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# EPC Policy Update for the European Programme for Integration and Migration<sup>1</sup>

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## Highlights

The past two months saw some crucial developments in the management of the migration and refugee crisis at the European level. Most significant and controversial of all, the EU and Turkey struck a [deal](#) to reduce the number of migrants and refugees arriving in Greece in exchange for more resettlements from Turkey to the EU, additional financial support for the refugees in Turkey and visa liberalisation for Turkish nationals. While deemed necessary by European leaders, the deal gave rise to substantial legal questions, sparking heavy criticism from human rights organisations and NGOs.

Despite a decrease in the number of irregular migrants arriving in Greece in the past two months, EU member states' confidence in the functioning of the [Schengen system](#) and the management of the EU's external borders still remains low. Accordingly, the Council agreed to an extension of the temporary border controls in Austria, Germany, Sweden, Denmark and Norway for an additional six months. In addition, negotiations on the Commission's proposal for a [European Border and Coast Guard](#) are currently underway.

Given the dire need to reform the [Common European Asylum System](#), on 4 May the European Commission published a Communication and several legislative proposals. The main objective is to curb secondary movement within the EU by further harmonising the asylum systems of the EU member states. As the most anticipated proposal, the European Commission put forward its ideas for a reform of the Dublin system. It foresees to maintain the main principle of the former [Dublin Regulation](#), i.e. that the country of first arrival is responsible for handling the asylum application, but adds a so-called 'fairness mechanism' to distribute asylum seekers more fairly among member states in crisis situations.

The European Court of Justice issued important [rulings](#) on return procedures to safe third countries and the extent to which the sponsor's financial situation can influence the right to family reunification.

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<sup>1</sup> This document provides a focused analysis of recent EU-level policy-making, legislation and jurisprudence relevant to EPIM's sub-funds on (1) immigration detention; (2) reforms of the Common European Asylum System; (3) children on the move and (4) EU mobile citizens' access to social benefits and covers the period from 1 March 2016 to 15 May 2016. We kindly ask the readers to keep in mind that the present Policy Update is composed of a selection of documents and does not claim to be exhaustive.

Should you, as representatives from EPIM's Partner Foundations or EPIM-supported organisations, have questions related to the analysis provided in this document or on EU developments in the field of migration and integration in general, you are invited to contact the authors ([a.ghimis@epc.eu](mailto:a.ghimis@epc.eu), [y.pascouau@epc.eu](mailto:y.pascouau@epc.eu), and [n.rose@epc.eu](mailto:n.rose@epc.eu)). The sole responsibility for the content lies with the author(s) and the content may not necessarily reflect the positions of EPIM, NEF or EPIM's Partner Foundations.

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## Special Focus

### EU-Turkey agreement: analysis and consequences

The March 2016 European Council was primarily focused on the so-called EU-Turkey deal in the context of the migration and refugee crisis. In spite of significant civil society unrest, after intense negotiations the European and Turkish leaders reached a deal aimed at reducing the number of people arriving at the EU's shores (more particularly in Greece) considerably.

This agreement foresees that all irregular migrants arriving in Greece from Turkey must be sent back to Turkey. In addition, asylum seekers determined to have arrived in Europe from a 'safe country', where they could have claimed protection, are also eligible for return. In this context, for every Syrian returned to Turkey from Greece, another Syrian must be resettled from Turkey to the EU. To this end, the temporary relocation scheme adopted by member states in 2015 was amended to offer 54,000 resettlement places from Turkey instead of relocation from Italy and Greece (in addition to the 18,000 remaining resettlement places from an EU scheme agreed upon in July 2015). The new scheme encourages EU member states to offer resettlement places on a voluntary basis.

The agreement also contains other elements such as:

- visa liberalisation for Turkish citizens by June 2016 (for which the European Commission gave its green light on 4 May even though Turkey does not yet fulfill all requirements on the visa liberalisation roadmap);
- speeding up the disbursement of the initially allocated 3 billion euros under the Facility for Refugees in Turkey and adding an envelope of another 3 billion euros (until the end of 2018) if commitments to improve the situation of people benefiting from temporary protection in Turkey are met;
- re-energising Turkey's accession process to the EU by opening new negotiation chapters.

The EU-Turkey deal produced mixed reactions.

On the one hand, it is seen as a necessary piece of an intricate puzzle. For Janis Emmanouilidis (European Policy Centre), the fact that, despite the diverging interests and increasing level of distrust among member states, a consensus was reached is good news in itself. Emmanouilidis highlights that this agreement is a key element in managing the most immediate effects of the crisis but will have to be accompanied by other measures to cope effectively with the crisis' humanitarian and political consequences.

On the other hand, concerns have been raised about the deal's compliance with international human rights obligations. The most important concerns, as mentioned by ECRE, are related to the individual assessment of the asylum applications, the access to legal assistance and the right to an effective remedy. Yves Pascouau (European Policy Centre) also warns about the lack of sufficient human resources in Greece for the implementation of the agreement. The situation is even more problematic since several players decided not to take part in the implementation phase. For instance, the UNHCR suspended some of its activities in the


Greek hotspots claiming that, rather than functioning as places where refugees and migrants can be received, assisted, and registered, they have been turned into detention centres.

Furthermore, in the April plenary session of the European Parliament, several MEPs voiced their concerns about the situation of refugees and the fundamental rights violations in Turkey, questioning the premise that it can be considered as a safe third country.

The EU-Turkey deal took effect on 20 March and the first returns took place on 4 April 2016. The deterring effect on which EU leaders were counting (as [mentioned](#) by Elizabeth Collett, Migration Policy Institute) is quite strong. According to the first [implementation report](#) published by the European Commission:

- in the three weeks following the adoption of the deal the number of irregular migrants dropped to 5,847 (from 27,878 in the three weeks prior to the deal);
- 325 people who entered Greece irregularly after 20 March have been returned to Turkey;
- 103 Syrians have been resettled from Turkey to Germany, Finland, the Netherlands and Sweden.

Yet, several questions remain unanswered: is the deal compatible with international human rights law? Can Turkey be considered a safe third country? What will happen if the promise of visa liberalisation is not kept by the European Union? All in all, the EU-Turkey agreement is displacing the problem and is not sustainable. It gives EU leaders some breathing space but does not reduce the number of people in need of international protection.



## Political developments

### Schengen Area: extension of temporary border controls

Since the beginning of the refugee crisis several member states (Austria, Belgium, Denmark, Germany, Hungary, Norway, Slovenia and Sweden) reintroduced temporary border controls in order to put more order into the arrival of migrants and refugees on their territories. While aiming to preserve the borderless union, these temporary controls hamper the free movement of persons and may potentially engender significant economic costs.

On 4 March, the European Commission published a [roadmap](#) aiming to bring the Schengen area back to its normal functioning as soon as possible. An important element of this roadmap is addressing the shortcomings in Greece's external border management. With this objective in mind, the Council adopted a series of [recommendations](#) for the Greek authorities in February. However, despite the efforts made by Greece (reinforcement of staff for registration, expansion of reception facilities, and establishment of an effective coastal surveillance system) the European Commission considered that some deficiencies still persist and must be addressed. Therefore, on 4 May it published a recommendation for a [Council decision](#) to prolong temporary controls at certain internal borders (Germany, Austria, Sweden, Denmark and Norway) for a maximum period of six months, which the Council [adopted](#) on 12 May. This procedure exists in the [Schengen Borders Code](#) (Article 29) and has been designed for exceptional circumstances where the overall functioning of the

Schengen area is put at risk by serious and persistent deficiencies at an EU external border. The objective is to remove the temporary controls by the end of 2016.

Against this background, the European Policy Centre published in April the new 'Migration Panorama', a multi-authored review with the first edition entitled "[Schengen in the spotlight: a Europe with or without borders?](#)". This publication gives an overview on how several commentators see the current Schengen developments and what implications they can have for the European integration project.


### UK-EU referendum: what Brexit could mean for EU citizens in UK?

On 23 June the United Kingdom will hold a referendum to decide whether it will stay in or leave the European Union. With the in and out campaigns ongoing and the political debate heating up, polls remain rather inconclusive. Therefore, studies on the impact of a potential Brexit on different UK or EU policies are multiplying. A very much debated policy is the access to social benefits and social housing.

The House of Commons Library published a report "[Exiting the EU: impact in key UK policy areas](#)" analysing the consequences of a withdrawal of the UK from the EU on the access of EU citizens to social security in the UK and vice versa.

In the current state of EU law, EU citizens moving to another EU member state have access to social benefits (the conditions of this access depend on the person being economically active in the host state). According to the report, if a UK withdrawal from the EU led to the end of free movement, the UK would be able to impose restrictions on the access to welfare benefits. If this happens, UK citizens living in other EU states are very likely to face similar restrictions. Therefore, the UK will either have to negotiate bilateral reciprocal social security agreements with individual states or a single agreement with the whole EU/EEA, in which case the final result might be very similar to the current EU social security coordination rules. This is because the EU will most certainly not allow the UK to discriminate between the different member states.

Concerning the access to social housing, if Britain leaves the EU, it would be possible to restrict the ability of EU citizens to apply for social housing in the UK. However, England, Scotland, Wales and Northern Ireland have different rules on this matter, so their authorities would have to decide on the regime they want to apply to EU citizens.



## Legislative developments

### Reform of the Common European Asylum System (CEAS)

As a first step towards addressing the shortcomings of the CEAS, the European Commission published a Communication in April entitled "[Towards a reform of the Common European Asylum System and enhancing legal avenues to Europe](#)". On 4 May, based on this Communication, a first set of proposals including a reform of the Dublin regulation, a reinforced Eurodac system, as well as a strengthened mandate of EASO was put forward. A second set of legislative proposals reforming the Asylum Procedures Directive, the Qualification Directive, as well as the Reception Conditions Directive, will follow by the end of the year. According to the

Communication, the Commission will propose to transform the Asylum Procedures Directive and Qualifications Directive into Regulations, with the aim of further harmonising the asylum systems of member states to prevent secondary movement of asylum seekers. It is foreseen to make certain rights of asylum seekers conditional upon registration, fingerprinting and staying in the EU country assigned to the applicants.

## Legislative proposals in the framework of the CEAS

### Dublin regulation

The Commission's [proposal](#) maintains the basic principle of the Dublin system, namely that the country where the asylum seeker first arrives is responsible for processing the asylum application. It is highly unlikely that EU member states would have agreed to the creation of a centralised system for the mandatory relocation of asylum seekers. Nevertheless, given the need to make the Dublin system more resilient to crisis situations, the proposal introduces a so-called 'fairness mechanism', which will automatically come into force when a country is handling a disproportionate number of asylum applications, to be determined by a country's size and wealth. After an admissibility verification of their application, all further new applicants in that country will then be relocated until the number of applications is back below the threshold. In anticipation of member state resistance to relocations through such a fairness mechanism, the proposal includes the possibility for a member state not to participate in the relocation system, in which case it would have to pay a solidarity contribution of €250,000 for each applicant to the member state where the person is reallocated instead. However, resettlement efforts by member states will also be taken into account by the fairness mechanism.

According to the Commission, this new system will:

- **Increase efficiency** due to shorter time limits for sending transfers, receiving replies and carrying out transfers of asylum seekers between member states;
- **Discourage secondary movement and abuse** due to clearer legal obligations for asylum applicants (e.g. duty to remain in the member states responsible for their claim, geographic limits to the provision of material reception benefits);
- **Protect the best interest of asylum seekers** with stronger guarantees for unaccompanied minors and a balanced extension of the definition of family members.

The stakeholders' response to the Communication and the legislative proposal has been rather negative, criticising the Commission's strong focus on reducing secondary movement within the EU through disincentives and by curbing the rights of asylum seekers. As [ICMPD](#) and [Steve Peers](#) (University of Essex) point out, an alternative could be the creation of positive incentives to discourage asylum seekers from moving to another EU state, for instance by taking an applicant's preferred choice into account from the beginning or by offering them a cash bonus in kind or earlier access to work if they agree to relocation. ECRE [highlights](#) that EU countries at the external border will still carry the largest burden, as registration, the initial screening of applicants and the return of migrants remain their responsibility.

### Eurodac

In order to support the practical implementation of the reformed Dublin system, the Commission presented a [proposal](#) to reinforce the Eurodac system in order to facilitate returns and tackle irregular migration.

Accordingly, the proposal foresees an extension of the regulation to include the possibility for member states to store and search data belonging to third country nationals or stateless persons who are not applicants for international protection and are found staying in the EU irregularly, with a view to identifying them for return and readmission purposes.

### **European Asylum Support Office**

This [proposal](#) would transform the existing European Asylum Support Office into a fully-fledged European Union Agency for Asylum, giving assistance to member states dealing with a disproportionate level of pressure on their asylum and/or reception systems. This will be enforced through an enhanced mandate, whereby the main task would be to operate the reference key in order to apply the fairness mechanism under the new Dublin system. In addition, the Agency would ensure greater convergence in the assessment of applications for international protection across the EU and strengthen cooperation between member states.

### **European Border and Coast Guard (EBCG)**


After the publication of the [proposal](#) for an EBCG by the European Commission on 15 December, the Permanent Representative Committee agreed on behalf of the Council its [negotiating position](#) on 6 April. A significant change to the Commission's proposal is that the Permanent Representative Committee deleted the possibility for the EBCG to intervene on a member state's territory without its consent. Instead, it proposes to provide the possibility of suspending the Schengen rules as regards that state if it is not controlling its external borders.

The Civil Liberties, Justice and Home Affairs Committee (LIBE) in the European Parliament drafted a [committee report](#) which underlines the necessity of the EBCG to work in full compliance with fundamental rights. The LIBE committee also wants to define a procedure for cases in which member states do not comply with a Council decision and thereby put the functioning of the Schengen area at risk. The LIBE report adds a provision to allow member states to refuse to participate in activities on the territory of third countries. With regards to the procedure for situations at the border requiring urgent action, the proposed amendments call for decisions to act to be taken by the Council, instead of only having to be approved by the member state concerned. This is believed to emphasise the sovereignty of the member states. In addition, the report includes a procedure for action in case a member state does not follow a Council decision, including the possibility to reintroduce internal border controls in order to protect the Schengen area. The indicative plenary sitting date to adopt the Parliament's position is scheduled for 7 July.

In a joint briefing, the International Committee of Jurists, ECRE and Amnesty International [call](#) for fundamental rights obligations to be integrated into the regulation more thoroughly, in particular concerning joint operations and rapid border interventions. Moreover, the organisations recommend that potential victims of human rights violations committed by the Agency staff should be provided with information on their rights concerning their access to legal aid. Lastly, it makes a number of recommendations with regard to the complaint mechanism.

## Establishment of an Entry-Exit System

As a part of the broader ‘Smart Borders Package’, the European Commission’s revised [proposal](#) for a Regulation establishing an Entry-Exit System of 6 March aims at speeding-up, facilitating and reinforcing border check procedures for non-EU nationals travelling to the EU. By improving the quality and efficiency of controls, member states will be supported in handling the increasing numbers of travelers entering and exiting the EU. It is composed of a central database connected to national entry points, which registers the personal data of travelers, thereby allowing for the easier detection of over-stayers and undocumented persons in the Schengen Area. The package also includes a revised proposal for a Regulation amending the Schengen Border Code to integrate the technical changes necessary to establish the Entry-Exit System.



## ECJ case law and legal actions

### ECJ Case law – return procedure

#### Case [C-695/15](#), *Shiraz Baig Mirza v Bevándorlási és Állampolgársági Hivatal*, 17 March 2016

In this case the European Court of Justice was asked to examine whether Hungary’s decision to transfer Mr Mirza, a Pakistani citizen, to Serbia – from where he had entered Hungary irregularly – was in line with EU law. Mr Mirza had introduced an asylum claim in Hungary but during the procedure he left the place of residence which was assigned to him by the Hungarian authorities. As he was travelling to Austria, Mr Mirza was questioned by the Czech authorities.

According to the Dublin Regulation, Hungary consented to receive Mr Mirza back from the Czech Republic. When returned to Hungary, the applicant introduced a second claim for international protection. The Hungarian authorities rejected the application as inadmissible because they considered that Serbia was a safe country for the applicant.

In this context, the ECJ stated that the right to send back an applicant to a safe third country may also be exercised after admitting to be responsible for examining the asylum application of a third country national according to the Dublin rules. The Court also explained that when taking back an asylum applicant, a member state is not obliged by EU legislation to inform the country transferring the applicant (in this case the Czech Republic) on its national legislation on sending applicants to safe third countries. Regarding the qualification of Serbia as a safe third country, this decision belongs to national authorities. For the time being there is no common EU list of safe countries.

This ruling is very important in the context of the new proposals put forward by the European Commission. The proposal to reform the Dublin Regulation aims to impose an [obligation](#) (rather than leaving member states the [choice](#)) on member states to assess an asylum application on safe third country grounds before examining which EU member state is responsible for it.


## ECJ Case law – family reunification

### Case [C-558/14](#), *Mimoun Khachab v Subdelegación del Gobierno en Álava*, 21 April 2016

This case concerns Mr Khachab, a third country national residing in Spain, holding a long-term residence permit. His application for a temporary residence permit for his spouse was refused by Spanish authorities because he had not provided evidence that he had sufficient resources to support his family once reunited.

The ECJ was asked to analyse the compatibility of the Spanish legislation with Article 7(1) of the Family Reunification Directive [2003/86/EC](#) stating that when family reunification applications are submitted, the sponsor must provide evidence that he/she has: “*stable and regular resources which are sufficient to maintain himself/herself and the members of his/her family, without recourse to the social assistance system of the member state concerned*”.

According to the ECJ, EU states have a limited margin of appreciation when interpreting this provision aimed, among others, to promote family life. The Court nevertheless considers that the Spanish legislation allowing authorities to evaluate the financial situation of the applicant for a period of six months before and one year after the application for family reunification is proportionate and balanced. Therefore, it does not violate EU law.



## A closer look ... from EPIM grantees

### Right to an effective remedy in detention and deportation cases in Cyprus

By *KISA, Cyprus*

As from January 2016, a new first instance administrative court started operating in Cyprus on the basis of a law passed earlier on in the summer of 2015, with jurisdiction to hear and determine, amongst other, asylum cases. The Administrative Court has jurisdiction on asylum cases to hear and determine the case on its merits and decide if international protection should be granted or not. This was done mainly to comply with EU law obligations arising out of the Recast Asylum Procedures Directive in relation to giving asylum seekers access to an effective remedy; to address the continued pressure on the judicial system and in particular the Supreme Court due to the rising numbers of administrative law cases; but also, according to the Government, to comply with ECtHR judgments in a number of cases litigated on behalf of [KISA](#).

KISA has been advocating for a change in the judicial review system on asylum and deportation cases since 2007, when the first Asylum Procedures Directive was under transposition, highlighting the need to have independent judicial review on the merits of the cases by specialised asylum and immigration courts with automatic suspensive effect in relation to deportation measures, in line with settled case law of the ECtHR.

To the same effect, a number of cases were litigated before the ECtHR on behalf of KISA in the context of its strategic litigation activities, where the ECtHR found Cyprus to be in breach of its obligations under Articles 2, 3, 5 and 13 of the Convention. In particular, in [M.A. v Cyprus](#), the Court ruled that the non-automatic suspensive effect of a judicial review application when there is an arguable case of an Article 3 violation, violated Articles 3 and 13 of the Convention.



In addition, in cases of detention for the purpose of deportation, the length of judicial review procedures – at an average eight months – did not satisfy the speed requirements of Article 5 of the Convention and therefore the right to an effective remedy was violated. The establishment and operation of the new administrative court is a very important development and a first step in the right direction when it comes to protecting the rights of asylum seekers and refugees, as it will now determine cases on their merits. However, contrary to the position of the government, it does not address and does not conform with the judgments of the ECtHR as the law does not provide for an automatic suspensive effect of judicial review applications against deportation orders, when Articles 2 or 3 of the Convention are engaged, nor does it provide or safeguards a speedy judicial review on detention cases. Regrettably, the new law establishing the administrative court was not subject to a broad consultation with all interested stakeholders, but was limited only to consultation with the Cyprus Bar Association.

KISA will continue its advocacy and strategic litigation work until full compliance with the ECtHR judgments is achieved. KISA already prepared and is ready to submit its observations to the Committee of Ministers of the Council of Europe in relation to the execution of M.A. v Cyprus and other similar judgments against Cyprus. In addition, KISA is preparing a roundtable discussion on the newly established administrative court with all relevant stakeholders, so as to engage in a dialogue on how best to achieve its effectiveness as the only available remedy to asylum seekers and migrants.



## Facts and figures

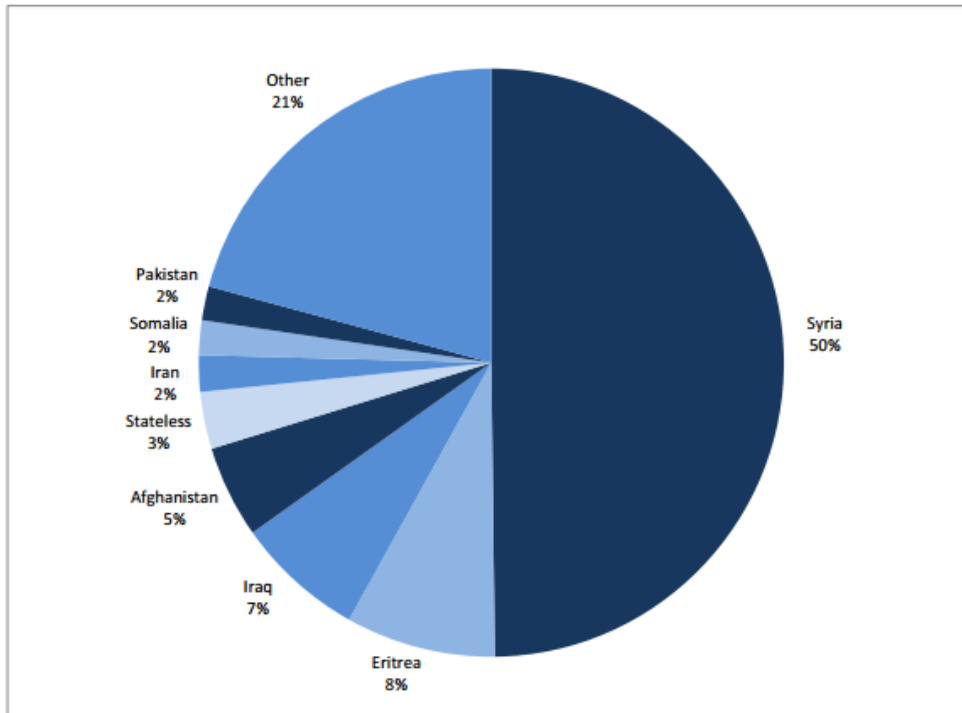
### Arrivals of refugees and migrants

EUROSTAT (asylum seekers in the EU in 2015)

Recently [published](#) Eurostat data regarding asylum decisions in the EU in 2015 reveals that:

- **333,350 asylum seekers were granted protection status** in the EU in 2015, an increase of 72% compared with 2014. Half of the beneficiaries were Syrians;
- **246,200 were granted refugee status (74% of all positive decisions)**, 60,700 subsidiary protection (18%) and 26,500 were granted authorisation to stay for humanitarian reasons (8%).
- **Syrians were the largest group**, followed by citizens of Eritrea (8%) and Iraq (7%);
- more than 60% were granted protection status in Germany, and more than three-quarters of all Eritreans were granted protection in Germany, Sweden and the Netherlands;
- EU member states received **more than 8,100 resettled refugees**;
- the recognition rates in the EU ranged from **less than 3% for citizens of Western Balkan countries to more than 97% for Syrians**.

### Asylum seekers granted protection status in the EU, by citizenship, 2015



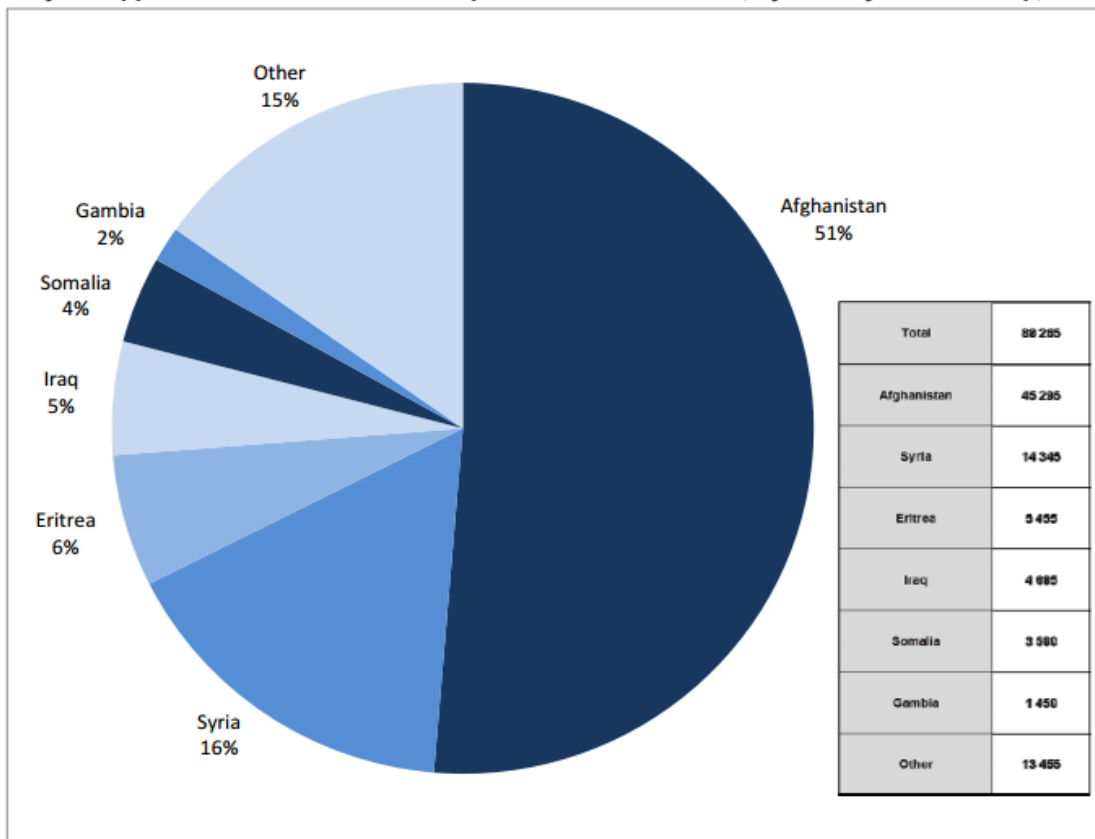
Source: [Eurostat](#), 2016

### EUROSTAT (unaccompanied minors in the EU in 2015)

Recent statistics [issued](#) by Eurostat on unaccompanied minors in 2015 show that:

- **88,300 asylum seekers applying for international protection in the EU were considered to be unaccompanied minors** (compared to 11,000-13,000 over the period 2008-2013);
- a substantial majority of unaccompanied minors were males (91%) and over half were aged 16 to 17 (57%);
- **51% of unaccompanied minors were Afghans**;
- the highest number of unaccompanied minors was **registered in Sweden (40%)**, followed by Germany (16%);
- unaccompanied minors accounted for **23% of all asylum applicants aged less than 18**.

**Asylum applicants considered unaccompanied minors in the EU, by country of citizenship, 2015**



The source dataset can be found [here](#).

Source: Eurostat, 2016

### IOM and UNHCR (arrivals in 2016)

With regard to the arrival of refugees and migrants to the EU, data of the [IOM](#) and the [UNHCR](#) shows that as of 8 May:

- **192,492 refugees and migrants arrived in Europe** in 2016 (187,631 by sea, 4,861 by land);
- **1,357 have been reported dead or missing** in the Mediterranean;
- in March, the **main nationalities of arrival** were:
  - to Italy: Nigeria, Gambia, Senegal, Guinea, Ivory Coast;
  - to Greece: Syria, Iraq, Afghanistan, Pakistan, Iran;
  - to Bulgaria: Iraq, Syria, and Afghanistan.
- since 1 January, 45% of arrivals were men, 35% children and 20% women.

### European Commission state of play – relocation and resettlement

Combining data of the European Commission's [first](#) and [second](#) report on relocation and resettlement from 16 March and 12 April respectively, discloses the following developments:

- **relocation:** 1,145 persons have been relocated so far until 11 April (615 from Greece and 530 from Italy);

- the total number of formal pledges by member states of relocation amounts to 4,516 (1,573 to Italy and 2,943 to Greece), which is 2.82% of the total. Croatia, Hungary and Slovakia have not yet submitted any pledge, while the Czech Republic, Poland and Slovenia have not yet delivered on their pledges;
- the Commission plans to complete 20,000 relocations by 16 May.
- **resettlement:** of the agreed 22,504, 5,677 people have been resettled until 11 April;
- **hotspots:** in Greece, all hotspots are operational with the exception of Kos. In Italy, four hotspots are operational, with the imminent opening of an additional one. The establishment of a mobile hotspot capacity is being finalised;
- **reception capacities:** in Greece, the total reception capacity stands at 41,360, with the construction of further sites in the planning. Italy's capacity lies at 111,081 places across the country, with a plan to provide 3,498 additional places by the end of the year for first level reception and 10,000 additional places for second level reception.

## Relevant reports

### Detention

The topic of immigration detention has become increasingly salient in the current debate on the management of the refugee crisis, as the use of detention has become more of a routine than an exception in a number of countries in response to the large number of refugees and migrants arriving in the EU, according to the [UNHCR](#).

#### International Detention Coalition

As a way to counteract this development and in response to the increasing interest of governments and civil society in finding cost-effective, reliable and humane ways of managing asylum seekers, the International Detention Coalition published a revised edition of their handbook "*There are alternatives*". The handbook, launched at a policy seminar organised by the EPC on 20 April in Brussels, presents mechanisms that prevent unnecessary detention and place a strong emphasis on case management. The research confirmed the advantages of alternatives to detention to be manifold both for the government and for the asylum seeker (less costly, improve voluntary and independent departure rates, support health and wellbeing, etc.).

#### European Parliamentary Research Service

As of 15 January, 55% of those [arriving](#) in the EU via Greece were women and children (compared to only 27% in June 2015). Against this background, a briefing by the European Parliament Research Service (EPRS) entitled "*Arbitrary detention of women and children for immigration-related purposes*" looks into the vulnerable situations of women and children in arbitrary detention and scrutinises the legal framework and UNHCR guidelines on detention. It calls for greater awareness on behalf of authorities, more gender-sensitive policies, as well as specialised care in detention centers.

#### AITIMA

The quarterly report by the Greek-based NGO *Aitima* entitled "*Monitoring immigration detention*" (December – March 2016) finds an increase in the overall number of detainees (1,204 people were held in pre-removal detention according to data from 4 March). However, the overall number detained in other detention facilities

is unknown. Furthermore, the EU-Turkey deal has led to an increase in the number of detainees readmitted to Turkey (608 people according to data from 17 March), whereby the first reception and administrative detention procedures do not guarantee the identification of people in need of protection and vulnerable persons, leading to possible breaches of the non-refoulement principle. The report further highlights serious problems regarding the conditions of detention.

## Reception conditions

### AIDA

The Asylum Information Database (AIDA) published a [Thematic Report](#) on the recent situation of reception conditions in twenty countries. It finds a substantial information gap with regards to states' reception arrangements and capacities. Shortages in reception places and failure to provide adequate living conditions have been noted in a number of member states, including those which have been faced with only moderate increases in the number of arriving applicants. At the same time, receiving states have been rapid and creative in setting up temporary accommodation. However, the report warns against using such emergency facilities as long-term accommodation sites, as they do not ensure adequate living conditions.



## EU Calendar

*Upcoming events*



### European Council and Council of the European Union

The next European Council meeting will take place on **28-29 June**.

Next JHA Council meetings will take place on **20 May and 9-10 June**. Slovakia will take over the Council Presidency from the Netherlands on **1 July**.



### European Parliament

Next LIBE Committee meetings will take place on **23-24, 26 and 30 May, 15-16, 27 and 30 June, and 11-12 July**. Next EP Plenaries will take place on **25-26 May, 6-9 and 22-23 June, and 4-7 July**.



### Other Events

#### 19 May

Public Policy Exchange is organising:

[Conference](#): "Driving Forward Multilevel Integration for Migrants in Europe: Improving Access to Education and to the Labour Market", in Brussels.

#### 26 May

Forum Europe and RAND Europe are organising:

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Conference: “The EU Security, Migration & Borders Conference – Utilising Digital to make a difference”, in Brussels.

**26-28 May**

Inclusion Europe is organising:

Conference: “Europe in action”, in Lisbon.

**6 June**

ECRE and its project partners are organising:

Policy Roundtable: “The Reception of Unaccompanied Minors: Key challenges and Solutions”, in Brussels.

**9 June**

The European Policy Centre is organising:

Roundtable: “The refugee crisis in the Balkans: what implications for the accession process?”, in Brussels.

**16-17 June**

The Academy of European Law (ERA) and EuropeanMigrationLaw.eu are organising:

Annual Conference on European Migration Law, in Brussels.