularly (based on a 'Duldung') for two years. After that, according to his own statement, he returned to Kosovo independently. The Netherlands decides to disregard O.'s application for asylum and places him in detention. While in detention, he lodges another application for asylum. A few days later O. indicates that he wants to return voluntarily to his country of origin with the help of the IOM. He withdraws his repeated asylum application. The detention is terminated by order of the court. A few days later, the IOM informs the IND that O. has not left. He again absconds. A week later, the Netherlands receives a request from Belgium. The Netherlands accepts the request. The transfer period is suspended because O. has also absconded in Belgium.*

### **4.3.2 Motives**

We have examined all the case files to find out why the asylum seeker has moved onwards after his or her entry in the EU+ and the specific motives for requesting asylum in the Netherlands. Both decisions stem from the actual situation of the asylum seeker in a EU+ Member State. In Subpopulation 1 (asylum application in the Netherlands, no Dublin procedure), we were able to decipher these motives in 20% of the cases; in Subpopulation 2 (asylum application in the Netherlands, Dublin request initiated but not sent) and Subpopulation 4 (incoming request), this was about 50%; and in Subpopulation 3 (asylum application in the Netherlands, outgoing request), roughly 75%. For all the subpopulations, the motives for the transit could be deciphered more often than the motive for specifically requesting asylum in the Netherlands.

In most cases, the reason for the transit was that the Member State of entry was not the desired final destination. In some cases, the desired final destination was the Netherlands, but it was also often the United Kingdom or another Member State (particularly in Subpopulation 4, incoming request). The 'poor conditions' in the Member State of the previous residence were often mentioned. By this, some asylum seekers meant the general lack of perspective (no shelter, work, care or education), while for others it was more about specific negative experiences such as discrimination, intimidation and even abuse.

*'I don't want to go back to Bulgaria. I did not apply for asylum there voluntarily, but I was forced to give up my fingerprints. I was treated like an animal there. I was cursed and beaten on the street, for no reason. I was robbed in front of the reception centre and no one intervened, not even the security guards. I was mistreated by the police while applying for asylum. They just threw me out of the room. If this is their way of life, I'd rather go back to Syria than to Bulgaria.'*

Other reasons for transit were related to a desire to undergo medical treatment or were mainly practical in nature ('I needed a place to sleep'). The fear of being deported to the country of origin by the Member State of previous residence was also regularly mentioned as a motive for transit. Finally, the rejection of an asylum application previously lodged in another Member State or the long duration of the asylum procedure in that country were also mentioned as reasons for transit.

We have also encountered quite a few cases of asylum seekers who applied for asylum in the Netherlands after they had been granted international protection or a regular residence permit in another Member State. The reason for transit in all these cases was that the possession of such a status did not offer sufficient opportunities for housing, work, education and integration in that country.

*P., of Russian nationality, lodges an asylum application in the Netherlands at the end of 2014. Eurodac shows that he has previously lodged asylum applications in Poland (2008), Sweden (2010), Belgium (2011, 2x), France (2012), Germany (2013), again Poland (2014) and again Belgium (2014). Investigation in Belgium shows that Poland had granted a subsidiary protection status to P. in 2008. In this regard, P. states: 'From 2008 to 2010, we stayed in a centre for asylum seekers in Poland. After we were granted our status, we had to leave the centre. Then we had to find a house by ourselves and take care of ourselves. It did not work out. Even the children could not go to the doctor. We wanted to go to a country where we could get help.'*

*Q., of Syrian nationality, lodges an asylum application in the Netherlands at the end of 2017. He appears to be in possession of a valid regular residence permit for Greece and says that he lived and worked there from 2000 to 2011. He then returned to Syria. Because of the war there, he left again for Greece. He arranged for Greek residence permits for his wife and children, so that they could all come to the Netherlands: 'I didn't want to travel in an irregular manner.' Upon being told that his asylum application may be declared inadmissible due to his residence status in Greece, he says that he does not want to return to Greece: 'In Greece, there is nothing. We had to sleep with the children for days on the street and in parks, before we could leave for the Netherlands. There is no work and my children cannot go to school there. My children were very scared in Greece. We want safety and a future. We do not want to apply for asylum in Greece. We have heard that after that you will get nothing, no house, no work, no education. You are then sent back on the street and you have to arrange for everything yourself.'*

The most important reason for lodging an asylum application in the Netherlands was usually the perceived 'good situation' in this country, in a general sense. In the Netherlands, people expect favourable prospects when it comes to living, working, education, care, democracy, security and respect for human rights. In none of the cases could we deduce a more specifically reasoned decision for selecting the Netherlands, rather than the other Member States. A smaller number

of asylum seekers in the case files examined by us came to the Netherlands because their family or friends already live here. In addition, there is another proportion that lodged an asylum application due to specific circumstances, for example, because they had insufficient money to reach the United Kingdom and were stranded in the Netherlands or because they felt themselves 'forced' into lodging an asylum application because of a transfer to the Netherlands (Subpopulation 4, incoming request). In one case, the asylum seeker mentioned the quality of the Dutch asylum procedure as the most important reason for applying for asylum.

### **4.3.3 Family and family relationships**

In roughly a third of the total number of case files examined, the asylum seeker indicated that he or she had family members already living in the Netherlands. In a small number of cases in Subpopulations 1 (no Dublin procedure), 3 (outgoing request) and 4 (incoming request), people stated that they were dependent on these family members. In Subpopulation 2 (Dublin request initiated, but not sent), this applies to half of the cases in which people stated that they had family staying in the Netherlands. However, the main reasons for not sending the initiated Dublin request were not related, from a strictly administrative perspective, to the presence of these family members in the Netherlands. In roughly 60% of these cases, the Dublin request was not sent due to the expiry of the request period (about 20%), the return of the asylum seeker to his or her country of origin after the earlier submission of an asylum application in another Member State (about 20% of such cases mainly concern asylum seekers from the Western Balkans and Georgia which are designated as safe countries of origin by the Netherlands) and the lack of Eurodac hits (also about 20%, most of which concerned asylum applications from 2014). In less than 10% of the cases, the reason for not sending the request was because there were family members already residing regularly in the Netherlands. Of course, the fact that the administrative reason for not sending a created request had nothing to do with the presence of family members in the Netherlands, does not imply that the third-country national had no family in the Netherlands.

In the cases in our case file review where asylum seekers stated that they had family in another EU+ Member State, they did not express any intention of staying with those family members and neither did they claim to be dependent on those family members. Naturally, if that were the case, they would have moved on to that other EU+ Member State.

## **4.4 Conclusion**

### **4.4.1 Fragmented information about transit routes**

We found indications of secondary movements in the vast majority of the case files examined, including those in which the Netherlands did not ultimately conduct a Dublin procedure. These indications include both direct and supporting evidence. In most cases, the asylum seeker's statements about the transit route form the only indication, but from 2016 onwards there is an increase in the number of cases that also involve Eurodac hits. The statements made by asylum seekers about their transit route are usually vague and brief. Asylum seekers usually do not voluntarily report that they have previously applied for asylum in one or more other Member States and either refuse to cooperate or only cooperate to a limited extent in reconstructing their transit route, which means that this information cannot be fully verified.

### **4.4.2 Multi-faceted transit patterns**

Secondary movements of asylum seekers in the EU+ is often not a linear migration, but one that progresses in a criss-cross manner through Europe. After their initial entry, asylum seekers often move around Europe for a long period of time. This is not usually in the form of a continuous transit, but rather a 'transit in stages' alternated with short or longer periods of stay in different Member States. In most cases, these 'wanderings' through Europe can only be partially reconstructed based on the number of Eurodac hits. Hence, an asylum seeker does not invariably lodge an asylum application everywhere. Sometimes they submit an application for a regular residence permit, but again move and stay somewhere else without trying to regularise that stay. In particular, asylum seekers from countries that are designated as safe countries of origin regularly transit to and from between their country of origin and EU+ territories. In some cases, there was a gap of as much as 10 to 20 years between the time of entry of the asylum seeker in the EU+ and the last time that the asylum seeker's file was handled (by the Netherlands).

### **4.4.3 Circumstances at current location decisive for transit**

In most of the cases in which we have been able to discover the motives for secondary movements, these were related to the circumstances in the Member State of an earlier stay. These were usually described as 'bad' due to a generally perceived lack of perspective (no shelter, no work, no or insufficiently accessible medical care or education) or specific events that brought about a substantial change in someone's legal and/or practical situation (rejection of the asylum application, termination of the right to reception, issue of a return decision and fear of being deported, deterioration of one's health etc.).

The most important reason mentioned for applying for asylum in the Netherlands was usually the 'good situation' in this country, in a general sense. People expected

good or better perspectives in terms of living, working, education, care, democracy, security and respect for human rights. In none of the cases could we deduce a more specifically reasoned decision for selecting the Netherlands over the other Member States.

#### 4.4.4 Risk of absconding is a problem in all Member States

During the case file review, we have come across many cases where asylum seekers, in almost all the Member States where they were staying, absconded prematurely to avoid being transferred. In none of the Member States authorities are aware of whether these asylum seekers subsequently continue residing irregularly in their Member State, move on to another Member State or return to their country of origin. Information about this is often received only later in the form of a take back or take charge request from another Member State. What is common to all Member States is that asylum seekers abscond during the maximum extended transfer period (18 months) and then report back to the authorities after the end of this period. In such cases, any responsibility of the Member State that has received the request, lapses (Article 29.2, Dublin III). Young or older males travelling alone (often from safe countries of origin) and unaccompanied minor asylum seekers abscond relatively often. In case of the former, this is because they expect a rejection of their application and a transfer decision. Their main goal is to stay in the EU+ for as long as possible. They achieve this goal by lodging asylum applications in several Member States and by moving on before they can be transferred to the responsible Member State.

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<sup>106</sup> Interview with the German migration authorities (Nuremberg, 28 March 2019) and the Royal Netherlands Marechaussee (The Hague, 26 February 2019).

<sup>107</sup> Interview with Swiss migration authorities (Bern, 29 November 2018), interview with I. Soysuren (Neuchâtel, 29 November 2018), interview with Swedish migration authorities (Stockholm, 14 November 2018), interview with Austrian migration authorities (Vienna, 12 December 2018).

<sup>108</sup> Interview with CIR ONLUS, Italian Council for Refugees (22 January 2019).

<sup>109</sup> Interview with Comisión Española de Ayuda al Refugiado (CEAR) (Madrid, 4 April 2019).

<sup>110</sup> Interview with Swiss migration authorities (Bern, 29 November 2018) and Austrian migration authorities (Vienna, 12 December 2018).

<sup>111</sup> Interview with A. Gonzalez Ferrer at I. Serrano (Madrid, 4 April 2019).

<sup>112</sup> Idem Also see subsection 3.4.

<sup>113</sup> Since the [ruling](#) of the ECHR in the M.S.S. case against Belgium and Greece of 21 January 2011 and the [ruling](#) of the CJEU in the N.S. case against the United Kingdom and M.E. and others against Ireland of 21 December 2011, asylum seekers are no longer transferred to Greece under the Dublin Regulation.

<sup>114</sup> *Parliamentary Papers II*, 2017-2018, 19637, nos. [2355](#) and [2374](#).

<sup>115</sup> Interview with A. Gonzalez Ferrer and I. Serrano, (Madrid, 4 April 2019).

<sup>116</sup> In Subpopulation 3 (asylum application in the Netherlands, outgoing request), the proportion of single people, males and asylum seekers from a 'safe country of origin' is each time the largest.



## Chapter 5

# Views on secondary movement

**In this chapter, we provide an answer to Question 2: How do Member State governments clarify the existence of secondary movements of asylum seekers? We describe the different views and compare them with the views of civil society. Thereafter, we look at how the views of the different respondent groups relate to the academic insights on factors that influence asylum-related migration in general and secondary movements of asylum seekers.**

## **5.1 Different views on secondary movements and the causes thereof**

In Chapter 3, we found that the vast majority of the asylum applications registered in the Member States surveyed in North-Western and Central Europe consist of secondary movements. On the other hand, for the Southern European countries studied, the vast majority of the registered asylum applications consist of asylum-related migration, in a general sense. Moreover, the vast majority of irregular entries take place in the south. It is therefore not surprising that authorities in North-Western and Central Europe have a different view of secondary movements compared to the authorities in Southern Europe.

All government respondents in North-Western and Central Europe indicated that they considered secondary movements as undesirable and something that must be actively prevented. According to them, the irregular onward migration of asylum seekers within the EU+ is placing a great deal of pressure on their asylum system. They see it as a symptom of the deficiencies in the CEAS - the Dublin Regulation, in particular - and the poor implementation thereof by some Member States. We have not been able to speak to the French authorities, but information from the other respondents shows that France also sides with this group. Hence, the Netherlands is supported by these Member States in its attempt to place secondary movements on the EU agenda.

Government representatives in North-Western and Central Europe often said that they did not have any precise information about the reasons for secondary movements to and from their country. They had more to say about the onward migration to their country than from their country, which also shows that they give more priority to reducing the onward migration to, rather than from, their country. Respondents from this group of Member States often cited the poor reception, facilities and limited future prospects in the countries of entry in Southern Europe as the most important factors for secondary movements. According to them, many asylum seekers choose their country due to, in their opinion, the high-quality asylum and reception system and extensive social benefits. They regard a brief asylum procedure as a way to attract asylum seekers with well-founded applications, while long asylum procedures merely attract asylum seekers with unfounded applications. Some respondents from this group of Member States also indicated that their country lies on the transit routes for certain nationalities. The

Member States in this group are reasonably comparable in terms of their level of prosperity, access to social security, asylum systems and facilities for asylum seekers. Although these factors were often mentioned, they cannot completely explain the differences in the number of asylum applications between the Member States. In addition to being located on migration routes within Europe, respondents from authorities consulted in these Member States consider refusals of asylum applications as the main reason for the onward migration from their country.

According to these respondents, a further harmonisation of national asylum systems, reform of the Dublin system with a longer term of responsibility in combination with sanctions for secondary movements and stricter compliance with the provisions of the CEAS form the key measures for counteracting secondary movements. If this can be achieved, a corrective allocation mechanism will be acceptable to them. Respondents indicated that the lack of progress at the European level means that they are increasingly obliged to take national measures. Although this group of Member States have a significant amount of outgoing secondary movements from their countries, in addition to a large extent of incoming secondary movements, their focus is on countering incoming secondary movements.

The governments in Southern Europe did not cooperate in our research. However, their view on the secondary movements of asylum seekers can be deduced based on their joint position paper, the reaction of the Italian government to our request and information from third parties. Their focus is on controlling irregular entries in the EU via their country, which puts a lot of pressure on their registration, asylum and reception system. Greece does not face any incoming secondary movements, and for Spain and Italy, this is much smaller in size than the number of irregular entries. Hence, secondary movements are hardly perceived to be a problem. This is why Spain has not made any personnel available for submitting outgoing Dublin requests. For quite a long period of time, Italy also did not provide any personnel for this task. After receiving assistance from the EASO and due to the recently increased incoming secondary movements, Italy has set up a department for submitting outgoing Dublin requests in 2018 and actively started monitoring this.

Outgoing secondary movements are not perceived as a problem in Southern Europe and the prevention of this is therefore not a priority. These Member States feel that the current Dublin system is unfair because it places the responsibility for examining asylum applications primarily on the Member State of entry. Despite this, they take active measures to discourage the secondary movements of asylum seekers in order to comply with European obligations. For example, Greece detains migrants arriving by sea on the islands based on the EU-Turkey Statement. This Statement, in combination with the closure of the borders in the Western Balkans, has led to a sharp decline in outgoing secondary movements. At the same time, this has led to a sharp increase in asylum applications in Greece and increased pressure on the asylum and reception system. The southern Member States want the European Commission's proposals, relating to a longer period of responsibility and making the Member States of entry responsible for inadmissible asylum applications, to be withdrawn. According to them, this will lead to even greater

pressure on their registration, asylum and reception system. On the other hand, they support the proposed corrective allocation mechanism. They believe that this may reduce the pressure on them.

In contrast to the Member State governments, civil society (NGOs, lawyers) has a different perspective on secondary movements. These respondents do not see secondary movements as something negative to be countered, but as an inevitable consequence of the fact that asylum seekers cannot choose the country in which they apply for asylum. In addition, they note that the Dublin system is based on the assumption that Member States are equal in terms of the duration of the asylum procedure, outcomes of the procedure and the reception conditions, which is clearly not the case. They emphasise the poor reception conditions and the lack of facilities in certain Member States of entry for both asylum seekers and those holding an asylum-related status. They also see the differences in acceptance rates as a reason for onward migration. Moreover, they note that there are major differences in socio-economic perspectives for status holders in the various Member States. According to them, offering asylum seekers greater freedom of choice in deciding the destination country is the solution for counteracting secondary movements. They regard coercive measures and the imposition of a longer period of responsibility as counterproductive. However, they are in support of an allocation mechanism between the Member States. They also stress the importance of making the asylum systems of the Member States more uniform.

## **5.2 State of play in terms of academic research**

A great deal of research has been performed in order to identify the driving forces behind asylum-related migration in a general sense, <sup>1</sup> i.e. the particular reasons for leaving the country of origin as well as the reasons for choosing a specific destination country or countries. In contrast, very little research has been done specifically on the secondary movements of asylum seekers. Academic insights gained on general factors determining asylum-related migration are also relevant for secondary movements. After all, in both cases it is about decisions to migrate, follow a certain route and apply for asylum at a certain moment in a certain country. This is why we also discuss, in a general sense, the relevant literature on asylum-related migration.

### **5.2.1 Factors that influence asylum-related migration in a general sense**

In 2016, the IOM, in collaboration with the University of Maastricht, conducted a major synthesis study for the EASO on the available academic and non-academic literature on the driving forces of asylum-related migration to the EU.<sup>2</sup> In 2015, the University of Maastricht had also carried out a large-scale synthesis study, which was commissioned by the Research and Documentation Centre (*Wetenschappelijk Onderzoek- en Documentatiecentrum, WODC*), on irregular migration routes to and within Europe (and specifically to the Netherlands) and the factors that influence the destination choices of irregular migrants (and specifically the reason for selecting the Netherlands).<sup>3</sup> Since the publication of these two major

synthesis studies, a large-scale quantitative study has also been published into the effects of asylum policy on asylum-related migration.<sup>4</sup>

Both synthesis studies show that a lot of research has been carried out on the driving forces behind asylum-related migration. The studies differ greatly in terms of design, method and target group (combination of countries of origin and destination), which leads to differences in outcomes. In addition, there are gaps in the research conducted (not all contexts have been studied), making it difficult to make clear statements about the factors that are important and particularly about the combination of factors occurring in specific contexts. Nevertheless, there is more or less a consensus on the factors that may have an influence on asylum-related migration in a general sense.

There is an academic consensus that migrants seeking asylum leave their country of origin for safety and economic reasons. It is also clear that some migrants already have a certain destination in mind when they leave, while others make that choice at a later stage. The intended destination may also change during the trip. Circumstances and experiences in transit countries play an important role in this process. There is also a consensus that smugglers play an important role in organising the trip and selecting the destination. Little is known about who usually has the final say on this. In addition, it is generally agreed that the presence of family, friends and social networks plays an important role. They are an important and reliable source of information about possible destination countries for the migrant. However, views differ on the extent to which social networks serve as a 'pull' factor. There are also some authors who conclude that it is possible to discourage migration in the country of residence. Findings differ regarding the role of access to information, since this depends on whether migrants or their smugglers have the final say regarding the choice of destination. The results also differ on the extent to which proximity - in terms of geographical distance, culture and language - plays a role in this choice.

The findings about the role of migration policy in the choice of a destination country also vary. On the one hand, there are authors who conclude that migrants often have little prior knowledge about the asylum policy in the various destination countries. They state that asylum seekers have, at most, a vaguely positive or negative image. Therefore, they feel that a favourable asylum and reception policy does not act as a major 'pull' factor. Smugglers may possess this knowledge and they offer destinations based on this knowledge, but little is known about this. Other authors also found this to have, at most, a limited effect. Moreover, some authors indicate that it is important to consider the effect of policy in conjunction with other factors. On the other hand, there are authors who feel that policy changes have a clear impact. In addition to the above research in the synthesis studies, a large-scale study has also been conducted on the impact of asylum policy.<sup>5</sup> This study shows that, if the asylum policy becomes less favourable for the migrant, this generally leads to a reduced number of applications in the relevant destination country, with a shift to comparable countries and a reduction in the number of applications in all OECD countries. All in all, it remains difficult to say anything about the effect of policy in general. There are some examples of

policy having a strong effect but there are also other examples that point to no effect or limited effects. The possible effect will depend largely on the specific measure and context.

## **5.2.2 Factors that influence secondary movements**

There are only a few studies published that specifically address the secondary movements of asylum seekers in the EU+. In 2015, an academic article was published about the secondary movements of Eritreans from Italy to Norway.<sup>6</sup> There is also a publication from 2014 that relates to Italy. This study discusses the results of a survey with in-depth interviews of asylum seekers in two Italian reception centres, with a particular focus on possible secondary movements.<sup>7</sup> In addition, commissioned by the Norwegian government, a large research report on the effects of the Dublin Regulation on secondary movements in the EU+ was published in 2015.<sup>8</sup> In 2016, an academic article was published about the secondary movements of asylum status holders from Malta.<sup>9</sup> Although our research is limited to asylum seekers, this article is relevant because the processes and factors that play a role are common to both situations. Moreover, the other studies mentioned above do not always make a clear distinction between asylum seekers and status holders.

In addition, three articles have recently been published regarding the onward migration of other target groups which we only mention briefly in our report. This includes an academic article, published in 2016, on the onward migration within the EU of naturalised third-country nationals from Somalia, Iran and Nigeria, who have often entered the EU as asylum seekers.<sup>10</sup> An academic article was published in 2018 on onward migration from Italy, but this does not specifically concern asylum seekers.<sup>11</sup> The same applies to an article from 2017 that deals with the onward migration of Latin American migrants from Spain to the United Kingdom.<sup>12</sup>

The EASO also performs analyses relating to the secondary movements of asylum seekers, which includes a joint analysis with Frontex and Europol, but these are not published. The European Parliament's research department has also carried out a brief analysis, which also refers to the aforementioned studies.<sup>13</sup>

In 2018, the ACVZ published a study on the motives of persons who come from countries designated by the Netherlands as safe and who lodge unfounded asylum applications in the Netherlands.<sup>14</sup> In practice, it appeared that this mainly involved secondary movements and therefore these findings are also important for this Research Report. Moreover, the findings from this study can be used to supplement findings from studies on secondary movements mainly relating to asylum seekers who lodge well-founded applications.

### *Large degree of consensus on reasons for secondary movements*

The aforementioned studies show that, in addition to the factors that may influence asylum-related migration in a general sense, there are also a number of factors

that play a specific role in secondary movements. The results of the studies are fairly clear.

The studies show that there may be a specific destination country in mind as early as at the time of departure from the country of origin or at a later stage, but before entry into the EU, in which the factors described in the previous section play a role. According to these studies, at that time a migrant is mainly aware of the countries he or she does not want to stay in because of the precarious conditions for migrants there and the general lack of perspective (countries such as Italy, Greece, Hungary and Bulgaria) and has, at most, a vaguely positive image about other intended destination countries (economic opportunities, high standard of living, access to education and health care), or simply wants to follow earlier routes taken by family/relatives/friends. It is also seen that, even though initially people did not intend to continue their journey, the precarious situation they found themselves in, long-drawn-out asylum procedures and a lack of future prospects made them decide to move onwards and apply for asylum elsewhere. Whether a lengthy procedure is an advantage or disadvantage for the asylum seeker depends, however, on the degree of admissibility of an asylum application. It is a disadvantage for asylum seekers who lodge well-founded applications and who want to bring their family members over quickly. On the other hand, it is an advantage for asylum seekers who can extend their period of regular stay in the EU+, with the right to accommodation and support, by lodging unfounded applications. The rejection of the asylum application may also be a reason to re-apply for asylum elsewhere. In all cases, the motivation to leave from a destination country, due to the circumstances there, is generally stronger than the appeal of another destination country (unless one wants to join family/relatives).

Hence, in the opinion of the authors, the differences between Member States, in terms of living conditions and future prospects and the presence of family or relatives, is a cause for the secondary movements of asylum seekers. The academics we interviewed also mentioned these factors. Factors relating to proximity (geographical, cultural, linguistic) were mentioned only once in a study or interview, so there is no consensus on this.

When talking about differences in current circumstances and future prospects, the authors are referring to aspects that should actually not differ so greatly in view of the CEAS: reception conditions and support, duration of the asylum procedure and the outcomes thereof. Other important differences are outside the scope of CEAS because they relate to the situation after the granting of an asylum-related status: opportunities for paid work, housing, social support and integration. Several authors and academics note that a favourable asylum and social security system in certain destination countries acts as less of a 'pull' factor than is often believed because it is primarily about living conditions and perceived future prospects.

In Chapter 3, based on the numerical data analysis, we concluded that secondary movements are a promising strategy because the Dublin system only has a limited corrective or preventive effect. It is often argued that the Dublin system, border

controls and checks in the vicinity of the internal borders, internal surveillance of third-country nationals and sanctions have little effect on secondary movements because this type of migration continues to occur. However, both the described studies as well as the interviews with academics show that these are indeed aspects taken into account by migrants in their behaviour. For example, migrants use certain strategies to avoid these aspects. For example, they try to avoid their fingerprints from being recorded or try to abscond for 18 months. Supervisory measures can also prevent people from reaching their intended destination and make them feel compelled to apply for asylum in another Member State to avoid being deported to their country of origin. It also appears that there are many migrants who eventually decide to remain temporarily in the country that is not their intended destination, sometimes after one or more failed attempts to transit onwards. People do not want to live with an uncertain residence status for long and secondary movements cause additional stress. Although the number of actual Dublin transfers is low, migrants consider this to be a real risk and as something arbitrary.

The Norwegian research report makes recommendations for countering secondary movements and we have also asked academics about their ideas about this during our interviews. These academics are in agreement that equal conditions and future prospects (i.e. an improvement of the situation in the Member States of entry) for asylum seekers are essential for reducing secondary movements. In addition, mutual recognition of residence statuses and the right to work after the granting of a status have often been indicated as possible measures. The introduction of an allocation mechanism in the Dublin Regulation, taking into account the preferences of asylum seekers, is also seen as an important key to improve the functioning of the Dublin system and limit secondary movements. On the other hand, there are limited expectations regarding the options for influencing secondary movements through policy interventions, checks, surveillance and sanctions. However, there are opportunities to tackle the differences between Member States in terms of the duration and outcomes of asylum procedures and reception conditions.

### *Three forms of secondary movements have different determining factors*

In Chapter 3, we found that three forms of secondary movements can be distinguished based on the passage of time from the moment of entry in the EU+:

- 1) Almost immediate onward migration
- 2) Onward migration during an asylum procedure
- 3) Onward migration after rejection of an asylum application

There are various determining factors underlying these three forms of secondary movements. The studies described in this section focus on the first and, to a lesser extent, the second form of secondary movements. These two forms also receive the most public attention. Moreover, academic literature focuses on asylum seekers who lodge well-founded applications, while in practice there are also large numbers of unfounded asylum applications. Our earlier Advisory Report on safe countries is one of the only reports that focused attention on this third form of secondary movements and dealt with unfounded asylum applications.

In the first form, people have a different destination country in mind from the time they enter the EU and personal experiences in the country of entry do not play a role (since people move on as quickly as possible). In the second and third forms, personal experiences in the current location do play an important role. Poor living conditions, long asylum procedures (for asylum seekers with well-founded applications) and a perceived lack of future prospects in the Member State of residence are determining factors in the second form. A deterioration of the future perspective in the Member State of residence due to the rejection of the asylum application is a determining factor in case of the third form.

### **5.2.3 Inefficient functioning of the Dublin system**

The data analysis revealed that the secondary movements of asylum seekers may continue to occur and even increase, despite a systematic and significant decrease in the number of irregular crossings of external EU borders. This is not only due to the underlying factors described above but also due to the inefficient functioning of the Dublin system. There is a great deal of literature on this topic.<sup>15</sup> Both in the literature as well as among the respondents interviewed by us, there is consensus about the inefficient functioning of the Dublin system. The objective of the Dublin system is to quickly identify the Member State responsible for examining the contents of the asylum application, ensure that the asylum seeker undergoes the asylum procedure in that Member State and prevent the secondary movements of asylum seekers. Particularly the last two objectives are only being achieved to a limited extent.

Based on the case file review, interviews with academics<sup>16</sup> and the literature review, we have derived 10 principles that we consider important for developing further ideas about 'Dublin':

- 1) The Dublin system is designed to regulate uncontrolled entries of asylum seekers and other irregular migrants. The criterion assigning responsibility to

the Member State where the asylum seeker has irregularly crossed the internal or external EU border is less important in the Dublin Regulation than the criterion imposing the need to take family ties into consideration, but the former is applied much more often than the latter. As a result, the implementation of the system does not provide sufficient incentives to either migrants or the Member States at the external borders to register the entry and therefore, paradoxically enough, this contributes to irregular migration.

- 2) If the current Dublin system were to function effectively, it would lead to a very unbalanced distribution of responsibility. In that case, Greece would have been responsible in 2015 for processing 800,000 asylum applications, which is an impossible task.
- 3) Despite the continuous and costly investments by Member States in terms of time, manpower and financial resources to deter asylum seekers, redirect their transit routes and correct their location preferences, in practice many asylum seekers succeed in lodging an asylum application in the Member State they prefer (at that time). The unbalanced nature of the system is evident not only on paper but also in practice.
- 4) Since there is no sustainable system of *burden sharing*, Member States are, to a greater or lesser extent, constantly looking for ways of transferring the responsibility for examining the asylum application to another Member State.
- 5) It follows that a future system must be more balanced, fairer and, above all, more efficient. This is only possible if the criterion of irregular entry is removed and asylum applications are assessed where they are lodged. It is this criterion that prompts asylum seekers to go underground and try to evade identification and registration. This results in an unfair allocation of asylum responsibilities, both on paper and in practice. In order to prevent large-scale uncontrolled migration or secondary movements, the system must also a) offer both asylum seekers and Member States positive incentives to comply with the rules b) focus on efficiency as a starting point and c) include a sustainable and fair allocation mechanism.
- 6) The main positive incentive offered to asylum seekers should be the recognition of the social, economic or cultural ties that they may have with a Member State. This will help reduce the target group for forced transfers. The current transfer rate of voluntary transfers from Greece based on family ties proves that this could work well. Such a system would also have major disadvantages because some of the asylum seekers have no links with a Member State and there will always be Member States where more asylum applications are lodged than in others. Such a system would therefore be very similar to the current system, but it would be less punitive and more cost-effective since costs for detention, escorts, etc. will no longer be required for asylum seekers who have certain links with Member States.
- 7) To make such a system acceptable to those Member States where most asylum applications are lodged, the total asylum budget should be financed from the EU budget. This makes sense since asylum is a public good, granted by a Member State on behalf of the Union. What's more, since these Member States have to use land and deploy manpower, perhaps they should also be financially compensated for that. In addition, it is necessary for the European Commission to pursue an active and convincing enforcement policy towards

Member States that continue to develop national policies and/or do not or insufficiently implement the CEAS, with the intention of remaining or becoming as unattractive as possible to asylum seekers.

- 8) Following the Dutch example, asylum seekers from countries that have been designated as safe and who lodge manifestly unfounded applications should be excluded from the Dublin system. In many Member States, the improper use of the asylum procedure by these third-country nationals puts additional pressure on the implementation of the Dublin Regulation. It is more efficient to handle these applications within the national asylum procedure via an accelerated procedure and, after a possible refusal, not only issue a return decision but also impose a re-entry ban for the entire Schengen area. However, this requires a coordinated policy at the EU level regarding the designation of safe countries.<sup>17</sup>
- 9) A sustainable allocation mechanism should be established for asylum seekers who have no links with Member States, who do not come from a country designated as a safe country of origin and who do not lodge manifestly unfounded asylum applications. Any system where thousands of asylum seekers have to be allocated or reallocated is administratively unwieldy and cumbersome. This is even more so if it is not based on the consent of the people concerned. Hence, it must be considered whether this third group of asylum seekers should be offered the freedom to select from among the Member States which receive fewer allocations. Elements from our earlier Advisory Report can be used to set up such a mechanism.<sup>18</sup>
- 10) Instead of penalising transiting status holders and forcing them to return to the Member State that has offered them protection, status holders should be offered the prospect of free movement within the Union, as also announced in Article 78 (2a) of the Treaty on the Functioning of the European Union. This is necessary in order to prevent irregular secondary movements within the EU and encourage regular intra-EU mobility.<sup>19</sup>

### **5.3 Conclusion**

Based on the case file review, the studied literature and the interviews we have conducted, we conclude that secondary movements of asylum seekers are or may be influenced by the following factors:

- 1) Potential for secondary movement
- 2) Expected socio-economic perspective and specific events that lead to a substantial deterioration in someone's personal situation
- 3) Actual transit opportunities

As we noted earlier, the potential for secondary movements of asylum seekers is determined by the number, in the EU+, of irregular crossings of EU external borders, number of pending asylum applications, and number of rejected asylum seekers who have not returned.

The hope of a better socio-economic perspective may be a reason both for leaving the country of origin as well as the onward migration within the EU+. In the first form of secondary movements distinguished by us, migrants seeking asylum tend

to move on as quickly as possible after their entry at the external border because they anticipate a better future elsewhere in the EU (for example, more chances of getting a paid job, housing and education, as well as opportunities to bring family members over or arrange for family members to take up residence with them, expected chances of obtaining a residence permit or opportunities of residing somewhere irregularly). In addition to these expectations, specific events that lead to a substantial deterioration in a person's (socio-economic, legal, family or health) situation may provide an incentive for onward migration. This may be the reason for the second (transit during an asylum procedure) and third (transit after rejection of the asylum application) forms of secondary movement. Hence, we can see that the expected or emerging lack of perspective forms the main reason for onward migration.

The opportunities for actually travelling onwards are determined by the available information about the situation in other Member States, the presence of social networks, the availability and accessibility of smuggling networks and how the asylum and reception system is organised and implemented in Member States. The latter includes, for example, border controls (which can form barriers) and the registration of migrants on their arrival at the external borders, but also the monitoring of irregular migrants and the effectiveness of the return policy.

The results emerging from academic studies on the impact of migration policy on the choice of destination of transiting asylum seekers are not clear-cut and are context-dependent. It is clear, however, that most migrants who seek asylum do not have a concrete knowledge of the asylum policy in EU Member States when they leave the country of origin. Therefore, most of them have no specific destination country in mind and do not have detailed knowledge of how the Dublin system works when they arrive in the EU. After their arrival, the Dublin system and the intensity and frequency of surveillance and enforcement are factors that determine their behaviour because these are the aspects that influence the opportunities for onward transit. Other factors appear to be more important initially and the migration policy must be viewed in conjunction with these other factors. There is no consensus on the influence of geographical, cultural and linguistic proximity. There is also debate concerning the extent to which information about potential destination countries plays a role in causing secondary movements.

The difference in the nature of migration experienced by North-Western and Central Europe as compared to migration in the southern Member States determines the difference in views on secondary movement. In the north, the focus lies on countering secondary movement while, in the south, it is about controlling the irregular crossings of the external borders.

Unlike the government representatives interviewed, who see secondary movements as undesirable behaviour to be combated, civil society organisations, lawyers and academics see it as the logical consequence of the lack of a level playing field in many areas within the EU, in combination with the fact that asylum

seekers have no say in the choice of the Member State which will examine their asylum application.

Governments and civil society have limited information on the reasons for secondary movements to their countries, but the reasons they cite are generally in line with the aforementioned factors. A striking difference is that the authorities place a much greater emphasis on what they consider to be a favourable asylum and reception policy and the high quality and accessibility of social benefits. On the contrary, academic research shows that the lack of future prospects in the Member State of residence is far more important than the attractiveness of other potential destination countries. Respondents from the consulted authorities see more opportunities to influence secondary movements than can be expected based on academic research.

The perceptions of the different respondent groups as well as the results of the academic research confirm the finding that there continue to be major differences between Member States in terms of asylum procedures, outcomes of these procedures and reception conditions which, in short, points to a flawed implementation of the CEAS. Everyone is also in agreement over the fact that the current Dublin system is not working properly. We have formulated 10 principles (in section 5.2.3) that we consider important for the future reform of the Dublin system.

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<sup>1</sup> By 'asylum-related migration' we mean the migration of third-country nationals who apply for asylum at some point regardless of whether this intention existed at the time of departure and whether they actually need protection.

<sup>2</sup> EASO, [The Push and Pull Factors of Asylum-Related Migration – A literature review](#) – November 2016. In addition to a synthesis report, this has also led to the creation of an online [search catalogue](#) with more than 300 studies. This also includes studies that do not focus exclusively on asylum-related migration but on migration in a general sense because there is often a question of mixed migration.

<sup>3</sup> Kuschminder, K., de Bresser, J., Siegel, M., [Irreguliere migratieroutes naar Europa en de factoren die van invloed zijn op de bestemmingskeuze van migranten](#), 2015. Also published in English under the title: [Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices](#). The scope of this study is less broad than that of the EASO study, but as a result it can go deeper into aspects related to routes and choice of destination. These authors have also found a large amount of literature on these themes.

<sup>4</sup> Brekke, J-P., Roed, M., Schone, P., [Reduction or deflection?](#) The effect of asylum policy on interconnected asylum flows, *Migration Studies*, Volume 5, Issue 1, March 2017, pp. 65–96. The authors have looked at the impact of changes in the asylum policy (access to the territory, asylum procedure, well-being of the asylum seeker) of nine countries in North-Western Europe (Austria, Belgium, the Netherlands, Switzerland, Germany, Denmark, Norway and United Kingdom) on the number of applications in the country that implemented the change (direct effects), in the other eight destination countries (transfer effect) and on the total number of applications in all OECD countries (outflow effect) during the period 1985–2010.

<sup>5</sup> See Note 118.

<sup>6</sup> Brekke, J-P., Borchman, G., [Stuck in Transit](#): Secondary Migration of Asylum Seekers in Europe, National Differences, and the Dublin Regulation, *Journal of Refugee Studies*, 2015, Volume 28(2), pp. 145–163.

<sup>7</sup> Rossi, E., Vitali, L., [Refugees Perceptions, Rights Compliance and the Implications on European Reception Policy](#): Results from a Survey. *Sociology and Anthropology* 2(5): 169–178, 2014.

<sup>8</sup> Takle, M., Seeberg, M.L., [All European countries are not the same!](#) The Dublin Regulation and onward migration in Europe, Norwegian Social Research, Nova Report 12/2015.

<sup>9</sup> Skov, G., [Transfer Back to Malta: Refugees' Secondary Movement Within the European Union](#). 2016, *Journal of Immigrant and Refugee Studies* 14(1), pp. 66–82.

<sup>10</sup> Ahrens, J., Kelly, M., Van Liempt, I., [Free Movement?](#) The Onward Migration of EU Citizens Born in Somalia, Iran, and Nigeria. *Population, Space and Place* 22, 84–98 (2016).

<sup>11</sup> Ortensi, L.E., di Belgiosjoso, E.B., [Moving on?](#) Gender, education, and citizenship as key factors among short-term onward migration planners. *Population, Space and Place*. 2018; 24e2135.

<sup>12</sup> Giralt, R., [Onward Migration as a Coping Strategy?](#) Latin Americans Moving from Spain to the UK Post-2008, *Population, Space and Place*. 2017; 23e2017.

<sup>13</sup> Radjenovic, [Secondary movements of asylum seekers in the EU asylum system](#). European Parliamentary Research Service, Briefing October 2017.

<sup>14</sup> Advisory Committee on Migration Affairs, [Op zoek naar veilige\(r\) landen](#) [In search of safer countries], The Hague: ACVZ, 2018.

<sup>15</sup> Also see Battjes, H. (2018), [The future of the CEAS - an analysis of rules on allocation](#), Den Heijer, M., Rijpma, J., Spijkerboer, T., 'Coercion, prohibition, and great expectations: the continuing failure of the Common European Asylum System', 53 *Common Market Law Review* (2016), p. 607–642, Fratzke, S., 'Not Adding Up – The Fading Promise of Europe's Dublin System', MPI Europe (2015), Garlick, M. (2016), *The Dublin system, Solidarity and Individual Rights*, in: Chetail, V., DeBruycker, Ph., Maiani, F. (eds), *Reforming the Common European Asylum System: The New European Refugee Law*, Brill, p. 159–194, Guild, E. et al., 'Enhancing the Common European Asylum System and alternatives to Dublin', European Parliament (2015), Hruschka, C. (2016). [Dublin is dead! Long live Dublin!](#), Maiani, F. (2016), *The Dublin III Regulation: a New Legal Framework for a More Humane System?*, in: Chetail, V., DeBruycker, Ph., Maiani, F. (eds), *Reforming the Common European Asylum System: The New European Refugee Law*, Brill, p. 101–142, Maiani, F., 'The Reform of the Dublin III Regulation', European Parliament (2016), Maiani, F., *The reform of the Dublin system and the dystopia of 'sharing people'*, *Maastricht Journal of European and Comparative Law* 2017, Vol. 24(5) 622–645, Mouzourakis, M., [We need to talk about Dublin](#), *Refugee Studies Centre Working Paper No. 105* (2014), Peers, S. (2016), [The Organisation of EU asylum law: the latest EU asylum proposals](#), ProAsyl et al. (2013), [Memorandum – Allocation of refugees in the European Union: for an equitable, solidarity-based system of sharing responsibility](#).

<sup>16</sup> Soysuren, I. (29 November 2018), Wagner, M. (13 December 2018), Maiani, F. (15 January 2019), Triandafyllidou, A. (16 January 2019), Pastore, F. (7 February 2019), Angeli, D. (20 February 2019), Hruschka, A. (29 March 2019), Gonzalez Ferrer, A. and Serrano, I. (4 April 2019).

<sup>17</sup> ACVZ, [Op zoek naar veilige\(r\) landen](#) [In search of safer countries] (2018).

<sup>18</sup> ACVZ, [Delen in verantwoordelijkheid](#) [Sharing responsibility] (2015).

<sup>19</sup> Idem.



## Chapter 6

# Measures against secondary movements

**In this chapter, we have answered Question 3 (What types of measures do the Member States take?) and Question 4 (How do the Member State governments assess the effectiveness of these measures?). We also discuss the perceptions of the other respondent groups that we have interviewed. In addition, we consider the effects of these measures on the number of asylum applications.**

## **6.1 Types of measures**

Most of the respondents interviewed by us are of the opinion that measures aimed at reducing asylum-related migration, in the general sense, offer the best remedy for preventing the secondary movements of asylum seekers. This is not surprising, since the potential extent of secondary movements is mainly determined by the number of entries into the EU over time. Hence, many of the measures taken by the EU and the Member States are primarily aimed at reducing asylum-related migration in a general sense. These include measures taken in response to the increased numbers of asylum seekers and other irregular migrants who entered Europe in 2015 and the beginning of 2016.

Based on the factors we have identified in the previous chapter, we make a distinction between measures related to:

- Communication
- Border controls and mobile surveillance of third-country nationals
- Identification and registration of asylum seekers
- Organisation of the asylum procedure
- Access to and quality of reception conditions and associated facilities
- Right of residence offered
- Return policy

## **6.2 Measures at the EU level and measures taken by countries not included in this research and their effects**

There are two measures that have had a visible effect on the number of entries of irregular migrants in the EU and the routes taken by them: the closure of the Balkan route and the implementation of the EU-Turkey Statement.

On 6 March 2016, Croatia, Slovenia and North Macedonia closed their borders. Bulgaria<sup>20</sup> and Hungary<sup>21</sup> had already done this earlier. Serbia followed suit.<sup>22</sup> As a result of this, thousands of irregular migrants became stranded in Serbia, North Macedonia and Greece. Subsequently, the most frequently used route for irregular migration until then shifted westwards. Italy faced a record number of arrivals by sea in 2017.<sup>23</sup>

The most significant measure taken to limit the number of entries of asylum seekers and other migrants in the EU is the implementation of the EU-Turkey Statement. The following is agreed on in this Statement:

- Migrants who enter irregularly via the Greek islands from Turkey after 20 March 2016 will be sent back to Turkey after registration, if they do not apply for asylum or if their applications have been declared unfounded or inadmissible
- For every Syrian sent back to Turkey from the Greek islands, another Syrian from Turkey will be resettled in the EU
- Turkey will make every effort to prevent the emergence of new routes for irregular migration to the EU<sup>24</sup>

At the height of the increased number of asylum seekers and other irregular migrants in 2015, on average more than 6,000 irregular migrants arrived on the Greek islands every day. This number started to decrease after October 2015 and showed a further strong decrease after implementation of the Statement (to an average of 80 arrivals per day).<sup>25</sup> The European Commission therefore rightly refers to this as a *game changer*.

Besides the closure of the Balkans route and the implementation of the EU-Turkey Statement, the EU Member States provide assistance with border controls and the organisation and implementation of asylum procedures. Frontex assists Greece (Operation Poseidon),<sup>26</sup> Italy (Operation Themis)<sup>27</sup> and Spain (Operation Minerva)<sup>28</sup> with border surveillance, rescue of persons at sea, identification and registration of irregular migrants and combating cross-border crime, including people smuggling. In Hungary and Croatia, Frontex assists with mobile surveillance in border areas.<sup>29</sup> The EASO assists Greece in examining asylum applications, sending Dublin requests and professionalising the reception system.<sup>30</sup> The EASO assists Italy in improving the provision of information within the asylum and reception system, eliminating backlogs in the number of decisions regarding asylum applications and further developing the Dublin unit.<sup>31</sup> Besides operational assistance for the Member States under exceptional pressure, the EASO assists all the Member States in implementing the CEAS. It does so by providing training and facilitating the exchange of information and development of practical tools. The EASO Annual Report for 2018 shows that there continue to be major differences between Member States in terms of procedures, outcomes and reception conditions.<sup>32</sup>

As noted in Chapter 2, in 2016, the European Commission proposed a further harmonisation of the CEAS, in order to reduce the differences in procedures, outcomes and reception standards and improve the functioning of the Dublin system.

In addition, in the context of its proposal to convert the Procedural Directive into a Regulation, the European Commission has proposed to lay down, more explicitly, the obligation of cooperation for Member States (in particular, the obligation to provide information) and asylum seekers (in particular, the duty to cooperate) and to concretise this. The European Commission has also proposed accelerated procedures for manifestly unfounded applications and a mandatory termination of

the processing of asylum applications in cases where the asylum seeker refuses to cooperate.<sup>33</sup>

In the context of its proposal for the recast of the Reception Conditions Directive, the European Commission has proposed that asylum seekers, who have not fulfilled the obligation to lodge their asylum application in the Member State where they first entered the EU or who are obliged to stay in a different Member State based on the Dublin Regulation, should be compelled by the Member States to reside in a specific place. Moreover, the European Commission has proposed a new basis for detaining asylum seekers who do not comply with this obligation.<sup>34</sup>

Negotiations on the proposed reform of the CEAS have reached a deadlock on the ideas for adapting the Dublin system. In addition to the proposals for the CEAS reform, the EU is in talks with third countries to reduce irregular migration to the EU and facilitate a greater number of readmissions of rejected asylum seekers and other irregular migrants. For this, the European Commission has proposed the following measures:

- Establishment of a common, non-exhaustive list of objective criteria to assess whether there is a risk of absconding in an individual case
- Provision of an explicit obligation for third-country nationals to cooperate with national authorities at all stages of the return procedure
- In case of asylum seekers who have been detained during the processing of their application as part of an asylum border procedure, provision of the possibility of continuing to hold them in custody in the context of a return border procedure<sup>35</sup>

### **6.3 Measures in the surveyed Member States**

We have identified certain measures based on the interviews we conducted in the Member States. This has been supplemented with overviews of the developments in the field of asylum and migration policy in the Member States, which are prepared periodically by ECRE (Asylum Information Database), the EASO and the European Migration Network (EMN). We make no claims regarding the completeness of our measures. The primary objective was to identify categories of measures, agreements and differences between Member States and any existing trends. We have limited ourselves to the concrete measures taken by the surveyed Member States during the research period. Measures such as the scaling-up and scaling-down of the deployment of staff, resources and infrastructure have not been taken into account insofar as they are not related to the access to reception facilities.<sup>36</sup>

### 6.3.1 Information campaigns focused on discouragement

Since 2014 onwards, six of the ten Member States surveyed (Belgium, Germany, France, Italy, the Netherlands and Austria) have been organising and/or financing information campaigns to inform potential migrants about the consequences of irregular migration and their residence as irregular migrants in Europe. These campaigns are generally aimed at potential migrants from countries of origin that are the source of a relatively large number of asylum seekers. In all cases, the aim is to discourage them from coming to Europe and to the Member State by drawing their attention to the risks involved in the journey (**Italy, The Netherlands**), by disproving the lies and half-truths told to them by people smugglers (**Germany, Austria**), by providing factual information about the asylum procedure and the reception system (**Germany, France**), or more specifically, by pointing out the restrictive nature of asylum laws and regulations and the limited prospect of obtaining international protection (**Belgium, Austria**). As far as we have been able to find out, **Belgium** is the only Member State to have carried out targeted campaigns, via Facebook and other means, at specific locations where secondary migrants (referred to as '*transmigrants*' in Belgium) reside in Belgium (parks, ports, motorway car parks) or elsewhere in the EU where they might be coming from (Greek and Italian hotspots, Northern France, Spanish enclaves, German asylum centres).

### 6.3.2 Border controls and mobile surveillance of third-country nationals

We have mentioned above that surveillance at the external borders in the south of Europe has been intensified and is being carried out with the help of Frontex. In addition, Member States have expanded the *controls* to their *external borders* at airports and seaports. The Netherlands and Germany, for example, carry out more frequent checks on persons arriving on intra-Schengen flights from Greece, while the controls in the Netherlands and Belgium are mainly focused on port areas where irregular migrants attempt the crossing to the United Kingdom as stowaways in lorries and other vehicles. Italy has made agreements with Libya about stopping irregular migrants who try to make the crossing to Italy, and since two years, it has been refusing to allow ships that have picked up migrants at sea to dock at Italian ports.

In addition, five out of the ten Member States examined (Belgium, Germany, France, Austria and Sweden) have re-introduced *internal border controls* during and after the increase in the numbers of asylum seekers and other irregular migrants in 2015, for reasons of public order and/or national security (Article 25 of the Schengen Borders Code). At the beginning of 2016, **Belgium** introduced controls for three months at the internal border of the province of West Flanders with France. These checks were specifically aimed at secondary migrants who tried to travel irregularly from Belgium to the United Kingdom. The other four Member States reintroduced their internal border controls from the end of 2015

(**Germany, France, Austria**) or 2016 (**Sweden**) and subsequently extended them for a fixed period, most recently until November 2019. They have repeatedly justified their reliance on public order or internal security as grounds for these controls, by pointing to the increased number of asylum seekers (Germany: 23 September 2015 to 13 May 2016, Austria: 16 September 2015 to 16 May 2016 and Sweden: 12 November 2015 to 7 June 2016), the continuous secondary irregular movements (Germany: 12 November 2017 to 11 May 2019, Austria: 12 November 2017 to 12 November 2019, Sweden: 12 November 2017 to 12 May 2018), 'the situation at the external borders' (France: 1 November 2018 to 31 October 2019) or the ongoing threat of terrorist attacks (France). On 18 January 2018, France signed the Sandhurst Treaty with the United Kingdom, in which agreements were made regarding cooperation for conducting border controls in the Calais region. Germany and Sweden temporarily carried out a part of the internal border controls extraterritorially. Germany did this in consultation with Austria from November 2015 to June 2016, by setting up an extraterritorial checkpoint in Salzburg. Sweden did this from 4 January 2016 to June 2017 by temporarily introducing extraterritorial identity checks for all travellers entering Sweden by public transport (bus, train, boat) from Denmark.

In a number of Member States (**France, Italy** and **Greece**), NGOs have reported *pushbacks*. Instead of formal border controls, these involve an informal, unlawful practice in which migrants are stopped at the border, without being informed about their rights and without being given the opportunity to lodge an asylum application, if they would so wish.

Prior to the reintroduction of their internal border controls on 4 September 2015, **Germany** and **Austria** decided, based on trilateral discussions with Hungary, to facilitate the transit of several thousands of irregular migrants who wanted to travel to Germany but who were stranded at the Budapest railway station. They justified this decision to relieve Hungary by referring to the option of Member States to exercise their discretion in Dublin cases (Article 17.1 of the Dublin Regulation).

Virtually all the surveyed Member States (Belgium, Germany, France, Greece, Italy, the Netherlands, Austria, Sweden and Switzerland) responded to the increased numbers of asylum seekers at the end of 2015/beginning of 2016 by intensifying the *mobile surveillance of third-country nationals* in internal and external EU border regions.<sup>37</sup> In addition to this, **Belgium** has focused on the transit routes used most frequently by secondary migrants, as a result of which trains to the Belgian coast, car parks along motorways and buses operated by FlixBus are checked more frequently. **Austria** and **Switzerland** have started carrying out more frequent and intensive checks on international trains coming from Italy. Member States have also strengthened their cooperation with the border control authorities in their neighbouring countries. For example, **Germany** and **Austria**, **Austria** and **Italy** (including Slovenia, the Czech Republic and Hungary), and **Switzerland** and **Italy** have carried out

coordinated patrols, while **The Netherlands** has intensified its cooperation with the Belgian and English border control authorities from November 2015 onwards.

Besides temporarily reinstating controls at internal borders and intensifying mobile surveillance, **Germany** has also entered into administrative agreements with **Spain** and **Greece** for the accelerated processing of applications from asylum seekers who are stopped at the German-Austrian border and who have demonstrably lodged an asylum application earlier in Spain or Greece. These agreements fall outside the scope of the Dublin Regulation and are based on the national concept of 'safe third country'. These migrants are automatically refused entry at the border and are taken back by Spain or Greece within 48 hours. It should be noted that the newly organised border procedure introduced in this context is hardly ever applied in practice.<sup>38</sup>

### **6.3.3 Accelerated and more complete identification and registration**

The increased numbers of asylum seekers and other irregular migrants in 2015 led to delays in identifying and registering asylum seekers in various Member States. In **Greece** and **Italy**, the pressure on the asylum system became unmanageable. This is why the EU introduced the Hotspot Approach, whereby Frontex and the EASO can provide operational support to Member States, which require such assistance, for identifying and registering irregular migrants and initiating the asylum procedure. In Italy and Greece, hotspots have been set up at the places where the most number of migrants arrive by sea. In Italy, these are the ports of Porto Empedocle and Pozzallo and the islands of Trapani and Lampedusa, while in Greece, these are the islands of Lesbos, Chios, Samos, Leros and Kos.

The Member States themselves have also taken measures to make up for the identification and registration backlogs and to organise and speed-up this process more efficiently. In **Germany** (September 2015 - September 2016) and **Greece** (June, July 2016, with the help of the EASO and UNHCR), mobile teams were deployed to ensure the registration of unregistered asylum seekers who had entered before the implementation of the EU-Turkey Statement and who had not yet been able to apply for asylum until then. In March 2016, Germany decided to fingerprint asylum seekers at an earlier stage than before (i.e. immediately after arrival at the *Ankunftszentrum*) to prevent them from applying for and receiving assistance in different German states. Germany, Belgium and France have taken measures to improve data processing and data accessibility. In **Germany**, a central database with personal data of asylum seekers was set up at the beginning of 2016 and is accessible to central, federal and local governmental authorities. In 2018, **Belgium** set up a national administrative centre for secondary migrants. At the beginning of 2018, **France** set up counters where local authorities (who are responsible for registering asylum applications) and immigration service employees work together. In **Germany** (July 2017) and **Austria** (September 2018), legislation and regulations were amended to allow

the use of new methods for conducting investigations to identify undocumented asylum seekers. In Austria, this was done with the aim of identifying more Dublin cases. In addition, some Member States have taken measures that impose consequences on asylum seekers who do not cooperate with the identification process. In September 2018, Austria also introduced administrative fines (with imprisonment for non-payment of a fine) for asylum seekers who commit identity fraud. Asylum seekers who conceal their true identity may be fined (€1000 to €5000). If the fine cannot be paid, the asylum seeker may be imprisoned for up to three weeks. In 2018, **Belgium** started enforcing the obligation to provide a proof of identity more strictly in the case of secondary migrants.

#### 6.3.4 Quicker and more efficient asylum procedures

The increased numbers of asylum seekers in 2015 and 2016 have not only led to delays in the identification and registration of asylum seekers in the Member States, but have also placed the overall asylum system under great pressure. In response to this, Member States have taken measures to organise their asylum procedures more efficiently, reduce processing and waiting times, make a differentiation between well-founded and unfounded asylum applications more often and more promptly, and simplify procedures.

Many of the Member States examined (**Belgium, Germany, France, the Netherlands, Austria** and **Switzerland**) have introduced a *list with safe countries of origin* and/or expanded this list. Asylum applications lodged by persons from these countries are examined based on an accelerated procedure. The national lists are similar yet different from one another because they reflect national priorities. In our Advisory Report entitled '*Op zoek naar veilige(r) landen*' (In search of safer countries) (2018), we had noted that the lack of a commonly accepted interpretation of the concept of a safe country of origin within the EU has resulted in a confusing patchwork of lists of safe countries.<sup>39</sup> **Italy** introduced the concept of safe countries of origin at the end of 2018, but had not yet finalised a list at the time of writing the above Advisory Report. **Sweden** does not have a concept of 'safe country of origin'. Nevertheless, it follows an accelerated procedure for applications lodged by asylum seekers from countries with a high rejection rate (recognition rate below 20%) and where there is a prospect of deportation. As with the lists of safe countries of origin in the other Member States, the aim of this 'Track 4B' procedure is to reduce the pressure on the asylum procedure and the reception system in relation to this group of asylum seekers.

Member States have also introduced *accelerated and shortened procedures* for other groups of asylum seekers. In general, this relates to manifestly unfounded or inadmissible applications. As far as we have been able to ascertain, **Germany** is the only Member State that has followed an accelerated procedure for manifestly well-founded asylum applications (Syrians, Yazidis etc.). From November 2014 onwards, these applications were granted based on a completed questionnaire. **The Netherlands** introduced the Five-Track Policy (*Vijf sporenbeleid*) in March

2016, which also includes tracks for the accelerated processing of manifestly founded applications (*evidente inwilligingen*) (Track 3 for manifestly founded, Track 5 for manifestly founded after brief investigation), but these were never put into operation due to the fear of attracting more applications. The other tracks for accelerated processing are those for Dublin cases (Track 1) and for applications of asylum seekers from safe countries of origin and of asylum seekers who have been granted international protection in another Member State (Track 2). Since mid-2016, the Netherlands has been handling specific Dublin cases, which involve asylum seekers from safe countries of origin and where there is a prospect of deportation, within the national asylum procedure (Track 2) even if there are indications that another Member State is responsible. We have seen signs of **Germany** applying the same method, albeit not officially.

In March 2016, as a result of the implementation of the EU-Turkey Statement, **Greece** introduced an accelerated two-week border procedure for asylum seekers arriving on the Greek islands and it is assisted by the EASO in implementing this procedure. In practice, however, it takes a long time before this procedure can actually be initiated. **Italy** introduced an accelerated border procedure at the end of 2018 for migrants who enter or try to enter Italy irregularly and migrants from safe countries of origin. This procedure applies in all border regions and transit zones. **France** has introduced accelerated procedures and admissibility procedures from the end of 2015.<sup>40</sup> In the period 2014-2018, **Switzerland** carried out pilot projects for introducing a quicker asylum procedure (following the Dutch example), including in the test centre in Zurich. The new, accelerated asylum procedure entered into effect from 1 March 2019.

Some Member States have introduced a *quota* for examining asylum applications. **Austria** introduced a temporary emergency provision (for four years) in June 2016 to guarantee public security during border controls. This granted the border police the authority to stop processing asylum applications at the border after a certain number of asylum applications had been reached. Asylum seekers who would fall under this provision would not be granted the right of regular stay, would be ordered to leave Austria immediately and would not be able to appeal against this since there would be no administrative decision in such cases. For 2016, 2017 and 2018, the quotas were set at 37,500, 35,000 and 30,000 asylum applications respectively. However, none of these quotas has been exceeded. In November 2018, **Belgium** introduced a quota of 50 asylum applications to be lodged per day. This practice was suspended following a ruling by the Council of State, which considered this to be an unauthorised limitation of the fundamental right to apply for asylum.<sup>41</sup> According to Greek NGOs, **Germany** introduced a quota in April 2017 restricting the maximum number of transfers of asylum seekers for whom another Member State is responsible under the Dublin system (the so-called 'Dublin claimants') from Greece to Germany to 70 per month, which was later cancelled based on new bilateral agreements reached in 2018. The German migration authorities have denied this. Eurostat data show that the number of transfers was much higher.<sup>42</sup> However, it can be seen that the number of transfers

were out of line with the number of acceptances and that this was rectified in 2018, but this may also be due to a cohort effect. In addition, since 2018, Germany has been trying to reach bilateral agreements with other Member States for more efficient handling of Dublin cases. These are agreements based on Article 36 of the Dublin Regulation. At the time of writing this Advisory Report, Germany had concluded such agreements with Luxembourg, France and Portugal and was in the process of negotiating with other Member States, including the Netherlands. In addition to these bilateral agreements based on Article 36 of the Dublin Regulation, Germany has concluded bilateral administrative agreements with Spain and Greece on the accelerated processing of asylum applications from Dublin claimants stopped at the German-Austrian border. These are agreements based on the national concept of 'safe third country'. The purpose of these agreements is to ensure an immediate refusal at the border and take back (within 48 hours) by Spain and Greece of migrants who have previously applied for asylum there (verifiable based on Eurodac hit).<sup>43</sup>

### **6.3.5 Curtailment of reception facilities**

In recent years, many Member States have also curtailed access of asylum seekers to reception conditions and related facilities. Often this only applies to specific groups or the measures are related to the stage of the asylum procedure in the particular case. This includes measures such as the imposition of residence restrictions to ensure that asylum seekers remain available for the relevant procedures and limitation of the right to social benefits arising from the right to reception.

**Germany** granted the right to free travel in Germany to asylum seekers and *Geduldeten* in 2014. However, in response to the increased numbers of asylum seekers in 2015, Germany has taken a number of measures to restrict the freedom of movement of asylum seekers. In September 2015, Germany set up combined reception and return centres (*Ankunfts- und Rückführungseinrichtungen*, ARE) for asylum seekers from safe countries of origin. A measure was introduced restricting the freedom of such asylum seekers, which meant that they had to stay in the ARE during the entire asylum procedure. In October 2015, the decision to ease the *Residenzpflicht* of 2014 was reversed. From that time, all asylum seekers were once again obliged to remain in the first reception centre (*Aufnahmeeinrichtung*) in the relevant district during the asylum procedure. Asylum seekers from safe countries of origin were also excluded from the right to work in October 2015. In August 2016, Germany introduced an obligation for refugees and beneficiaries of subsidiary protection to remain in the state where their asylum procedure was being handled (*Residenzpflicht*). From then on, they could also be obliged (for three years) to live in a certain municipality within that state. However, there is an option to withdraw this obligation for reasons of family, work or study. With effect from 1 August 2018, Germany has set up reception centres where asylum seekers are obliged to remain throughout the procedure (registration, identification and registration, asylum procedure, preparation for integration or

return) (*Ankerzentren*). As a result, the concept of combined reception and return centres is not just applicable to asylum seekers from safe countries of origin, but to all asylum seekers. Finally, in 2019, Germany restricted the social rights of migrants who are beneficiaries of international protection in another Member State and the social benefits for Dublin claimants were also reduced.

In 2015, **Austria** abolished the right to assistance for asylum seekers after expiry of the suspensive effect of an application for review. Since then, the right to assistance has been linked to regular stay, except for cases in which third-country nationals cooperate in their voluntary departure. In 2016, Austria imposed an obligation on third-country nationals who have been issued a return decision or a removal order, to remain in these designated accommodation centres set up by the federal government. In case of a violation of this obligation, an administrative fine of €100 to €1000 applies, and in the event of failure to pay, a sentence of imprisonment of up to two weeks is imposed. With effect from November 2017, this obligation also applies to asylum seekers. Moreover, from September 2018 onwards, asylum seekers are also required to make a financial contribution to the costs of organising accommodation. Security officers have since been authorised to confiscate cash from asylum seekers, up to an amount of €840 per person. With effect from September 2018, asylum seekers who have concealed their true identities and availed of social benefits may be fined a maximum of 360 times the daily amount or be sentenced to imprisonment for up to one year. If the costs of the social benefits are higher than €3000, a maximum prison sentence of three years applies.

**France** has centralised its reception system in 2015. Asylum seekers may be placed in a reception centre or in an emergency reception centre. Dublin claimants are only eligible for placement in an emergency reception centre. In 2015, France also introduced additional grounds for the loss of the right to reception. This right lapses if the asylum seeker refuses the offered place, fails to report within the applicable deadline or if he or she leaves the centre for more than a week without giving any reason.

In **Italy**, asylum seekers (and Dublin claimants) are no longer entitled to second-line reception facilities since the end of 2018. From now on, they will only be entitled to first-line reception centres and large-scale emergency reception centres (CAS). Second-line reception facilities (formerly SPRAR, currently SIPROIMI) are reserved for status holders. With effect from 21 November 2018, further austerity measures have been taken with respect to the material reception conditions and government grants to reception organisations have been reduced. In addition, the greater the number of people accommodated in one facility, the higher the government grant per person. The purpose of this is to reduce the number of small-scale reception centres.

In **Greece**, a measure for the restriction of liberty (geographical restriction) was introduced in March 2016 for asylum seekers arriving on the Greek islands in the

East Aegean Sea. This measure is part of the EU-Turkey Statement and implies that asylum seekers arriving on the islands must remain there and await the outcome of their entire asylum procedure. Dublin claimants do not fall under this geographical restriction. They are transferred to the Greek mainland. Asylum seekers failing to comply with the geographical restriction are detained and returned to the island via which they entered Greece. In addition, the Greek government has worked together with the UNHCR to create more reception capacity for asylum seekers and to improve the quality of its facilities. Although this has led to improvements on the Greek mainland, there is still not enough space to accommodate all asylum seekers.<sup>44</sup>

In **The Netherlands**, two Additional Guidance and Supervision Locations (*Extra Begeleidings en Toezicht Locatie, EBTL*) were set up in November 2017. These reception locations are specifically intended for asylum seekers who cause any form of nuisance. Stricter rules apply in the EBTLs and asylum seekers staying there do not receive any financial allowances.

**Sweden** abolished the right to reception (as well as living allowance and subsidised medical assistance) in June 2016 for rejected asylum seekers whose period for voluntary departure has expired. The right to a living allowance and subsidised medical assistance has also been abolished for asylum seekers with access to private accommodation.

### **6.3.6 Introduction of restrictions relating to residence status**

In response to the increased numbers of asylum seekers in 2015, many Member States have introduced residence restrictions for asylum seekers who are offered national or international protection. These restrictions relate to the nature of the right of residence granted (refugee status or subsidiary protection status), opportunities for obtaining a national humanitarian residence status, family reunification conditions and the time and conditions under which permanent residence rights are granted. Furthermore, it is notable that there are differing trends in the acceptance rates of asylum applications among Member States. For example, there has been a sharp decrease in the acceptance rate of asylum applications of Afghans in Sweden and Austria, and to a lesser extent in Germany and the Netherlands. The acceptance rate of asylum applications lodged by Afghans in France, on the other hand, has remained unchanged.

From 2016 onwards, **Germany** has started granting only the subsidiary protection status to asylum seekers from source countries whose nationals were previously often recognised as refugees (see data in Chapter 3). Germany subsequently suspended the right to family reunification for beneficiaries of subsidiary protection for two years (March 2016 to March 2018). After this, Germany established a 'humanitarian quota' for family reunification of persons with subsidiary protection status (of 1000 visas per month). Therefore, from March 2018 onwards, there is no longer question of a right to family reunification for persons with a subsidiary

protection status, but rather a power of the German State to allow their family reunification. In August 2016, for asylum seekers with refugee status, Germany extended the waiting period for applying for a permanent residence permit from three to five years. Since then, another requirement imposed for the above permit is that the main applicant must be largely capable of providing for his or her own livelihood.

From 2015 onwards, **Switzerland** has more often granted a national, temporary residence status to Syrians who were previously often recognised as refugees and granted refugee status.<sup>45</sup> For holders of such a *Vorläufige Aufnahme*, there is a waiting period of three years for submitting a request for family reunification. Moreover, the requirement for such a reunification is that the main applicant must not be reliant on public resources and must have access to adequate housing.

**Austria** has also introduced (in June 2016) a three-year waiting period for family reunification of persons granted subsidiary protection status. In addition, Austria has introduced additional requirements in June 2016 for allowing family reunification of persons with refugee status in cases where the application has not been submitted within the defined period of three months (the deadline specified in Article 12.1 of the Family Reunification Directive). This includes requirements relating to housing, health insurance and income. In June 2016, Austria also withdrew the practice of immediately granting a permanent residence permit to persons recognised as refugees and reduced the period of validity of the initial residence permit for beneficiaries of subsidiary protection. Since then, persons recognised as refugees are granted a residence permit for three years. If the situation in the country of origin remains unchanged, this permit is automatically converted into a permanent residence permit. Earlier, this was also applicable to beneficiaries of subsidiary protection. Now they no longer receive an initial residence permit for three years but for one year, which may be extended by two years. With this, Austria has made the conditions equivalent to the minimum standards laid down in Article 24 of the Qualification Directive.

With the Salvini Decree (5 October 2018), **Italy** has abolished the national humanitarian residence status. This status was often granted to asylum seekers earlier. The abolished status has been replaced by a 'special residence permit' reserved for exceptional cases (medical problems, domestic violence, victims of natural disasters, etc.).

In **Belgium**, from April 2016, persons granted refugee status and those granted subsidiary protection status are no longer immediately assigned a permanent residence permit. Since then, they first receive a residence permit for five years, which may subsequently be converted into a residence permit for an indefinite period.

**Sweden** introduced a temporary law in July 2016 limiting the right of residence of persons with refugee status as well as persons with subsidiary protection status.

The law was initially applicable for three years, but was last extended until 19 July 2021.<sup>46</sup> Pursuant to this temporary law, since July 2016 Sweden grants an initial residence permit of three years to persons with refugee status and 13 months to persons with subsidiary protection status, where both permits are extendable. Since then, it is also required that persons must be able to provide for their own livelihood in order to be granted a permanent residence permit. Sweden had also initially abolished the right to family reunification for holders of subsidiary protection status, but this restriction has lapsed based on national legal precedents with the extension of the temporary law in July 2019.<sup>47</sup> Other curtailments of the temporary law include, firstly, the introduction of the obligation to provide for one's own livelihood as well as that of immediate family members and a housing requirement as a condition for family reunification of persons recognised as refugees (if the request has been submitted after the aforementioned three-month period) and, secondly, limiting the possibility of obtaining a national residence permit based on humanitarian grounds.

There are also a few exceptions to this trend of introducing residence restrictions for asylum seekers. **Germany** has decided, in addition to other restrictive measures it has taken, to allow the temporary regular migration of migrants from the Western Balkans. They are eligible for a residence permit for work purposes for a period of four years (1 January 2016 to 1 January 2020), if they have a job in Germany. In this case, they do not need to satisfy the more extensive qualification and language requirements. However, this is permitted under the condition that they have not availed of any asylum facilities in Germany in the previous 24 months.<sup>48</sup>

**Greece** granted a temporary humanitarian residence status in April 2016 to asylum seekers whose asylum applications had been pending for five years at the time of the introduction of the new Asylum Act on 3 April 2016. This involved the granting of 5,000 residence permits. Based on humanitarian grounds, **Spain** has regularised Venezuelan asylum seekers whose asylum applications had been denied between 1 January 2014 and 1 February 2019.

### 6.3.7 Measures aimed at transfer and return

In recent years, Member States have taken specific measures relating to transfer and return such as introducing conditions and rules for detention and defining 'a significant risk of absconding' in their legislation based on the implementation of Dublin III.

**Germany** has introduced a specific criterion in August 2015 for assuming such a risk and imposing the detention measure on Dublin claimants. In addition to the general grounds for detention, it is stipulated that a significant risk of absconding will be assumed to exist in Dublin cases if the asylum seeker has left another Member State before his or her asylum or Dublin procedure has been completed there and if there are no indications that he or she will return to the responsible Member State in the short term. In July 2017, Germany has introduced a number of restrictions for asylum seekers who do not cooperate in the effort to establish their identity and facilitate their return. This includes a residence restriction and the decision to no longer inform them of the termination of a possible suspension of their return decision. In the recent proposal (2019) for a new *Geordnete Rückkehr Gesetz*, further return measures have been provided for: the introduction of a new *Geduldeten* category, i.e. third-country nationals who do not cooperate in the effort to establish their identity, with the application of specific conditions for detention conditions; a more detailed description of the legal grounds for detention if a risk of absconding exists; and the introduction of detention measures with a view to obtaining cooperation (*Mitwirkungshaft*).

In July 2015, in its *Fremdenpolizeigesetz*, **Austria** has included a new basis for assuming a risk of absconding: if there is an indication that another Member State is responsible for examining the asylum application because the third-country national has lodged several asylum applications or if, based on his or her previous behaviour, it can be assumed that he or she intends to travel to another Member State. In addition, in 2017, Austria abolished the legal obligation to communicate the scheduled deportation date to third-country nationals. In 2018, Austria has introduced an obligation for hospitals to report the time of discharge of third-country nationals who have been issued a return decision, to prevent them from absconding by leaving the hospital in which they are admitted. In 2017, Austria also introduced administrative fines for third-country nationals who re-enter despite a re-entry ban and for those who refuse to leave after receiving return assistance. These fines vary from €5,000 to €15,000. If the third-country national is unable to pay the fine, a sentence of imprisonment of up to six months is applicable.

In **France**, in response to the *Al Chodor* ruling of the CJEU<sup>49</sup>, the Court of Cassation ruled that the detention of Dublin claimants was unlawful because the concept of 'significant risk of absconding' was not defined in French law. This lacuna was subsequently rectified by the French legislator in March 2018. Since then, it is permitted to detain Dublin claimants before a response to a Dublin request has

been received from the Member State to which the request is sent and before a transfer notification has been sent to the third-country national. Earlier, in March 2016, France had created a legal provision for placing Dublin claimants under house arrest during the process of determining the responsible Member State. Since then it has been decided that Dublin claimants who are placed in house arrest and who do not comply with the reporting obligation, may also be detained.

In January 2017, **Italy** intensified its surveillance of Nigerians residing irregularly in the country. At that time, the Ministry of Internal Affairs instructed the police to reserve more detention capacity for this specific group. At the end of 2018, Italy further extended its grounds for detaining asylum seekers. Since then, the detention measure applicable to third-country nationals may also be imposed on migrants staying in a hotspot or a first-line reception centre, for the sole purpose of establishing their identity and nationality. At the same time, an option was introduced of no longer examining the content of subsequent applications lodged in the final phase of the departure process.

In **Greece**, the ministerial decree (2014) introducing the option of imposing a detention measure for an indefinite period was withdrawn in February 2015 following a ruling by the Athens court.

In 2016 and 2017, based on indications that the system was being misused, **The Netherlands** has curtailed or abolished the financial assistance for return and reintegration provided to asylum seekers from certain safe countries of origin. This decision was partially reversed in July 2018, due to a number of unintended side effects related to the practical implementation of this decision (increased reception costs, fewer demonstrable departures).<sup>50</sup> In April 2017, the option was introduced to impose a re-entry ban on third-country nationals who withdraw unfounded asylum applications without a valid reason before the IND has taken a decision regarding these applications. This practice occurs more often than on average among asylum seekers from safe countries of origin and therefore the measure mainly affects this category of third-country nationals. Intercepted stowaway migrants are being detained since 2018 as a standard measure for attempting to evade border exit checks. With these measures, the police try to prevent recidivism and/or a shift to another port or other area.

Since 2018, asylum seekers in **Sweden**, who have been accepted by another Member State based on a Dublin request sent by Sweden and for whom a transfer decision has been issued, are no longer accommodated in the municipalities under the responsibility of the Swedish Migration Agency. Since then they are being transferred immediately from a reception to a departure centre, where they are placed under the responsibility of the police.

**Switzerland** introduced a new detention regime for Dublin claimants in mid-2015. Since then a risk of absconding is assumed in the following cases: if third-country nationals do not cooperate in the effort to establish their identity, if it can be

deduced from their behaviour in Switzerland or abroad that they will not comply with obligations imposed by the government, if they deny that they are or were in possession of a visa or residence permit issued by a European Member State, or if they deny having previously applied for asylum there while it is unquestionably certain that this is the case. In May 2016, the Federal Court ruled that the risk of absconding must always be assessed based on the individual case. The mere fact that someone has previously applied for asylum in another Member State is insufficient for this. In October 2016, the federal government introduced fines for cantons that fail to carry out Dublin transfers in a timely manner.

## **6.4 Assumed effects of the measures**

In this section, we answer Question 4: How do the Member State governments assess the effectiveness of the measures? We compare this assessment with that of the other respondent groups (lawyers, NGOs, academics).

All the respondent groups consulted are in agreement that the closure of the Balkan route and the implementation of the EU-Turkey Statement have contributed significantly to reducing the number of arrivals of asylum seekers in the EU+. This has also reduced the potential for secondary movements of asylum seekers.

### **6.4.1 Member States: measures have a deterrent effect**

Our research has not yielded any information on impact assessments or evaluations of national measures. All the government respondents we interviewed have emphasised that it is difficult to measure the effects. At the same time, they have underlined the need to counter irregular secondary movements. The North-Western European Member States particularly believe that doing nothing is not an option because then there would be even greater numbers of transiting asylum seekers. Based on this assumption, it follows that the measures must be effective and everyone is convinced of this. All the respondents assume that the measures have a deterrent or dissuasive effect. By this, they are particularly referring to measures such as conducting information campaigns, the temporary reinstatement of internal border controls and intensification of the mobile surveillance of third-country nationals, a limitation of the right of residence and right to reception, and the option of detaining third-country nationals.

People realise that internal borders cannot be fully and continuously monitored and that there will always be asylum seekers and other irregular migrants who manage to cross the border unseen. Nevertheless, these checks and the intensified mobile surveillance are considered of great importance for forming public perception. After all, the visible presence of authorities actively conveys the message that asylum seekers and other irregular migrants cannot simply travel wherever they want to. The active threat of the imposition of detention measures is also assumed to have a deterrent effect not so much on the entry and presence of asylum seekers and

other irregular migrants, but on the extent to which they lodge unfounded applications.<sup>51</sup> The curtailment by national and European case law of the possibilities of actually enforcing the last-mentioned measure is perceived as problematic by all the government representatives we interviewed. There is a general reticence regarding the ultimate effectiveness of carrying out Dublin transfers. In all Member States, it has been pointed out that, in practice, actual transfers are often merely a temporary interruption of the onward migration within Europe: transferred asylum seekers continue trying to move onwards even after the transfer and are often successful in doing this, according to the respondents.

#### **6.4.2 Civil society organisations: measures have adverse effects**

Apart from the government officials, the other respondent groups (lawyers, NGOs, academics) also point to the impossibility of making a reliable assessment of the effects of the measures. They are of the opinion that secondary movements are not reduced as a result of these measures and have particularly expressed concerns about the restrictive and/or punitive nature of the measures. In fact, they fear that these have an adverse effect. According to them, many of the measures contribute to the further marginalisation and criminalisation of asylum seekers and other irregular migrants.

The reintroduced internal border controls are, in their opinion, primarily a marketing trick: they are there to create the impression that there is still a state of emergency and that the government is doing everything it can to get the situation under control again. But according to them, the situation has been under control since 2016. Hence, the need to extend border controls based on the number of entries of asylum seekers in the EU is no longer valid for a long time now, according to these respondent groups. Continuing these border controls drives migrants into the arms of smugglers, with all the consequences that entails. Intensification of surveillance and enforcement does not prevent irregular migrants from continuing their transit. It only increases the risks they face and the costs they have to incur, especially for vulnerable groups such as minors, the elderly, people with medical and/or psychological problems and single women. More migrants will abscond, as a result of which they will end up in vulnerable situations and it will become even more difficult for governments to keep an eye on them. According to NGOs and lawyers, this also contributes to the growing mistrust of asylum seekers towards the government. They fear that asylum seekers will increasingly rely on the stories and promises of smugglers and will be even less inclined to approach the authorities.

The bilateral administrative agreements concluded by Germany with Spain and Greece, outside the scope of the Dublin Regulation, to enable the accelerated processing of asylum applications from Dublin claimants are unanimously assessed by civil society respondents as little more than *window dressing* motivated by considerations of national political opportunities.

In all the North-Western European Member States, these respondent groups have expressed their concerns about the effects of the Salvini Decree, which, according to them, further criminalises asylum seekers. They are convinced that withholding access to second-line reception centres and cutting back on material reception conditions will cause many asylum seekers to end up on the street. The general expectation is that this will lead to more secondary movements from Italy.

In **The Netherlands** and **Switzerland**, lawyers and academics have described the accelerated processing of unfounded asylum applications, which are lodged by asylum seekers from safe countries of origin, as an effective measure to limit such applications and to send out a clear signal that their submission makes little sense.<sup>52</sup> However, with such a measure, it is the implementation of the return decision (and the enforcement of a possible entry ban) which mainly determines whether or not the further transit of the asylum seeker is prevented.

According to the Swedish Refugee Advice Centre, (the public commotion caused by) the reintroduced border controls and the announcement and implementation of the temporarily tightened legislation relating to third-country nationals in Sweden are the main reasons for the significant decrease in the number of asylum applications in **Sweden** from 2016 onwards.<sup>53</sup>

### **6.4.3 Indicative effects of the measures**

Another way to identify the effects of measures is to see whether there have been any changes, after the implementation of the measures, in the number of asylum applications, transiting asylum seekers and Dublin requests. However, a 'statistical effect' is not, by definition, a causal effect. Other factors may also play a role in certain developments.

Chapter 3 describes the statistical trends. It is seen that the number of asylum applications fell sharply after 2015, and that since 2018, it is back to what it was before 2015. This indicates that European and national measures have at least had an effect on the number of registered first-time asylum applications. It is also worth noting that a shift has taken place. The number of asylum applications decreased particularly sharply in Sweden, and to a lesser extent in Austria and Switzerland. On the other hand, the number of asylum applications in France, Greece and Spain is much higher than before 2015.

We have found that future prospects or the lack thereof is one of the main reasons for secondary movements. The measures outlined in this chapter show that Sweden has taken the most comprehensive measures to worsen the future prospects for asylum seekers: the chance of receiving protection has declined, the right of residence has been limited and restrictions on family reunification have been introduced. France, on the other hand, has taken far less drastic measures.

The increase in the number of asylum applications in Greece is largely due to the fact that irregular migrants are being held on the islands and since it is also more

difficult for asylum seekers to travel across the mainland due to the closure of the Balkan route.

Although the number of asylum applications in the EU+ is back at pre-2015 levels, the proportion of asylum requests that is demonstrably the result of secondary movements has actually risen sharply. In that sense, the measures to reduce secondary movements have not been effective. There has indeed been a shift from secondary movements immediately after entry in the EU+ to the secondary movements of rejected asylum seekers (including onward migration in anticipation of a negative decision). The measures have therefore had an effect on the first form of secondary movements, but not on the second and third forms. A persisting problem that remains: dealing with asylum seekers from safe countries of origin who lodge manifestly unfounded asylum applications and ensuring that rejected asylum seekers effectively return to their country of origin.

Border controls and mobile surveillance have had a limited effect in terms of numbers. The data we have seen shows that, in general, only a few irregular migrants are detected during these checks. Although the number of detections and refusals is high at the Italian-French border, many of the persons eventually succeed in migrating onwards. However, this does not mean that border controls and mobile surveillance have no effect because these measures are taken into account by migrants and smugglers and may partly determine whether or not they continue their journey at a certain moment.

## **6.5 Conclusion**

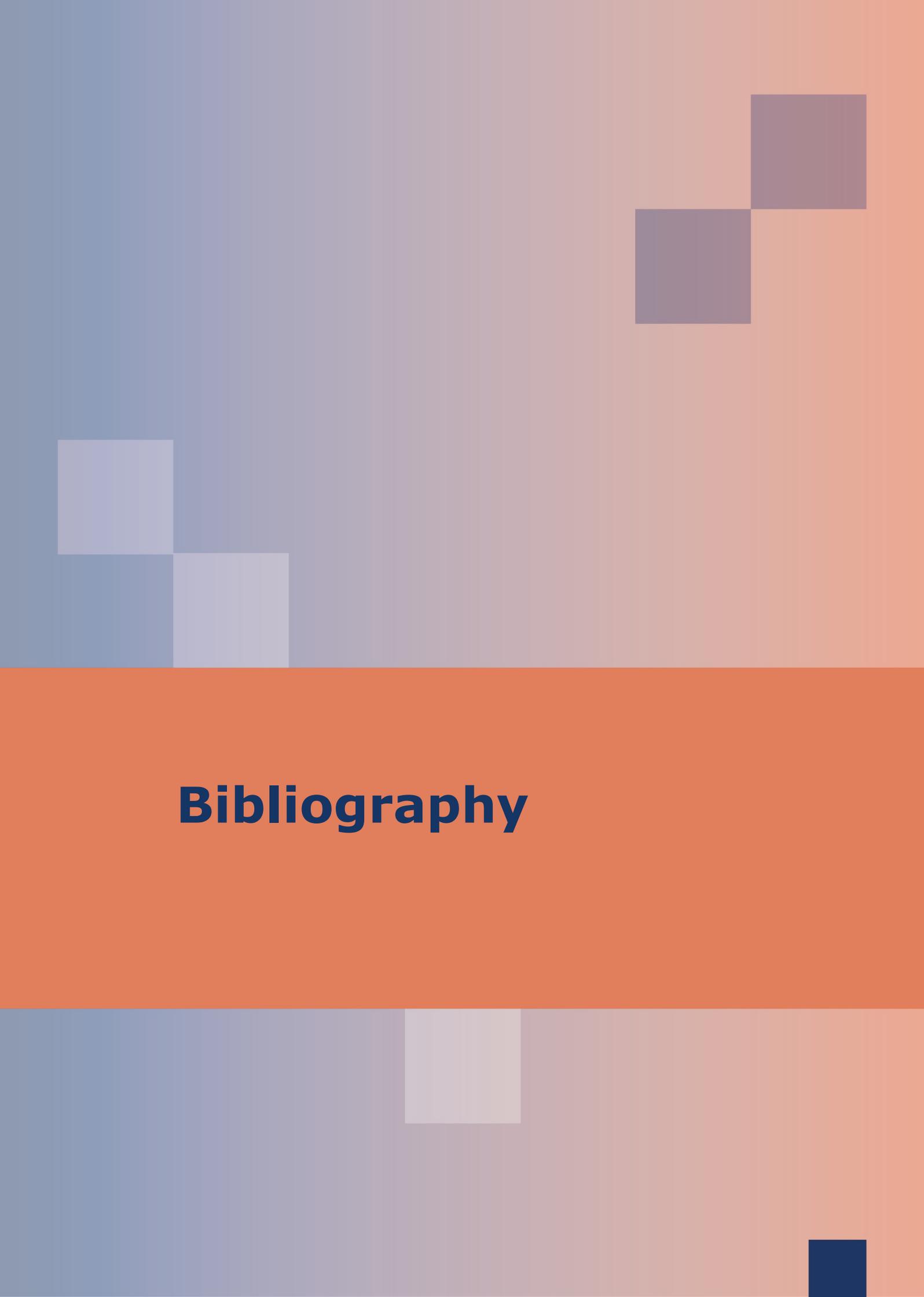
Based on the interviews we have conducted and the additional literature review undertaken, we conclude that the measures taken by Member States to limit general asylum-related migration and the secondary movements of asylum seekers are usually aimed at deterrence and not at tackling the root causes.

Based on our research, we are unable to make any firm statements about the effectiveness of the measures taken because secondary movements are influenced by many factors and there are no effect measurements. Government officials emphasise the fact that the measures send out a signal and assume that they have a deterrent effect. The other respondent groups (lawyers, NGOs, academics) doubt this and are of the opinion that the measures have adverse effects. Nevertheless, if we look at the trends in the number of asylum applications and secondary movements at the level of the Member States, there are indications that the tightening of national policies can effectively deter asylum seekers from going to or encourage them to leave a particular Member State. Sweden, the Member State that has taken the most drastic measures in terms of future prospects for migrants, has also had the largest decrease in the number of asylum applications.

The statistical trend analysis in Chapter 3 revealed that there is an increase in the proportion of first-time asylum applications in the EU+ that are demonstrably the

result of secondary movements. On this basis, it must be concluded that the measures taken by the EU and the Member States have not had the desired effect for the EU as a whole so far. There has been a shift from secondary movements immediately after arrival in the EU+ to the secondary movements of rejected asylum seekers (including onward migration in anticipation of a negative decision). This means that the measures (particularly the closure of the Balkan route and the implementation of the EU-Turkey Statement) have had an effect on the first form of secondary movements, but not on the second and third forms. This indicates an ineffective implementation of transfer and return decisions.

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- <sup>20</sup> New York Times, [Bulgaria Puts Up a New Wall, but This One Keeps People](#).
- <sup>21</sup> BBC News, [Migrant crisis: Hungary's closed border leaves many stranded](#).
- <sup>22</sup> BBC News, [Migrant crisis: Macedonia shuts Balkans route](#).
- <sup>23</sup> Frontex, [Risk Analysis for 2017](#), Euractiv, [Balkan migration route is 'not closed'](#).
- <sup>24</sup> European Council, [EU-Turkey Statement](#), 18 March 2016.
- <sup>25</sup> European Commission, [EU-Turkey Statement](#), three years later, March 2019.
- <sup>26</sup> Frontex, [Operation Poseidon](#).
- <sup>27</sup> Frontex, [Operation Themis](#).
- <sup>28</sup> Frontex, [Operation Minerva](#).
- <sup>29</sup> Frontex, [Operations in the Western Balkans](#).
- <sup>30</sup> Interview with the EASO (Athens, 19 April 2019), also see EASO, [2019 Operating Plan Greece](#).
- <sup>31</sup> EASO, [2019 Operating Plan Italy](#).
- <sup>32</sup> EASO, [Annual Report 2018](#).
- <sup>33</sup> [COM \(2016\) 467](#), Articles 7 and 39-42.
- <sup>34</sup> [COM \(2016\) 465](#), Articles 7.2 and 8.3.
- <sup>35</sup> [COM \(2018\) 634](#), Articles 6, 7 and 22.
- <sup>36</sup> For a more detailed overview and description of measures, see Annex 3.
- <sup>37</sup> We have not found any information concerning developments in the mobile surveillance of third-country nationals in Spain.
- C. Hruschka, [The border spell](#), interviews with German migration authorities (Nuremberg, 28 March 2019), *Pro Asyl* (24 April 2019).
- <sup>39</sup> Advisory Committee on Migration Affairs, [Op zoek naar veilige\(r\) landen](#) [In search of safer countries], The Hague: ACVZ, 2018.
- <sup>40</sup> Accelerated procedures are applied in the following cases: if the asylum seeker comes from a safe country of origin; a possible subsequent asylum application is not manifestly unfounded; the prefecture reports that the asylum seeker refuses to allow his or fingerprints to be taken or has provided false information; the asylum application has not been lodged within 90 days of entry into France; the asylum application was lodged for the sole purpose of thwarting a return decision; or the presence of the asylum seeker poses a threat to public order or national security. Asylum applications are declared inadmissible in the following cases: if the applicant is already a beneficiary of international protection in another Member State; the asylum seeker has been recognised as a refugee in a third country, effectively enjoys protection there and can actually return to that country; or new facts and circumstances submitted within the framework of a subsequent application are considered insufficiently compelling. The admissibility procedure also applies if the asylum application is lodged at the border or during detention.
- <sup>41</sup> [Ruling](#) Belgian Council of State, 20 December 2018.
- <sup>42</sup> Germany reported 3,178 incoming transfers from Greece in 2017 and Greece reported 2,881 outgoing transfers to Germany in 2017. [Eurostat database](#), consulted on 26 June 2019.
- <sup>43</sup> C. Hruschka, [The border spell](#).
- <sup>44</sup> Interview with the UNHCR (Athens, 17 April 2019).
- <sup>45</sup> Interview with Swiss migration authorities (Bern, 29 November 2018).
- <sup>46</sup> ECRE, [Sweden: Parliament extends the temporary law](#).
- <sup>47</sup> ECRE, [Sweden – Migration Court of Appeal rules in a case of family reunification of subsidiary protection beneficiary](#).
- <sup>48</sup> Advisory Committee on Migration Affairs, [Legale kanalen voor arbeidsmigranten](#) [Legal channels for migrant workers], The Hague: ACVZ, 2019.
- <sup>49</sup> CJEU, [ruling](#) C-528/15 (*Al Chodor et al.*).
- <sup>50</sup> *Parliamentary Papers II* (2017-2018) 29 344, No. [134](#).
- <sup>51</sup> Interview with Ministry of Justice and Security, Migration Policy Department (The Hague, 11 April 2019).
- <sup>52</sup> Interview with Ms D. Cain (9 April 2019), interview with Ms J. Younge (10 April 2019), interview with A. Hruschka (29 March 2019).
- <sup>53</sup> Interview with the Swedish Refugee Advice Centre (15 November 2018).



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# List of respondents

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<b>Austria</b>		
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Department Resettlement, Return and International Affairs	Ms. C. Jennewein	Policy officer
Department Dublin and International Relations	Mr. A. Schnabl	Senior caseworker
Asylkoordination	Ms. A. Knapp	Chair woman
International Centre for Migration Policy Development	Mr. M. Wagner	Programme Manager Asylum
<b>Belgium</b>		
Immigration Office (DVZ), Dublin Unit	Mr. P. Petralia Ms. M. Behaeghel	Head of unit Senior caseworker
International Relations Unit	Ms. M. Alexandre	Adviser
Coordination and Monitoring Unit	Ms. M. Gelders Mr. C. Claus	Adviser Attaché
Control and Interceptions Unit	Mr. J. Foets	Adviser
Vluchtelingenwerk Vlaanderen	Ms. L. Okladnicoff	Protection lawyer
Denys-Grouwels-VanRoy advocaten	Mr. L. Denys	Lawyer
Immigration and Naturalisation Office Netherlands	Mr. M. Thiadens	Dublin liaison officer
<b>Germany</b>		
Federal Office for Immigration and Asylum	Ms. J. Eberhard Ms. S. von Saint André Mr. G. Haellmigk Mr G. Gölz	Head of Unit Bilateral Cooperation Unit Bilateral Cooperation Operative management Dublin procedure unit Head of Unit GASiM
Immigration and Naturalisation Office Netherlands	Ms. D. Kalsbeek	Dublin liaison officer
Pro Asyl	Mr. K. Kopp	Director European Affairs
Law firm Dr. Reinhard Marx	Mr. R. Marx	Lawyer
Max Planck Institute for Social Law and Social Policy	Mr. C. Hruschka	Senior researcher
<b>Italy</b>		
Immigration and Naturalisation Office Netherlands	Ms. J. Uitterhoeve	Dublin liaison officer
Italian Council for Refugees	Ms. T. Amadio	Lawyer
Chiesa Valdese	Ms. I. Sommaruga	Counselor
Association of Legal Studies for Immigration (ASGI)	Ms. A. Brambilla	Lawyer
International and European Forum for Immigration Research (FIERI)	Mr. F. Pastore	Director
European University Institute	Ms. A. Triandafyllidou	Professor
Studio Legale Paganini	Mr. F. Cardaci	Lawyer
University of Lausanne	Mr. F. Maiani	Associate Professor

## Greece

UNHCR	Ms. A. Maymann	Assistant Representative Protection
Greek Council for Refugees	Ms. E. Sappouli	Protection officer
Safe Passage	Mr. V. Papadopoulos	Coordinator Legal Unit
Solidarity Now	Ms. T. Stathopoulou	Legal coordinator Greece
Bilkent University Ankara	Ms. I. Bompou	Lawyer
	Ms. D. Angeli	University teacher

## Netherlands

Ministry of Justice and Security (Min J&V), Migration Policy Department (DMB)	Mr. D. Huisinga	Deputy Director-General International Affairs
	Mr. N. Coleman	Senior coordinating policy officer
Min J&V, Migration Coordination Department (DRM)	Mr. M. Bouma	Senior policy officer
Immigration and Naturalisation Service (IND), Strategy Department (SUA)	Mr. W. Dronkers	Head of Unit
Dublin unit	Ms. M. Boels- Brouwer	Senior adviser
Operations support (BIC)	Mr. J. Jansen	Senior officer
Repatriation and Departure Service (DT&V), Strategy Department	Ms. J. Schwarz	Senior adviser
DT&V, Dublin unit	Ms. M. Lenders	Senior adviser
Central Agency for the Reception of Asylum Seekers (COA)	Mr. K. Brouwer	Adviser
Royal Dutch Military Police (KMar)	Ms. C. van der Horst	Senior officer
Aliens Police (AVIM)	Mr. E. Laan	Strategic Adviser International Affairs
	Mr. M. Schrauwen	Policy adviser
	Mr. J. van der Have	Policy adviser
	Mr. D. van den Broek	Staff adviser border management
	Mr. M. van Boekel	Teamleader
	Mr. N. van der Schilt	Operational specialist
	Mr. P. Verheij	Operational specialist
Dutch Council for Refugees	Ms. S. Breskens	Operational specialist
	Ms. L. Reesink	Policy officer
	Ms. D. Ploegstra	Policy officer
Dutch Red Cross	Mr. R. Severijns	Researcher/adviser
Law firm Oudijk	Ms. D. Cain	Lawyer
Law firm Younge	Ms. J. Younge	Lawyer

## Spain

Spanish Commission for Refugees (CEAR)	Ms. E. Muñoz	Lawyer
Spanish National Research Council	Ms. A. González Ferrer	Senior research fellow
University Carlos III	Ms. I. Serrano	Associate researcher

## Sweden

Ministry of Justice	Ms. L. Åberg	Deputy director
Division of Migration and Asylum Policy	Ms. C. Unga	Special adviser
Division for Police Issues	Mr. O. Jöberger	Desk officer
Swedish Migration Agency		
Dublin unit	Mr. S. Imamovic	Head of unit
Unit for migration law	Ms. C. Andersson	Legal specialist
	Mr. F. Axling	Legal specialist

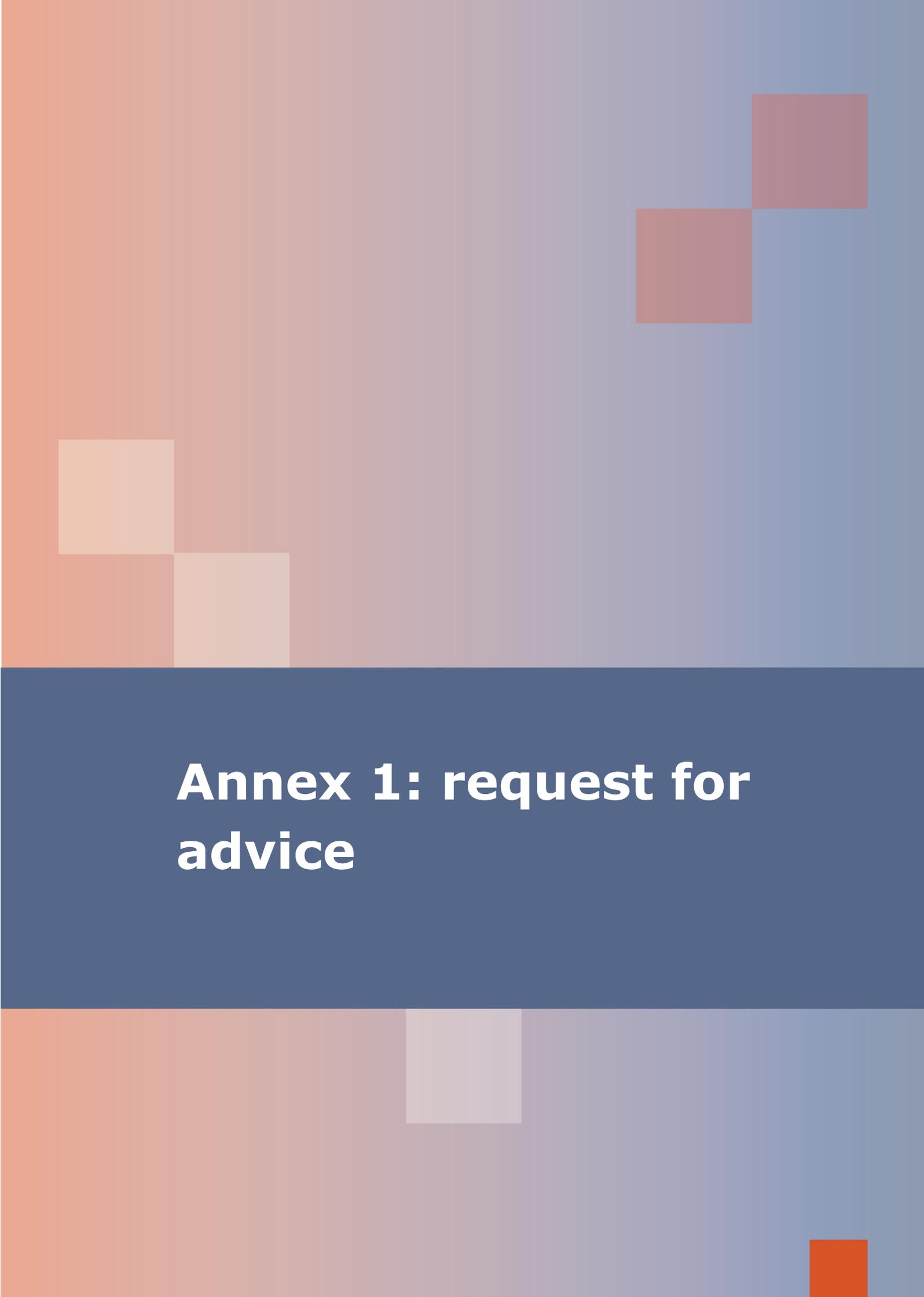
Unit for migration intelligence	Mr. S. Almander	Analyst
International Strategies Unit	Ms. E. Mejhert	Specialist
Swedish Refugee Advice Centre	Ms. E. Molin	Secretary general
	Mr. A. Sundquist	Chief legal adviser
	Ms. S. Rönnow-Pessah	Lawyer

#### Switzerland

State Secretariat for Migration (SEM), Dublin Division	Mr. J. Horni	Deputy head
	Ms. F. Cereghetti	Senior adviser
	Mr. C. Vespignani	Senior adviser
Swiss Refugee Council	Ms. M. Zoeteweyj	Lawyer
University of Neuchâtel	Mr. I. Soysuren	Post doctoral researcher

#### Others

European Commission, DG Home, asylum unit	Mr. H. Nielsen	Head of unit
Council of the European Union, General Secretariat	Mr. G. Stessens	Deputy director
European Council on Refugees and Exiles (ECRE)	Ms. S. Nielsen	Political administrator
European Asylum Support Office (EASO)	Mr. K. Pollet	Senior legal and policy officer
Research sector	Mr. D. Pagidas	Head of Athens office
	Mr. T. Wilkin	Head of sector
	Ms. P. Alexandrova	Analyst



# **Annex 1: request for advice**



> Retouradres Postbus 20301 2500 EH Den Haag

Aan de voorzitter van de Adviescommissie voor Vreemdelingenzaken,  
mr. J.N.M. Richelle  
Turfmarkt 147  
2511 DP Den Haag

ADVIESCOMMISSIE VOOR VREEMDELINGENZAKEN	
Datum, Sk. Verz.	12-4-2018
Nummer:	ADV-001

**Directoraat-Generaal  
Vreemdelingenzaken**  
Directie Migratiebeleid

Turfmarkt 147  
2511 DP Den Haag  
Postbus 20301  
2500 EH Den Haag  
[www.rijksoverheid.nl/jenv](http://www.rijksoverheid.nl/jenv)

**Ons kenmerk**  
2233115

*Bij beantwoording de datum  
en ons kenmerk vermelden.  
Wilt u slechts één zaak in uw  
brief behandelen.*

Datum 9 april 2018  
Onderwerp Vaststelling ACVZ werkprogrammering 2018

Geachte heer Richelle,

Conform de Kaderwet Adviescolleges, artikel 11, eerste lid en in samenhang met artikel 2 van de Vreemdelingenwet 2000, draag ik hierbij twee thema's aan voor uw werkprogramma voor het jaar 2018. Omdat de precieze reikwijdte van de thema's bij het opstellen van deze werkprogrammeringsbrief nog niet vaststaat, ontvangt u op een later tijdstip per onderwerp een nadere specificering van de adviesvraag. Naast de twee thema's die ik in deze brief aandraag, vraag ik u samen met de minister voor Rechtsbescherming om een derde advies. Het gaat om een advies over de vreemdelingrechtelijke gevolgen van het rapport van de Staatscommissie Herijking Ouderschap, waar ik u samen met de minister voor Rechtsbescherming in een aparte brief om vraag.

Ten eerste vraag ik u advies over de rol van private actoren in het migratiedomein. Hierbij vraag ik u te beginnen met een brede inventarisatie van activiteiten binnen het migratiedomein waarop niet-statelijke actoren, van bedrijven tot maatschappelijke initiatieven, ingezet (kunnen) worden. Op basis hiervan vraag ik u kansen, voorwaarden en beperkingen van samenwerking tussen overheid en private actoren te duiden, waarbij ook aandacht moet zijn voor verbetering van de reeds bestaande vormen van samenwerking binnen de migratieketen. In goed overleg met zowel beleidsafdelingen als taakorganisaties wordt vervolgens gezamenlijk bepaald op welke deeltrajecten binnen de migratieketen verdiepend advies wenselijk is.

Ten tweede vraag ik u advies over de aanpak van secundaire migratie. Op het thema secundaire migratie, of doormigratie binnen Europa loopt weinig onderzoek. Ik vraag u mij te adviseren over het handelingsperspectief van de Nederlandse overheid met het oog op de aanpak van secundaire migratiebewegingen binnen de EU. In het geval van Nederland reist de overgrote meerderheid van asielzoekers naar ons land via andere Lidstaten, waar ze ook bescherming hadden kunnen krijgen. Hoewel volgens de huidige Dublinregels de verantwoordelijkheid met name bij Lidstaten van binnenkomst ligt, werken deze regels, ondanks een groot aantal Eurodac-hits en een aanzienlijk aantal Dublinbesluiten, niet goed.



Ik vraag u te beginnen met het in kaart brengen van de problematiek van doormigratie door te achterhalen waarom precies de regels niet goed werken en wat het effect daarvan voor Nederland is. Omdat gebrekkige implementatie van de regels en verschillen in nationale benadering, naast andere factoren, bijdragen aan secundaire migratie, vraag ik u daarnaast wat de verklaringen voor nationale verschillen in effectiviteit zijn, wat Nederland van de aanpak in andere Lidstaten kan leren, en welke verbeterde middelen op EU dan wel nationaal niveau nodig zijn om het fenomeen van secundaire migratiebewegingen effectiever te beperken en tegen te gaan. Deze adviesaanvraag sluit hiermee nauw aan op de pijler uit de integrale migratieagenda die bestaat uit maatregelen om illegale migratie te ontmoedigen.

**Directoraat-Generaal  
Vreemdelingenzak**  
Directie Migratiebeheer

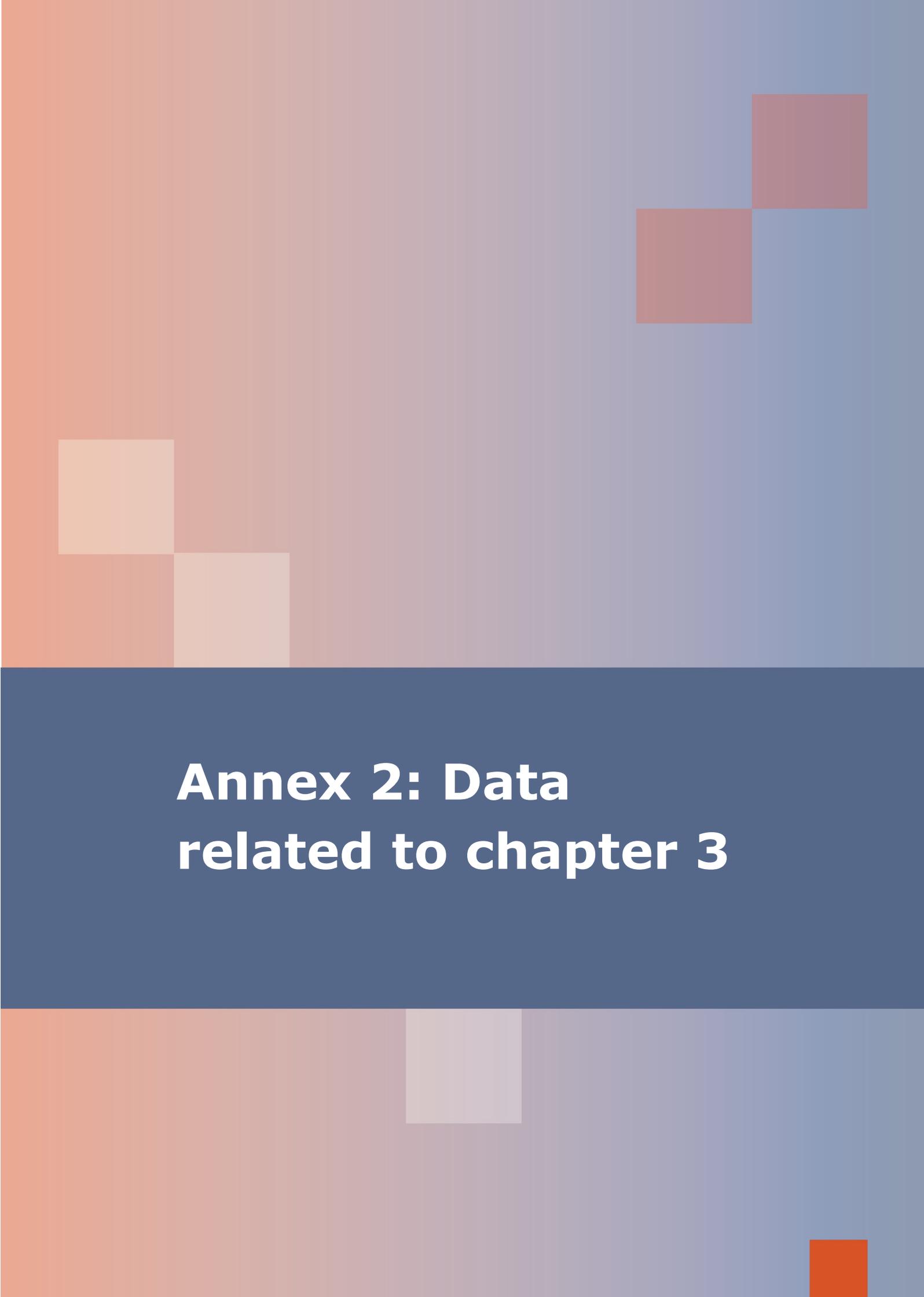
**Datum**  
9 april 2018

**Ons kenmerk**  
2233115

Hoogachtend,

De Staatssecretaris van Justitie en Veiligheid,

Mark Harbers



# **Annex 2: Data related to chapter 3**

Table for Figure 1: Monthly number/proportion of first-time asylum applications in the EU+ lodged by persons from safe and visa-free countries, 2014-2019

Year and Month	Visa free	Safe country	Visa free or Safe country	Visa free	Safe country	Visa free or Safe country
2014M01	5 965	9 675	9 760	16%	25%	26%
2014M02	4 985	8 340	8 460	15%	25%	26%
2014M03	5 810	8 995	9 290	17%	26%	26%
2014M04	5 180	8 520	8 670	14%	23%	23%
2014M05	4 765	8 235	8 360	11%	20%	20%
2014M06	5 580	8 985	9 115	12%	20%	20%
2014M07	7 520	11 535	11 685	14%	21%	21%
2014M08	6 745	10 965	11 085	13%	20%	21%
2014M09	7 105	13 605	13 745	11%	21%	21%
2014M10	8 615	15 945	16 090	13%	24%	24%
2014M11	8 330	19 100	19 225	14%	31%	31%
2014M12	7 640	23 935	24 055	12%	37%	37%
2015M01	8 175	25 155	25 280	13%	40%	40%
2015M02	8 520	34 045	34 170	13%	50%	50%
2015M03	10 540	26 425	26 585	16%	41%	42%
2015M04	11 965	20 575	20 760	20%	34%	34%
2015M05	11 770	18 010	18 175	16%	25%	25%
2015M06	14 435	20 790	21 000	15%	22%	22%
2015M07	16 505	22 385	22 575	14%	18%	19%
2015M08	15 390	20 715	20 915	10%	14%	14%
2015M09	14 890	20 825	21 060	9%	12%	12%
2015M10	11 890	17 130	17 420	7%	9%	10%
2015M11	9 730	14 390	14 760	6%	9%	9%
2015M12	6 620	10 785	11 080	6%	10%	10%
2016M01	6 270	10 795	11 165	6%	11%	11%
2016M02	6 805	12 180	12 595	6%	11%	11%
2016M03	6 540	11 475	11 940	6%	11%	12%
2016M04	6 460	11 175	11 810	6%	10%	11%
2016M05	5 560	9 915	10 580	5%	10%	10%
2016M06	6 840	11 865	12 630	6%	10%	10%
2016M07	7 380	12 910	13 740	6%	11%	12%
2016M08	7 895	15 390	16 130	6%	11%	12%
2016M09	8 570	16 095	16 905	7%	13%	14%
2016M10	6 695	12 670	13 675	8%	16%	17%
2016M11	7 565	12 695	14 015	10%	17%	19%
2016M12	6 280	10 920	11 920	10%	18%	19%
2017M01	6 020	10 220	11 580	10%	17%	19%
2017M02	5 840	9 425	11 025	10%	17%	19%
2017M03	7 370	11 365	13 140	12%	18%	21%
2017M04	6 060	8 890	10 280	13%	19%	21%
2017M05	6 520	9 675	11 490	12%	17%	21%
2017M06	6 575	9 450	11 215	12%	17%	20%
2017M07	6 385	9 870	11 350	11%	17%	20%
2017M08	6 105	9 555	11 000	10%	16%	18%
2017M09	6 020	9 220	11 010	10%	16%	19%
2017M10	6 890	9 510	11 720	12%	16%	20%

2017M11	7 610	10 270	12 635	14%	18%	22%
2017M12	6 390	8 895	10 560	14%	20%	24%
2018M01	7 810	10 290	12 580	15%	19%	23%
2018M02	7 710	9 285	11 895	17%	20%	25%
2018M03	8 050	9 725	12 390	17%	20%	26%
2018M04	8 955	8 550	12 705	19%	18%	27%
2018M05	10 515	8 540	14 530	21%	17%	29%
2018M06	8 785	7 930	12 395	18%	16%	25%
2018M07	8 150	8 685	11 995	15%	16%	22%
2018M08	8 020	8 175	11 410	16%	16%	23%
2018M09	8 475	8 315	11 925	17%	17%	24%
2018M10	10 955	10 600	15 155	19%	18%	26%
2018M11	10 720	9 890	14 545	20%	18%	27%
2018M12	9 810	9 160	13 070	22%	21%	30%
2019M01	12 485	10 535	16 355	23%	19%	30%
2019M02	14 535	10 035	18 420	27%	19%	35%
2019M03	15 830	10 180	19 920	29%	18%	36%
2019M04	14 120	9 360	17 950	27%	18%	34%
2019M05	15 355	9 185	19 030	29%	17%	35%
2019M06	13 125	8 100	16 370	28%	17%	34%

[Back to Figure 1](#)

Table for Figure 2: Monthly number of first-time asylum applications lodged in the EU+, 2014-2019

Year and Month	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE
2014M01	12 930	4 690	3 375	3 955	655	1 325	280	1 380	1 695	995
2014M02	10 175	4 935	3 175	3 670	760	1 030	330	910	1 365	790
2014M03	10 175	5 540	3 795	3 915	630	1 120	400	960	1 425	870
2014M04	10 485	5 395	4 215	4 385	655	1 190	345	2 225	1 370	905
2014M05	11 560	4 305	5 370	5 560	635	1 525	335	3 260	1 570	845
2014M06	12 510	4 710	4 555	7 510	535	1 590	405	1 700	2 100	1 095
2014M07	16 810	5 045	5 605	8 900	660	2 010	450	2 000	2 750	1 275
2014M08	16 025	3 900	5 065	8 400	390	2 255	435	2 125	2 385	1 515
2014M09	17 085	4 815	7 220	9 410	555	3 090	530	2 865	2 240	1 730
2014M10	19 230	5 580	8 890	7 550	745	2 975	720	1 905	2 265	1 545
2014M11	19 030	4 555	6 785	5 525	580	3 540	630	1 255	1 580	1 160
2014M12	17 060	5 380	5 610	6 315	790	4 050	600	1 230	1 380	1 410
2015M01	22 915	4 025	4 530	4 345	925	3 875	835	890	1 450	1 215
2015M02	24 075	5 135	4 870	3 520	895	3 065	850	735	1 310	1 070
2015M03	30 010	5 610	5 430	3 570	790	2 770	1 220	805	1 380	1 170
2015M04	25 840	5 175	4 500	3 405	855	3 715	1 330	1 135	1 270	1 115
2015M05	25 120	4 355	5 130	4 850	1 005	6 195	1 060	2 250	2 080	1 615
2015M06	34 085	5 150	5 265	6 055	1 000	7 490	1 290	2 925	3 670	2 325
2015M07	36 505	5 330	8 510	7 525	1 065	8 555	1 145	2 980	3 785	3 140
2015M08	36 310	5 240	8 775	11 290	880	8 500	1 030	5 325	3 790	5 165
2015M09	44 480	7 070	11 105	23 735	940	10 545	1 405	6 425	4 415	6 360
2015M10	58 135	7 735	10 365	38 540	845	12 015	1 475	9 965	4 640	5 530
2015M11	57 690	7 145	8 270	36 080	1 000	11 660	1 740	6 225	5 565	5 530
2015M12	46 730	8 595	6 075	13 285	1 160	7 135	1 225	3 375	4 760	4 825
2016M01	57 215	5 900	7 395	3 740	1 050	5 670	1 095	2 565	3 515	2 395
2016M02	72 835	6 380	7 595	2 250	1 320	4 875	925	1 785	2 545	1 315

2016M03	65 275	6 220	7 295	1 735	2 820	3 160	885	1 215	1 895	1 015
2016M04	66 265	5 950	7 785	1 540	3 615	3 970	1 155	980	1 625	930
2016M05	59 705	5 945	9 080	1 470	4 215	3 740	1 315	980	1 790	835
2016M06	78 630	6 075	9 815	1 440	4 185	3 075	1 500	1 110	2 215	780
2016M07	76 550	6 075	10 870	1 530	3 940	2 950	1 005	1 530	2 370	1 035
2016M08	92 115	7 120	11 290	1 700	3 450	3 115	1 220	1 755	2 315	1 255
2016M09	76 515	6 910	12 295	1 795	5 040	2 470	1 305	1 875	2 090	1 100
2016M10	32 390	6 980	13 315	1 880	6 160	2 460	1 705	2 035	2 010	1 295
2016M11	25 895	6 150	13 435	1 730	7 470	2 190	1 905	1 920	1 845	1 175
2016M12	18 965	7 080	11 020	1 575	6 615	2 230	1 555	1 540	1 660	1 155
2017M01	18 750	7 215	11 570	1 555	6 255	2 040	2 080	1 380	1 490	1 150
2017M02	17 440	7 105	11 820	1 325	5 520	1 875	2 270	1 270	1 385	1 080
2017M03	19 885	8 155	13 510	1 525	4 750	1 940	2 365	1 370	1 495	1 210
2017M04	14 590	7 285	9 405	1 255	2 605	1 780	1 940	1 160	1 230	1 085
2017M05	16 180	7 285	11 940	1 425	3 900	1 920	2 725	1 280	1 350	1 080
2017M06	14 965	6 875	12 815	2 060	4 035	1 840	2 350	1 335	1 535	1 050
2017M07	16 110	7 735	12 050	2 095	3 970	2 030	2 695	1 530	1 560	1 170
2017M08	18 280	7 585	10 070	2 670	4 890	2 335	3 190	1 430	1 545	1 245
2017M09	16 175	6 985	10 390	2 495	5 740	1 855	2 830	1 390	1 310	1 315
2017M10	15 920	8 185	9 625	2 225	6 200	1 940	2 830	1 310	1 390	1 345
2017M11	17 530	8 630	8 325	1 930	5 220	1 475	2 965	1 295	1 305	1 235
2017M12	12 485	8 935	5 040	1 670	3 860	1 450	2 205	1 340	1 075	1 085
2018M01	16 970	8 470	7 100	1 795	4 630	1 310	3 080	1 560	1 270	1 460
2018M02	14 090	8 570	6 065	1 360	3 945	1 020	2 835	1 200	1 210	1 205
2018M03	13 870	8 820	5 845	1 295	4 375	1 125	2 845	1 385	1 150	1 345
2018M04	12 975	8 875	4 520	1 280	5 095	900	4 720	1 445	1 125	1 125
2018M05	12 250	8 760	5 135	1 365	5 650	970	6 515	1 570	1 125	1 320
2018M06	13 470	8 660	5 155	1 355	5 590	830	4 945	1 290	1 080	1 175
2018M07	14 985	9 395	4 420	1 580	5 900	1 005	4 340	1 930	1 235	1 810
2018M08	14 595	9 420	2 400	1 695	4 940	920	3 800	2 020	1 030	1 770
2018M09	12 435	8 485	3 240	1 595	5 830	915	4 530	2 240	970	1 990
2018M10	14 245	11 380	3 595	1 790	7 065	955	5 505	2 220	1 295	2 205
2018M11	13 150	9 810	3 535	1 510	6 900	885	5 415	1 840	1 140	1 670
2018M12	8 900	10 775	2 430	1 490	5 065	770	4 210	1 770	895	1 080
2019M01	15 595	8 650	3 140	1 595	5 335	855	6 480	1 855	1 050	2 270
2019M02	13 270	9 625	2 650	1 415	5 300	745	8 950	1 660	1 100	1 665
2019M03	11 965	9 785	2 600	1 510	5 305	855	10 335	1 875	1 100	1 755
2019M04	11 715	10 260	2 545	1 460	4 455	800	8 990	1 870	995	1 785
2019M05	12 185	9 285	3 105	1 515	4 720	865	10 430	1 620	1 085	1 500
2019M06	9 340	9 030	2 825	1 720	4 160	830	8 745	1 695	880	1 630

[Back to Figure 2](#)

Table for Figure 4: Number of pending asylum applications in the EU+, 2014-2019

Year and month	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE
2014M01	138 930	38 580	13 585	28 255	49 290	22 380	5 905	3 680	20 530	17 670
2014M02	141 655	38 910	14 555	27 280	49 225	22 775	5 695	3 815	19 865	16 850
2014M03	143 900	38 660	16 000	26 355	48 010	23 150	5 870	3 820	19 065	16 130
2014M04	147 710	38 975	18 075	26 770	44 515	23 285	6 175	4 890	18 405	14 605
2014M05	151 535	38 455	19 730	28 775	43 645	23 525	6 120	7 030	17 860	14 300
2014M06	157 545	38 365	22 180	32 210	43 885	23 895	6 410	7 905	17 965	14 595
2014M07	167 870	37 915	24 520	37 410	43 750	24 175	5 770	8 755	18 795	14 670
2014M08	178 775	38 785	27 555	42 690	41 815	25 125	6 060	9 510	19 505	15 495
2014M09	190 520	37 800	31 960	47 715	41 535	26 455	6 375	9 935	19 925	15 590
2014M10	200 735	38 360	37 710	50 415	41 340	26 975	6 695	9 785	20 125	15 670

2014M11	212 335	37 660	42 630	51 910	41 410	27 880	7 380	9 230	19 820	15 740
2014M12	221 195	36 520	45 750	54 325	31 930	29 735	7 525	8 710	19 210	15 415
2015M01	231 070	37 305	45 120	56 075	31 345	31 280	8 175	8 065	18 470	15 315
2015M02	243 820	37 860	47 045	55 430	30 210	31 785	8 215	6 380	17 645	14 920
2015M03	260 515	37 935	47 495	54 470	30 135	31 475	8 830	5 455	16 610	14 160
2015M04	274 645	37 480	47 805	53 355	30 225	32 605	9 605	5 370	15 820	13 835
2015M05	288 070	36 960	49 410	54 400	29 780	36 240	11 020	6 805	15 905	14 120
2015M06	306 010	36 085	48 305	56 005	29 160	40 955	12 060	8 385	17 545	14 805
2015M07	324 940	35 015	48 765	59 635	28 495	46 860	11 745	10 020	19 680	16 910
2015M08	346 020	34 080	50 305	67 300	28 240	52 145	12 590	14 270	21 890	21 040
2015M09	366 190	34 490	50 460	85 760	27 325	57 785	13 580	18 795	24 640	27 405
2015M10	391 825	33 835	60 400	117 735	26 605	64 460	15 245	25 590	27 570	31 055
2015M11	417 400	35 790	60 775	148 585	26 190	73 650	16 275	28 960	31 175	33 510
2015M12	424 970	34 125	60 155	156 730	26 150	79 710	16 435	29 640	34 085	36 580
2016M01	432 450	41 920	61 700	156 270	26 520	83 690	19 205	28 425	35 525	37 270
2016M02	454 870	41 920	62 825	151 950	25 915	85 255	18 030	26 500	35 475	35 870
2016M03	473 215	42 855	59 960	147 330	27 370	84 560	18 810	24 035	35 015	33 830
2016M04	497 405	43 655	61 215	142 185	28 715	85 055	19 465	21 475	34 155	32 555
2016M05	528 880	43 515	63 930	137 505	27 955	84 725	19 600	19 040	33 410	31 140
2016M06	571 675	42 970	70 735	130 935	30 085	83 230	18 700	16 375	33 055	29 060
2016M07	610 530	44 095	72 700	124 470	28 645	82 110	18 415	14 575	33 140	28 340
2016M08	664 905	45 300	76 920	119 555	29 850	82 250	19 315	13 525	33 155	27 775
2016M09	689 945	45 640	81 325	112 020	32 005	81 435	18 925	12 785	32 830	26 490
2016M10	674 775	46 030	87 310	102 735	34 745	80 855	19 460	12 805	32 805	25 760
2016M11	635 730	45 635	95 100	91 190	37 880	78 865	19 725	12 625	32 270	25 310
2016M12	602 100	44 070	99 920	83 010	40 020	77 490	20 370	12 255	31 485	24 805
2017M01	568 860	45 270	98 845	82 345	43 025	75 140	21 630	11 105	30 600	24 120
2017M02	534 540	46 450	111 140	79 165	45 045	73 395	23 005	10 415	29 720	23 315
2017M03	504 235	46 735	116 385	75 675	40 020	71 140	21 875	9 535	28 865	22 715
2017M04	483 180	46 870	121 585	73 510	42 730	69 255	25 505	9 075	28 310	22 230
2017M05	454 665	46 410	126 385	70 395	40 400	67 365	26 050	8 315	27 580	21 525
2017M06	474 585	45 520	134 375	67 055	38 270	65 515	28 260	7 770	27 130	20 720
2017M07	481 200	43 935	142 610	65 780	38 075	63 780	29 695	7 800	26 815	20 560
2017M08	479 050	41 890	138 090	64 235	39 755	62 850	32 235	7 695	26 420	20 425
2017M09	469 215	42 020	148 615	61 530	44 290	61 170	33 995	7 470	25 905	19 990
2017M10	457 215	40 145	144 350	58 270	44 230	60 525	34 665	7 340	25 425	19 345
2017M11	450 590	40 130	148 555	54 435	46 005	58 625	36 665	7 120	24 780	19 160
2017M12	443 780	38 405	152 420	51 515	47 820	57 675	38 885	7 390	24 165	18 785
2018M01	432 760	38 555	149 250	52 375	49 555	55 115	39 805	9 515	23 505	16 290
2018M02	427 245	37 305	145 990	50 830	51 385	53 480	42 035	9 595	23 035	16 195
2018M03	420 440	37 305	143 355	48 255	53 660	51 445	43 700	9 610	22 235	15 665
2018M04	417 635	42 055	139 640	47 220	56 805	49 435	46 460	9 855	21 310	15 720
2018M05	413 330	42 055	129 960	45 840	58 560	47 725	53 025	10 390	20 450	15 540
2018M06	410 710	43 160	131 935	43 375	60 480	46 075	57 445	10 465	19 515	15 285
2018M07	408 375	44 830	122 895	43 305	62 980	44 495	56 490	11 265	18 690	16 295
2018M08	404 840	47 200	117 100	43 545	65 080	43 265	63 790	12 560	17 665	17 460
2018M09	396 885	48 415	107 500	42 525	67 700	41 955	66 625	13 975	16 965	18 135
2018M10	391 915	49 675	110 840	41 160	70 265	40 450	70 445	14 595	16 525	18 840
2018M11	387 405	51 435	100 585	39 395	74 075	38 905	74 430	15 215	15 850	19 425
2018M12	384 915	52 925	102 995	37 775	76 340	38 055	78 710	15 970	15 140	19 570
2019M01	379 945	54 425	82 365	37 110	78 230	36 735	85 190	16 540	15 050	20 910
2019M02	374 595	56 640	84 740	35 935	79 475	35 575	93 145	16 820	14 870	21 235
2019M03	366 605	58 260	86 535	34 460	80 460	34 285	102 890	17 210	14 800	21 705
2019M04	362 265	60 650	73 390	33 365	80 805	32 900	108 595	17 515	14 400	22 675
2019M05	357 360	61 745	66 005	32 005	81 730	31 940	116 835	17 275	13 875	23 150
2019M06	351 695	62 685	67 205	31 060	82 910	31 205	122 125	17 660	13 455	23 700

[Back to Figure 4](#)

Table for Figure 5: Decisions on asylum applications in 10 EU+ Member States, 2014-2018

		Refugee status					Subsidiary protection status				
		2014	2015	2016	2017	2018	2014	2015	2016	2017	2018
<b>Total</b>	<b>DE</b>	34%	55%	41%	24%	23%	5%	1%	24%	19%	14%
	<b>FR</b>	17%	22%	21%	17%	18%	4%	5%	11%	12%	10%
	<b>IT</b>	10%	5%	5%	8%	7%	22%	14%	13%	8%	4%
	<b>SE</b>	26%	26%	18%	22%	19%	48%	37%	49%	20%	13%
	<b>GR</b>	10%	38%	22%	38%	39%	4%	4%	2%	4%	8%
	<b>AT</b>	60%	60%	58%	39%	31%	15%	10%	13%	16%	10%
	<b>ES</b>	11%	7%	3%	5%	5%	33%	25%	63%	29%	20%
	<b>NL</b>	13%	33%	34%	19%	17%	49%	46%	37%	26%	14%
	<b>CH</b>	28%	29%	26%	38%	36%	12%	12%	8%	7%	7%
	<b>BE</b>	32%	45%	47%	40%	41%	8%	8%	13%	12%	10%
<b>Syria</b>	<b>DE</b>	80%	97%	57%	36%	43%	13%	0%	42%	58%	41%
	<b>FR</b>	60%	64%	47%	31%	39%	36%	32%	50%	64%	47%
	<b>IT</b>	47%	44%	93%	91%	89%	14%	12%	5%	2%	1%
	<b>SE</b>	11%	10%	6%	13%	10%	89%	86%	90%	80%	76%
	<b>GR</b>	44%	99%	55%	83%	93%	16%	1%	0%	0%	0%
	<b>AT</b>	89%	96%	94%	86%	87%	9%	4%	5%	13%	11%
	<b>ES</b>	10%	2%	1%	1%	2%	89%	90%	97%	95%	91%
	<b>NL</b>	6%	50%	51%	32%	36%	83%	47%	46%	53%	40%
	<b>CH</b>	24%	35%	34%	42%	38%	4%	3%	2%	6%	4%
	<b>BE</b>	71%	86%	72%	68%	66%	25%	11%	24%	25%	20%
<b>Afghanistan</b>	<b>DE</b>	39%	44%	22%	16%	14%	7%	8%	9%	6%	5%
	<b>FR</b>	44%	34%	20%	12%	7%	39%	49%	62%	72%	59%
	<b>IT</b>	10%	9%	9%	18%	28%	79%	84%	87%	71%	58%
	<b>SE</b>	31%	16%	16%	18%	20%	17%	10%	10%	16%	10%
	<b>GR</b>	12%	28%	25%	54%	46%	15%	27%	22%	21%	28%
	<b>AT</b>	57%	46%	22%	19%	19%	33%	32%	33%	21%	13%
	<b>ES</b>	44%	64%	33%	25%	21%	22%	27%	56%	58%	64%
	<b>NL</b>	22%	18%	8%	13%	16%	17%	27%	20%	15%	12%
	<b>CH</b>	14%	13%	8%	13%	15%	3%	1%	1%	1%	1%
	<b>BE</b>	40%	39%	27%	25%	22%	23%	28%	34%	33%	29%
<b>Iraq</b>	<b>DE</b>	83%	96%	59%	38%	26%	3%	2%	17%	22%	5%
	<b>FR</b>	94%	96%	66%	69%	63%	1%	3%	16%	17%	10%
	<b>IT</b>	12%	20%	24%	24%	24%	73%	67%	66%	56%	45%
	<b>SE</b>	14%	17%	16%	21%	16%	11%	5%	8%	15%	5%
	<b>GR</b>	7%	35%	44%	57%	43%	7%	29%	19%	19%	24%
	<b>AT</b>	53%	64%	50%	22%	17%	41%	31%	30%	21%	12%
	<b>ES</b>	0%	100%	29%	14%	13%	0%	0%	65%	59%	56%
	<b>NL</b>	11%	18%	7%	9%	7%	26%	42%	39%	25%	10%
	<b>CH</b>	30%	15%	11%	26%	23%	4%	4%	1%	1%	4%
	<b>BE</b>	28%	45%	49%	33%	26%	41%	24%	10%	7%	6%

[Back to Figure 5](#)

Table for Figure 7: Monthly number of detections of irregular crossings of external EU borders versus the number of first-time asylum applications lodged in the EU+, 2014-2019

<b>Year and Month</b>	<b>First asylum applications</b>	<b>Illegal border-crossing detection</b>
<b>2014M01</b>	38 230	5 760
<b>2014M02</b>	33 020	6 521
<b>2014M03</b>	35 075	9 545
<b>2014M04</b>	37 020	19 587
<b>2014M05</b>	41 720	19 828
<b>2014M06</b>	44 750	29 369
<b>2014M07</b>	55 255	32 541
<b>2014M08</b>	53 675	38 261
<b>2014M09</b>	65 325	41 571
<b>2014M10</b>	66 270	31 422
<b>2014M11</b>	61 155	24 781
<b>2014M12</b>	64 945	23 687
<b>2015M01</b>	63 455	19 910
<b>2015M02</b>	67 935	23 268
<b>2015M03</b>	64 045	17 380
<b>2015M04</b>	61 035	39 115
<b>2015M05</b>	71 475	54 000
<b>2015M06</b>	95 090	74 877
<b>2015M07</b>	121 535	117 473
<b>2015M08</b>	147 550	189 266
<b>2015M09</b>	174 815	308 723
<b>2015M10</b>	180 510	433 620
<b>2015M11</b>	168 440	324 333
<b>2015M12</b>	110 285	220 212
<b>2016M01</b>	101 225	142 038
<b>2016M02</b>	112 500	99 318
<b>2016M03</b>	103 560	43 169
<b>2016M04</b>	107 410	18 610
<b>2016M05</b>	101 270	26 928
<b>2016M06</b>	121 595	29 752
<b>2016M07</b>	117 245	28 990
<b>2016M08</b>	136 000	29 385
<b>2016M09</b>	121 475	24 477
<b>2016M10</b>	80 675	35 939
<b>2016M11</b>	72 650	18 913
<b>2016M12</b>	61 160	13 528
<b>2017M01</b>	59 765	9 255
<b>2017M02</b>	56 905	13 722
<b>2017M03</b>	63 625	15 898

<b>2017M04</b>	48 000	16 964
<b>2017M05</b>	55 660	27 871
<b>2017M06</b>	55 080	30 198
<b>2017M07</b>	57 495	18 574
<b>2017M08</b>	59 890	13 532
<b>2017M09</b>	57 395	17 299
<b>2017M10</b>	57 640	16 963
<b>2017M11</b>	56 310	15 928
<b>2017M12</b>	44 745	8 450
<b>2018M01</b>	53 645	9 005
<b>2018M02</b>	46 700	4 680
<b>2018M03</b>	48 030	6 750
<b>2018M04</b>	47 680	12 693
<b>2018M05</b>	50 970	13 580
<b>2018M06</b>	49 885	15 065
<b>2018M07</b>	53 430	16 180
<b>2018M08</b>	49 560	14 659
<b>2018M09</b>	49 760	16 393
<b>2018M10</b>	57 960	19 009
<b>2018M11</b>	53 725	10 704
<b>2018M12</b>	44 295	10 318
<b>2019M01</b>	54 480	8 365
<b>2019M02</b>	52 875	4 928
<b>2019M03</b>	55 035	6 200
<b>2019M04</b>	52 165	6 361
<b>2019M05</b>	53 670	7 847
<b>2019M06</b>	47 525	10 091

[Back to Figure 7](#)

*Table for Figure 8: Monthly number of detections of irregular crossings of external EU borders by region in the EU+, 2014-2019*

<b>Year and Month</b>	<b>Eastern Med. Route</b>	<b>Western Balkan Route</b>	<b>Central Med. Route</b>	<b>Western Med. Route</b>	<b>Other</b>	<b>Total</b>
<b>2014M01</b>	1 212	1 520	2 171	337	520	5 760
<b>2014M02</b>	1 339	925	3 335	487	435	6 521
<b>2014M03</b>	1 644	895	5 550	799	657	9 545
<b>2014M04</b>	2 030	902	15 679	252	724	19 587
<b>2014M05</b>	2 506	901	14 597	887	937	19 828
<b>2014M06</b>	4 231	1 206	22 778	274	880	29 369
<b>2014M07</b>	5 433	1 738	24 107	358	905	32 541
<b>2014M08</b>	8 046	2 436	25 031	1 887	861	38 261
<b>2014M09</b>	8 860	4 912	26 125	490	1 184	41 571
<b>2014M10</b>	8 460	5 504	15 264	558	1 636	31 422

<b>2014M11</b>	4 374	9 407	9 295	297	1 408	24 781
<b>2014M12</b>	2 699	13 009	6 732	557	690	23 687
<b>2015M01</b>	2 200	12 927	3 615	474	694	19 910
<b>2015M02</b>	3 332	14 722	4 354	178	682	23 268
<b>2015M03</b>	8 620	5 301	2 283	333	843	17 380
<b>2015M04</b>	14 566	7 016	16 061	408	1 064	39 115
<b>2015M05</b>	20 213	10 371	21 229	700	1 487	54 000
<b>2015M06</b>	33 399	17 170	22 886	621	801	74 877
<b>2015M07</b>	57 371	35 564	23 205	560	773	117 473
<b>2015M08</b>	112 212	52 973	22 612	469	1 000	189 266
<b>2015M09</b>	149 563	141 207	15 929	651	1 373	308 723
<b>2015M10</b>	216 260	205 703	8 916	1 209	1 532	433 620
<b>2015M11</b>	155 558	163 879	3 219	727	950	324 333
<b>2015M12</b>	112 092	97 200	9 637	674	609	220 212
<b>2016M01</b>	68 581	67 000	5 273	675	509	142 038
<b>2016M02</b>	58 043	36 622	3 828	289	536	99 318
<b>2016M03</b>	27 343	5 027	9 675	444	680	43 169
<b>2016M04</b>	4 324	3 937	9 149	533	667	18 610
<b>2016M05</b>	2 285	3 431	19 957	561	694	26 928
<b>2016M06</b>	2 195	3 734	22 344	900	579	29 752
<b>2016M07</b>	2 420	2 231	23 498	554	287	28 990
<b>2016M08</b>	4 401	2 072	21 294	1 016	602	29 385
<b>2016M09</b>	3 679	1 586	16 979	1 417	816	24 477
<b>2016M10</b>	4 195	1 991	27 390	1 499	864	35 939
<b>2016M11</b>	2 680	1 225	13 554	909	545	18 913
<b>2016M12</b>	2 131	1 405	8 435	1 193	364	13 528
<b>2017M01</b>	1 826	1 522	4 470	1 086	351	9 255
<b>2017M02</b>	1 601	1 182	8 882	1 388	669	13 722
<b>2017M03</b>	2 631	800	10 853	878	736	15 898
<b>2017M04</b>	1 708	798	12 870	873	715	16 964
<b>2017M05</b>	2 687	611	22 997	940	636	27 871
<b>2017M06</b>	3 011	815	23 461	2 387	524	30 198
<b>2017M07</b>	3 411	1 069	11 460	2 170	464	18 574
<b>2017M08</b>	4 782	1 504	3 914	2 450	882	13 532
<b>2017M09</b>	7 136	1 301	6 266	1 527	1 069	17 299
<b>2017M10</b>	5 573	898	5 923	3 516	1 053	16 963
<b>2017M11</b>	4 712	1 071	5 583	3 802	760	15 928
<b>2017M12</b>	3 241	608	2 283	2 046	272	8 450
<b>2018M01</b>	2 303	520	4 150	1 607	425	9 005
<b>2018M02</b>	1 826	313	1 065	1 071	405	4 680
<b>2018M03</b>	4 053	423	977	882	415	6 750
<b>2018M04</b>	7 272	482	3 083	1 196	660	12 693
<b>2018M05</b>	5 256	478	3 794	3 398	654	13 580
<b>2018M06</b>	4 813	273	3 244	5 908	827	15 065
<b>2018M07</b>	4 532	392	1 811	8 926	519	16 180
<b>2018M08</b>	4 901	591	1 822	6 775	570	14 659

<b>2018M09</b>	6 466	596	852	7 789	690	16 393
<b>2018M10</b>	6 782	520	1 040	9 526	1 141	19 009
<b>2018M11</b>	3 856	637	1 091	4 823	297	10 704
<b>2018M12</b>	4 500	619	556	4 344	299	10 318
<b>2019M01</b>	3 244	653	199	4 082	187	8 365
<b>2019M02</b>	2 756	969	60	919	224	4 928
<b>2019M03</b>	3 806	1 173	414	491	316	6 200
<b>2019M04</b>	14 120	9 360	17 950	27%	18%	34%
<b>2019M05</b>	15 355	9 185	19 030	29%	17%	35%
<b>2019M06</b>	13 125	8 100	16 370	28%	17%	34%

[Back to Figure 8](#)

Table for Figure 13: Top 25 Eurodac hits to and from the 10 EU+ Member States, 2014-2018

2014				
Rank	Arrows		Eurodac hits	
	From	To	Number	Share
1	IT	DE	19,695	8.1%
2	HU	DE	11,486	4.7%
3	BG	DE	11,242	4.6%
4	GR	DE	8,692	3.6%
5	SE	DE	8,135	3.4%
6	CH	DE	8,037	3.3%
7	GR	SE	5,921	2.4%
8	BE	DE	5,793	2.4%
9	AT	DE	5,291	2.2%
10	GR	AT	4,789	2.0%
11	IT	SE	4,195	1.7%
12	FR	DE	4,021	1.7%
13	GR	HU	3,886	1.6%
14	IT	CH	3,816	1.6%
15	HU	AT	3,458	1.4%
16	PL	DE	3,131	1.3%
17	NL	DE	2,926	1.2%
18	BG	AT	2,466	1.0%
19	IT	FR	2,247	0.9%
20	DE	SE	2,186	0.9%
21	NO	DE	2,130	0.9%
22	IT	NO	2,052	0.8%
23	DK	DE	1,978	0.8%
24	ES	DE	1,968	0.8%
25	IT	AT	1,797	0.7%
	<b>Top 25</b>		131,338	54.1%

2015				
Rank	Arrows		Eurodac hits	
	From	To	Number	Share
1	HU	DE	129,215	19.6%
2	GR	DE	86,080	13.0%
3	GR	HU	33,373	5.1%
4	IT	DE	30,426	4.6%
5	GR	SE	22,469	3.4%
6	GR	AT	19,148	2.9%
7	HU	AT	18,477	2.8%
8	BG	DE	18,324	2.8%
9	HU	IT	15,777	2.4%
10	AT	DE	11,588	1.8%
11	HU	SE	11,166	1.7%
12	HU	FR	9,386	1.4%
13	SE	DE	9,155	1.4%
14	CH	DE	8,412	1.3%
15	DE	SE	7,387	1.1%
16	IT	CH	5,695	0.9%
17	GR	NL	5,426	0.8%
18	IT	FR	5,381	0.8%
19	GR	BE	5,278	0.8%
20	GR	FI	5,036	0.8%
21	GR	IT	4,750	0.7%
22	BE	DE	4,543	0.7%
23	GR	DK	4,445	0.7%
24	HU	BE	4,423	0.7%
25	FR	DE	4,033	0.6%
	<b>Top 25</b>		479,393	72.6%

Source: eu-LISA Annual Reports on the 2014, 2015 activities of the Eurodac central system<sup>liv</sup>

2014			
Rank	Country	Asylum appli.	
	Colors	Number	Share

2015			
Rank	Country	Asylum appli.	
	Colors	Number	Share

1	Germany	173,070	29%
2	Sweden	75,090	13%
3	Italy	63,655	11%
4	France	58,845	10%
5	Austria	25,700	4%
6	Switzerland	22,130	4%
7	Netherlands	21,810	4%
8	Belgium	14,130	2%
9	Greece	7,590	1%
10	Spain	5,460	1%
	<b>10 MS</b>	467,480	78%

1	Germany	441,900	33%
2	Sweden	156,195	12%
3	Austria	85,520	6%
4	Italy	82,830	6%
5	France	70,570	5%
6	Netherlands	43,035	3%
7	Belgium	39,065	3%
8	Switzerland	38,120	3%
9	Spain	14,610	1%
10	Greece	11,370	1%
	<b>10 MS</b>	983,215	74%

Source: Eurostat database<sup>lv</sup>

2016				
Rank	Arrows		Eurodac hits	
	From	To	Number	Share
1	GR	DE	171,616	22.7%
2	HU	DE	87,300	11.5%
3	IT	DE	56,878	7.5%
4	HU	AT	21,132	2.8%
5	IT	FR	20,057	2.7%
6	BG	DE	17,982	2.4%
7	HU	IT	16,395	2.2%
8	CH	DE	14,467	1.9%
9	GR	HU	12,241	1.6%
10	SE	DE	12,045	1.6%
11	IT	CH	12,039	1.6%
12	AT	DE	11,798	1.6%
13	GR	AT	11,011	1.5%
14	HU	FR	9,529	1.3%
15	DE	FR	9,426	1.2%
16	DE	NL	8,032	1.1%
17	PL	DE	7,670	1.0%
18	IT	AT	7,574	1.0%
19	DE	IT	6,871	0.9%
20	DE	BE	6,604	0.9%
21	GR	FR	6,507	0.9%
22	AT	IT	6,438	0.9%
23	GR	IT	6,238	0.8%
24	NO	DE	5,794	0.8%
25	NL	DE	5,392	0.7%
	<b>Top 25</b>		551,036	72.8%

2017				
Rank	Arrows		Eurodac hits	
	From	To	Number	Share
1	IT	DE	60,039	12.4%
2	IT	FR	35,346	7.3%
3	GR	DE	32,319	6.7%
4	DE	FR	19,253	4.0%
5	HU	DE	13,136	2.7%
6	CH	DE	10,863	2.2%
7	DE	IT	9,671	2.0%
8	DE	BE	9,501	2.0%
9	SE	DE	8,784	1.8%
10	IT	CH	8,641	1.8%
11	AT	DE	7,939	1.6%
12	IT	AT	7,047	1.5%
13	DE	NL	6,787	1.4%
14	BG	DE	6,631	1.4%
15	FR	DE	5,399	1.1%
16	HU	FR	5,371	1.1%
17	NL	DE	5,173	1.1%
18	GR	FR	5,011	1.0%
19	DE	AT	4,990	1.0%
20	AT	IT	4,559	0.9%
21	HU	IT	4,185	0.9%
22	IT	BE	4,171	0.9%
23	IT	NL	4,147	0.9%
24	DE	CH	4,062	0.8%
25	IT	UK	4,041	0.8%
	<b>Top 25</b>		287,066	59.1%

Source: eu-LISA Annual Reports on the 2016, 2017 activities of the Eurodac central system<sup>lvi</sup>

2016			
Rank	Country Colors	Asylum appli.	
		Number	Share
1	Germany	722,365	58%
2	Italy	121,185	10%
3	France	76,790	6%
4	Greece	49,875	4%
5	Austria	39,905	3%

2017			
Rank	Country Colors	Asylum appli.	
		Number	Share
1	Germany	198,310	29%
2	Italy	126,560	19%
3	France	91,965	14%
4	Greece	56,950	8%
5	Spain	33,040	5%

6	Switzerland	25,875	2%
7	Sweden	22,385	2%
8	Netherlands	19,285	2%
9	Spain	15,570	1%
10	Belgium	14,290	1%
	<b>10 MS</b>	1,107,525	90%

6	Austria	22,470	3%
7	Sweden	22,225	3%
8	Switzerland	16,670	2%
9	Netherlands	16,090	2%
10	Belgium	14,055	2%
	<b>10 MS</b>	598,335	88%

Source: Eurostat database<sup>lvii</sup>

2018				
Rank	Arrows		Eurodac hits	
	From	To	Number	Share
1	IT	DE	34,740	8.3%
2	IT	FR	32,500	7.8%
3	DE	FR	22,790	5.5%
4	GR	DE	20,303	4.9%
5	DE	BE	11,820	2.8%
6	DE	IT	10,064	2.4%
7	DE	NL	8,205	2.0%
8	FR	DE	7,467	1.8%
9	SE	DE	7,431	1.8%
10	CH	DE	7,014	1.7%
11	ES	FR	6,448	1.5%
12	AT	DE	5,750	1.4%
13	SE	FR	5,630	1.3%
14	NL	BE	5,072	1.2%
15	NL	DE	5,010	1.2%
16	IT	UK	4,915	1.2%
17	HU	DE	4,730	1.1%
18	IT	BE	4,729	1.1%
19	IT	CH	4,695	1.1%
20	DE	CH	4,694	1.1%
21	BE	FR	4,546	1.1%
22	AT	FR	4,500	1.1%
23	IT	NL	4,375	1.0%
24	HU	FR	4,276	1.0%
25	GR	FR	4,229	1.0%
	<b>Top 25</b>		235,933	56.4%

Source: eu-LISA Annual Reports on the 2018 activities of the Eurodac central system<sup>lviii</sup>

2018			
Rank	Country	Asylum appli.	
	Colors	Number	Share
1	Germany	161,930	27%
2	France	111,415	18%
3	Greece	64,985	11%
4	Italy	53,440	9%
5	Spain	52,745	9%
6	Netherlands	20,465	3%
7	Belgium	18,160	3%
8	Sweden	18,110	3%
9	Switzerland	13,535	2%
10	Austria	11,415	2%

	<b>10 MS</b>	526,200	87%
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[Back to Figure 13](#)

Source: Eurostat database<sup>lix</sup>

Table for Figure 14: Eurodac hits 10 EU+ Member States by category, 2014-2018

Category	2014	2015	2016	2017	2018	
<b>DE</b>	Hits Category 1-1 (foreign OUT)	55 887	118 820	148 443	93 533	66 211
	Hits Category 1-1 (foreign IN)	10 465	26 883	35 320	41 121	46 713
	Hits Category 1-2 (foreign OUT)	20 070	148 923	229 503	48 706	19 257
	Hits Category 1-2 (foreign IN)	2	38	56	87	239
	Hits Category 3-1 (foreign OUT)	23 196	53 880	39 714	33 496	29 569
	Hits Category 3-1 (foreign IN)	3 373	5 196	15 507	24 588	26 014
<b>FR</b>	Hits Category 1-1 (foreign OUT)	9 958	19 496	38 171	58 501	77 101
	Hits Category 1-1 (foreign IN)	5 597	5 946	7 520	8 617	12 189
	Hits Category 1-2 (foreign OUT)	1 725	9 110	20 459	22 745	17 633
	Hits Category 1-2 (foreign IN)	100	79	63	76	84
	Hits Category 3-1 (foreign OUT)	2 066	2 809	7 291	15 294	9 248
	Hits Category 3-1 (foreign IN)	2 491	2 296	3 490	7 004	9 019
<b>IT</b>	Hits Category 1-1 (foreign OUT)	11 078	20 869	25 716	22 683	16 326
	Hits Category 1-1 (foreign IN)	17 432	24 957	41 806	49 708	44 340
	Hits Category 1-2 (foreign OUT)	1 203	9 884	8 693	1 469	418
	Hits Category 1-2 (foreign IN)	11 732	16 794	46 779	58 614	29 330
	Hits Category 3-1 (foreign OUT)	1 372	2 629	16 093	9 958	15 329
	Hits Category 3-1 (foreign IN)	8 993	13 505	22 242	24 665	21 400
<b>SE</b>	Hits Category 1-1 (foreign OUT)	14 221	23 781	8 727	8 786	5 407
	Hits Category 1-1 (foreign IN)	12 567	14 010	17 622	14 568	14 341
	Hits Category 1-2 (foreign OUT)	7 601	29 080	4 385	3 076	1 164
	Hits Category 1-2 (foreign IN)	0	0	2	1	2
	Hits Category 3-1 (foreign OUT)	311	490	447	634	550
	Hits Category 3-1 (foreign IN)	4 919	5 810	8 133	8 619	8 354
<b>GR</b>	Hits Category 1-1 (foreign OUT)	392	441	671	2 044	2 235
	Hits Category 1-1 (foreign IN)	7 587	22 765	16 692	24 590	22 708
	Hits Category 1-2 (foreign OUT)	190	39	76	83	30
	Hits Category 1-2 (foreign IN)	23 873	171 906	212 178	31 727	16 439
	Hits Category 3-1 (foreign OUT)	448	539	543	1 234	1 849
	Hits Category 3-1 (foreign IN)	1 943	4 769	3 329	5 281	8 244
<b>AT</b>	Hits Category 1-1 (foreign OUT)	8 176	16 261	19 172	9 527	4 612
	Hits Category 1-1 (foreign IN)	8 158	17 499	18 146	14 330	12 491
	Hits Category 1-2 (foreign OUT)	6 652	26 924	17 365	2 408	522
	Hits Category 1-2 (foreign IN)	81	393	897	87	13
	Hits Category 3-1 (foreign OUT)	3 479	4 840	15 702	12 728	8 095
	Hits Category 3-1 (foreign IN)	4 204	6 473	10 106	8 160	7 606
<b>ES</b>	Hits Category 1-1 (foreign OUT)	636	876	1 068	2 304	2 471
	Hits Category 1-1 (foreign IN)	1 380	3 224	2 989	2 541	4 441
	Hits Category 1-2 (foreign OUT)	16	56	334	496	238
	Hits Category 1-2 (foreign IN)	2 629	2 179	2 931	2 363	7 024
	Hits Category 3-1 (foreign OUT)	1 105	924	1 006	1 395	596
	Hits Category 3-1 (foreign IN)	645	1 127	958	1 141	1 372
<b>NL</b>	Hits Category 1-1 (foreign OUT)	4 176	7 886	14 784	14 229	16 351
	Hits Category 1-1 (foreign IN)	5 327	5 506	8 516	9 547	9 566
	Hits Category 1-2 (foreign OUT)	1 867	6 893	5 517	3 832	3 834
	Hits Category 1-2 (foreign IN)	6	28	39	55	22
	Hits Category 3-1 (foreign OUT)	2 357	1 944	2 726	3 962	5 171
	Hits Category 3-1 (foreign IN)	1 639	1 759	3 291	6 761	8 499
<b>CH</b>	Hits Category 1-1 (foreign OUT)	5 917	8 186	9 686	8 316	7 207
	Hits Category 1-1 (foreign IN)	10 796	10 706	17 080	14 682	12 728
	Hits Category 1-2 (foreign OUT)	1 920	7 299	9 303	4 436	1 876
	Hits Category 1-2 (foreign IN)	2	0	1	0	0
	Hits Category 3-1 (foreign OUT)	5 207	5 872	8 398	9 768	10 068
	Hits Category 3-1 (foreign IN)	5 680	5 946	8 604	9 399	8 972
<b>BE</b>	Hits Category 1-1 (foreign OUT)	5 194	8 482	6 463	7 629	11 966
	Hits Category 1-1 (foreign IN)	9 250	8 215	9 111	9 145	8 436
	Hits Category 1-2 (foreign OUT)	1 080	7 299	3 161	1 697	2 342

<b>Hits Category 1-2 (foreign IN)</b>	5	0	0	0	0
<b>Hits Category 3-1 (foreign OUT)</b>	3 193	5 921	18 771	29 070	32 004
<b>Hits Category 3-1 (foreign IN)</b>	2 566	2 215	2 277	2 752	2 494

[Back to Figure 14](#)

Table for Figure 19: Outgoing and incoming Dublin requests 10 EU+ Member States, 2014-2018

		2014	2015	2016	2017	2018
<b>DE</b>	<b>Outgoing Dublin requests</b>	35 058	44 288	53 918	63 326	54 906
	<b>Incoming Dublin requests</b>	5 535	11 781	31 514	26 927	25 005
<b>FR</b>	<b>Outgoing Dublin requests</b>	4 948	11 657	25 368	41 253	45 358
	<b>Incoming Dublin requests</b>	5 619	4 634	4 765	7 920	8 744
<b>IT</b>	<b>Outgoing Dublin requests</b>	3 557	4 977	9 340	2 481	4 628
	<b>Incoming Dublin requests</b>	22 754	24 990	64 844	26 627	41 911
<b>SE</b>	<b>Outgoing Dublin requests</b>	8 272	11 254	7 336	3 112	3 549
	<b>Incoming Dublin requests</b>	2 369	2 420	4 587	6 321	7 188
<b>GR</b>	<b>Outgoing Dublin requests</b>	1 293	1 117	5 187	9 559	5 038
	<b>Incoming Dublin requests</b>	58	137	5 787	2 549	8 807
<b>AT</b>	<b>Outgoing Dublin requests</b>	6 066	16 935	21 293	10 482	5 262
	<b>Incoming Dublin requests</b>	2 398	4 560	5 022	5 531	6 295
<b>ES</b>	<b>Outgoing Dublin requests</b>			12	8	7
	<b>Incoming Dublin requests</b>			6 111	5 745	10 762
<b>NL</b>	<b>Outgoing Dublin requests</b>	4 144	4 813	9 238	7 450	8 619
	<b>Incoming Dublin requests</b>	1 630	1 675	3 384	4 627	5 042
<b>CH</b>	<b>Outgoing Dublin requests</b>	14 900	16 105	13 145	7 522	5 941
	<b>Incoming Dublin requests</b>	4 041	3 072	3 891	5 730	6 054
<b>BE</b>	<b>Outgoing Dublin requests</b>	3 160	5 955	6 483	5 575	8 384
	<b>Incoming Dublin requests</b>	3 940	2 166	2 587	4 220	3 871

[Back to Figure 19](#)

Table for Figure 20: Proportion of asylum applications involving Dublin requests, 2014-2018

		2014	2015	2016	2017	2018
<b>DE</b>	<b>Outgoing / Asylum applicants</b>	20%	10%	7%	32%	34%
	<b>Incoming / Asylum applicants</b>	3%	3%	4%	14%	15%
<b>FR</b>	<b>Outgoing / Asylum applicants</b>	8%	17%	33%	45%	41%
	<b>Incoming / Asylum applicants</b>	10%	7%	6%	9%	8%
<b>IT</b>	<b>Outgoing / Asylum applicants</b>	6%	6%	8%	2%	9%
	<b>Incoming / Asylum applicants</b>	36%	30%	54%	21%	78%
<b>SE</b>	<b>Outgoing / Asylum applicants</b>	11%	7%	33%	14%	20%
	<b>Incoming / Asylum applicants</b>	3%	2%	20%	28%	40%
<b>GR</b>	<b>Outgoing / Asylum applicants</b>	17%	10%	10%	17%	8%
	<b>Incoming / Asylum applicants</b>	1%	1%	12%	4%	14%
<b>AT</b>	<b>Outgoing / Asylum applicants</b>	24%	20%	53%	47%	46%

	<b>Incoming / Asylum applicants</b>	9%	5%	13%	25%	55%
<b>ES</b>	<b>Outgoing / Asylum applicants</b>			0%	0%	0%
	<b>Incoming / Asylum applicants</b>			39%	17%	20%
<b>NL</b>	<b>Outgoing / Asylum applicants</b>	19%	11%	48%	46%	42%
	<b>Incoming / Asylum applicants</b>	7%	4%	18%	29%	25%
<b>CH</b>	<b>Outgoing / Asylum applicants</b>	67%	42%	51%	45%	44%
	<b>Incoming / Asylum applicants</b>	18%	8%	15%	34%	45%
<b>BE</b>	<b>Outgoing / Asylum applicants</b>	22%	15%	45%	40%	46%
	<b>Incoming / Asylum applicants</b>	28%	6%	18%	30%	21%

[Back to Figure 20](#)

Table 2A: Eurodac hits (OUT) 10 EU+ Member States by top 5 partner countries, 2014-2018

	<b>Total</b>	<b>Top 5 partner countries</b>
<b>2014</b>	Germany (99153)	IT (19695), HU (11486), BG (11242), GR (8692), SE (8135)
	France (13749)	IT (2247), DE (1332), BE (1327), HU (1276), GR (1113)
	Italy (13653)	HU (1662), AT (1328), GR (1274), BG (1258), NO (1212)
	Sweden (22133)	GR (5921), IT (4195), DE (2186), NO (1776), DK (1321)
	Greece (1030)	BG (422), UK (108), HU (71), AT (56), DE (51)
	Austria (18307)	GR (4789), HU (3458), BG (2466), IT (1797), CH (1334)
	Spain (1757)	CH (384), SE (286), DE (209), NO (167), BE (121)
	Netherlands (8400)	GR (1636), DE (1354), BE (834), IT (793), SE (638)
	Switzerland (13048)	IT (3816), DE (1638), AT (1082), FR (932), GR (757)
Belgium (9467)	DE (1644), CH (752), IT (704), GR (695), SE (694)	
<b>2015</b>	Germany (321623)	HU (129215), GR (86080), IT (30426), BG (18324), AT (11588)
	France (31415)	HU (9386), IT (5381), GR (3194), DE (2697), BE (1509)
	Italy (33382)	HU (15777), GR (4750), BG (2975), AT (2382), DE (1714)
	Sweden (53351)	GR (22469), HU (11166), DE (7387), IT (2928), DK (1628)
	Greece (1019)	HU (112), BG (102), UK (94), NO (87), SE (86)
	Austria (48025)	GR (19148), HU (18477), IT (2598), BG (2179), DE (1440)
	Spain (1856)	BE (328), CH (264), DE (249), SE (227), IT (150)
	Netherlands (16723)	GR (5426), DE (3514), HU (2439), IT (938), SE (727)
	Switzerland (20375)	IT (5695), GR (3747), DE (2653), HU (2550), AT (1172)
Belgium (21702)	GR (5278), HU (4423), DE (2861), IT (1201), ES (961)	
<b>2016</b>	Germany (417660)	GR (171616), HU (87300), IT (56878), BG (17982), CH (14467)
	France (65921)	IT (20057), HU (9529), DE (9426), GR (6507), BG (2640)
	Italy (50502)	HU (16395), DE (6871), AT (6438), GR (6238), BG (3026)
	Sweden (13559)	GR (3437), DE (2705), HU (1824), DK (1176), IT (1073)
	Greece (1290)	DE (271), HU (190), BG (119), IT (98), SE (92)
	Austria (52239)	HU (21132), GR (11011), IT (7574), BG (3501), DE (3338)
	Spain (2408)	DE (509), GR (293), IT (291), CH (254), SE (181)
	Netherlands (23027)	DE (8032), GR (3965), IT (2672), HU (1533), CH (1276)
	Switzerland (27387)	IT (12039), DE (3734), GR (3170), HU (2031), AT (1777)
Belgium (28395)	DE (6604), HU (3173), IT (2659), GR (2621), NL (1678)	
<b>2017</b>	Germany (175735)	IT (60039), GR (32319), HU (13136), CH (10863), SE (8784)
	France (96540)	IT (35346), DE (19253), HU (5371), GR (5011), SE (4038)
	Italy (34110)	DE (9671), AT (4559), HU (4185), GR (2793), CH (2327)
	Sweden (12496)	GR (3347), IT (3055), DE (1747), DK (1011), NO (610)
	Greece (3361)	BG (674), DE (670), HU (289), SE (248), AT (191)
	Austria (24663)	IT (7047), DE (4990), HU (2785), GR (2236), BG (1842)
	Spain (4195)	DE (1296), IT (623), GR (443), CH (362), BE (313)
	Netherlands (22023)	DE (6787), IT (4147), GR (2816), CH (1535), SE (1003)
	Switzerland (22520)	IT (8641), DE (4062), GR (2193), AT (1302), NL (1096)
Belgium (38396)	DE (9501), IT (4171), NL (3888), FR (3607), CH (2256)	
<b>2018</b>	Germany (115037)	IT (34740), GR (20303), FR (7467), SE (7431), CH (7014)
	France (103982)	IT (32500), DE (22790), ES (6448), SE (5630), BE (4546)

Italy (32073)	DE (10064), GR (4025), AT (3140), FR (3104), HU (2852)
Sweden (7121)	DE (1381), GR (1357), IT (1199), DK (744), NO (435)
Greece (4114)	DE (1195), BG (382), SE (326), HU (316), AT (271)
Austria (13229)	IT (3789), DE (3206), HU (1029), CH (1027), GR (1013)
Spain (3305)	DE (770), IT (743), FR (366), CH (233), NL (200)
Netherlands (25356)	DE (8205), IT (4375), GR (3126), CH (1706), FR (1496)
Switzerland (19151)	IT (4695), DE (4694), GR (1646), AT (1394), NL (1276)
Belgium (46312)	DE (11820), NL (5072), IT (4729), FR (3943), GR (3737)

Source: eu-LISA Annual Reports on the 2014,2015,2016,2017,2018 activities of the Eurodac central system<sup>x</sup>

Table 2B: Eurodac hits (IN) 10 EU+ Member States by top 5 partner countries, 2014-2018

	Total	Top 5 partner countries
2014	Germany (13840)	SE (2186), BE (1644), CH (1638), NL (1354), FR (1332)
	France (8188)	DE (4021), CH (932), BE (682), NL (522), IT (400)
	Italy (38157)	DE (19695), SE (4195), CH (3816), FR (2247), NO (2052)
	Sweden (17486)	DE (8135), NO (1719), DK (1636), IT (898), CH (757)
	Greece (33403)	DE (8692), SE (5921), AT (4789), HU (3886), DK (1673)
	Austria (12443)	DE (5291), IT (1328), CH (1082), FR (701), HU (685)
	Spain (4654)	DE (1968), FR (836), BE (468), CH (445), SE (197)
	Netherlands (6972)	DE (2926), SE (719), BE (691), FR (468), CH (432)
	Switzerland (16478)	DE (8037), AT (1334), IT (1109), SE (1057), NO (1055)
Belgium (11821)	DE (5793), FR (1327), IT (946), NL (834), CH (581)	
2015	Germany (32117)	SE (7387), HU (3525), NL (3514), BE (2861), FR (2697)
	France (8321)	DE (4033), CH (787), BE (686), IT (607), HU (477)
	Italy (55256)	DE (30426), CH (5695), FR (5381), SE (2928), AT (2598)
	Sweden (19820)	DE (9155), NO (1659), DK (1430), FR (1020), HU (1009)
	Greece (199440)	DE (86080), HU (33373), SE (22469), AT (19148), NL (5426)
	Austria (24365)	DE (11588), HU (2383), IT (2382), SE (1540), FR (1243)
	Spain (6530)	DE (3224), FR (1100), BE (961), CH (306), SE (179)
	Netherlands (7293)	DE (3120), BE (730), SE (553), FR (532), CH (385)
	Switzerland (16652)	DE (8412), AT (1250), IT (1011), FR (997), SE (928)
Belgium (10430)	DE (4543), FR (1509), NL (675), IT (632), CH (436)	
2016	Germany (50883)	FR (9426), NL (8032), IT (6871), BE (6604), CH (3734)
	France (11073)	DE (4304), IT (2235), BE (1347), CH (781), UK (643)
	Italy (110827)	DE (56878), FR (20057), CH (12039), AT (7574), NL (2672)
	Sweden (25757)	DE (12045), FR (2070), DK (2057), IT (1723), NO (1568)
	Greece (232199)	DE (171616), HU (12241), AT (11011), FR (6507), IT (6238)
	Austria (29149)	DE (11798), IT (6438), FR (2633), CH (1777), BE (1501)
	Spain (6878)	DE (3353), FR (1625), BE (1005), CH (238), NL (127)
	Netherlands (11846)	DE (5392), BE (1678), FR (1367), CH (587), IT (536)
	Switzerland (25685)	DE (14467), IT (2471), AT (1908), FR (1541), BE (1320)
Belgium (11388)	DE (5147), FR (2307), NL (817), IT (717), CH (416)	
2017	Germany (65796)	FR (19253), IT (9671), BE (9501), NL (6787), AT (4990)
	France (15697)	DE (5399), BE (3607), IT (2319), CH (989), UK (945)
	Italy (132987)	DE (60039), FR (35346), CH (8641), AT (7047), BE (4171)
	Sweden (23188)	DE (8784), FR (4038), BE (1781), IT (1445), DK (1360)
	Greece (61598)	DE (32319), FR (5011), SE (3347), NL (2816), IT (2793)
	Austria (22577)	DE (7939), IT (4559), FR (3247), BE (1694), CH (1302)
	Spain (6045)	FR (2232), DE (2012), BE (1000), NL (170), CH (163)
	Netherlands (16363)	DE (5173), BE (3888), FR (2234), CH (1096), LU (710)
	Switzerland (24081)	DE (10863), FR (2896), IT (2327), BE (2256), NL (1535)
Belgium (11897)	DE (3997), FR (3952), NL (840), IT (816), CH (427)	
2018	Germany (72966)	FR (22790), BE (11820), IT (10064), NL (8205), CH (4694)
	France (21292)	DE (7467), BE (3943), IT (3104), NL (1496), UK (1433)
	Italy (95070)	DE (34740), FR (32500), UK (4915), BE (4729), CH (4695)

Sweden (22697)	DE (7431), FR (5630), BE (1957), IT (1349), DK (1088)
Greece (47391)	DE (20303), FR (4229), IT (4025), BE (3737), NL (3126)
Austria (20110)	DE (5750), FR (4500), IT (3140), BE (1887), CH (1394)
Spain (12837)	FR (6448), DE (3066), BE (1957), NL (461), CH (238)
Netherlands (18087)	BE (5072), DE (5010), FR (2767), CH (1276), IT (763)
Switzerland (21700)	DE (7014), FR (3648), BE (3530), IT (1894), NL (1706)
Belgium (10930)	FR (4546), DE (2708), NL (829), IT (614), CH (457)

Source: eu-LISA Annual Reports on the 2014, 2015, 2016, 2017, 2018 activities of the Eurodac central system<sup>lxi</sup>

Table 3A: Outgoing Dublin requests by top 5 partner countries, 2014-2018

Total	Top 5 partner countries
<b>2014</b>	
Germany (35058)	IT (9085), BG (4399), HU (3905), PL (3311), FR (2420)
France (4948)	IT (896), PL (585), ES (534), HU (520), DE (511)
Italy (3557)	NO (524), GR (387), BE (361), UK (358), HU (326)
Sweden (8272)	IT (2707), DE (735), NO (617), FR (542), ES (486)
Greece (1293)	DE (455), SE (265), BG (149), CH (74), NO (51)
Austria (6066)	HU (1891), IT (1306), BG (1115), PL (517), DE (231)
Spain ( )	( ), ( ), ( ), ( ), ( )
Netherlands (4144)	IT (1545), DE (582), FR (469), ES (282), PL (223)
Switzerland (14900)	IT (11322), FR (663), ES (598), DE (582), AT (266)
Belgium (3160)	IT (723), ES (620), FR (404), DE (304), PL (263)
<b>2015</b>	
Germany (44288)	HU (14450), IT (9116), BG (4644), PL (3728), ES (2033)
France (11657)	HU (3535), IT (2064), DE (1355), ES (1007), PL (737)
Italy (4977)	HU (2169), BG (546), AT (324), PL (287), DE (234)
Sweden (11254)	HU (3792), DE (2313), IT (1393), AT (694), BG (416)
Greece (1117)	DE (598), SE (166), CH (83), NO (40), AT (37)
Austria (16935)	HU (10868), BG (1570), IT (1340), HR (761), SI (488)
Spain ( )	( ), ( ), ( ), ( ), ( )
Netherlands (4813)	DE (1976), HU (866), IT (558), FR (296), ES (211)
Switzerland (16105)	IT (10260), HU (1421), DE (1345), FR (512), ES (449)
Belgium (5955)	HU (1172), DE (976), ES (975), IT (818), FR (586)
<b>2016</b>	
Germany (53918)	IT (12761), HU (11538), PL (6614), BG (4701), SE (2306)
France (25368)	IT (8454), DE (5163), HU (2105), ES (1262), BG (1119)
Italy (9340)	HU (2503), DE (2028), AT (1129), FR (826), BG (561)
Sweden (7336)	DE (2987), IT (802), HU (396), NO (359), LT (348)
Greece (5187)	DE (3765), SE (375), AT (234), NL (145), NO (111)
Austria (21293)	HU (8971), IT (3339), HR (2477), BG (2321), DE (1128)
Spain (12)	DE (4), IT (2), FR (2), HU (1), SE (1)
Netherlands (9238)	DE (5658), IT (891), FR (411), HU (355), PL (288)
Switzerland (13145)	IT (6673), DE (2426), HR (889), AT (560), FR (434)
Belgium (6483)	DE (2006), ES (894), IT (801), FR (691), BG (369)
<b>2017</b>	
Germany (63326)	IT (22442), FR (4392), PL (3231), SE (3213), HU (3205)
France (41253)	IT (16354), DE (8622), BG (1688), ES (1654), BE (1394)
Italy (2481)	DE (941), AT (303), FR (264), HU (185), BG (137)
Sweden (3112)	IT (565), DE (502), FR (253), LT (235), DK (196)
Greece (9559)	DE (5762), UK (936), SE (683), AT (445), CH (297)
Austria (10482)	IT (3345), DE (1760), BG (1490), HU (1227), PT (555)
Spain (8)	FR (4), NL (2), DE (1), DK (1), IT (0)
Netherlands (7450)	DE (2989), IT (1803), FR (445), CH (276), ES (241)
Switzerland (7522)	IT (3940), DE (1276), FR (454), ES (244), NL (234)
Belgium (5575)	DE (1220), IT (1071), FR (754), ES (699), NL (299)
<b>2018</b>	
Germany (54906)	IT (17285), GR (7079), FR (4444), ES (3790), SE (3475)
France (45358)	IT (15428), DE (8694), ES (5309), SE (1807), AT (1805)
Italy (4628)	DE (1791), AT (503), FR (498), SI (287), SE (277)
Sweden (3549)	GR (637), IT (594), DE (427), FR (272), ES (217)
Greece (5038)	DE (2203), UK (768), SE (459), CH (290), AT (196)
Austria (5262)	IT (1986), DE (1321), BG (296), HU (280), FR (191)
Spain (7)	DE (5), FR (2), IT (0), BG (0), HU (0)
Netherlands (8619)	DE (3182), IT (2269), FR (541), CH (428), ES (411)
Switzerland (5941)	IT (2255), DE (1347), FR (413), ES (297), AT (276)
Belgium (8384)	ES (1666), DE (1641), IT (1372), FR (869), GR (576)

Source: Eurostat database<sup>lxii</sup>

Table 3B: Incoming Dublin requests by top 5 partner countries, 2014-2018

Total	Top 5 partner countries
<b>2014</b>	
Germany (5535)	SE (1082), FR (818), DK (697), NL (570), CH (548)
France (5619)	DE (2584), SE (782), CH (600), NL (482), BE (417)
Italy (22754)	DE (8107), CH (6174), SE (2232), NO (1593), NL (1088)
Sweden (2369)	DE (1113), DK (280), NO (230), GR (150), FI (112)
Greece (58)	CH (26), NL (18), SI (5), DE (2), BE (2)
Austria (2398)	DE (1035), FR (275), SE (257), CH (175), UK (120)
Spain ( )	( ), ( ), ( ), ( ), ( )
Netherlands (1630)	DE (777), SE (174), FR (159), BE (115), CH (81)
Switzerland (4041)	DE (1891), SE (457), FR (394), AT (238), NO (193)
Belgium (3940)	DE (2179), FR (680), NL (198), SE (267), UK (134)
<b>2015</b>	
Germany (11781)	SE (2796), NL (1853), FR (1740), CH (1209), BE (883)
France (4634)	DE (1993), BE (584), CH (523), SE (469), NL (302)
Italy (24990)	CH (8713), DE (8492), FR (2202), SE (1489), AT (1355)
Sweden (2420)	DE (1003), DK (279), FR (230), NO (207), FI (169)
Greece (137)	CH (105), DE (7), NL (6), BE (5), FI (4)
Austria (4560)	DE (1875), SE (734), FR (505), CH (289), UK (245)
Spain ( )	( ), ( ), ( ), ( ), ( )
Netherlands (1675)	DE (746), FR (204), SE (156), BE (146), CH (110)
Switzerland (3072)	DE (1250), FR (457), SE (329), AT (233), DK (151)
Belgium (2166)	DE (870), FR (604), NL (118), SE (103), UK (102)
<b>2016</b>	
Germany (31514)	FR (5902), NL (5828), SE (4521), GR (3179), CH (2504)
France (4765)	DE (1624), BE (695), CH (471), NL (424), AT (397)
Italy (64844)	DE (18176), FR (14467), CH (14002), AT (7933), UK (2421)
Sweden (4587)	DE (1804), DK (758), FR (611), NO (230), GR (195)
Greece (5787)	HU (5667), CH (65), BE (20), DE (12), NL (6)
Austria (5022)	DE (1890), FR (996), CH (565), IT (252), GR (236)
Spain (6111)	DE (2041), FR (1564), BE (941), CH (451), SE (313)
Netherlands (3384)	DE (1216), FR (779), BE (257), LU (212), SE (179)
Switzerland (3891)	DE (1960), FR (685), AT (286), NL (223), DK (151)
Belgium (2587)	DE (940), FR (742), NL (188), GR (93), UK (91)
<b>2017</b>	
Germany (26927)	FR (9937), GR (5692), NL (2963), AT (1739), CH (1255)
France (7920)	DE (4306), BE (754), UK (552), CH (497), NL (456)
Italy (26627)	DE (10141), FR (5499), CH (3854), AT (3060), NL (1729)
Sweden (6321)	DE (2675), FR (1580), DK (396), GR (375), NL (191)
Greece (2549)	DE (2266), CH (98), NO (47), BE (45), SI (30)
Austria (5531)	DE (2126), FR (1471), GR (449), UK (404), CH (235)
Spain (5745)	DE (2037), FR (1924), BE (703), CH (249), NL (225)
Netherlands (4627)	DE (1725), FR (1268), BE (302), LU (253), CH (230)
Switzerland (5730)	DE (2770), FR (1410), GR (290), NL (271), AT (228)
Belgium (4220)	FR (1869), DE (1470), NL (183), GR (167), UK (130)
<b>2018</b>	
Germany (25005)	FR (10327), NL (3193), IT (2215), GR (2139), BE (1648)
France (8744)	DE (4367), BE (889), IT (671), UK (645), NL (566)
Italy (41911)	FR (15818), DE (15334), CH (2121), NL (1875), AT (1836)
Sweden (7188)	DE (3095), FR (1957), IT (387), GR (379), DK (254)
Greece (8807)	DE (6472), SE (592), BE (544), NO (497), SI (269)
Austria (6295)	DE (2148), FR (2147), IT (643), CH (274), UK (236)
Spain (10762)	FR (5330), DE (2824), BE (1239), NL (372), CH (274)
Netherlands (5042)	DE (2063), FR (1481), BE (373), CH (238), UK (215)
Switzerland (6054)	DE (2197), FR (1859), NL (440), BE (368), GR (275)
Belgium (3871)	FR (2013), DE (924), NL (199), GR (132), IT (128)

Source: Eurostat database<sup>lxiii</sup>

Table 4: Number of Dublin requests in relation to the number of asylum applications in the ten EU+ Member States, 2014-2018

<b>Germany</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Total</b>
<b>First time asylum applicants</b>	173 070	441 900	722 365	198 310	161 930	<b>1 697 575</b>
<b>Outgoing Dublin requests</b>	35 058	44 288	53 918	63 326	54 906	<b>251 496</b>
<b>Incoming Dublin requests</b>	5 535	11 781	31 514	26 927	25 005	<b>100 762</b>
<b>Outgoing / Asylum applicants</b>	20%	10%	7%	32%	34%	<b>15%</b>
<b>Incoming / Asylum applicants</b>	3%	3%	4%	14%	15%	<b>6%</b>

<b>France</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Total</b>
<b>First time asylum applicants</b>	58 845	70 570	76 790	91 965	111 415	<b>409 585</b>
<b>Outgoing Dublin requests</b>	4 948	11 657	25 368	41 253	45 358	<b>128 584</b>
<b>Incoming Dublin requests</b>	5 619	4 634	4 765	7 920	8 744	<b>31 682</b>
<b>Outgoing / Asylum applicants</b>	8%	17%	33%	45%	41%	<b>31%</b>
<b>Incoming / Asylum applicants</b>	10%	7%	6%	9%	8%	<b>8%</b>

<b>Italy</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Total</b>
<b>First time asylum applicants</b>	63 655	82 830	121 185	126 560	53 440	<b>447 670</b>
<b>Outgoing Dublin requests</b>	3 557	4 977	9 340	2 481	4 628	<b>24 983</b>
<b>Incoming Dublin requests</b>	22 754	24 990	64 844	26 627	41 911	<b>181 126</b>
<b>Outgoing / Asylum applicants</b>	6%	6%	8%	2%	9%	<b>6%</b>
<b>Incoming / Asylum applicants</b>	36%	30%	54%	21%	78%	<b>40%</b>

<b>Sweden</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Total</b>
<b>First time asylum applicants</b>	75 090	156 195	22 385	22 225	18 110	<b>294 005</b>
<b>Outgoing Dublin requests</b>	8 272	11 254	7 336	3 112	3 549	<b>33 523</b>
<b>Incoming Dublin requests</b>	2 369	2 420	4 587	6 321	7 188	<b>22 885</b>
<b>Outgoing / Asylum applicants</b>	11%	7%	33%	14%	20%	<b>11%</b>
<b>Incoming / Asylum applicants</b>	3%	2%	20%	28%	40%	<b>8%</b>

<b>Greece</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Total</b>
<b>First time asylum applicants</b>	7 590	11 370	49 875	56 950	64 985	<b>190 770</b>
<b>Outgoing Dublin requests</b>	1 293	1 117	5 187	9 559	5 038	<b>22 194</b>
<b>Incoming Dublin requests</b>	58	137	5 787	2 549	8 807	<b>17 338</b>
<b>Outgoing / Asylum applicants</b>	17%	10%	10%	17%	8%	<b>12%</b>
<b>Incoming / Asylum applicants</b>	1%	1%	12%	4%	14%	<b>9%</b>

<b>Austria</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Total</b>
<b>First time asylum applicants</b>	25 700	85 520	39 905	22 470	11 415	<b>185 010</b>
<b>Outgoing Dublin requests</b>	6 066	16 935	21 293	10 482	5 262	<b>60 038</b>
<b>Incoming Dublin requests</b>	2 398	4 560	5 022	5 531	6 295	<b>23 806</b>
<b>Outgoing / Asylum applicants</b>	24%	20%	53%	47%	46%	<b>32%</b>
<b>Incoming / Asylum applicants</b>	9%	5%	13%	25%	55%	<b>13%</b>

<b>Spain</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Total</b>
<b>First time asylum applicants</b>	5 460	14 610	15 755	33 040	52 745	<b>121 610</b>
<b>Outgoing Dublin requests</b>			12	8	7	<b>27</b>
<b>Incoming Dublin requests</b>			6 111	5 745	10 762	<b>22 618</b>
<b>Outgoing / Asylum applicants</b>			0%	0%	0%	<b>0%</b>
<b>Incoming / Asylum applicants</b>			39%	17%	20%	<b>19%</b>

<b>Netherlands</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Total</b>
<b>First time asylum applicants</b>	21 810	43 035	19 285	16 090	20 465	<b>120 685</b>
<b>Outgoing Dublin requests</b>	4 144	4 813	9 238	7 450	8 619	<b>34 264</b>
<b>Incoming Dublin requests</b>	1 630	1 675	3 384	4 627	5 042	<b>16 358</b>
<b>Outgoing / Asylum applicants</b>	19%	11%	48%	46%	42%	<b>28%</b>
<b>Incoming / Asylum applicants</b>	7%	4%	18%	29%	25%	<b>14%</b>

Switzerland	2014	2015	2016	2017	2018	Total
First time asylum applicants	22 130	38 120	25 875	16 670	13 535	<b>116 330</b>
Outgoing Dublin requests	14 900	16 105	13 145	7 522	5 941	<b>57 613</b>
Incoming Dublin requests	4 041	3 072	3 891	5 730	6 054	<b>22 788</b>
Outgoing / Asylum applicants	67%	42%	51%	45%	44%	<b>50%</b>
Incoming / Asylum applicants	18%	8%	15%	34%	45%	<b>20%</b>

Belgium	2014	2015	2016	2017	2018	Total
First time asylum applicants	14 130	39 065	14 290	14 055	18 160	<b>99 700</b>
Outgoing Dublin requests	3 160	5 955	6 483	5 575	8 384	<b>29 557</b>
Incoming Dublin requests	3 940	2 166	2 587	4 220	3 871	<b>16 784</b>
Outgoing / Asylum applicants	22%	15%	45%	40%	46%	<b>30%</b>
Incoming / Asylum applicants	28%	6%	18%	30%	21%	<b>17%</b>

Source: Eurostat database<sup>lxiv</sup>

Table 5A: Outcome of outgoing Dublin requests ten EU+ Member States, 2014-2018

2014	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE	EU+
Decisions on requests	<b>33 304</b>	<b>4 598</b>	<b>2 796</b>	<b>7 362</b>	<b>1 345</b>	<b>5 274</b>		<b>3 493</b>	<b>10 795</b>	<b>2 865</b>	<b>81 880</b>
Accepted	22 911	3 281	299	5 166	890	4 107		2 411	5 642	2 143	<b>53 278</b>
Refused	10 393	1 317	2 497	2 196	455	1 167		1 082	5 153	722	<b>28 602</b>
Accepted	69%	71%	11%	70%	66%	78%		69%	52%	75%	<b>65%</b>
Refused	31%	29%	89%	30%	34%	22%		31%	48%	25%	<b>35%</b>
Decisions on re-examinations		<b>16</b>	<b>0</b>		<b>152</b>	<b>246</b>		<b>208</b>			<b>825</b>
Accepted		12	0		99	95		117			<b>444</b>
Refused		4	0		53	151		91			<b>381</b>
Accepted		75%			65%	39%		56%			<b>54%</b>
Refused		25%			35%	61%		44%			<b>46%</b>
Total accepted	<b>22 911</b>	<b>3 293</b>	<b>299</b>	<b>5 166</b>	<b>989</b>	<b>4 202</b>		<b>2 528</b>	<b>5 642</b>	<b>2 143</b>	<b>53 722</b>
Transfers	<b>2 887</b>	<b>470</b>	<b>7</b>	<b>2 059</b>	<b>713</b>	<b>1 076</b>		<b>874</b>	<b>2 638</b>	<b>741</b>	<b>14 278</b>
Transfer/ Accepted Ratio	<b>13%</b>	<b>14%</b>	<b>2%</b>	<b>40%</b>	<b>72%</b>	<b>26%</b>		<b>35%</b>	<b>47%</b>	<b>35%</b>	<b>27%</b>

2015	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE	EU+
Decisions on requests	<b>37 299</b>	<b>9 913</b>	<b>756</b>	<b>8 689</b>	<b>1 096</b>	<b>15 202</b>		<b>4 806</b>	<b>14 700</b>	<b>5 255</b>	<b>111 238</b>
Accepted	27 959	7 817	126	5 316	677	11 993		2 886	8 529	3 975	<b>79 287</b>
Refused	9 340	2 096	630	3 373	419	3 209		1 920	6 171	1 280	<b>31 951</b>
Accepted	75%	79%	17%	61%	62%	79%		60%	58%	76%	<b>71%</b>
Refused	25%	21%	83%	39%	38%	21%		40%	42%	24%	<b>29%</b>
Decisions on re-examinations		<b>54</b>	<b>2</b>		<b>195</b>	<b>297</b>		<b>145</b>	<b>410</b>		<b>1 698</b>
Accepted		29	1		156	154		87	204		<b>1 019</b>
Refused		25	1		39	143		58	206		<b>679</b>
Accepted		54%	50%		80%	52%		60%	50%		<b>60%</b>
Refused		46%	50%		20%	48%		40%	50%		<b>40%</b>
Total accepted	<b>27 959</b>	<b>7 846</b>	<b>127</b>	<b>5 316</b>	<b>833</b>	<b>12 147</b>		<b>2 973</b>	<b>8 733</b>	<b>3 975</b>	<b>80 306</b>
Transfers	<b>1 954</b>	<b>525</b>	<b>28</b>	<b>1 964</b>	<b>847</b>	<b>1 247</b>		<b>705</b>	<b>2 417</b>	<b>885</b>	<b>13 348</b>
Transfer/ Accepted Ratio	<b>7%</b>	<b>7%</b>	<b>22%</b>	<b>37%</b>	<b>102%</b>	<b>10%</b>		<b>24%</b>	<b>28%</b>	<b>22%</b>	<b>17%</b>

2016	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE	EU+
Decisions on requests	<b>49 191</b>	<b>19 170</b>	<b>7 598</b>	<b>7 160</b>	<b>3 795</b>	<b>21 761</b>	<b>12</b>	<b>7 969</b>	<b>10 354</b>		<b>142 508</b>
Accepted	29 265	14 277	1 871	5 455	2 853	13 564	9	6 105	7 311		<b>90 664</b>
Refused	19 926	4 893	5 727	1 705	942	8 197	3	1 864	3 043		<b>51 844</b>
Accepted	59%	74%	25%	76%	75%	62%		77%	71%		<b>64%</b>
Refused	41%	26%	75%	24%	25%	38%		23%	29%		<b>36%</b>
Decisions on re-examinations	<b>472</b>	<b>75</b>	<b>0</b>	<b>8</b>	<b>293</b>	<b>519</b>	<b>0</b>	<b>831</b>	<b>1 130</b>		<b>4 964</b>
Accepted	157	31	0	4	249	251	0	470	421		<b>2 489</b>
Refused	315	44	0	4	44	268	0	361	709		<b>2 475</b>
Accepted	33%	41%		50%	85%	48%		57%	37%		<b>50%</b>
Refused	67%	59%		50%	15%	52%		43%	63%		<b>50%</b>
Total accepted	<b>29 422</b>	<b>14 308</b>	<b>1 871</b>	<b>5 459</b>	<b>3 102</b>	<b>13 815</b>	<b>9</b>	<b>6 575</b>	<b>7 732</b>	<b>0</b>	<b>93 153</b>
Transfers	<b>3 002</b>	<b>1 293</b>	<b>0</b>	<b>3 763</b>	<b>890</b>	<b>2 572</b>	<b>3</b>	<b>2 131</b>	<b>3 111</b>	<b>1 479</b>	<b>22 762</b>
Transfer/ Accepted Ratio	<b>10%</b>	<b>9%</b>	<b>0%</b>	<b>69%</b>	<b>29%</b>	<b>19%</b>	<b>33%</b>	<b>32%</b>	<b>40%</b>		<b>24%</b>

2017	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE	EU+
Decisions on requests	<b>60 165</b>	<b>36 295</b>	<b>1 053</b>	<b>3 008</b>	<b>9 680</b>	<b>11 922</b>	<b>8</b>	<b>6 120</b>	<b>5 819</b>	<b>5 291</b>	<b>153 363</b>
Accepted	46 132	29 046	999	2 366	6 644	7 620	6	5 197	4 622	4 002	<b>115 872</b>
Refused	14 033	7 249	54	642	3 036	4 302	2	923	1 197	1 289	<b>37 491</b>

Accepted	77%	80%	95%	79%	69%	64%	75%	85%	79%	76%	<b>76%</b>
Refused	23%	20%	5%	21%	31%	36%	25%	15%	21%	24%	<b>24%</b>
<b>Decisions on re-examinations</b>	<b>1 780</b>	<b>119</b>	<b>7</b>	<b>200</b>	<b>1 697</b>	<b>530</b>	<b>0</b>	<b>780</b>	<b>506</b>	<b>0</b>	<b>6 932</b>
Accepted	671	67	7	79	1 113	322	0	210	235	0	<b>3 173</b>
Refused	1 109	52	0	121	584	208	0	570	271	0	<b>3 759</b>
Accepted	38%	56%	100%	40%	66%	61%		27%	46%		<b>46%</b>
Refused	62%	44%	0%	61%	34%	39%		73%	54%		<b>54%</b>
<b>Total accepted</b>	<b>46 803</b>	<b>29 113</b>	<b>1 006</b>	<b>2 445</b>	<b>7 757</b>	<b>7 942</b>	<b>6</b>	<b>5 407</b>	<b>4 857</b>	<b>4 002</b>	<b>119 045</b>
<b>Transfers</b>	<b>7 124</b>	<b>2 633</b>	<b>75</b>	<b>1 213</b>	<b>4 467</b>	<b>3 738</b>	<b>0</b>	<b>1 890</b>	<b>1 613</b>	<b>1 107</b>	<b>27 073</b>
<b>Transfer/ Accepted Ratio</b>	<b>15%</b>	<b>9%</b>	<b>7%</b>	<b>50%</b>	<b>58%</b>	<b>47%</b>		<b>35%</b>	<b>33%</b>	<b>28%</b>	<b>23%</b>

<b>2018</b>	<b>DE</b>	<b>FR</b>	<b>IT</b>	<b>SE</b>	<b>GR</b>	<b>AT</b>	<b>ES</b>	<b>NL</b>	<b>CH</b>	<b>BE</b>	<b>EU+</b>
<b>Decisions on requests</b>	<b>51 666</b>	<b>39 919</b>	<b>4 648</b>	<b>3 450</b>	<b>4 477</b>	<b>5 810</b>	<b>7</b>	<b>7 174</b>	<b>4 969</b>	<b>6 920</b>	<b>141 400</b>
Accepted	36 528	29 259	3 152	2 179	1 535	3 905	3	5 773	3 636	4 617	<b>97 288</b>
Refused	15 138	10 660	1 496	1 271	2 942	1 905	4	1 401	1 333	2 303	<b>44 112</b>
Accepted	71%	73%	68%	63%	34%	67%	43%	80%	73%	67%	<b>69%</b>
Refused	29%	27%	32%	37%	66%	33%	57%	20%	27%	33%	<b>31%</b>
<b>Decisions on re-examinations</b>	<b>3 054</b>	<b>381</b>	<b>279</b>	<b>403</b>	<b>1 980</b>	<b>506</b>	<b>0</b>	<b>525</b>	<b>560</b>		<b>8 527</b>
Accepted	1 208	239	119	102	1 125	384	0	295	257		<b>4 055</b>
Refused	1 846	142	160	301	855	122	0	230	303		<b>4 472</b>
Accepted	40%	63%	43%	25%	57%	76%		56%	46%		<b>48%</b>
Refused	60%	37%	57%	75%	43%	24%		44%	54%		<b>52%</b>
<b>Total accepted</b>	<b>37 736</b>	<b>29 498</b>	<b>3 271</b>	<b>2 281</b>	<b>2 660</b>	<b>4 289</b>	<b>3</b>	<b>6 068</b>	<b>3 893</b>	<b>4 617</b>	<b>101 343</b>
<b>Transfers</b>	<b>9 209</b>	<b>3 533</b>	<b>189</b>	<b>935</b>	<b>5 447</b>	<b>2 291</b>	<b>2</b>	<b>1 849</b>	<b>1 313</b>	<b>897</b>	<b>27 686</b>
<b>Transfer/ Accepted Ratio</b>	<b>24%</b>	<b>12%</b>	<b>6%</b>	<b>41%</b>	<b>205%</b>	<b>53%</b>	<b>67%</b>	<b>30%</b>	<b>34%</b>	<b>19%</b>	<b>27%</b>

<b>2014-2018</b>	<b>DE</b>	<b>FR</b>	<b>IT</b>	<b>SE</b>	<b>GR</b>	<b>AT</b>	<b>ES</b>	<b>NL</b>	<b>CH</b>	<b>BE</b>	<b>EU+</b>
<b>Decisions on requests</b>	<b>231 625</b>	<b>109 895</b>	<b>16 851</b>	<b>29 669</b>	<b>20 393</b>	<b>59 969</b>	<b>27</b>	<b>29 562</b>	<b>46 637</b>	<b>20 331</b>	<b>630 389</b>
Accepted	162 795	83 680	6 447	20 482	12 599	41 189	18	22 372	29 740	14 737	<b>436 389</b>
Refused	68 830	26 215	10 404	9 187	7 794	18 780	9	7 190	16 897	5 594	<b>194 000</b>
Accepted	70%	76%	38%	69%	62%	69%	67%	76%	64%	72%	<b>69%</b>
Refused	30%	24%	62%	31%	38%	31%	33%	24%	36%	28%	<b>31%</b>
<b>Decisions on re-examinations</b>	<b>5 306</b>	<b>645</b>	<b>288</b>	<b>611</b>	<b>4 317</b>	<b>2 098</b>	<b>0</b>	<b>2 489</b>	<b>2 606</b>	<b>0</b>	<b>22 946</b>
Accepted	2 036	378	127	185	2 742	1 206	0	1 179	1 117	0	<b>11 180</b>
Refused	3 270	267	161	426	1 575	892	0	1 310	1 489	0	<b>11 766</b>
Accepted	38%	59%	44%	30%	64%	57%		47%	43%		<b>49%</b>
Refused	62%	41%	56%	70%	36%	43%		53%	57%		<b>51%</b>
<b>Total accepted</b>	<b>164 831</b>	<b>84 058</b>	<b>6 574</b>	<b>20 667</b>	<b>15 341</b>	<b>42 395</b>		<b>23 551</b>	<b>30 857</b>	<b>14 737</b>	<b>447 569</b>
<b>Transfers</b>	<b>24 176</b>	<b>8 454</b>	<b>299</b>	<b>9 934</b>	<b>12 364</b>	<b>10 924</b>	<b>5</b>	<b>7 449</b>	<b>11 092</b>	<b>5 109</b>	<b>105 147</b>
<b>Transfer/ Accepted Ratio</b>	<b>15%</b>	<b>10%</b>	<b>5%</b>	<b>48%</b>	<b>81%</b>	<b>26%</b>		<b>32%</b>	<b>36%</b>	<b>35%</b>	<b>23%</b>

Source: Eurostat database<sup>lxv</sup>

Table 5B: Outcome of incoming Dublin requests ten EU+ Member States, 2014-2018

2014	DE	FR	IT	SE	GR	AT	ES	NL	CH	BE	EU+
<b>Decisions on requests</b>	<b>5 488</b>	<b>5 217</b>	<b>20 235</b>	<b>2 335</b>	<b>46</b>	<b>2 372</b>		<b>1 580</b>	<b>4 043</b>	<b>4 035</b>	<b>74 412</b>
Accepted	4 133	3 990	12 340	1 331	36	1 166		904	1 801	3 078	49 422
Refused	1 355	1 227	7 895	1 004	10	1 206		676	2 242	957	24 991
Accepted	75%	76%	61%	57%	78%	49%		57%	45%	76%	66%
Refused	25%	24%	39%	43%	22%	51%		43%	55%	24%	34%
<b>Decisions on re-examinations</b>		<b>320</b>			<b>0</b>	<b>297</b>		<b>117</b>			<b>1 409</b>
Accepted		114			0	180		64			797
Refused		206			0	117		53			612
Accepted		36%				61%		55%			57%
Refused		64%				39%		45%			43%
<b>Total accepted</b>	<b>4 133</b>	<b>4 104</b>	<b>12 340</b>	<b>1 331</b>	<b>36</b>	<b>1 346</b>		<b>968</b>	<b>1 801</b>	<b>3 078</b>	<b>50 219</b>
<b>Transfers</b>	<b>1 768</b>	<b>1 725</b>	<b>2 228</b>		<b>2</b>			<b>429</b>	<b>933</b>	<b>1 673</b>	<b>11 868</b>
<b>Transfer/ Accepted Ratio</b>	<b>43%</b>	<b>42%</b>	<b>18%</b>		<b>6%</b>	<b>0%</b>		<b>44%</b>	<b>52%</b>	<b>54%</b>	<b>24%</b>
<b>2015</b>	<b>DE</b>	<b>FR</b>	<b>IT</b>	<b>SE</b>	<b>GR</b>	<b>AT</b>	<b>ES</b>	<b>NL</b>	<b>CH</b>	<b>BE</b>	<b>EU+</b>
<b>Decisions on requests</b>	<b>11 755</b>	<b>4 814</b>	<b>23 156</b>	<b>2 209</b>	<b>109</b>	<b>4 754</b>		<b>1 566</b>	<b>3 070</b>	<b>2 130</b>	<b>75 436</b>
Accepted	10 124	3 868	15 914	1 260	64	2 150		825	1 205	1 421	51 588
Refused	1 631	946	7 242	949	45	2 604		741	1 865	709	23 848
Accepted	86%	80%	69%	57%	59%	45%		53%	39%	67%	68%
Refused	14%	20%	31%	43%	41%	55%		47%	61%	33%	32%
<b>Decisions on re-examinations</b>		<b>195</b>	<b>43</b>		<b>0</b>	<b>399</b>		<b>81</b>			<b>1 502</b>
Accepted		78	28		0	207		41			707
Refused		117	15		0	192		40			795
Accepted		40%	65%			52%		51%			47%
Refused		60%	35%			48%		49%			53%
<b>Total accepted</b>	<b>10 124</b>	<b>3 946</b>	<b>15 942</b>	<b>1 260</b>	<b>64</b>	<b>2 357</b>		<b>866</b>	<b>1 205</b>	<b>1 421</b>	<b>52 295</b>
<b>Transfers</b>	<b>2 489</b>	<b>1 943</b>	<b>2 180</b>		<b>15</b>	<b>480</b>		<b>379</b>	<b>558</b>	<b>668</b>	<b>10 572</b>
<b>Transfer/ Accepted Ratio</b>	<b>25%</b>	<b>49%</b>	<b>14%</b>		<b>23%</b>	<b>20%</b>		<b>44%</b>	<b>46%</b>	<b>47%</b>	<b>20%</b>
<b>2016</b>	<b>DE</b>	<b>FR</b>	<b>IT</b>	<b>SE</b>	<b>GR</b>	<b>AT</b>	<b>ES</b>	<b>NL</b>	<b>CH</b>	<b>BE</b>	<b>EU+</b>
<b>Decisions on requests</b>	<b>30 448</b>	<b>4 268</b>		<b>4 444</b>	<b>2 994</b>	<b>5 230</b>	<b>6 111</b>	<b>3 437</b>	<b>3 842</b>		<b>95 122</b>
Accepted	24 374	3 144		2 756	55	1 710	4 122	1 641	1 187		64 303
Refused	6 074	1 124		1 688	2 939	3 520	1 989	1 796	2 655		30 819
Accepted	80%	74%		62%	2%	33%	67%	48%	31%		68%
Refused	20%	26%		38%	98%	67%	33%	52%	69%		32%
<b>Decisions on re-examinations</b>	<b>0</b>	<b>221</b>		<b>17</b>	<b>161</b>	<b>381</b>	<b>845</b>	<b>81</b>	<b>219</b>		<b>5 521</b>
Accepted	0	95		5	0	214	288	40	109		1 225
Refused	0	126		12	161	167	557	41	110		4 296
Accepted		43%		29%	0%	56%		49%	50%		22%
Refused		57%		71%	100%	44%		51%	50%		78%
<b>Total accepted</b>	<b>24 374</b>	<b>3 239</b>		<b>2 761</b>	<b>55</b>	<b>1 924</b>	<b>4 410</b>	<b>1 681</b>	<b>1 296</b>		<b>65 528</b>
<b>Transfers</b>	<b>8 512</b>	<b>1 257</b>	<b>4 061</b>	<b>964</b>	<b>10</b>	<b>559</b>	<b>938</b>	<b>422</b>	<b>445</b>	<b>414</b>	<b>22 114</b>
<b>Transfer/ Accepted Ratio</b>	<b>35%</b>	<b>39%</b>		<b>35%</b>	<b>18%</b>	<b>29%</b>	<b>21%</b>	<b>25%</b>	<b>34%</b>		<b>34%</b>
<b>2017</b>	<b>DE</b>	<b>FR</b>	<b>IT</b>	<b>SE</b>	<b>GR</b>	<b>AT</b>	<b>ES</b>	<b>NL</b>	<b>CH</b>	<b>BE</b>	<b>EU+</b>
<b>Decisions on requests</b>	<b>28 407</b>	<b>7 580</b>	<b>25 054</b>	<b>6 242</b>	<b>2 104</b>	<b>6 733</b>	<b>5 745</b>	<b>4 489</b>	<b>5 679</b>	<b>4 163</b>	<b>137 559</b>
Accepted	21 668	5 473	23 668	4 113	82	2 373	3 636	2 373	2 288	2 730	93 599
Refused	6 739	2 107	1 386	2 129	2 022	4 360	2 109	2 116	3 391	1 433	43 960
Accepted	76%	72%	94%	66%	4%	35%	63%	53%	40%	66%	68%
Refused	24%	28%	6%	34%	96%	65%	37%	47%	60%	34%	32%
<b>Decisions on re-examinations</b>	<b>7</b>	<b>692</b>	<b>240</b>	<b>232</b>	<b>460</b>	<b>634</b>	<b>963</b>	<b>239</b>	<b>372</b>	<b>0</b>	<b>6 335</b>
Accepted	5	260	206	102	13	349	396	119	190	0	2 357
Refused	2	432	34	130	447	285	567	120	182	0	3 978
Accepted	71%	38%	86%	44%	3%	55%		50%	51%		37%
Refused	29%	62%	14%	56%	97%	45%		50%	49%		63%
<b>Total accepted</b>	<b>21 673</b>	<b>5 733</b>	<b>23 874</b>	<b>4 215</b>	<b>95</b>	<b>2 722</b>	<b>4 032</b>	<b>2 492</b>	<b>2 478</b>	<b>2 730</b>	<b>95 956</b>
<b>Transfers</b>	<b>8 806</b>	<b>1 636</b>	<b>5 678</b>	<b>1 184</b>	<b>1</b>	<b>742</b>	<b>619</b>	<b>812</b>	<b>873</b>	<b>701</b>	<b>26 300</b>
<b>Transfer/ Accepted Ratio</b>	<b>41%</b>	<b>29%</b>	<b>24%</b>	<b>28%</b>	<b>1%</b>	<b>27%</b>	<b>15%</b>	<b>33%</b>	<b>35%</b>	<b>26%</b>	<b>27%</b>
<b>2018</b>	<b>DE</b>	<b>FR</b>	<b>IT</b>	<b>SE</b>	<b>GR</b>	<b>AT</b>	<b>ES</b>	<b>NL</b>	<b>CH</b>	<b>BE</b>	<b>EU+</b>
<b>Decisions on requests</b>	<b>22 836</b>	<b>8 127</b>	<b>42 710</b>	<b>7 012</b>	<b>8 541</b>	<b>7 291</b>	<b>10 762</b>	<b>4 881</b>	<b>5 998</b>	<b>3 738</b>	<b>150 865</b>
Accepted	14 770	5 355	35 433	5 012	216	3 476	8 651	2 589	2 772	2 353	98 322
Refused	8 066	2 772	7 277	2 000	8 325	3 815	2 111	2 292	3 226	1 385	52 543
Accepted	65%	66%	83%	71%	3%	48%	80%	53%	46%	63%	65%
Refused	35%	34%	17%	29%	97%	52%	20%	47%	54%	37%	35%
<b>Decisions on re-examinations</b>	<b>2 546</b>	<b>672</b>	<b>828</b>	<b>260</b>	<b>1 545</b>	<b>1 033</b>	<b>1 701</b>	<b>399</b>	<b>512</b>		<b>11 765</b>

<b>Accepted</b>	1 316	258	516	129	23	505	430	178	261		4 381
<b>Refused</b>	1 230	414	312	131	1 522	528	1 271	221	251		7 384
<b>Accepted</b>	52%	38%	62%	50%	1%	49%	25%	45%	51%		37%
<b>Refused</b>	48%	62%	38%	50%	99%	51%	75%	55%	49%		63%
<b>Total accepted</b>	<b>16 086</b>	<b>5 613</b>	<b>35 949</b>	<b>5 141</b>	<b>239</b>	<b>3 981</b>	<b>9 081</b>	<b>2 767</b>	<b>3 033</b>	<b>2 353</b>	<b>102 703</b>
<b>Transfers</b>	<b>7 580</b>	<b>1 837</b>	<b>6 351</b>	<b>1 185</b>	<b>18</b>	<b>994</b>	<b>810</b>	<b>835</b>	<b>1 292</b>	<b>678</b>	<b>26 296</b>
<b>Transfer/ Accepted Ratio</b>	<b>47%</b>	<b>33%</b>	<b>18%</b>	<b>23%</b>	<b>8%</b>	<b>25%</b>	<b>9%</b>	<b>30%</b>	<b>43%</b>	<b>29%</b>	<b>26%</b>

<b>2014-2018</b>	<b>DE</b>	<b>FR</b>	<b>IT</b>	<b>SE</b>	<b>GR</b>	<b>AT</b>	<b>ES</b>	<b>NL</b>	<b>CH</b>	<b>BE</b>	<b>EU+</b>
<b>Decisions on requests</b>	<b>98 934</b>	<b>30 006</b>	<b>111 155</b>	<b>22 242</b>	<b>13 794</b>	<b>26 380</b>	<b>22 618</b>	<b>15 953</b>	<b>22 632</b>	<b>14 066</b>	<b>533 394</b>
<b>Accepted</b>	75 069	21 830	87 355	14 472	453	10 875	16 409	8 332	9 253	9 582	357 234
<b>Refused</b>	23 865	8 176	23 800	7 770	13 341	15 505	6 209	7 621	13 379	4 484	176 161
<b>Accepted</b>	76%	73%	79%	65%	3%	41%	73%	52%	41%	68%	67%
<b>Refused</b>	24%	27%	21%	35%	97%	59%	27%	48%	59%	32%	33%
<b>Decisions on re-examinations</b>	<b>2 553</b>	<b>2 100</b>	<b>1 111</b>	<b>509</b>	<b>2 166</b>	<b>2 744</b>	<b>3 509</b>	<b>917</b>	<b>1 103</b>	<b>0</b>	<b>26 532</b>
<b>Accepted</b>	1 321	805	750	236	36	1 455	1 114	442	560	0	9 467
<b>Refused</b>	1 232	1 295	361	273	2 130	1 289	2 395	475	543	0	17 065
<b>Accepted</b>	52%	38%	68%	46%	2%	53%	32%	48%	51%		36%
<b>Refused</b>	48%	62%	32%	54%	98%	47%	68%	52%	49%		64%
<b>Total accepted</b>	<b>76 390</b>	<b>22 635</b>	<b>88 105</b>	<b>14 708</b>	<b>489</b>	<b>12 330</b>	<b>17 523</b>	<b>8 774</b>	<b>9 813</b>	<b>9 582</b>	<b>366 701</b>
<b>Transfers</b>	<b>29 155</b>	<b>8 398</b>	<b>20 498</b>	<b>3 333</b>	<b>46</b>	<b>2 775</b>	<b>2 367</b>	<b>2 877</b>	<b>4 101</b>	<b>4 134</b>	<b>97 150</b>
<b>Transfer/ Accepted Ratio</b>	<b>38%</b>	<b>37%</b>	<b>23%</b>	<b>23%</b>	<b>9%</b>	<b>23%</b>	<b>14%</b>	<b>33%</b>	<b>42%</b>	<b>43%</b>	<b>26%</b>

Source: Eurostat database<sup>lxvi</sup>

<sup>liv</sup> Eu-LISA, [Reports](#).

<sup>lv</sup> [Eurostat database](#), consulted on 29 May 2019.

<sup>lvi</sup> Eu-LISA, [Reports](#).

<sup>lvii</sup> [Eurostat database](#), consulted on 29 May 2019.

<sup>lviii</sup> Eu-LISA, [Reports](#).

<sup>lix</sup> [Eurostat database](#), consulted on 29 May 2019.

<sup>lx</sup> Eu-LISA, [Reports](#).

<sup>lxi</sup> Eu-LISA, [Reports](#).

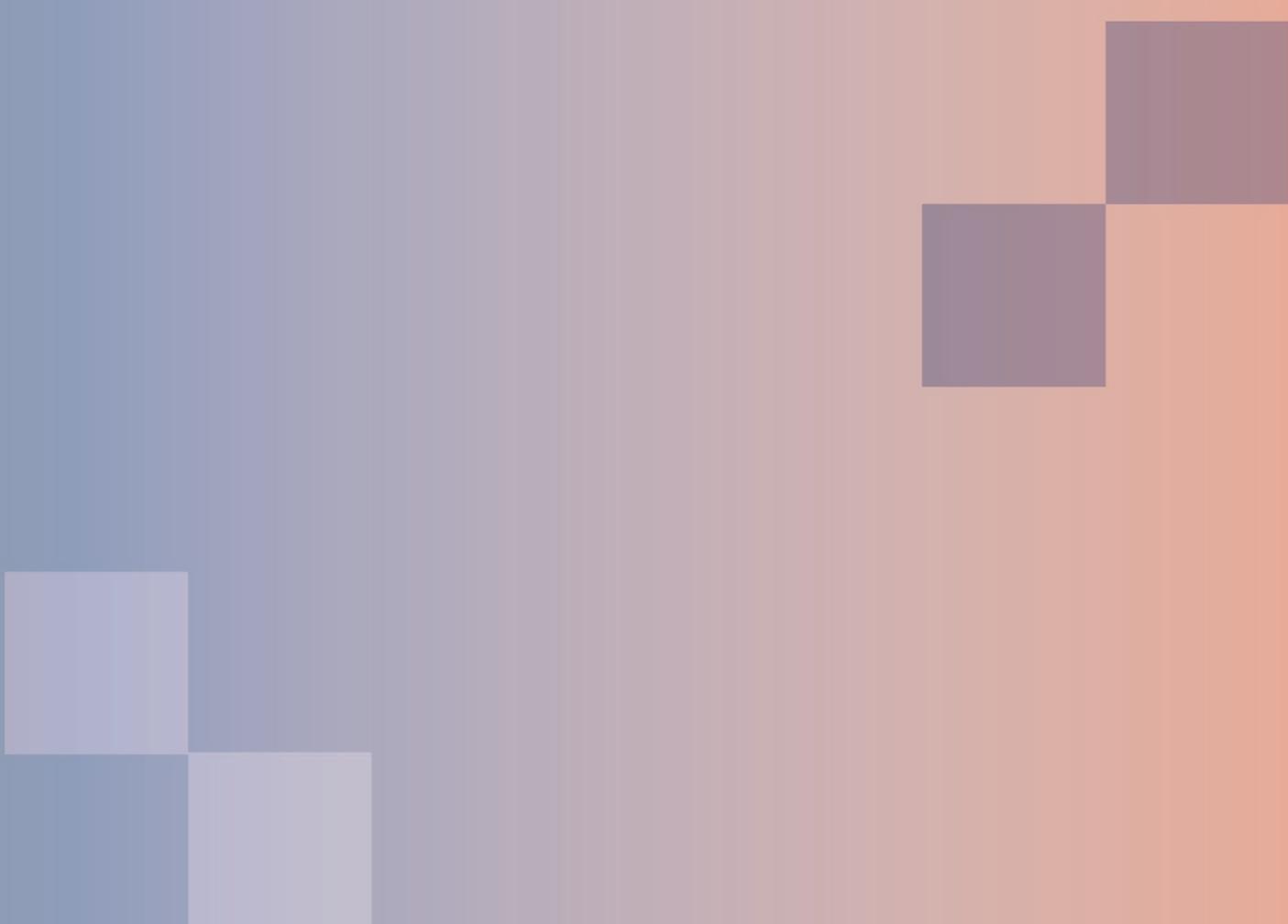
<sup>lxii</sup> [Eurostat database](#), consulted on 25 September 2019.

<sup>lxiii</sup> Idem.

<sup>lxiv</sup> Idem.

<sup>lxv</sup> Idem.

<sup>lxvi</sup> Idem.



**Annex 3: measures  
against secondary  
migration**



	Communication	Visa policy	Border controls and mobile surveillance	Identification and registration
Belgium	<p>Dissuasion campaigns on Facebook. The Immigration Office (<i>Dienst Vreemdelingenzaken, DVZ</i>) has placed dissuasive advertisements on Facebook in six languages, at specific locations where secondary migrants (referred to as 'transmigrants' in Belgium) usually stay (Maximilian Park in Brussels, Port of Zeebrugge, motorway car parks where migrants climb onto lorries) or where they might be coming from (Greek and Italian hotspots, northern France, Spanish enclaves, German asylum centres).<sup>67</sup> 2018 (discontinued at the end of 2018).</p>		<p>1) Temporary reintroduction of controls at the internal border of the province of West Flanders with France, specifically aimed at secondary migrants who try to transit from Belgium to the United Kingdom in an irregular manner. 23 February 2016 - 22 April 2016 (not extended).<sup>68</sup></p> <p>2) More frequent mobile surveillance of transit routes of secondary migrants, for example, on trains to the coast, at car parks along motorways and on buses operated by FlixBus. 2018-present.<sup>69</sup></p>	<p>1) Establishment of a national administrative centre for secondary migrants. 2018-present.<sup>70</sup></p> <p>2) Stricter enforcement of the identification obligation. Imposition of administrative fines on secondary migrants who are unable to identify themselves. 2018-present.<sup>71</sup></p>
Germany	<p>1) Launch of the website <a href="http://RumorsaboutGermany.info">RumorsaboutGermany.info</a> to inform potential migrants about the German asylum procedure and disprove lies and half-truths propagated by smugglers. 23 October 2017.</p> <p>2) Several additional information campaigns in third countries. 23 October 2017.<sup>72</sup></p>		<p>1) Facilitating the transit of migrants who wanted to travel to Germany via Hungary and Austria, based on trilateral discussions (reference to Article 17.1 of the Dublin Regulation, discretionary provision). Purpose: to relieve Hungary (unsustainable situation at Budapest station). 4 September 2015.<sup>73</sup></p> <p>2) Temporary reintroduction of internal border controls at the German-Austrian border. 14 November 2015, last extended until 12 May 2020.<sup>74</sup></p>	<p>1) Deployment of mobile teams for the delayed registration of asylum seekers who had not been able to lodge an asylum application earlier. September 2015 - September 2016.</p> <p>2) Introduction of a central database with personal data of asylum seekers, accessible to the central government, states and municipalities. 5 February 2016.</p> <p>3) Introduction of the <i>Ankunftsnachweis</i> for asylum seekers. Taking fingerprints immediately upon arrival at the</p>

	Communication	Visa policy	Border controls and mobile surveillance	Identification and registration
			<p>3) Introduction of quota for cross-border migrants (50 per hour) at checkpoints between Germany and Austria (no hard quota). November 2015.<sup>75</sup></p> <p>4) Internal border control carried out extraterritorially. Introduction of an extraterritorial checkpoint in Austria (Salzburg), in consultation with Austria. November 2015 to June 2016.<sup>76</sup></p> <p>5) Intensification of mobile surveillance at all borders, including airports, due to an increase in asylum seekers on intra-Schengen flights from Greece.<sup>77</sup></p> <p>6) Bilateral administrative agreements with Spain and Greece for the accelerated processing of asylum applications from Dublin claimants held at the German-Austrian border. These are agreements falling outside the scope of the Dublin Regulation that are based on the national concept of 'safe third country'. Purpose: to ensure an immediate refusal at the border and take back (within 48 hours) by Spain and Greece of migrants who have previously applied for asylum there (verifiable based on Eurodac hit). 2018.<sup>78</sup></p>	<p><i>Ankunftszentrum</i>. Purpose: to prevent asylum seekers from receiving assistance in several states. March 2016. Also see: establishment of <i>Ankunftszentren</i> under 'Reception').</p> <p>4) Introduction of legal basis for new methods of conducting investigations to identify undocumented asylum seekers. 29 July 2017.</p>

	Communication	Visa policy	Border controls and mobile surveillance	Identification and registration
			<p>7) Introduction of a new border procedure at the German-Austrian border. This involves the practical implementation of the administrative agreements referred to under point 6. 2018.<sup>79</sup></p> <p>8) Intention of concluding administrative agreements with all other Member States for more efficient handling of Dublin cases. Concerns bilateral agreements based on Article 36 of the Dublin Regulation. 2018.<sup>80</sup></p>	
France			<p>1) Temporary reintroduction of internal border controls, due to the threat of terrorism and the situation at the external borders. 1 May 2019, last extended until 30 April 2020.<sup>81</sup></p> <p>2) Practice: reports of pushbacks at the Italian and Spanish borders. 2017, 2018.<sup>82</sup></p> <p>3) The Sandhurst Treaty with the United Kingdom containing agreements regarding cooperation for conducting border controls in the Calais region. 18 January 2018.<sup>83</sup></p>	<p>1) Introduction of 'single desks' where employees of the local authorities (<i>préfectures</i>, responsible for registering asylum applications) and employees of the French Office for Immigration and Integration (OFII, responsible for identifying special and other reception needs) work together. January 2018.<sup>84</sup></p>
Greece			<p>1) Gradual intensification of checks on persons and goods at the borders with North Macedonia, Turkey (Evros), Bulgaria and Albania.<sup>85</sup></p> <p>2) Enforcement of measures for the surveillance of third-country</p>	<p>1) Delayed registration of asylum seekers on the Greek mainland, who until then had not been able to apply for asylum (with the help of UNHCR and the EASO). This involved nearly 30,000 people. June/July 2016.<sup>89</sup></p>

	Communication	Visa policy	Border controls and mobile surveillance	Identification and registration
			<p>nationals. Gatherings of groups of third-country nationals with the intention of leaving Greece are dispersed by the police and those who cannot identify themselves are detained.<sup>86</sup></p> <p>3) Practice: Reports of pushbacks at the Greek-Turkish border in 2017 and 2018 (investigation by Greek ombudsman is ongoing).<sup>87</sup></p> <p>4) Operation Poseidon. Involves Frontex assistance to Greece for monitoring sea borders with Turkey. From 2016 onwards.<sup>88</sup></p>	
Italy			<p>1) Intensification of mobile surveillance at the borders with France, Switzerland, Austria and Slovenia. From late 2015 onwards.<sup>90</sup></p> <p>2) Joint Operation Themis with Frontex (successor to Triton). Involves the execution of search-and-rescue operations within a more limited patrol zone. Migrants picked up at sea must be taken to the nearest (not necessarily Italian) port.<sup>91</sup></p> <p>3) Practice: Reports of pushbacks from migrants entering Italy by train via Austria.<sup>92</sup></p>	<p>1) In collaboration with EASO, hotspots have been set up at the ports where the majority of migrants arrive by sea (Porto Empedocle, Pozzallo) and on the islands of Trapani and Lampedusa for the identification and pre-registration of asylum seekers and other migrants. The UNHCR is also present at the hotspots to monitor the situation. Late 2015.<sup>93</sup></p> <p>2) Practice: Practical obstacles to gaining access to the asylum procedure have been reported in various regions. These include additional requirements laid down by the police (<i>Questura</i>) for the submission of an application for asylum, such as registration in the municipal administration records, identity documents, source documents or</p>

	Communication	Visa policy	Border controls and mobile surveillance	Identification and registration
				simply the possession of a certain nationality. 2017, 2018. <sup>94</sup>
The Netherlands		1) Introduction of the requirement to hold an airport transit visa for Cubans when they are transiting through the Netherlands to non-Schengen countries. 29 January 2018. <sup>95</sup>	1) Intensification of mobile surveillance in border region with Belgium and Germany. From September 2015 onwards. <sup>96</sup>  2) Intensification of mobile surveillance in seaports (purpose: detection of irregular migrants who want to travel to the United Kingdom as stowaways). <sup>97</sup>  3) Intensification of cooperation with Belgian and English border control organisations. November 2015. <sup>98</sup>	
Austria	1) Information campaign on TV, in newspapers, on social media and in buses in Kabul, aimed at Afghan asylum seekers, about the strictness of the Austrian asylum legislation. March 2016. <sup>99</sup>  2) Financial contribution to IOM's 'Aware Migrants' information campaign about the risks of irregular migration. February, March 2018. <sup>100</sup>		1) Transit of asylum seekers from Hungary to Germany, in consultation with Germany and Hungary (see under Germany, point 1). September 2015. <sup>101</sup>  2) Reintroduction of internal border controls, following an increase in the number of asylum seekers in 2015 and early 2016. Focus on the national borders with Italy, Hungary, Slovenia and Slovakia. From September 2015 onwards. Extended from November 2015 onwards for borders with Italy, Hungary and Slovenia. From May 2016 onwards, extended each time for national borders with Hungary and Slovenia. Last extended until 12 May 2020. <sup>102</sup>	1) Introduction of the right to seize and read data carriers of asylum seekers. Only allowed if the asylum seeker's identity and the transit route cannot be determined based on other evidence. The aim is to identify more Dublin cases. 1 September 2018. <sup>105</sup>  2) Introduction of administrative fines (and imprisonment in case of failure to pay the fine) for asylum seekers who intentionally commit identity fraud. Asylum seekers who conceal their true identity may be fined (€1000 to €5000). If the fine cannot be paid, the asylum seeker may be imprisoned for up to three weeks. Asylum seekers

	Communication	Visa policy	Border controls and mobile surveillance	Identification and registration
			<p>3) Intensification of cooperation with neighbouring countries in carrying out border controls. Execution of joint patrols with Italy, Slovenia, the Czech Republic, Hungary and Germany (joint border control office in Passau). 2015-2018.<sup>103</sup></p> <p>4) Intensification of mobile surveillance in border regions. July 2015.<sup>104</sup></p>	<p>who have concealed their true identities and availed of social benefits may be fined a maximum of 360 times the daily amount or be sentenced to imprisonment for up to one year. If the costs of the social benefits are higher than €3000, a maximum prison sentence of three years applies. 1 September 2018.<sup>106</sup></p>
Spain		<p>1) Introduction of the requirement for Palestinians from UNHCR refugee camps in Lebanon to hold a transit visa when flying via Spain to a non-Schengen country. 1 November 2018.<sup>107</sup></p>	<p>1) Introduction of a legal provision for refusing applications by third-country nationals who attempt to enter Spain irregularly at the border. March 2015.<sup>108</sup></p>	
Sweden			<p>1) Temporary reintroduction of controls at internal borders based on Article 25 of the Schengen Borders Code ('serious threat to public order or internal security'). Rationale: increased numbers of asylum seekers in 2015. As of 12 November 2015, last extended until 12 May 2020.<sup>109</sup></p> <p>2) Temporary introduction of extraterritorial identity checks for travellers entering Sweden from Denmark by public transport (bus, train, boat). 4 January 2016, last extended until June 2017.<sup>110</sup></p>	
Switzerland			<p>1) Intensification of mobile surveillance at all internal</p>	

	Communication	Visa policy	Border controls and mobile surveillance	Identification and registration
			borders, with the exception of those of Liechtenstein (carried out by customs officers). 2015, 2016. <sup>111</sup>	

	Asylum procedure	Right of residence	Reception and facilities	Return
Belgium	<p>1) Expansion of list of safe countries of origin. Georgia and Albania were added to this list in 2016. At the time of writing this Advisory Report, the list consisted of: Albania, Bosnia and Herzegovina, North Macedonia, Kosovo, Serbia, Montenegro, India and Georgia.<sup>112</sup></p> <p>2) Introduction of the 'implicit asylum application' for secondary migrants who try to avoid the asylum procedure in Belgium but who indicate grounds for persecution during their interview, 2018 (announcement).<sup>113</sup></p> <p>3) Introduction of a quota for the submission of asylum applications (50 per day). November 2018. Suspended following a ruling by the Council of State that considered this to be an unauthorised limitation of the fundamental right to apply for asylum.<sup>114</sup></p>	<p>Abolition of immediate granting of a permanent right of residence for persons with refugee status and those with subsidiary protection status. From then on, they first receive a residence permit for a specific period (five years), which is subsequently converted into a residence permit for an indefinite period. 28 April 2016.<sup>115</sup></p>		
Germany	<p>1) Accelerated processing of manifestly well-founded asylum applications (e.g. Syrians, Yazidis), based on a completed questionnaire.</p>	<p>1) Facilitating regular migration for migrants from the Western Balkans. They can get a residence permit for working in Germany, if they have a job.</p>	<p>1) Accelerated process of granting the right to free transit in Germany to asylum seekers and <i>Geduldeten</i> (reduction of the 'residence obligation'). 2014.<sup>131</sup></p>	<p>1) Establishment of a coordination centre for providing assistance for 'integrated return management' (collaboration</p>

	Asylum procedure	Right of residence	Reception and facilities	Return
	<p>November 2014.<sup>116</sup></p> <p>2) Suspension of implementation of the Dublin Regulation for asylum seekers from Syria. August 2015 - 21 October 2015.<sup>117</sup></p> <p>3) Expansion of list of safe countries of origin. Addition of Serbia, Macedonia and Bosnia and Herzegovina (November 2014) and Albania, Kosovo and Montenegro (October 2015). The bill to expand the list with Morocco, Algeria and Tunisia (April 2016), was rejected by the <i>Bundesrat</i> on 10 March 2017. A second bill (2018) was removed from the agenda of the <i>Bundesrat</i> because it was clear that this proposal would also be rejected. November 2014, October 2015.<sup>118</sup></p> <p>4) Identifying and making a distinction between manifestly well-founded (general recognition rate &gt; 50%) and manifestly unfounded asylum applications and applying two related follow-up processes (for the first group, a relaxation of the conditions and rights, and for the second group, the curtailment thereof). Entered into effect after inclusion of the Western Balkan</p>	<p>They are temporarily relieved of the obligation to meet the qualification and language requirements. 1 January 2016 to 2020.<sup>125</sup></p> <p>2) Policy change granting subsidiary protection instead of refugee status. This change mainly concerned Syrians, Iraqis and Eritreans. Early 2016.<sup>126</sup></p> <p>3) Stricter requirements for permanent residence permit for persons recognised as refugees. The period after which persons recognised as refugees could apply for an indefinite residence permit was extended from three to five years, with an additional requirement of being able to provide for one's own livelihood to a large extent. August 2016.<sup>127</sup></p> <p>4) Suspension of the right to family reunification for beneficiaries of subsidiary protection. 17 March 2016 to March 2018.<sup>128</sup></p> <p>5) Further restriction of the options for family reunification for beneficiaries of subsidiary protection. As a follow-up to the suspension, a 'humanitarian quota' will apply from August 2018 for family reunification of beneficiaries of subsidiary protection (1000 visas per</p>	<p>2) Reduction of the waiting period before which asylum seekers are allowed to work (from nine to three months). 2014.<sup>132</sup></p> <p>3) Establishment of two combined reception and return centres (<i>Ankunfts-und Rückführungseinrichtungen</i>, ARE) for asylum seekers without any prospects of being granted residence (from safe countries of origin). September 2015 - second quarter 2016 (see points 6 and 7 under 'Asylum procedure').<sup>133</sup></p> <p>4) Introduction of a measure for the restriction of liberty for asylum seekers from safe countries of origin. Involves the obligation to stay in the combined reception and return centre throughout the asylum procedure. September/October 2015.<sup>134</sup></p> <p>5) Reintroduction of the obligation for all asylum seekers to reside in the 'initial reception centre' in the relevant district during the period of compulsory stay. 24 October 2015.<sup>135</sup></p> <p>6) Exclusion of asylum seekers from safe countries of origin from the right to work. 24 October 2015.<sup>136</sup></p>	<p>between the federal government and the states). 17 December 2014.<sup>142</sup></p> <p>2) Instruction by BAMF to the states to impose not just return decisions but also entry bans on asylum seekers whose applications have been rejected as manifestly unfounded. 1 August 2015.<sup>143</sup></p> <p>3) Definition of the grounds for detaining Dublin claimants. Description of the criteria for being able to assume a 'risk of absconding' as referred to in the Dublin Regulation. August 2015.<sup>144</sup></p> <p>4) Introduction of restrictions on asylum seekers who have not cooperated in the effort to establish their identity and/or have not cooperated with their return (including housing restrictions and no longer being informed of a termination of the suspension of their return decision). 29 July 2017.<sup>145</sup></p> <p>5) Instruction issued by the Federal Ministry of the Interior to municipalities to institute criminal proceedings against priests who grant church asylum to third-country nationals subject to a return decision because, by doing, so, they are facilitating irregular stay.<sup>146</sup></p>

	Asylum procedure	Right of residence	Reception and facilities	Return
	<p>countries on the list of safe countries of origin.<sup>119</sup></p> <p>5) Conclusion of political agreements with other Member States for handling Dublin requests which were submitted after the deadline due to the increased numbers of asylum seekers and the shift in responsibility for return to the states. Germany did not initially consider itself a responsible Member State for this case. This practice was terminated following the Shiri ruling (October 2017). 2015-2017.<sup>120</sup></p> <p>6) Introduction of accelerated procedures for some groups of asylum seekers, mainly asylum seekers from safe countries of origin. During the accelerated procedure, asylum seekers were obliged to remain in special reception centres. However, at the end of 2016, this procedure was being applied only in two centres. March 2016.<sup>121</sup></p> <p>7) Abolition of accelerated procedures (point 6). Instead, clustering of applications based on high probability of acceptance and high probability of rejection. Second quarter of 2016.<sup>122</sup></p> <p>8) Abolition of the 'practice of clustering'.</p>	<p>month). Therefore, in effect there is no longer question of a right to family reunification for persons belonging to this category, but rather a competence of the German State to allow family reunification. March 2018.<sup>129</sup></p> <p>6) Introduction of a requirement of maximum cooperation for those entitled to protection, in case of any procedure for revoking their right of residence. Involves the introduction of the same cooperation requirement as applicable to the asylum procedure (aimed at further identification). December 2018.<sup>130</sup></p>	<p>7) Establishment of more than 20 new <i>Ankunftszentren</i>, where asylum applications are processed in clusters and via an accelerated procedure, as a result of which multiple procedural steps can be carried out in one place and all relevant organisations are at one location. March 2016, cluster system introduced in the spring of 2017.<sup>137</sup></p> <p>8) Introduction of the obligation for refugees and beneficiaries of subsidiary protection to remain in the state where their asylum procedure is being examined ('residence obligation'). They may also be obliged to live in a certain municipality within that state. This obligation applies for three years but may be withdrawn for reasons of family, work or study. August 2016.<sup>138</sup></p> <p>9) Establishment of reception centres where asylum seekers are obliged to remain throughout the procedure (registration, identification and registration, asylum procedure, preparation for integration or return) (<i>Ankerzentren</i>). All relevant authorities work under one roof in these centres. Combined reception centres not just for asylum seekers from safe countries of origin but for all asylum seekers. 1 August 2018.<sup>139</sup></p>	<p>6) Bill on further return measures, including the introduction of a new <i>Geduldeten</i> category (persons who have not cooperated in the effort to establish identity) and detention conditions specifically applicable to them, further description of legal grounds for detention due to a plausible risk of absconding and introduction of detention with a view to obtaining cooperation (<i>Mitwirkungshaft</i>). 2019.<sup>147</sup></p>

	Asylum procedure	Right of residence	Reception and facilities	Return
	<p>From then on, task of prioritisation left to the regional offices of the BAMF and the <i>Ankunftszentren</i> (see point under 'Reception') First half of 2017.<sup>123</sup></p> <p>9) Introduction of quota/restrictions on transfers of Dublin claimants from Greece to Germany. April 2017.<sup>124</sup></p>		<p>10) Curtailment of social rights for migrants who are status holders in another Member State and a reduction of social benefits for Dublin claimants. 2019.<sup>140</sup></p> <p>11) Quicker extension of the transfer period, if the asylum seeker is not available for the Dublin transfer. In some reception centres, the asylum seeker is informed of the intended transfer date and is then required to remain in his or her room on that date. If he is not there, the transfer period is extended to 18 months and material reception conditions may be withdrawn. Early 2019.<sup>141</sup></p>	
France	<p>1) Expansion of list of safe countries of origin. Albania, Georgia and Kosovo were added to the list in December 2013. With regard to Kosovo, the Council of State reversed this decision on 10 October 2014. At the time of writing this Research Report, the list consisted of Albania, Armenia, Benin, Bosnia and Herzegovina, Cape Verde, Georgia, Ghana, India, Kosovo, North Macedonia, Mauritius, Moldova, Mongolia, Montenegro, Senegal and Serbia.<sup>148</sup></p> <p>2) Introduction of accelerated procedures and admissibility procedure. Accelerated</p>		<p>1) Centralisation of the reception system. Asylum seekers may be placed in a reception centre for asylum seekers or in an emergency reception centre. Dublin claimants are only eligible for placement in an emergency reception centre. 2015.<sup>150</sup></p> <p>2) Introduction of additional grounds for loss of right to reception. The right to reception lapses if the asylum seeker refuses the offered place, fails to report within the applicable deadline or if he or she leaves the centre for more than a week without giving any reason. 2015.<sup>151</sup></p>	<p>1) Introduction of the legal provision for placing Dublin claimants under house arrest during the process of determining the responsible Member State. Dublin claimants who are placed under house arrest and who do not comply with the reporting obligation may be detained. 7 March 2016.<sup>152</sup></p> <p>2) Definition of 'significant risk of absconding' (Article 28.2, in response to the Al Chodor ruling of the CJEU, the French Court of Cassation ruled that the detention of Dublin claimants was unlawful because the concept of 'significant risk of absconding' was not defined in French law.) This definition has</p>

	Asylum procedure	Right of residence	Reception and facilities	Return
	<p>procedures are automatically applied in the following cases:</p> <ul style="list-style-type: none"> <li>- Asylum seekers coming from a safe country of origin.</li> <li>- A possible subsequent asylum application is not manifestly unfounded.</li> <li>- The prefecture reports that the asylum seeker refuses to have his or her fingerprints taken or that he or she has provided false information.</li> <li>- The application for asylum was not lodged within 90 days after entering France.</li> <li>- The asylum application was lodged for the sole purpose of thwarting a return decision.</li> <li>- The presence of the applicant constitutes a threat to public policy or national security.</li> </ul> <p>Asylum applications are declared inadmissible in the following cases:</p> <ul style="list-style-type: none"> <li>- The applicant has been granted international protection in another Member State earlier.</li> <li>- The applicant is recognised as a refugee in a third country, enjoys effective protection there and is able to return to that country.</li> <li>- New facts and circumstances submitted in the context of a subsequent application are not considered to be sufficiently compelling.</li> </ul> <p>The admissibility procedure also applies if the asylum application is lodged at the border or during detention.</p>			<p>since been included. The law since then allows Dublin claimants to be detained before a reply is received from the Member State to which the request is sent and before a transfer notification is sent to the third-country national. 20 March 2018.<sup>153</sup></p>

	Asylum procedure	Right of residence	Reception and facilities	Return
Greece	<p>Late 2015, September 2018.<sup>149</sup></p> <p>1) Introduction of an accelerated border procedure for asylum seekers arriving on the Greek islands (as a result of the EU-Turkey Statement). Once the procedure has started, it must be completed within two weeks. Applications from Dublin claimants who want to reunite with family members elsewhere in the EU+ and vulnerable persons are exempted from this border procedure. 20 March 2016.<sup>154</sup></p> <p>2) Termination of the practice of actively submitting Dublin take charge requests to other Member States in cases where minor children have been sent on ahead. Late 2018.<sup>155</sup></p>	<p>1) Granting of a humanitarian residence status with a validity of two years (renewable) to asylum seekers whose asylum application was pending for five years at the time of the introduction of the new Asylum Act on 3 April 2016 (5000 permits granted). 3 April 2016.<sup>156</sup></p>	<p>1) Introduction of a measure for the restriction of liberty (geographical restriction) of asylum seekers arriving on the Greek islands. This measure is part of the EU-Turkey Statement and implies that asylum seekers arriving on the Greek islands must remain there and await the outcome of their entire asylum procedure. Dublin claimants do not fall under this geographical restriction. They are transferred to the Greek mainland. Asylum seekers failing to comply with the geographical restriction are detained and returned to the island via which they entered Greece. March 2016.<sup>157</sup></p>	<p>1) Abolition of the detention measure for an indefinite period of time (following the ruling of the Athens court). Withdrawal of the ministerial decree that introduced the option of imposing the detention measure for an indefinite period (2014). February 2015.<sup>158</sup></p> <p>2) Bilateral administrative agreement with Germany for taking back asylum seekers refused by Germany at the border with Austria and who have previously applied for asylum in Greece. 2018.<sup>159</sup> See also under point 6 for Germany under 'Border controls and mobile surveillance'.</p>
Italy	<p>1) Introduction of the 'safe country of origin' concept. Asylum applications from migrants from safe countries of origin are now processed via an accelerated procedure. A list of safe countries of origin had not yet been drawn up at the time of writing this Research Report. Late 2018.<sup>160</sup></p> <p>2) Introduction of a border procedure for migrants who enter or try to enter Italy irregularly and migrants from safe countries of origin. This procedure applies in all border regions and transit zones. Late 2018.<sup>161</sup></p>	<p>1) Abolition of the national humanitarian residence status. With the Salvini Decree (Decree Law 113/2018 'on security and migration', implemented by L 132/2018), the Italian government has introduced various changes in the asylum legislation. One of these involves the abolition of the national humanitarian residence status that was granted to many asylum seekers before the introduction of this law. This has been replaced by a 'special residence permit' reserved for exceptional cases (medical problems, domestic violence,</p>	<p>1) Abolition of right to second-line reception for asylum seekers (and Dublin claimants). From then on, they will only be entitled to first-line reception centres and large-scale emergency reception centres (CAS). Second-line reception facilities (formerly SPRAR, currently SIPROIMI) continue to be reserved for status holders. Late 2018.<sup>164</sup></p> <p>2) Further curtailment of material reception conditions and reduction of government grants to reception organisations, where the greater the number of people accommodated in one</p>	<p>1) Expansion of grounds for detaining asylum seekers. From then on, the detention measure may be imposed on migrants staying in a hotspot or a first-line reception centre, for the sole purpose of establishing their identity and nationality. Late 2018.<sup>167</sup></p> <p>2) Intensification of surveillance and enforcement specifically for Nigerians residing irregularly in the country. The Ministry of the Interior has also instructed the police to reserve more detention capacity for this specific nationality. January 2017.<sup>168</sup></p>

	Asylum procedure	Right of residence	Reception and facilities	Return
	<p>3) Introduction of the option of no longer examining the content of subsequent applications lodged in the final phase of the departure process. From now on, these will be declared inadmissible and the suspensive effect in case of any appeal will be denied. Late 2018.<sup>162</sup></p>	<p>victims of natural disasters, etc.). 5 October 2018.<sup>163</sup></p>	<p>facility, the higher the government grant per person. This is specifically aimed at reducing the number of small-scale reception centres. 21 November 2018.<sup>165</sup></p> <p>3) Facilitating and providing financial support for 'migrant holding centres' in Chad and Niger, important transit countries for migrants who want to travel to Italy via Libya. 21 May 2017.<sup>166</sup></p>	
The Netherlands	<p>1) Introduction of a list of safe countries of origin, consisting of Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia, Liechtenstein, Norway, Iceland, Andorra, Monaco, San Marino, the Vatican, Switzerland, Australia, Canada, Japan, the United States and New Zealand. 14 November 2015.<sup>169</sup></p> <p>2) Introduction of its own procedure for Dublin claimants (following the implementation of the Recast Asylum Procedures Directive).<sup>170</sup></p> <p>3) Introduction of the Five-Track Policy (<i>5 sporenbeleid</i>), consisting of:</p> <ul style="list-style-type: none"> <li>- Track 1: Dublin cases.</li> <li>- Track 2: applications from asylum seekers from safe countries of origin and from asylum seekers who are beneficiaries of international</li> </ul>		<p>1) Introduction of two Additional Guidance and Supervision Locations (EBTLs) for asylum seekers who cause any form of nuisance.<sup>175</sup> Stricter rules apply in the EBTLs and asylum seekers staying there do not receive any financial allowances.<sup>176</sup></p>	<p>1) Curtailment and withdrawal of financial return and reintegration assistance for asylum seekers from certain safe countries of origin (following indications of misuse):</p> <ul style="list-style-type: none"> <li>- With effect from 22 March 2016, Ukrainians are excluded from return assistance in cash and in kind (although assistance under the Return and Emigration of Aliens from the Netherlands (REAN) scheme remains applicable).</li> <li>- With effect from 28 September 2016, third-country nationals from Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia are excluded from return assistance in the context of the REAN scheme.</li> <li>- With effect from 1 December 2016, Moroccans and Algerians are excluded from the financial component of the return support under the REAN scheme, the financial component of the</li> </ul>

	Asylum procedure	Right of residence	Reception and facilities	Return
	<p>protection in another Member State.</p> <ul style="list-style-type: none"> <li>- Track 3: manifestly founded (not yet in operation).</li> <li>- Track 4: general asylum procedure (applications for asylum not handled in any other track. The standard asylum procedure is followed within this track).</li> <li>- Track 5: manifestly founded after brief investigation (not yet in operation). 1 March 2016.<sup>171</sup></li> </ul> <p>4) Accelerated processing of Dublin cases involving asylum seekers from safe countries of origin within the national asylum procedure (Track 2), despite indications that other Member States are responsible. Since August 2016.<sup>172</sup></p> <p>5) Expansion of list of safe countries of origin with: Ghana, India, Jamaica, Morocco, Mongolia and Senegal (February 2016), Algeria, Georgia, Ukraine and Tunisia (October 2016), Togo (December 2016), Brazil and Trinidad and Tobago (April 2017).<sup>173</sup></p> <p>6) Introduction of a questionnaire (registration form) as a basis for the registration interview. In order to complete the form, the asylum seeker is asked questions regarding his or her identity, transit route, etc.</p>			<p>Reintegration and Return Regulation (<i>Herintegratie Regeling Terugkeer, HRT</i>) and return assistance in kind.</p> <ul style="list-style-type: none"> <li>- With effect from 1 January 2017, third-country nationals from visa-free countries and migrants requiring a visa from the Western Balkans will no longer be eligible for return assistance under the REAN scheme, and from 1 July 2017, such persons will also no longer be eligible for additional return assistance, either financially or in kind.<sup>177</sup></li> </ul> <p>2) Change in basis for detaining migrants from safe countries of origin. Consequence of decision to process applications of asylum seekers from safe countries of origin via an accelerated procedure as part of the national asylum procedure (see point 4 under 'Asylum procedure').<sup>178</sup></p> <p>3) Standard procedure of detaining adult stowaways to prevent recidivism and/or a shift to another port or other area. 2018.<sup>179</sup></p> <p>4) Pilot for resuming the practice of sending of Dublin requests to Greece. 2018.<sup>180</sup></p> <p>5) Adjustment of grounds for detention of third-country nationals residing regularly in the Netherlands pending the decision on their asylum</p>

	Asylum procedure	Right of residence	Reception and facilities	Return
	<p>before he or she has consulted the legal assistance provider and been informed about the asylum procedure by the Dutch Council for Refugees (<i>VluchtelingenWerk</i>). 1 January 2019.<sup>174</sup></p>			<p>application or their transfer to the Member State responsible for examining their asylum application.<sup>181</sup></p> <p>6) Introduction of option of imposing an entry ban on third-country nationals who withdraw their - usually unfounded - asylum application without a valid reason before the IND has taken a decision about it. This measure applies in particular to asylum seekers from safe countries of origin. April 2017.<sup>182</sup></p> <p>7) Adjustment of the Aliens Act Implementation Guidelines (<i>Vreemdelingencirculaire</i>) based on case law of the Council of State on higher standards for providing reasons (serious grounds) for assuming a risk of absconding. October 2017.<sup>183</sup></p>
Austria	<p>1) Introduction of an emergency provision to guarantee public safety during border controls. The border police have been given the authority to refuse to process asylum applications at the border. Legal consequence: no regular stay granted, obliged to leave Austria immediately, no legal remedy possible (no decision). The emergency provision comes into effect as soon as a certain quota is exceeded. The quota for 2016 was set at 37,500 (not achieved), for 2017 at 35,000 (not achieved)</p>	<p>1) Abolition of the practice of immediately granting a permanent residence permit to refugees and reduction of the period of validity of the initial residence permit for beneficiaries of subsidiary protection. Holders of refugee status no longer immediately receive a permanent residence permit, but a three-year residence permit. If the situation in the country of origin remains unchanged, this permit is automatically converted into a permanent residence permit. Earlier, this was also applicable to beneficiaries of subsidiary</p>	<p>1) Abolition of the right to assistance after expiry of the suspensive effect of an application for review. The right to assistance is linked to regular stay, except for cases in which third-country nationals cooperate in their voluntary departure. 2015.<sup>189</sup></p> <p>2) Introduction of the obligation for third-country nationals who have been issued a return decision or a removal order to remain in the designated accommodations set up by the federal government. In case of violation, an administrative fine</p>	<p>1) Definition of 'risk of absconding' in the Aliens Police Act. One of the new grounds for this is: 'It is likely that another country is responsible under the Dublin Regulation, especially since the person has lodged multiple applications or it is clear, based on past behaviour, that the person intends to travel on to another country'. 20 July 2015.<sup>193</sup></p> <p>2) Asylum seekers are placed in detention more often. From late 2015 onwards.<sup>194</sup></p>

	Asylum procedure	Right of residence	Reception and facilities	Return
	<p>and for 2018 at 30,000 (also not achieved). 1 June 2016 (for four years).<sup>184</sup></p> <p>2) Expansion of list of safe countries of origin (exists since 2009). In 2016, Mongolia, Morocco, Algeria, Tunisia and Georgia were added to this list. Armenia, Ukraine, Benin, Senegal and Sri Lanka were added in 2018. In 2019, Namibia, South Korea and Uruguay were added.<sup>185</sup></p>	<p>protection. They no longer receive an initial residence permit for three years but for one year, which may be extended by two years (periods are in line with the Asylum Procedures Directive). June 2016.<sup>186</sup></p> <p>2) Introduction of additional requirements for allowing family reunification of persons with refugee status after three months (period defined under the Family Reunification Directive). This involves the introduction of a housing requirement, a health insurance requirement and an income requirement if the application for family reunification is not submitted within three months. 1 June 2016.<sup>187</sup></p> <p>3) Introduction of waiting period (three years, cf. the Family Reunification Directive) for beneficiaries of subsidiary protection for submitting a request for family reunification. After three years, the same additional conditions apply as for persons with refugee status (see above). 1 June 2016.<sup>188</sup></p>	<p>of €100 to €1000 applies, and in case of inability to pay, a sentence of imprisonment of up to two weeks. 2016.<sup>190</sup></p> <p>3) Introduction of a measure for the restriction of liberty for asylum seekers staying in federal reception centres. They must remain within the boundaries of the administrative district in which this reception centre is located. In case of violation, an administrative fine of €100 to €1000 applies, and in case of inability to pay, a sentence of imprisonment of up to two weeks. November 2017.<sup>191</sup></p> <p>4) Introduction of the obligation for asylum seekers to make a financial contribution to the reception costs. Security officers are authorised to confiscate cash from asylum seekers, up to an amount of €840 per person. September 2018.<sup>192</sup></p>	<p>3) Extension of maximum detention periods. Adjustment of the maximum detention periods based on the periods specified in the Return Directive. November 2017.<sup>195</sup></p> <p>4) Abolition of the obligation to communicate the date of deportation to the third-country national. 2017.<sup>196</sup></p> <p>5) Introduction of the obligation for hospitals to inform the BFA of the time of discharge of third-country nationals who have been issued a return decision. Purpose: to prevent third-country nationals, who have been issued a return decision and who have been admitted to hospital, from absconding. 2018.<sup>197</sup></p> <p>6) Introduction of administrative fines (and imprisonment in case of failure to pay the fine) in case of re-entry during an entry ban or failure to depart after availing of return assistance. Fine: €5000-€15000, imprisonment: up to six months. 2017.<sup>198</sup></p>
Spain		<p>1) Regularisation of rejected Venezuelan asylum seekers. Granting of a temporary residence permit on humanitarian grounds to Venezuelan asylum seekers whose asylum applications have</p>		

	Asylum procedure	Right of residence	Reception and facilities	Return
		been denied between 1 January 2014 and 1 February 2019. <sup>199</sup>		
Sweden	1) Sweden does not have the concept of 'safe country of origin'. However, they have a procedural track for the accelerated processing of applications lodged by asylum seekers who come from a country for which there is a high rejection rate (recognition rate below 20%) and a prospect of deportation (Track 4B). The purpose of this track is to limit the pressure on the reception system due to asylum seekers belonging to this category. <sup>200</sup>	1) Introduction of temporary restrictions on the right of residence: <ul style="list-style-type: none"> <li>- Abolition of the practice of immediately granting a permanent residence permit to refugees and beneficiaries of subsidiary protection. Instead, temporary residence permits are granted (three years and 13 months respectively, both of which are extendable).</li> <li>- Introduction of the obligation to provide for one's own livelihood ('maintenance requirement') as a condition for granting a permanent residence permit to refugees and beneficiaries of subsidiary protection.</li> <li>- Withholding of the right to family reunification for holders of subsidiary protection status (this restriction has lapsed based on national case law in the context of the extension of the temporary law in 2019).</li> <li>- Introduction of the obligation to provide for one's own livelihood and that of one's family members as well as a housing requirement as a family reunification condition for refugees (not applicable if the request for family reunification is submitted within three months after the granting of the international protection status to the main applicant).</li> </ul>	1) Curtailment of the right to reception for asylum seekers: <ul style="list-style-type: none"> <li>- Withdrawal of the right to reception (and living allowance and subsidised medical assistance) for rejected asylum seekers after expiry of period of voluntary departure</li> <li>- Termination of the right to living allowance and subsidised medical assistance for asylum seekers who have access to private accommodation. 1 June 2016.<sup>202</sup></li> </ul>	1) Asylum seekers who have been accepted by another Member State following a Dublin request from Sweden and for whom a transfer decision has been issued, are no longer accommodated in municipalities under the responsibility of the Swedish Migration Agency but are immediately transferred from an arrival centre to a departure centre and placed under the responsibility of the police. <sup>203</sup>

	Asylum procedure	Right of residence	Reception and facilities	Return
		- Limitation of the option of obtaining a national residence permit based on humanitarian grounds. 20 July 2016, initially valid for three years, last extended until 19 July 2021. <sup>201</sup>		
Switzerland	<p>1) Expansion of the list of safe countries of origin, June 2014 and June 2015. The list consists of EU/EEA member states, Albania, Benin, Bosnia and Herzegovina, Burkina Faso, Ghana, India, Kosovo, North Macedonia, Moldova, Mongolia, Montenegro, Senegal and Serbia.<sup>204</sup></p> <p>2) Introduction of an accelerated 48-hour procedure for deciding on applications lodged by asylum seekers from safe countries of origin. 2015.<sup>205</sup></p> <p>3) Pilot projects for an accelerated asylum procedure, including at the test centre in Zurich, 2014-2018.<sup>206</sup></p> <p>4) Entry into effect of a new, accelerated asylum procedure. 1 March 2019.<sup>207</sup></p>	<p>1) Temporary residence status ('temporary admission') granted more frequently to Syrians instead of an asylum permit. For holders of a 'temporary admission', there is a waiting period of three years for submitting a request for family reunification. Moreover, the requirement for such a reunification is that the main applicant must not be reliant on public resources and must have access to adequate housing. From 2015 onwards.<sup>208</sup></p>		<p>1) New detention regime in Dublin cases. Elaboration of the term 'risk of absconding' as a result of the implementation of Dublin III. A risk of absconding is assumed under the following circumstances:</p> <ul style="list-style-type: none"> <li>- The third-country national does not cooperate in the effort to establish his or her identity.</li> <li>- It can be inferred from his or her behaviour in Switzerland or abroad that he or she will not comply with obligations imposed by the government.</li> <li>- The third-country national denies that he or she is or has been in possession of a visa or a residence permit issued by a European Member State or denies that he or she has previously applied for asylum in that country, while it is unquestionably certain that this is the case. 1 July 2015. In May 2016, the Federal Court ruled that the risk of absconding must always be assessed based on the individual case. The mere fact that someone has previously applied for asylum in another Member State is insufficient.<sup>209</sup></li> </ul> <p>2) Introduction of a fine for cantons that do not carry out</p>

	Asylum procedure	Right of residence	Reception and facilities	Return
				Dublin transfers on time. October 2016. <sup>210</sup>

<sup>67</sup> *Algemene beleidsnota asiel en migratie* [General policy document on asylum and migration], 26 October 2018, Belgian House of Representatives, [DOC 54 3296/021](#).

<sup>68</sup> European Commission, Member States' [notifications of the temporary reintroduction of border control at internal borders](#) pursuant to Article 25 et seq. of the Schengen Borders Code.

<sup>69</sup> General policy document on asylum and migration (*Algemene beleidsnota asiel en migratie*), 26 October 2018, Belgian House of Representatives, [DOC 54 3296/021](#).

<sup>70</sup> *Idem*.

<sup>71</sup> *Idem*.

<sup>72</sup> EASO Annual Report [2018](#).

<sup>73</sup> Focused Study by the German National Contact Point for the European Migration Network (EMN), [The Changing Influx of Asylum Seekers in 2014-2016: Responses in Germany](#), 2018.

<sup>74</sup> European Commission, Member States' [notifications of the temporary reintroduction of border control at internal borders](#) pursuant to Article 25 et seq. of the Schengen Borders Code.

<sup>75</sup> Focused Study by the German National Contact Point for the European Migration Network (EMN), [The Changing Influx of Asylum Seekers in 2014-2016: Responses in Germany](#), 2018.

<sup>76</sup> *Idem*.

<sup>77</sup> Interview with German migration authorities (Nuremberg, 28 March 2019).

<sup>78</sup> C. Hruschka, [The border spell](#).

<sup>79</sup> *Idem*.

<sup>80</sup> *Idem*.

<sup>81</sup> European Commission, Member States' [notifications of the temporary reintroduction of border control at internal borders](#) pursuant to Article 25 et seq. of the Schengen Borders Code.

<sup>82</sup> Asylum Information Database, Country Report France, [2017](#), [2018](#).

<sup>83</sup> EASO Annual Report [2018](#). For the Treaty, click [here](#).

<sup>84</sup> Asylum Information Database, Country Report France [2017](#).

<sup>85</sup> European Migration Network, Annual Policy Report [2014](#), Asylum Information Database, Country Report Greece [2016](#).

<sup>86</sup> Interview with the Greek Refugee Council (Athens, 18 April 2019).

<sup>87</sup> Asylum Information Database, Country Report Greece, [2017](#), [2018](#).

<sup>88</sup> Frontex, [Operation Poseidon](#).

<sup>89</sup> Asylum Information Database, Country Report Greece, [2016](#).

<sup>90</sup> Asylum Information Database, Country Report Italy [2016](#).

<sup>91</sup> EASO Annual Report [2018](#).

<sup>92</sup> Asylum Information Database, Country Report Italy, [2017](#).

<sup>93</sup> Asylum Information Database, Country Report Italy, [2016](#), [2017](#).

<sup>94</sup> Asylum Information Database, Country Report Italy, [2017](#), [2018](#).

<sup>95</sup> Asylum Information Database, Country Report The Netherlands [2018](#).

<sup>96</sup> European Migration Network, Annual Policy Report The Netherlands [2015](#), [2016](#).

<sup>97</sup> European Migration Network, Annual Policy Report The Netherlands [2016](#).

<sup>98</sup> *Idem*.

<sup>99</sup> European Migration Network, Annual Policy Report Austria [2018](#). See [YouTube](#).

<sup>100</sup> European Migration Network, Annual Policy Report Austria [2018](#).

<sup>101</sup> Asylum Information Database, Country Report Germany [2015](#), Focused Study by the German National Contact Point for the European Migration Network (EMN), [The Changing Influx of Asylum Seekers in 2014-2016: Responses in Germany](#), 2018.

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- <sup>102</sup> European Commission, Member States' [notifications of the temporary reintroduction of border control at internal borders](#) pursuant to Article 25 et seq. of the Schengen Borders Code.
- <sup>103</sup> European Migration Network, Annual Policy Report Austria [2015](#), [2017](#), [2018](#).
- <sup>104</sup> European Migration Network, Annual Policy Report Austria [2015](#).
- <sup>105</sup> European Migration Network, Annual Policy Report Austria [2018](#), Asylum Information Database, Country Report Austria [2018](#).
- <sup>106</sup> Idem.
- <sup>107</sup> [Thediplomatinspain.com](#).
- <sup>108</sup> Asylum Information Database, Country Report Spain [2015](#).
- <sup>109</sup> European Commission, Member States' [notifications of the temporary reintroduction of border control at internal borders](#) pursuant to Article 25 et seq. of the Schengen Borders Code.
- <sup>110</sup> European Migration Network, Annual Policy Report Sweden [2015](#), [2016](#), Asylum Information Database, Country Report Sweden [2018](#). Prime Minister's Office Sweden, [Government proposes measures to create respite for Swedish refugee reception](#), Ministry of Justice, Sweden, [Questions and answers: Act and Ordinance on identity checks in the event of serious danger to public order or domestic security in the country](#).
- <sup>111</sup> Interview with Swiss migration authorities (Bern, 29 November 2018).
- <sup>112</sup> European Migration Network, Annual Policy Report Belgium [2015](#), [2016](#), Asylum Information Database, Country Report Belgium [2017](#), [2018](#).
- <sup>113</sup> General policy document on asylum and migration (*Algemene beleidsnota asiel en migratie*), 26 October 2018, Belgian House of Representatives, [DOC 54 3296/021](#).
- <sup>114</sup> Asylum Information Database, Country Report Belgium [2018](#).
- <sup>115</sup> European Migration Network, Annual Policy Report Belgium, [2016](#).
- <sup>116</sup> Focused Study by the German National Contact Point for the European Migration Network (EMN), [The Changing Influx of Asylum Seekers in 2014-2016: Responses in Germany](#), 2018.
- <sup>117</sup> Asylum Information Database, Country Report Germany [2015](#).
- <sup>118</sup> Focused Study by the German National Contact Point for the European Migration Network (EMN), [The Changing Influx of Asylum Seekers in 2014-2016: Responses in Germany](#), 2018, Asylum Information Database, Country Report Germany [2015](#), [2016](#).
- <sup>119</sup> Idem.
- <sup>120</sup> Interview with A. Hruschka (29 March 2019).
- <sup>121</sup> Asylum Information Database, Country Report Germany [2016](#).
- <sup>122</sup> Asylum Information Database, Country Report Germany [2016](#), [2017](#).
- <sup>123</sup> Asylum Information Database, Country Report Germany [2017](#).
- <sup>124</sup> Asylum Information Database, Country Report Germany [2017](#), interviews with Safe Passage and Solidarity Now (Athens, 18 April 2019).
- <sup>125</sup> Focused Study by the German National Contact Point for the European Migration Network (EMN), [The Changing Influx of Asylum Seekers in 2014-2016: Responses in Germany](#), 2018.
- <sup>126</sup> Asylum Information Database, Country Report Germany [2016](#).
- <sup>127</sup> Idem.
- <sup>128</sup> Asylum Information Database, Country Report Germany [2017](#).
- <sup>129</sup> Idem.
- <sup>130</sup> Idem.
- <sup>131</sup> *Gesetz zur Verbesserung der Rechtsstellung von Asylsuchenden und geduldeten Ausländern*, see EASO Annual Report [2014](#).
- <sup>132</sup> Idem.
- <sup>133</sup> Asylum Information Database, Country Report Germany [2016](#), [2017](#).
- <sup>134</sup> Asylum Information Database, Country Report Germany [2016](#), Focused Study by the German National Contact Point for the European Migration Network (EMN), [The Changing Influx of Asylum Seekers in 2014-2016: Responses in Germany](#), 2018.
- <sup>135</sup> Idem.
- <sup>136</sup> Idem.
- <sup>137</sup> Idem.
- <sup>138</sup> Idem.
- <sup>139</sup> EASO Annual Report [2018](#).
- <sup>140</sup> Idem.
- <sup>141</sup> Idem.
- <sup>142</sup> EASO Annual Report [2015](#).

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- <sup>143</sup> Focused Study by the German National Contact Point for the European Migration Network (EMN), [The Changing Influx of Asylum Seekers in 2014-2016: Responses in Germany](#), 2018.
- <sup>144</sup> Asylum Information Database, Country Report Germany [2015](#).
- <sup>145</sup> EASO Annual Report [2015](#).
- <sup>146</sup> Interview with A. Hruschka (29 March 2019).
- <sup>147</sup> [Geordnete Rückkehr Gesetz](#), entered into effect on 21 August 2019.
- <sup>148</sup> Asylum Information Database, Country Report France [2016](#).
- <sup>149</sup> Asylum Information Database, Country Report France [2016](#), [2018](#), EASO Annual Reports [2016](#), [2017](#).
- <sup>150</sup> Asylum Information Database, Country Report France [2015](#).
- <sup>151</sup> Idem.
- <sup>152</sup> Asylum Information Database, Country Report France [2016](#).
- <sup>153</sup> Asylum Information Database, Country Report France [2017](#).
- <sup>154</sup> Asylum Information Database, Country Report Greece [2016](#).
- <sup>155</sup> Interviews with Safe Passage and Solidarity Now (Athens, 18 April 2019).
- <sup>156</sup> Asylum Information Database, Country Report Greece, [2016](#).
- <sup>157</sup> Asylum Information Database, Country Report Greece, [2017](#), [2018](#).
- <sup>158</sup> Asylum Information Database, Country Report Greece, [2014](#).
- <sup>159</sup> A. Hruschka, [The border spell](#).
- <sup>160</sup> Asylum Information Database, Country Report Italy, [2018](#).
- <sup>161</sup> Idem.
- <sup>162</sup> Idem.
- <sup>163</sup> Idem.
- <sup>164</sup> Idem.
- <sup>165</sup> Idem.
- <sup>166</sup> EASO Annual Report [2018](#).
- <sup>167</sup> Asylum Information Database, Country Report Italy [2018](#).
- <sup>168</sup> Asylum Information Database, Country Report Italy [2016](#), [2017](#).
- <sup>169</sup> European Migration Network, Annual Policy Report The Netherlands [2015](#).
- <sup>170</sup> European Migration Network, Annual Policy Report The Netherlands [2015](#), EASO Annual Report [2015](#).
- <sup>171</sup> European Migration Network, Annual Policy Report The Netherlands [2015](#), [2016](#), Asylum Information Database, Country Report The Netherlands [2016](#).
- <sup>172</sup> *Wijzigingsbesluit Vreemdelingencirculaire, (WBV)* [Aliens Act Implementation Guidelines (Amendment) Decree] [2016/10](#), EASO Annual Report [2016](#).
- <sup>173</sup> European Migration Network, Annual Policy Report The Netherlands [2016](#), Asylum Information Database, Country Report The Netherlands [2016](#), [2017](#).
- <sup>174</sup> Interview with the Dutch Council for Refugees (6 March 2019).
- <sup>175</sup> European Migration Network, Annual Policy Report The Netherlands [2016](#), Asylum Information Database, Country Report The Netherlands [2017](#), EASO Annual Report [2017](#).
- <sup>176</sup> European Migration Network, Annual Policy Report The Netherlands [2016](#), Asylum Information Database, Country Report The Netherlands [2017](#), [2018](#), EASO Annual Report [2017](#).
- <sup>177</sup> European Migration Network, Annual Policy Report The Netherlands [2016](#), [2017](#), EASO Annual Reports [2016](#), [2017](#).
- <sup>178</sup> *Instructie West Balkan* [Western Balkans Instruction] issued by the Dutch Directorate-General for Migration to the National Police, 2 March 2018.
- <sup>179</sup> Dutch National Police, *Landelijk handelingskader aantreffen inklimmers* [National action framework for finding stowaways], March 2018.
- <sup>180</sup> Interview with Dutch IND (21 March 2019), interview with Dutch Repatriation and Departure Service (*Nederlandse Dienst Terugkeer & Vertrek, DT&V*) (12 March 2019), European Migration Network, Annual Policy Report The Netherlands [2017](#).
- <sup>181</sup> *Parliamentary documents II*, 2018-2019, 35056, Nos. [1](#), [2](#) and [3](#).
- <sup>182</sup> *Wijzigingsbesluit Vreemdelingencirculaire, (WBV)* [Aliens Act Implementation Guidelines (Amendment) Decree] [2017/3](#), European Migration Network, Annual Policy Report The Netherlands [2017](#).
- <sup>183</sup> *Wijzigingsbesluit Vreemdelingencirculaire, (WBV)* [Aliens Act Implementation Guidelines (Amendment) Decree] [2017/9](#), European Migration Network, Annual Policy Report The Netherlands [2017](#), EASO Annual Report [2017](#).
- <sup>184</sup> European Migration Network, Annual Policy Report Austria [2016](#), Asylum Information Database, Country Report Austria [2016](#), [2017](#).
- <sup>185</sup> European Migration Network, Annual Policy Report Austria [2016](#), 2018, Asylum Information Database, Country Report Austria [2016](#).
- <sup>186</sup> European Migration Network, Annual Policy Report Austria [2016](#), Asylum Information Database, Country Report Austria [2016](#).

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- <sup>187</sup> European Migration Network, Annual Policy Report Austria [2016](#).  
<sup>188</sup> Idem.  
<sup>189</sup> European Migration Network, Annual Policy Report Austria [2015](#).  
<sup>190</sup> European Migration Network, Annual Policy Report Austria [2017](#).  
<sup>191</sup> European Migration Network, Annual Policy Report Austria [2018](#).  
<sup>192</sup> Idem.  
<sup>193</sup> Asylum Information Database, Country Report Austria [2016](#).  
<sup>194</sup> European Migration Network, Annual Policy Report Austria [2017](#), Asylum Information Database, Country Report Austria [2017](#).  
<sup>195</sup> Asylum Information Database, Country Report Austria [2016](#).  
<sup>196</sup> Asylum Information Database, Country Report Austria [2018](#).  
<sup>197</sup> European Migration Network, Annual Policy Report Austria [2018](#).  
<sup>198</sup> Idem.  
<sup>199</sup> Asylum Information Database, Country Report Spain [2018](#).  
<sup>200</sup> Asylum Information Database, Country Report Sweden [2018](#).  
<sup>201</sup> European Migration Network, Annual Policy Report Sweden [2016](#), also see Swedish Ministry of Justice, [Proposal](#) to temporarily restrict the possibility of being granted a residence permit in Sweden.  
<sup>202</sup> European Migration Network, Annual Policy Report Sweden [2015](#), [2016](#), Asylum Information Database, Country Report Sweden [2016](#). Also see Swedish Migration Agency, Questions about [limitations](#) in the Reception of Asylum Seekers Act (LMA) and Swedish Ministry of Justice, [Proposal](#) to temporarily restrict the possibility of being granted a residence permit in Sweden.  
<sup>203</sup> Asylum Information Database, Country Report Sweden [2018](#).  
<sup>204</sup> Asylum Information Database, Country Report Switzerland [2016](#).  
<sup>205</sup> Idem.  
<sup>206</sup> EASO Annual Reports [2015](#), [2016](#), [2017](#), [2018](#).  
<sup>207</sup> EASO, [Annual Report 2018](#).  
<sup>208</sup> EASO Annual Report [2016](#), Interview with A. Hruschka (29 March 2019).  
<sup>209</sup> Asylum Information Database, Country Report Switzerland [2015](#), [2016](#), EASO Annual Report [2015](#), Federal Court, [Decision](#) 2C\_207/2016, 2 May 2016.  
<sup>210</sup> Tagblatt, [Bei Wegweisungen geschluppt: Bund bestraft säumige Kantone](#), Neu Zürcher Zeitung, [Wo in der Schweiz abgewiesene Asylbewerber rechtzeitig ausgeschafft werden – und wo nicht](#).