



**European Migration Network**

# **Annual Report on Asylum and Migration Statistics 2004 and 2005**

**produced by the**

## **European Migration Network**

**September 2008**

This EMN Synthesis Report summarises the main findings for the years 2004 and 2005 of the analysis of asylum and migration statistics undertaken by 17 EMN NCPs (**Austria, Belgium, Czech Republic, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Netherlands, Portugal, Slovenia, Spain, Sweden** and the **United Kingdom**). Topics covered are Migration Flows to/from an EU Member State, Population by Citizenship, Asylum Applications and Decisions, then Refusals, Apprehensions and Removals.

The EMN NCP National Reports and data upon which this Synthesis Report is based may be obtained directly from the EMN NCPs concerned themselves or by contacting Stephen DAVIES ([Stephen.Davies@ec.europa.eu](mailto:Stephen.Davies@ec.europa.eu)).

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### Disclaimer

This Report has been produced by the European Migration Network (EMN), and was completed by the European Commission, in co-operation with the 17 EMN National Contact Points participating in this study. This report does not necessarily reflect the opinions and views of the European Commission, or of the EMN National Contact Points, nor are they bound by its conclusions.

### Explanatory Note

Seventeen EMN National Contact Points (NCPs) contributed to producing the Annual Report on Asylum and Migration Statistics 2004 and 2005. Of these, EMN NCPs from **Austria, Belgium, Estonia, Finland, Germany, Greece, Ireland, Latvia, Netherlands, Portugal, Spain, Sweden** and the **United Kingdom** produced accompanying Country Study reports, along with verification of their data as provided from EUROSTAT. For the other Member States, namely **Czech Republic, Hungary, Italy** and **Slovenia**, a verification of their data was undertaken, but no Country Study produced.

The data for the Member States of the participating EMN NCPs presented in this report is as verified by the participating EMN NCPs. Therefore, in some cases, there may currently be differences from EUROSTAT data. For the remaining Member States, plus Iceland and Norway, mainly data as provided from EUROSTAT were used. However, in some cases when there were no data from EUROSTAT, data from the 2003 Annual Report on Migration and Asylum Statistics or an estimation provided by the Groupe d'étude de Démographie Appliquée (GéDAP), Université Catholique de Louvain, Belgium on the basis of statistics available from National Statistical Institutes were used. The Notes on the various Tables to be found in this Synthesis Report clearly indicate when data from these latter sources have been used.

The Member States mentioned above are given in **bold** when mentioned in the report and when reference to "Member States" is made, this is specifically for these Member States.

## Executive Summary

This Synthesis Report summarises the main findings for the years 2004 and 2005 of the analysis of asylum and migration statistics undertaken by 17 EMN NCPs (**Austria, Belgium, Czech Republic, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Netherlands, Portugal, Slovenia, Spain, Sweden** and the **United Kingdom**).

For Migration Flows ([Section 3](#) and [Table 1](#)) to/from the EU-15 Member States over the period 2003 to 2005, it can be broadly observed that for **Germany, Italy, Portugal**, their *positive (i.e. more immigration than emigration) Net Migration* has decreased (e.g. as a result of increasing emigration and/or decreasing immigration); whilst for **Ireland, Finland, Spain** their *positive Net Migration* has increased (primarily as a result of increasing immigration). **Austria** recorded a strong increase in net migration in 2004, which then remained at the same level in 2005. For **Greece** (in 2004 and 2005) and for **Sweden**, the situation remained relatively stable; for **Belgium** a significant increase is observed in 2005 compared to the previous two years; whilst the **United Kingdom** experienced a significant increase from 2003 to 2004, followed by a modest decrease for 2005. A clear exception was the **Netherlands**, which exhibited an increasing trend for net emigration. Where data are available, some EU-10 Member States (i.e. **Latvia**, Lithuania, Poland) also exhibit net emigration which might be attributed to the impact of EU accession. However, the lack of extensive data based on consistent definitions from these EU-10 Member States means that it is not possible to demonstrate this definitively.

The Population by Citizenship ([Section 4](#) and [Table 2](#)) shows that the EU-15 Member States with the largest proportion of non-nationals, calculated as a percentage of their Total Population, in 2005 are (in decreasing order) Luxembourg (39.0%, including 5.5% third country nationals), **Austria** (9.6%, including 7.1% third country nationals), **Belgium** (8.3%, including 2.9% third country nationals) and **Germany** (8.2%, including 5.6% third country nationals). Those EU-15 Member States with the lowest proportion are **Finland** (2.1%, including 1.4% third country nationals), **Italy** (4.1%, including 3.8% third country nationals), **Netherlands** (4.3%, including 2.9% third country nationals) and **Portugal** (4.4%, including 3.7% third country nationals). Similarly, the available data for the EU-10 Member States shows that, also in 2005, **Latvia** (21.1%, including 19.6% non-citizens of Latvia and 1.3% third country nationals) and **Estonia** (19.2%, including 10.0% non-citizens and 8.8% third country nationals) have the largest proportion, whilst Slovak Republic (0.4%, including 0.2% third country nationals), Lithuania (0.9%, essentially all third country nationals) and **Hungary** (1.4%, including 1.3% third country nationals) have the lowest proportion.

Whilst most Member States saw a general trend since 2001 of decreasing asylum applications ([Section 6.1](#) and Tables [4\(a\)](#) and [4\(b\)](#)), consistent also with a decrease internationally, a (slight) increase in 2005 occurred. Whilst an increase in asylum applicants from Iraq in part explains this increase, there were also increases in asylum applicants from other parts of the world, notably other Asian countries (e.g. Pakistan, Afghanistan), Brazil, Nigeria and Somalia. From which country/region differed between Member States and, to a certain extent, reflected the geographical proximity and/or previous historical migratory ties between the country of origin and the Member State. Whilst the three largest Member States (**Germany, France, United Kingdom**) received the largest number of asylum applicants, the ratio of asylum applicants per 1 000 habitants indicates that the largest burden (highest proportion first) is with Cyprus, Luxembourg, **Austria, Sweden**, Malta and Slovak Republic. Conversely, the Baltic States of **Estonia, Latvia** and Lithuania had very few asylum

applicants, although there was a concern that a significant increase might occur following accession. This, however, did not happen in 2004 and 2005.

Many Member States implemented measures in order to have asylum decisions ([Section 6.3](#) and [Table 5](#)) made more rapidly than in previous years. In some cases, this meant allocating additional resources to address a backlog and/or having a specific policy towards asylum applications from a specific country or region. For example, accepting asylum applicants from certain very problematic countries/regions or promoting the return of applicants as a result of an improving situation in their country of origin.

Most Member States, for which data are available, saw a decrease in the number of Refusals ([Section 7.1](#) and [Table 6](#)) at the border. Exceptions occurred for **Spain**, which experienced a notable increase, and for Bulgaria, France, **Ireland** and the **Netherlands**, which had relatively minor increases. **Spain** is also an exception in that it had, by a very large margin, the largest number of refusals, which primarily related to the large number of refusals at Melilla and Ceuta (Spanish cities on the African continent). Amongst the main nationalities refused entry, several Member States (**Ireland, Portugal, Spain** and the **United Kingdom**) had significant refusals of nationals of Brazil.

A number of Member States (**Estonia, Finland, Netherlands** (in 2002/2003)) introduced specific measures to apprehend illegally-resident migrants ([Section 7.2](#) and [Table 6](#)) and there is some indication that the observed increase in apprehensions might, at least partly, be a result of such measures. However, there was an increase in the number of apprehensions in **Portugal** and **Spain** which might reflect more an increasing migratory pressure on these Member States. For others (i.e. **Belgium, Germany, Greece, Latvia, Netherlands** (2004/2005)) there has been a decline in the number of apprehensions.

The magnitude of removals ([Section 7.3](#) and [Table 6](#)) undertaken by the Member States in 2005 ranged from 58 215, for the **United Kingdom**, down to 60 for **Estonia**. A general trend of decreasing numbers of removals since 2001 is observed for most Member States, which, in the case of the **Netherlands** was in spite of initiatives undertaken to promote a more effective return policy. Once again the accession of EU-10 Member States contributed to the observed decrease since, prior to this, significant numbers of nationals of, for example, Poland, were removed. Exceptions to this general trend were found in **Portugal**, with increasing numbers of removals; in **Spain**, where the number of removals has been relatively stable at approximately 26 000 per year since 2001; and in **Sweden**, which saw an increase in 2004, as asylum recognition rates went down and more asylum applicants received a final negative decision, and then a decrease. Overall, the main nationalities of those removed are from Albania, Brazil, Bulgaria, Morocco, Nigeria, Romania, Russia, Turkey, Serbia and Montenegro and Ukraine.

## **1. INTRODUCTION**

One of the tasks of the European Migration Network (EMN), following Council Decision [2008/381/EC](#)<sup>1</sup> of 14 May 2008 establishing its legal base, is to produce the Annual Reports on Asylum and Migration Statistics. It will not, however, be the purpose of the EMN NCPs to collect and collate the statistics, as this is done by EUROSTAT working with the relevant official national data providers, often the national statistical office of a particular Member State. Instead, the purpose of the EMN's contribution is to analyse the statistical trends on asylum, migration, illegal entry and stay, and removals in their Member State, and thereby facilitate comparisons and interpretations pertaining to migratory trends on the European level, as well as in the international context.

This Synthesis Report summarises the main findings for the years 2004 and 2005 and is the latest addition to a series of similar Annual Reports on Asylum and Migration Statistics from [2001](#), [2002](#) and [2003](#).<sup>2</sup> For continuity, data from 2003 are provided in some of the Tables presented in the following sections, but note that there are differences from the 2003 Synthesis Report, which was not produced by the EMN. Note also that since, at the time of undertaking this activity, the EMN legal base had not been established, EMN NCPs participated on a voluntary basis, and this was possible for 17 EMN NCPs, namely; **Austria, Belgium, Czech Republic, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Netherlands, Portugal, Slovenia, Spain, Sweden** and the **United Kingdom**. With the EMN legal base established, contributions from all (except possibly Denmark) Member States will be provided for the 2006 report onwards.

## **2. METHODOLOGY**

The first step was for the participating [EMN NCPs](#)<sup>3</sup> to verify that the data as provided by [EUROSTAT](#)<sup>4</sup> were indeed consistent with their national data, and, in some cases, to add data. Afterwards, any necessary corrections, additions or modifications would be provided to the official national data providers in the participating Member States, who would then inform

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<sup>1</sup> Available from <http://eur-lex.europa.eu/JOHtml.do?uri=OJ%3AL%3A2008%3A131%3ASOM%3AEN%3AHTML>.

<sup>2</sup> Available from [http://ec.europa.eu/justice\\_home/doc\\_centre/immigration/statistics/doc\\_immigration\\_statistics\\_en.htm](http://ec.europa.eu/justice_home/doc_centre/immigration/statistics/doc_immigration_statistics_en.htm).

<sup>3</sup> EMN NCPs are often from the same (or have very close links with the) entity that acts as the source of the data eventually provided to EUROSTAT. Their details may be found in the respective National Report or from <http://emn.sarenet.es/Downloads/download.do?fileID=554>.

<sup>4</sup> See EUROSTAT Population and Social Conditions section, at [http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=0,1136184,0\\_45572595&\\_dad=portal&\\_schema=PORTAL](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=0,1136184,0_45572595&_dad=portal&_schema=PORTAL).

EUROSTAT accordingly of the changes required. The following migration and asylum data were provided for each Member State:

- Migration flows
- Population by main groups of nationality
- Residence Permits
- First time asylum applications, also broken down by main countries of nationality, and decisions made
- Refused migrants, including by main country of nationality
- Apprehension of illegally-resident migrants, including by main country of nationality
- Removed migrants, including by main country of nationality

Consequently, the data for the Member States of the participating EMN NCPs presented in this report is as verified by the participating EMN NCPs. Therefore, in some cases, there may currently be differences from EUROSTAT data. For the remaining Member States, plus Iceland and Norway, mainly data as provided from EUROSTAT were used. However, in some cases when there were no data from EUROSTAT, data from the 2003 Annual Report on Migration and Asylum Statistics or an estimation provided by the [Groupe d'étude de Démographie Appliquée \(GéDAP\)](#),<sup>5</sup> Université Catholique de Louvain, Belgium on the basis of statistics available from National Statistical Institutes were used. The Notes on the various Tables to be found in this Synthesis Report clearly indicate when data from these latter sources have been used.

Once the data had been verified, most of the EMN NCPs participating in this activity (i.e. **Austria, Belgium, Estonia, Finland, Germany, Greece, Ireland, Latvia, Netherlands, Portugal, Spain, Sweden** and the **United Kingdom**) each produced also a Country Study, using their verified data, analysing in more detail each of the topics given above, placing them within national and international developments. For the other Member States, namely **Czech Republic, Hungary, Italy** and **Slovenia**, a verification of the data was undertaken, but no Country Study produced.

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<sup>5</sup> GéDAP was also involved in the production of the 2003 Annual Report on Migration and Asylum Statistics. Further details of its other significant contributions to asylum and migration statistics are given at <http://www.uclouvain.be/en-gedap.html>.

The accession of ten new EU Member States (Cyprus, **Czech Republic**, **Estonia**, **Hungary**, **Latvia**, Lithuania, Malta, Poland, Slovak Republic, **Slovenia**), occurred (on 1<sup>st</sup> May 2004) during the period covered by this report. In order to reflect the practice of national statistical offices and to reflect better the history of this development, it was decided to consider these (now) EU-10 Member States as *third country nationals* for the years 2003 and 2004 and then as *EU(-25) nationals* from 2005 onwards. Similarly, nationals of Bulgaria and Romania have been considered as *third country nationals* throughout, given their accession to the EU on 1<sup>st</sup> January 2007. The tables in the following sections have thus been constructed to reflect this and any differences from this approach are indicated in the footnotes to each table.

For each of the following sections, a general overview of the data and main trends observed is given first. This is then followed by a summary of the key findings in each Member State in order to place their data in the context of national developments. More details on the situation in a particular Member State(s) are given in the available Country Study report(s), as well as the corresponding Tables of national data.

### **3. MIGRATION FLOWS**

[Table 1](#) provides an overview of Migration Flows (emigration, immigration and net migration<sup>6</sup>) for each Member State and for the years 2003, 2004 and 2005. Note that these data include both migration from/to third countries, as well as intra-EU movements.

Whilst most EU-15 Member States had net immigration, the clear exception is the **Netherlands**, which exhibits an increasing trend for net emigration. Where data are available, some EU-10 Member States (i.e. **Latvia**, Lithuania, Poland) also exhibit net emigration which might be attributed to the impact of EU accession. However, the data does not seem to fully reflect this, in part owing to the lack of data from some Member States and to different definitions used by some Member States for an immigrant and an emigrant. For example, total immigration into the EU-15 Member States indicates a relatively minor increase in 2004 and even a decrease in 2005, whilst it is not possible to draw conclusions on total emigration from EU-10 Member States, as data from a number of them are lacking.

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<sup>6</sup> Calculated as Immigration minus Emigration. When positive, this indicates net immigration and when negative, net emigration.



**Table 1: Migration Flows 2003 to 2005**

	2003			2004			2005		
	Immigration	Emigration	Net Migration	Immigration	Emigration	Net Migration	Immigration	Emigration	Net Migration
<b>BELGIUM</b>	86 784	54 123	32 661	91 683	58 342	33 341	105 353	59 892	45 461
<b>DENMARK</b>	49 754	43 466	6 288	49 860	45 017	4 843	52 458	45 869	6 589
<b>GERMANY</b>	768 975	626 330	142 645	780 175	697 632	82 543	707 352	628 399	78 953
<b>GREECE</b>	45 500	10 118	35 382	50 101	8 713	41 388	42 015	2 041	39 974
<b>SPAIN</b>	672 266	64 298	607 968	684 561	55 092	629 469	719 284	68 011	651 273
<b>FRANCE</b>	190 825	N/A		191 850	N/A	105 000	187 134	N/A	92 000
<b>IRELAND</b>	50 100	18 500	31 600	70 000	16 600	53 400	86 900	17 000	69 900
<b>ITALY</b>	440 301	48 706	391 595	414 880	49 910	364 970	325 673	65 029	260 644
<b>LUXEMBOURG</b>	12 613	10 540	2 073	12 495	10 911	1 584	13 512	10 841	2 671
<b>NETHERLANDS</b>	104 514	104 831	-317	94 019	110 235	-16 216	92 297	119 725	-27 428
<b>AUSTRIA</b>	113 554	77 257	36 297	127 399	76 817	50 582	117 822	68 650	49 172
<b>PORTUGAL</b>	79 300	9 300	70 000	72 400	8 900	63 500	57 920	10 680	47 240
<b>FINLAND</b>	17 838	12 083	5 755	20 333	13 656	6 677	21 355	12 369	8 986
<b>SWEDEN</b>	63 795	35 023	28 772	62 028	36 586	25 442	65 229	38 118	27 111
<b>UNITED KINGDOM</b>	508 000	361 000	147 000	586 000	342 000	244 000	563 000	359 000	204 000
<b>CZECH REPUBLIC</b>	60 015	34 226	25 789	53 453	34 818	18 635	60 294	24 065	36 229
<b>ESTONIA</b>	N/A	N/A		N/A	N/A		N/A	N/A	
<b>CYPRUS</b>	16 779	4 437	12 342	22 003	6 279	15 724	24 419	10 003	14 416
<b>LATVIA</b>	1 364	2 210	-846	1 665	2 744	-1 079	1 886	2 450	-564
<b>LITHUANIA</b>	4 728	11 032	-6 304	5 553	15 165	-9 612	6 789	15 571	-8 782
<b>HUNGARY</b>	19 365	2 553	16 812	22 164	3 466	18 698	25 582	3 320	22 262
<b>MALTA</b>	1 239	N/A		N/A	N/A		N/A	N/A	
<b>POLAND</b>	7 048	20 813	-13 765	9 495	18 877	-9 382	9 364	22 242	-12 878
<b>SLOVENIA</b>	9 279	5 867	3 412	10 171	8 269	1 902	15 041	8 605	6 436
<b>SLOVAK REPUBLIC</b>	6 551	4 777	1 774	10 390	6 525	3 865	9 410	2 784	6 626
<b>BULGARIA</b>	N/A	N/A		N/A	N/A		N/A	N/A	
<b>ROMANIA</b>	3 267	10 673	-7 406	2 987	13 082	-10 095	3 704	N/A	
<b>ICELAND</b>	3 704	3 837	-133	5 350	4 820	530	7 773	3 913	3 860
<b>NORWAY</b>	35 957	24 672	11 285	36 482	23 271	13 211	40 148	21 709	18 439

### Notes:

1. Unless otherwise stated below, the data from those Member States indicated in *italics* are as provided by EUROSTAT and have not been verified by their respective EMN NCP.
2. N/A means that these data are "Not Available."
3. These data include **both** intra-EU mobility and migration to/from third countries.
4. For **Greece**, immigration data are based on initial residence permits issued, whilst emigration is estimated based on recoded immigration and natural population movement (births-deaths).
5. For **France**, Immigration data excludes FR nationals, EU/EEA and Swiss nationals and minors. Emigration data are not available, but the Institut national de la statistique et des études économiques (INSEE) is able to provide an estimation of the Net Migration.
6. Emigration data used for the **Netherlands** are including administrative corrections. This increases the total number of emigrants and causes the emigration surplus. EUROSTAT emigration statistics do not include administrative corrections and therefore show an immigration surplus in 2004 and 2005.
7. For **Austria**, immigration data also includes asylum applicants (since 2004).
8. Since in **Portugal** there is no population register or recorded migration flows, data on international migration flows are estimates based on several statistical sources, such as long term visas, resident permits, stay permits, estimates on Portuguese return.
9. The data for the **United Kingdom** are rounded to the nearest thousand. Note also that they are not the same as in their Country Study report, as they have been subsequently updated. Their Table of data has, however, been updated.
10. For **Hungary**, only foreign (i.e. non-hungarian nationals) are counted.
11. For **Malta**, data comes from 2003 Annual Report on Asylum and Migration Statistics and refers to persons who intend to reside in Malta and are therefore entitled to tax reductions.
12. For **Poland**, 2003 data comes from 2003 Annual Report on Asylum and Migration Statistics.
13. For **Romania**, data for 2003 comes from 2003 Annual Report on Asylum and Migration Statistics.

In terms of trends over the period 2003 to 2005, for EU-15 Member States, it can be broadly observed that for **Germany, Italy, Portugal**, their *positive (i.e. more immigration than emigration) Net Migration* has decreased (e.g. as a result of increasing emigration and/or decreasing immigration); whilst for **Ireland, Finland, Spain** their *positive Net Migration* has increased (primarily as a result of increasing immigration). **Austria** also recorded a strong increase in net migration in 2004, which then remained at the same level in 2005. For **Greece** (in 2004 and 2005) and for **Sweden**, the situation remained relatively stable; for **Belgium** a significant increase is observed in 2005 compared to the previous two years; whilst the **United Kingdom** experienced a significant increase from 2003 to 2004, followed by a modest decrease for 2005.

**Austria**<sup>7</sup> experienced a slight decrease (-8% compared to 2004) in immigration in 2005, following a constant rise since 2001. The net migration in 2004 and 2005 was, however, more-or-less stable (50 582 in 2004 and 49 172 in 2005), although considerably higher than in 2002 and 2003. Like for many EU-15 Member States, the increase in total population is to a large extent caused by net migration, primarily of other EU/EEA nationals and third country nationals with preferential treatment (mainly family dependants of naturalised persons). Although this migration trend does not reflect official immigration policy, whose guiding principle is *Integration vor Neuzuzug* ("Integration before new immigration") and immigration of third country nationals for the purpose of settlement is regulated by an

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<sup>7</sup> Note that migration figures for Austria include also asylum applicants.

annually determined quota system.<sup>8</sup> Of the 117 822 immigrants in 2005, 16 367 (14%) were returning Austrian nationals, 38 950 (33%) were EU-24 nationals, including 16 673 EU-10 nationals, and 62 505 (53%) were third country nationals. A significant increase by 60% in the number of EU-10 nationals occurred from 2003 (when it was 10 216) to 2004 (16 346), which is most likely related to EU enlargement. Of the EU-10 nationals residing in Austria, most were nationals of Poland (27 056 in 2005), whilst for EU-15 nationals, these were primarily from **Germany** (94 672 in 2005).

The level of immigration into **Belgium** is at the same level as during the 1960s when a large number of migrant workers were recruited. The causes of this more recent relatively high immigration level are various: EU-enlargement; effects of measures taken some years before like, for example, the relaxation of nationality legislation, a regularisation campaign and rationalisation of the asylum procedure; and, with respect to migration flows from neighbouring Member States, for fiscal reasons. Emigration, on the other hand, was at a relatively low level. A sharp difference exists between Community and non-Community migration flows. The migration flows are quite high in both cases, but the level of emigration is much lower in the case of non-Community nationals, or even negligible in some cases (Moroccan and Turks, for example). A number of Community nationals enter Belgium only for a short period of time. Conversely, non-Community migrations tend to be longer term.

Although detailed data for the years 2003 to 2005 inclusive are not available, **Estonia**, like for some other Member States, is currently experiencing a negative growth in its population. Even with an increase in 2004 in the birth rate by 6%, most probably facilitated by strong family policy measures, the number of Estonians decreased by 1 600 persons. In 2005, this decrease was 1 100 persons indicating a slight reduction in the rate of negative population growth. Like for **Latvia**, the decrease in total population is directly attributed to the emigration of its nationals, not only to EU-15 Member States, but also a significant proportion to Russia, Ukraine, Belarus and the U.S.A. Important changes which occurred in **Estonia** were that the number of people aged 65 years or more exceeded the number aged 14 years or younger; and the index of labour market pressure fell below one, i.e. the number entering the

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<sup>8</sup> Since 1st January 2003, third country nationals who entered Austria after 1<sup>st</sup> January 1998 with a view to permanent settlement must now accept and fulfil an "integration agreement".

labour market in the near future is lower than the number of those leaving, and this may result in significant labour shortages.

The number of foreign nationals and Germans *entering Germany* in 2004 increased slightly compared to the previous year, rising above 780 000, only to fall once again in 2005 to 707 352. The principal countries of origin in 2005 were above all, Poland (22.5% of all persons entering Germany), Russia, Turkey, the U.S.A., Romania and Italy. The immigration rate (i.e. the number of immigrants per thousand residents) in 2004 was 9.5; a slight increase from 2003 when it was 9.3; but then dropped to 8.6 in 2005, the lowest value recorded so far in this decade. The number of persons *leaving* Germany has continuously increased since 2001, reaching almost 700 000 in 2004 (a rise of 14.9% from 2001), and decreasing in 2005 to 628 299. The principal countries for emigration in 2005, and note the similarity with countries of origin, were Poland (16.8% of all persons leaving Germany), Turkey, the U.S.A., Italy and Romania. The emigration rate was 8.5 per thousand in 2004 and decreased further in 2005 to 7.6. These high emigration figures, coupled with simultaneously high immigration figures and the same main countries of origin and destination, indicate that, in many cases, migration is temporary. Over the period 2001 to 2005, there has been an average surplus of migration amounting to approximately 160 000 persons annually. Overall, in excess of 3.9 million persons migrated to Germany between 2001 to 2005, while almost 3.2 million left the country. There does not, however, seem to be a direct correlation between the decreasing immigration figures and the political changes which occurred during the period 2001 to 2005, rather it appears to be a more general and more long-term tendency.

Recorded immigration in **Greece** increased by 10% from 2003 to 50 101 in 2004 and then declined by 16% in 2005 to 42 015. Even though there are no published statistics on emigration, such figures are estimated by means of published information on population by nationality and the natural movement of population. These figures indicate that in 2005, the estimated number of recorded emigrations was 2 041, a significant decrease from 2004 when the comparable figure was 8 713, which in itself was lower than in 2003, when it was 10 118. Over the period 2004 to 2005, net migration accounted for almost all population change, as the number of births was only slightly more than that of deaths.

Following steady growth in previous years as well, the legally-resident population in **Ireland** reached just over 4.1 million in January 2005, driven both by net immigration and natural

increase. Significant increases in immigration flows occurred in 2004, and between April 2004 and April 2005 immigration reached 70 000, with a further increase of close to 25% in recorded immigration for the April 2005 to April 2006 corresponding timeframe, which was the highest figure recorded since the present series of annual migration estimates began in 1987. This dramatic growth was largely a result of the accession of EU-10 Member States, with (in May 2004) almost half (43%) of overall immigration comprising of EU-10 nationals (26% from Poland and 7% from Lithuania). In 2005, more than half (54%) of immigrants were in the 25 to 44 year age range, 28% aged between 15 to 24 years and 10% children under the age of 15 years.

For the **Netherlands**, an increase in both Dutch and non-Dutch nationals emigrating, primarily to **Belgium, Germany** and the **United Kingdom**, and, at the same time, a decrease by 10% in immigration, particularly from Turkey and Morocco, was observed in 2004 and 2005. An exception was the immigration from Poland which more than doubled in 2004 to be 5 132 following EU enlargement, increasing to 6 746 in 2005. Generally these migration flows are attributed to a less favourable economic situation and (possibly) to changes in immigration laws, and meant that in 2004, for the first time since 1995, there were fewer than 100 000 immigrants in the Netherlands. The changes in the immigration laws were specifically in connection to family formation (increase to 21 years of minimum age for both spouses and income requirement for the sponsor was raised to 120% of the minimum wage as of November 2004); to integration (introduction of requirements to be met before and after entry); and a stricter asylum policy.

Immigration into **Portugal** increased strongly from the year 2001 with total inflows almost doubling, from 43 000 in 1999 to a maximum of 79 300 in 2003, then decreasing to 72 400 in 2004 and then 57 900 in 2005. Whilst the inflow data primarily include immigrants from former colonies of Portugal, as well as from Brazil and returning Portuguese emigrants, the period since 2000 is characterised by a massive entry of immigrants with no former link to Portugal, most notably Eastern European immigrants, as well as gradually increasing numbers of immigrants from Asia. There was also a large regularisation process carried out in 2001. Since 2004, however, the decrease in the number of immigrants is attributed to a reduction of pull factors to Portugal.

Likewise, **Spain** too has seen a considerable increase in the number of immigrants since 2001, although since 2003 the rate at which net migration increases has become more stable. The increase in net migration in 2003 was 36.16% compared to 2002, whilst 2004 saw only a 3.54% increase compared to 2003, and 2005 a 3.46% increase compared to 2004. The number of immigrants recorded in 2004 (2005) was 684 561 (719 284), of which 645 844 (682 711) were non-nationals and 38 717 (36 573) returning Spanish nationals. With regard to emigration, there were 55 092 (68 011) emigrants, of which 41 936 (48 721) were non-nationals and 13 156 (19 290) Spanish nationals. The total net migration was thus 629 469 (651 273), of which 603 908 (633 990) were non-nationals.

**Sweden**, which like **Ireland** and the **United Kingdom** imposed no restrictions on entry for EU-8<sup>9</sup> nationals, also experienced a significant increase (to 2 552 in 2004) in the number of nationals from Poland. The trend previously observed of as many men as women immigrants continued in 2004 and 2005, with women primarily coming from Thailand and the Philippines and men from Nigeria, Cameroon, India and Pakistan.

In the **United Kingdom**, recorded immigration decreased in 2005 by 4% from 2004 (586 000) to 563 000. This was still higher than in 2003 (508 000). The estimated emigration figure of 359 000 in 2005 was the highest level since 1991. As a result, net migration decreased by 16% from an inflow of 244 000 in 2004 to 204 000 in 2005 – the largest decrease since 1996. In 2005, approximately 83% (466 000) of immigrants were non-British. Of these non-British immigrants, 68% were third country nationals, a decrease from 74% in 2004. This is most likely to have been as a result of the accession of the EU-10 Member States. There was a 13% decrease in the number of third country nationals entering in 2005 compared to the previous year (from 370 000 in 2004 to 317 000 in 2005).

#### **4. POPULATION BY CITIZENSHIP**

[Table 2](#) presents an overview of the composition of each Member State's population, in terms of its nationals, other EU nationals and third country nationals (and, unless otherwise stated, excluding asylum applicants). As explained in the Methodology, for 2003 and 2004, where possible, EU-10 nationals are considered as third country nationals. Owing to the absence of

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<sup>9</sup> EU-8 includes those EU-10 Member States who acceded to the European Union on 1<sup>st</sup> May 2004, except for Cyprus and Malta. For these latter two Member States, no transition arrangements were applied by any EU-15 Member State. See [http://ec.europa.eu/employment\\_social/free\\_movement/enlargement\\_en.htm](http://ec.europa.eu/employment_social/free_movement/enlargement_en.htm).

data for some Member States (i.e. Cyprus, **Ireland**, Lithuania, Luxembourg, Malta, Poland) it is not always possible to provide details of the overall EU-15 and EU-25 breakdown between nationals, other EU(-14 or -24) nationals and third country nationals.

From the data available, however, it is observed that the EU-15 Member States with the largest proportion of non-nationals, calculated as a percentage of their Total Population, in 2005 are (in decreasing order) Luxembourg (39.0%, including 5.5% third country nationals), **Austria** (9.6%, including 7.1% third country nationals), **Belgium** (8.3%, including 2.9% third country nationals) and **Germany** (8.2%, including 5.6% third country nationals). Those EU-15 Member States with the lowest proportion are **Finland** (2.1%, including 1.4% third country nationals), **Italy** (4.1%, including 3.8% third country nationals), **Netherlands** (4.3%, including 2.9% third country nationals) and **Portugal** (4.4%, including 3.7% third country nationals). Similarly, the available data for the EU-10 Member States shows that, also in 2005, **Latvia** (21.1%, including 19.6% non-citizens of Latvia<sup>10</sup> and 1.3% third country nationals) and **Estonia** (19.2%, including 10.0% non-citizens<sup>11</sup> and 8.8% third country nationals) have the largest proportion,<sup>12</sup> whilst Slovak Republic (0.4%, including 0.2% third country nationals), Lithuania (0.9%, essentially all third country nationals) and **Hungary** (1.4%, including 1.3% third country nationals) have the lowest proportion.

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<sup>10</sup> In accordance with the law “On the Status of those Former U.S.S.R. Citizens who do not have the Citizenship of Latvia or that of any Other State” *non-citizens of Latvia* are persons who are citizens of the former USSR, who do not hold citizenship of any country and who permanently reside in the Republic of Latvia. The Central Statistical Bureau, which provided these data, officially includes these non-citizens of Latvia with the number of nationals of Latvia. However, for the purpose of comparing with other Member States, they have been considered here as non-EU-15 and non-EU-10 nationals.

<sup>11</sup> Like for **Latvia**, *non-citizens* in **Estonia** are persons who are citizens of the former USSR, who do not hold citizenship of any country and who permanently reside in Estonia.

<sup>12</sup> Data from the 2003 Annual Report on Asylum and Migration Statistics indicates that Cyprus also has a high proportion of non-nationals with, in 2004, 11.4% (83 500) of the Total Population being non-nationals (other EU(-24) and third country).

**Table 2: Population by (non) EU Nationality (on 1<sup>st</sup> January)**

	2003				2004				2005			
	Nationals	Other EU(-14) Nationals	Non EU-14 Nationals	incl. future EU-10 Nationals	Nationals	Other EU(-14) Nationals	Non-EU-14 Nationals	incl. future EU-10 Nationals	Nationals	Other EU(-24) Nationals	incl. EU-10 Nationals	Non-EU-25 Nationals
<b>BELGIUM</b>	9 505 767	566 665	283 412	14 532	9 536 134	569 011	291 276	16 575	9 574 990	571 264	19 780	299 598
<b>DENMARK</b>	5 118 083	55 415	210 009	9 707	5 126 429	56 363	214 848	10 007	5 143 801	68 220	N/A	199 384
<b>GERMANY</b>	75 188 729	1 862 066	5 473 526	467 772	75 196 906	1 849 986	5 484 779	481 998	75 212 869	2 108 010	439 948	4 609 105
<b>GREECE</b>	10 158 915	N/A	N/A	N/A	10 149 453	5 952	585 091	4 999	10 138 062	11 744	5 399	592 471
<b>SPAIN</b>	39 352 775	448 283	1 749 526	27 558	39 425 665	536 357	2 235 843	42 432	39 666 641	700 187	55 933	2 671 207
<b>FRANCE</b>	56 505 915	1 183 543	2 166 365	37 572	56 477 017	1 186 407	2 237 856	38 175	57 983 175	1 300 000	N/A	2 200 000
<b>IRELAND</b>	3 763 407	N/A	N/A	N/A	3 829 000	N/A	N/A	N/A	3 875 300	N/A	N/A	N/A
<b>ITALY</b>	55 808 746	N/A	N/A	N/A	55 898 086	N/A	N/A	N/A	56 060 218	206 649	N/A	2 195 508
<b>LUXEMBOURG</b>	277 600	146 070	24 630	N/A	277 400	148 670	25 530	N/A	277 600	152 400	N/A	25 000
<b>NETHERLANDS</b>	15 492 618	210 549	489 405	12 393	15 555 847	211 009	491 176	13 276	15 606 175	228 141	18 069	471 279
<b>AUSTRIA</b>	7 347 051	118 201	636 923	57 648	7 374 819	127 365	637 938	60 370	7 417 915	206 715	69 052	581 894
<b>PORTUGAL</b>	9 984 178	66 057	357 221	2 826	10 031 859	69 868	372 958	3 049	10 062 944	74 337	2 776	391 974
<b>FINLAND</b>	5 102 613	17 975	85 707	14 787	5 112 729	18 682	88 321	15 876	5 128 265	35 356	16 508	72 990
<b>SWEDEN</b>	8 466 689	185 397	288 702	21 522	8 499 594	185 691	290 385	21 286	8 530 251	208 958	23 405	272 183
<b>UNITED KINGDOM</b>	55 621 000	892 000	1 902 000	99 000	55 629 000	929 000	1 835 000	139 000	55 589 000	1 169 000	234 000	1 933 000
<b>EU-15 Total</b>	<b>357 694 086</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>358 119 938</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>360 267 206</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
	Nationals	EU-15 Nationals	Non EU-15 Nationals	incl. other future EU-10 Nationals	Nationals	EU-15 Nationals	Non EU-15 Nationals	incl. other future EU-10 Nationals	Nationals	Other EU(-24) Nationals	incl. EU-10 Nationals	Non-EU-25 Nationals
<b>CZECH REPUBLIC</b>	10 024 115	12 394	166 760	46 728	10 016 061	13 223	182 171	50 075	10 027 097	65 479	N/A	127 553
<b>ESTONIA</b>	N/A	N/A	N/A	N/A	1 099 025	1 652	273 913	N/A	1 113 675	5 069	N/A	258 879
<b>CYPRUS</b>	N/A	N/A	N/A	N/A	646 900	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>LATVIA</b>	1 796 946	2 775	531 759	611	1 804 237	3 524	511 442	883	1 819 222	4 797	1 050	482 415
<b>LITHUANIA</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3 392 997	1 451	N/A	30 876
<b>HUNGARY</b>	10 026 474	11 654	104 234	3 954	9 986 633	12 143	117 966	5 204	9 955 396	13 360	N/A	128 793
<b>MALTA</b>	386 938	N/A	N/A	N/A	388 867	N/A	N/A	N/A	390 668	8 000	N/A	4 000
<b>POLAND</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>SLOVENIA</b>	1 950 340	1 409	43 284	420	1 951 139	1 468	43 826	496	1 953 305	1 235	204	43 050
<b>SLOVAK REPUBLIC</b>	N/A	N/A	N/A	N/A	5 354 967	2 811	27 044	9 392	5 362 571	10 876	N/A	11 375
<b>EU-10 Total</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
	Nationals	EU-15 Nationals	Future EU-10 Nationals	Other non-nationals	Nationals	EU-15 Nationals	Future EU-10 Nationals	Other non-nationals	Nationals	EU-25 Nationals	incl. EU-10 Nationals	Other non-nationals
<b>BULGARIA</b>	7 820 537	N/A	N/A	N/A	7 776 113	N/A	N/A	N/A	7 775 700	N/A	N/A	N/A
<b>ROMANIA</b>	N/A	N/A	N/A	N/A	21 671 748	10 128	N/A	N/A	21 632 599	N/A	N/A	N/A
	Nationals	EU-15 Nationals	Non EU-15 Nationals	incl. future EU-10 Nationals	Nationals	EU-15 Nationals	Non EU-15 Nationals	incl. future EU-10 Nationals*	Nationals	EU-25 Nationals	incl. EU-10 Nationals	Non EU-25 Nationals
<b>ICELAND</b>	278 250	3 085	7 136	2 468	280 390	2 919	7 261	2 555	282 941	N/A	N/A	N/A
<b>NORWAY</b>	4 354 584	82 213	115 545	5 220	4 372 726	83 058	121 673	5 601	4 393 060	N/A	N/A	N/A
<b>TOTAL</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>



### Notes:

1. Unless otherwise indicated below, the data from those Member States indicated in italics are as provided by EUROSTAT and have not been verified by their respective EMN NCP.
2. N/A means that these data are "Not Available."
3. For the 2003 and 2004 data given for **EU-15 Member States**, the column heading "*incl. future EU-10 Nationals*" gives the number of EU-10 Nationals making up the number given for "*Non EU-14 Nationals*". For 2005, the headings are changed to reflect accession of the EU-10 Member States, with "*Other EU(-24) Nationals*" being the number of all other EU-24 nationals, i.e. excluding the number of nationals for a particular Member State (which is given in the "*Nationals*" column). The column "*incl. EU-10 Nationals*" then gives the number of EU-10 Nationals contained within the "*Other EU(-24) Nationals*" column. The column "*Non-EU-25 Nationals*" then gives the total of third country nationals, including of Bulgaria and Romania.
4. For the 2003 and 2004 data given for **EU-10 Member States**, the column heading "*incl. other future EU-10 Nationals*" gives the number of Nationals from other EU-10 Member States (i.e. excluding the number of nationals for a particular Member State which is given in the "Nationals" column) making up the number given for "*Non EU-15 Nationals*". For 2005, the headings are changed to be the same as for EU-15 Member States to reflect the accession of these EU-10 Member States (see note above).
5. For **Bulgaria, Romania, Iceland and Norway**, a similar approach to that outlined above is used, i.e. before accession EU-10 Nationals are counted as part of the "Non EU-15 Nationals" and in 2005 as part of "EU-25 Nationals."
6. For **Denmark**, the data for 2003 and 2004 comes from the 2003 Annual Report on Asylum and Migration Statistics. For 2005, the data are from EUROSTAT.
7. For **Germany**, the numbers for the total population stem from the general population adjustment system. The data on non-nationals are calculated on the basis of the Central Register on Foreign Nationals (Ausländerzentralregister; AZR). These two data sources are not compatible.
8. For **Greece**, data for 2004 & 2005 regarding 3rd country nationals, as well as other EU(-24) nationals, are based on valid residence permits. Consequently, the data for EU-14 and EU-10 nationals are considered to be extremely underestimated, since many EU nationals do not apply for residence permits, as there are no sanctions. Indicative of this underestimation is that according to 2001 Population Census, the number of EU nationals approaches 80 000. For the same reason, non nationals + nationals are less than total population.
9. For **France**, the data for 2003 and 2004 comes from the 2003 Annual Report on Asylum and Migration Statistics. For 2005, the number of nationals comes from INSEE, with the remaining data being an estimation is provided by GéDAP, UCL.
10. For **Ireland**, stock by nationality exists only for census years (2002 & 2006). The total non-national population (i.e. including both other EU and third country nationals) was 200.229 (2003); 198.732 (2004) and 233.873 (2005).
11. For **Luxembourg**, the data for 2003 and 2004 comes from the 2003 Annual Report on Asylum and Migration Statistics. For 2005, data estimation is provided by GéDAP, UCL.
12. For **Portugal**, data refers to 31st December before the reference year and Non-EU nationals data is based on residence permits stock, consular visas - work, family reunification and study purposes and permanence permits issued.
13. For **Czech Republic**, only foreigners with permit to stay exceeding one year are included in their data.
14. For **Estonia**, 2004 data corresponds to 2 April 2004, i.e. one month before accession. The number of non EU-15 & EU-25 Nationals includes "non-citizens". Like for **Latvia**, these are persons who are citizens of the former USSR, who do not hold citizenship of any country and who permanently reside in Estonia. According to the Estonian Ministry of the Interior Population Registration Bureau, in 2004, there were 135 337 non-citizens and, in 2005, 138 084 non-citizens.
15. For **Cyprus**, the total number of all non-nationals was 74 800 in 2003 and 83 500 in 2004 (data taken from the 2003 Annual Report on Asylum and Migration Statistics).
16. For **Latvia**, the number of non EU-15 & EU-25 Nationals includes "non-citizens of Latvia". Like for **Estonia**, these are persons who are citizens of the former USSR, who do not hold citizenship of any country and who permanently reside in the Republic of Latvia. Whilst the Central Statistical Bureau, which provided these data, officially include these non-citizens of Latvia with the number of nationals of Latvia, for the purpose of comparing with other Member States, they have been considered here as non-EU-15 or EU-10 nationals. In 2003, there were 504 572 Latvia non-citizens; in 2004, 481 635 Latvian non-citizens; and, in 2005, 452 302 non-citizens of Latvia.
17. For **Lithuania**, 2005 data is an estimation provided by GéDAP, UCL, Belgium.
18. For **Malta**, 2005 data is an estimation provided by GéDAP, UCL. From the 2003 Annual Report on Asylum and Migration Statistics, in 2003 there were a total of 10 358 non-nationals (third country plus other EU-24 nationals); in 2004 this figure was 11 000.
19. For **Poland**, 2005 data is an estimation provided by GéDAP, UCL, Belgium.
20. For **Slovak Republic**, 2004 data comes from 2003 Annual Report on Asylum and Migration Statistics.
21. For **Bulgaria**, the total number of all non-nationals was 25 304 in 2003; 25 160 in 2004 (data taken from the 2003 Annual Report on Asylum and Migration Statistics) and for 2005 25 600 (data estimation provided by GéDAP, UCL).
22. For **Romania**, 2004 data comes from 2003 Annual Report on Asylum and Migration Statistics
23. For **Iceland and Norway**, the data for 2003 and 2004 comes from the 2003 Annual Report on Asylum and Migration Statistics.

The main countries of origin of third country nationals residing in **Austria** in 2004 and 2005 were Serbia and Montenegro (137 602 in 2004 and 137 662 in 2005), Turkey (122 931 in 2004 and 116 882 in 2005), Bosnia and Herzegovina (94 114 in 2004 and 90 988 in 2005), Croatia (58 520 in 2004 and 58 719 in 2005) and Romania (20 850 in 2004 and 21 871 in 2005). The successor states of the Former Yugoslavia and Turkey are traditional countries of origin for those immigrants previously referred to as "guest workers". The number of nationals of Russia has increased significantly since 2001, amounting to 8 033 in 2004 and 14 272 in 2005, and this is primarily attributed to the inflows of asylum applicants from Chechnya. Another feature has been the increasing diversification of countries of origin, with increasing numbers of nationals also from China, India, Ukraine and Nigeria, as well as Switzerland and the U.S.A.

In **Belgium**, two-thirds of the foreigners are nationals of another EU-25 Member State. Of the remaining one-third, nationals of Morocco and Turkey are the largest group, reflecting the immigration from these countries in the 1960s and early 1970s as a replacement for Mediterranean European workers. Nationals of Morocco and Turkey are also the largest group of third country nationals in the **Netherlands**. In **Belgium**, the number of nationals from Turkey (39 885 in 2005) and Morocco (81 279 in 2005) decreased owing to the widespread trend in obtaining Belgian nationality, which now exceeds the migratory and natural growth of these nationals in Belgium. A rapidly increasing group, though still fewer in number, are nationals of India (5 300 in 2005), China (7 283 in 2005), Serbia and Montenegro (11 140 in 2005), as well as, also because of the historical ties, from the Democratic Republic of Congo (13 171 in 2005). A decline in the number of nationals from Turkey and Morocco is also visible in the **Netherlands**, which is due to a decrease in immigration from these countries and an increase in emigration, but not an increase in the number of naturalisations of nationals from these two countries.

For **Estonia** and **Latvia**, it is nationals of Russia (in 2005, there were 92 594 or 6.7% of the total population in Estonia and 23 251 or 1% of the total population in Latvia) who constitute the most significant third country national population by a large margin, being more than the sum of all other third country nationals.<sup>13</sup> Whilst the absolute number is significantly lower, in contrast to **Belgium**, two-thirds of foreigners living in **Finland** are non EU-25 nationals

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<sup>13</sup> However, the number of *non-citizens* (see Footnotes 10 and 11) in Estonia and Latvia is significantly greater than the number of nationals of Russia.

(72 990 in 2005 as compared to 299 598 for **Belgium**) with, like for **Estonia** and **Latvia**, the overwhelming majority being nationals of Russia (24 626 in 2005, making up some 0.5% of the total population). The comparably high number of Russian immigrants may be explained by the return status of Ingrian Finns emigrating from Russia and who, since 1990, have the status of “returning emigrants”, as well as to the marriage migration of Russian women. The highest proportion of foreigners in **Sweden** come from Finland, with overall 40% of foreigners coming from another EU Member State (principally Denmark, Germany). Other significant groups are nationals of Norway and Iraq plus Asian countries.

Albanian nationals represent the largest and dominant group of third country nationals in **Greece**, estimated to number 434 810 in 2004 increasing to 448 152 in 2005. In fact this rise by almost 13 000 is roughly equal to the total increase in the number of all third country nationals in 2005. The next largest group are nationals of Bulgaria, estimated to be 33 469 in 2005, a slight decrease from the number in 2004. In terms of the number of EU-14 and EU-10 nationals, the data (6 345 and 5 399 respectively in 2005) are considered to be extremely underestimated. They are based on those EU nationals with residence permits issued by the Ministry of Public Order. However, many EU nationals do not apply for residence permits, as there are no sanctions. Following accession of the EU-10 Member States, nationals of the EU-8 Member States to which transition arrangements had been applied, became eligible for a five-year EU residence permit, provided they could prove at least twelve months of legal stay.

At the beginning of 2005, by far the largest group (26.3%) of foreigners in **Germany** was made up of nationals of Turkey, of whom there were 1 764 318. This was followed by Serbia and Montenegro, accounting for 7.6% (equivalent to 507 328 migrants) of the total foreign population, with the total of all other third country nationalities amounting to less than 5%. In fact there has been stagnation in the numbers of foreign nationals in Germany, despite slight increases in the actual migration figures, which is a consequence of the introduction of a new [Law of Naturalisation](#)<sup>14</sup> in 2000. In addition to opportunities for naturalisation, the territorial principle of *ius soli* was strengthened significantly in respect to children who were born in Germany of parents who were foreign nationals.

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<sup>14</sup> Further details available from <http://www.auswaertiges-amt.de/diplo/en/WillkommeninD/EinreiseUndAufenthalt/Staatsangehoerigkeitsrecht.html>.

The previously mentioned recent (since 2001) evolution of the foreign population in **Portugal** has been significant, amounting to 442 800 in 2004 and increasing slightly further in 2005 to 466 300. This is more than double the corresponding figure in 2001. The most significant proportion of foreigners are non-EU nationals (making up 84.1% in 2005) and the increase since 2001 is attributed to immigrants from a more diverse range of countries, in particular Ukraine, whereas up to 2001 it was primarily migrants from the Portuguese-speaking African former colonies (PALOP) and Brazil, the latter still remaining a significant source. A special regularisation process targeted at Brazilian migrants in 2003 has resulted in a decrease in the absolute number from 78 300 in 2004 to 66 132 in 2005.

In **Spain** also, third country nationals make up the most significant proportion of foreigners, representing almost 80% of the total. The most significant are migrants from Morocco, Ecuador, Romania, Colombia and Argentina. The top ten third country nationalities together constitute just over 58% of the total number of non-nationals in Spain. The number of migrants from Bolivia was seen to increase significantly from 47 558 in 2004 to 88 445 in 2005, which might be partly attributed to the political and economic instability experienced in Bolivia in previous years.

Third country nationals in the **United Kingdom** make up more than 60% of the total foreign population, with nationals of India (209 000 in 2005) and U.S.A. (119 000 in 2005) the main two. Of the top five third countries, four (India, South Africa, Pakistan and Australia) are members of the [Commonwealth](#),<sup>15</sup> whilst the fifth (U.S.A.) has strong historical links with the United Kingdom. There are also increasing stocks of foreign-born nationals from China (67 000 in 2005), Bangladesh (63 000 in 2005) and Nigeria (62 000 in 2005).

## **5. RESIDENCE PERMITS**

[Table 3](#) summarises the issuing of residence permits, including, where available, which category of entry. Unfortunately, it is not possible to draw conclusions on possible trends at EU-level. The very large differences between Member States (e.g. for 2005, 2 052 157 in **Italy**, 303 878 in **Greece** and 109 192 in **Netherlands**) is most likely attributable to the

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<sup>15</sup> A voluntary association of 53 independent sovereign states which were previously part of the British Empire, see <http://www.thecommonwealth.org/>.

different definition used for residence permit.<sup>16</sup> It was also not universally possible, for varying reasons, to provide a detailed breakdown of the reasons for issuing a residence permit. For example, **Belgium**, like for other Member States, has a system of granting a temporary residence document to recent immigrants seeking the right to long-term residence or asylum and a proper assessment of the status of newcomers would require excluding these temporary residence documents, which is technically difficult to do. **Germany** too considers that any data on the issuing of a residence permit for a specific immigration purpose are not sufficiently reliable, in part owing to the variety of sources of these data. However, following the introduction of new immigration (Zuwanderungsgesetz<sup>17</sup>) legislation on 1<sup>st</sup> January 2005, this might improve since the types of residence permits are now reduced to two (temporary and permanent) and oriented towards the purpose of the residence, in particular employment, education, family reunification and humanitarian reasons.

**Table 3: Overview of Residence Permits issued in 2004 and 2005**

	2004					2005				
	Family formation/ reunification	Study	Employment	Other	Total	Family formation/ reunification	Study	Employment	Other	Total
<b>BELGIUM</b>	N/A	N/A	N/A	N/A	<b>88 261</b>	N/A	N/A	N/A	N/A	<b>93 948</b>
<b>DENMARK</b>	N/A	N/A	N/A	N/A		4 894	11 447	9 893	11 116	<b>37 350</b>
<b>GERMANY</b>	65 935	N/A	N/A	N/A		53 213	N/A	N/A	N/A	
<b>GREECE</b>	6 167	N/A	N/A	N/A	<b>50 101</b>	3 757	N/A	N/A	N/A	<b>42 015</b>
<b>SPAIN</b>	N/A	48 348	499 660	658 324	<b>1 206 332</b>	N/A	40 687	995 607	639 348	<b>1 675 642</b>
<b>FRANCE</b>	94 384	49 305	11 298	36 863	<b>191 850</b>	92 568	46 294	11 097	37 175	<b>187 134</b>
<b>IRELAND</b>	N/A	N/A	34 710	N/A		N/A	N/A	28 909	N/A	
<b>ITALY</b>	588 622	35 390	1 352 751	117 854	<b>2 094 617</b>	623 429	42 106	1 289 095	97 527	<b>2 052 157</b>
<b>LUXEMBOURG</b>	N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A	
<b>NETHERLANDS</b>	N/A	N/A	N/A	N/A		70 059	17 695	11 868	9 570	<b>109 192</b>
<b>AUSTRIA</b>	28 563	5 383	27 485	2 623	<b>64 044</b>	29 735	4 375	17 703	1 553	<b>53 366</b>
<b>PORTUGAL</b>	7 584	3 280	15 635	1 175	<b>27 674</b>	9 002	4 051	10 908	48	<b>24 009</b>
<b>FINLAND</b>	5 335	2 872	5 444	3 151	<b>16 802</b>	5 718	3 107	4 179	2 966	<b>15 970</b>
<b>SWEDEN</b>	12 785	9 372	7 431	76	<b>29 664</b>	17 664	14 745	16 067	61	<b>48 537</b>
<b>UNITED KINGDOM</b>	73 000	477 000	296 000	396 000	<b>1 242 000</b>	83 000	445 000	318 000	421 000	<b>1 267 000</b>
<b>CZECH REPUBLIC</b>	91 407	7 767	87 008	68 112	<b>254 294</b>	97 432	6 015	110 076	64 789	<b>278 312</b>
<b>ESTONIA</b>	787	576	1 133	1 872	<b>4 368</b>	899	494	1 316	2 721	<b>5 430</b>
<b>CYPRUS</b>	N/A	N/A	N/A	N/A		Nil	5 530	25 338	13 688	<b>44 556</b>
<b>LATVIA</b>	2 365	656	1 935	450	<b>5 406</b>	2 346	667	2 025	371	<b>5 409</b>
<b>LITHUANIA</b>	N/A	N/A	N/A	N/A		2 600	1 098	1 646	1 095	<b>6 439</b>
<b>HUNGARY</b>	7 012	8 359	53 857	19 905	<b>89 133</b>	8 030	7 620	44 221	19 817	<b>79 688</b>
<b>MALTA</b>	N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A	
<b>POLAND</b>	N/A	N/A	N/A	N/A		6 221	4 369	9 502	10 399	<b>30 491</b>
<b>SLOVENIA</b>	6 338	1 272	27 695	1 016	<b>36 321</b>	6 343	1 171	29 546	1 334	<b>38 394</b>
<b>SLOVAK REPUBLIC</b>	N/A	N/A	N/A	N/A		244	962	3 697	16	<b>4 909</b>
<b>BULGARIA</b>	N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A	
<b>ROMANIA</b>	N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A	
<b>ICELAND</b>	N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A	
<b>NORWAY</b>	N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A	

<sup>16</sup> With the entry into force of [Regulation 862/2007](#) on Community statistics on migration and international protection (see [http://europa.eu.int/eur-lex/lex/Result.do?checktexts=checkbox&TypeAffichage=sort\\_key&page=1&idReq=1&Submit22=GO](http://europa.eu.int/eur-lex/lex/Result.do?checktexts=checkbox&TypeAffichage=sort_key&page=1&idReq=1&Submit22=GO)), data on residency should become more comparable from 2008 onwards.

<sup>17</sup> Information available at [http://www.zuwanderung.de/english/2\\_zuwanderungsgesetz.html](http://www.zuwanderung.de/english/2_zuwanderungsgesetz.html).

## Annual Report on Asylum and Migration Statistics 2004 & 2005: Synthesis Report

### Notes:

1. For **Belgium**, data corresponds to new residence permits issued to newly-arrived foreigners (both EU + third country nationals).
2. For **Denmark**, Nordic citizens do not need any permission to reside, therefore immigration from these countries not included in these figures. Data on "Employment" includes permissions valid for less than 12 months, therefore seasonal workers may be included. Data on "other categories" excludes EU citizens.
3. For **Germany**, data are for persons who are non-EU citizens.
4. For **Greece**, Data includes EU nationals also.
5. For **Spain**, data reflects all permits issued during the year: both first-time issued, as well as renewals. Others comprises (in 2005) 3rd country nationals with residence permits only (259 095), 3rd country nationals with long-term (>5 years of residence) residence permit (87 717), Other EU-26 nationals and their 3rd country relatives (240 057) and others categories not determined (52 479).
6. For **Ireland**, data represent the number of employment permits (work permits, work visas plus work authorisations) issued in the reference year. Renewals are included. Groups work permits are excluded therefore one permit = 1 person.
7. For **Italy**, permit figures refer to persons (1 permit = 1 person). Minors under 14 are recorded in the same document than one of their parents. 2004 data is for other EU(-14) nationals whilst 2005 data is for other EU(-24) nationals.
8. For **Netherlands**, data for 2004 or earlier are not available, owing to a change in administration of these applications. Data relates to non-EU nationals only and to decisions (i.e. persons) not cases. Permits allowing long-term (5 years or more) or permanent residence are not included, nor are asylum related figures and visa short stay or visa long stay. No distinction between school pupils and students is made, likewise for Employment there is no distinction made between self-employed, employed and highly skilled persons.
9. For **Austria**, data have been provided by the AT EMN NCP (own calculations based on the statistics published by the Austrian Ministry of Interior) and thus do not represent official data. The data refer to first issued permits only (not renewals) and include settlement permits (within quota and quota-free) as well as residence permits. The category "family formation/family reunification" also includes settlement permits issued to (third country national) dependants of Austrian nationals. The category "employment" includes various categories of work such as employed key professionals, self-employment, temporary employment, commuting or business delegates. The category "other" comprises e.g. permits for humanitarian reasons and permits which do not grant access to the labour market.
10. For **Finland**, data corresponds only to new residence permits issued to newly-arrived foreigners (both EU + third country nationals) in a particular year. Data on "Employment" includes permissions valid for less than 12 months, therefore seasonal workers may be included. Data on "other categories" excludes EU citizens.
11. For **Sweden**, data includes EU nationals also. "Employment" includes permits valid for less than 12 months, therefore may include also data on seasonal workers.
12. For **United Kingdom**, data are based on number of grants rather than number of persons, rounded to nearest 1 000 and exclude EEA plus CH nationals. EU-10 nationals are also excluded from 1st May 2004 onwards and 2005 data are provisional. Since the United Kingdom does not publish information on residence permits, the above information is mainly based on passengers given leave to enter, extension of leave to remain and settlement in the United Kingdom in selected categories.
13. For **Czech Republic**, "Other" includes also "Business based on trade licence"
14. For **Cyprus**, "Employment" includes permits valid for less than 12 months, therefore may include also data on seasonal workers. No data detailed data on employment sub-categories available for non-EU citizens. Therefore data on self-employed and employed persons only refers to EU-citizens. "Study" category, as well as the "other" category, only includes data for non-EU citizens.
15. For **Latvia**, data includes all temporary residence permits that have been issued in 2004 & 2005, including first issuing of residence permits.
16. For **Hungary**, data refers to visa applications submitted by third country nationals (i.e. excludes EU nationals) and for residence permits which authorise the holder for a limited, duly defined period of time to stay in the territory of Hungary. Data on "Employment" includes permissions valid for less than 12 months, therefore seasonal workers may be included.
17. For **Poland**, data on "Others" excludes EU nationals.
18. For **Slovenia**, data is for third country nationals only and refers to both new residence permits issued in a particular year, as well as renewals in the same year. The number of permanent residence permits issued in 2004 was 4 019 and in 2005 was 4 710.
19. For **Slovak Republic**, data excludes other EU nationals

The number of first settlement permits<sup>18</sup> issued in **Austria** was stable, with 31 835 in 2004 and 32 166 in 2005. A proportion of those issued is regulated by a quota regime, distinguishing between key professionals (identified according to criteria such as income, qualifications and the special needs of the labour market) and their dependants, family reunification and settlement of persons who do not have access to the labour market. In 2005, the quota was 7 500 (8 050 in 2004), with 6 258 settlement permits effectively issued according to the quota regime (5 138 in 2004), primarily for family reunification. The remaining (quota-free) settlement permits (25 908) were issued primarily to (third country national) dependants of nationals of Austria. In addition, 21 200 first residence permits<sup>19</sup> were issued in 2005, a decrease of 34% from 2004 when it was 32 209, and continuing a trend since 2003. The main purpose for the issuing of these permits is for temporary employment

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<sup>18</sup> In **Austria**, settlement permits, initially valid for one year, are issued for the purpose of permanent settlement. In 2004, there were 42 174 naturalisations, decreasing by 16% to be 35 417 in 2005. The main former nationalities of those naturalised in 2005 were Turkey (27% of total), Bosnia and Herzegovina (20%), Serbia and Montenegro (19%), Croatia (6%) and then Romania (3%).

<sup>19</sup> In **Austria**, residence permits are granted for temporary stay and do not lead to permanent settlement.

(9 973 in 2005), for study purposes (4 375 in 2005) and for employment exempt from the scope of the Aliens Employment Act (2 064 in 2005). The main decrease occurred for the temporary employment category, which might be attributed to the impact of treating EU-8 nationals more preferentially than third country nationals in granting access to temporary employment, following EU enlargement.

Using data on issued long-term visas, **Belgium** issued 18 394 in 2004 and 22 855 in 2005, lower than the number issued in 2003 (25 398), with the significant decrease in 2004 attributed (at least partially) to enlargement. For both 2004 and 2005, almost half of these visas were related to family reunification, 25% for study purposes, 10% for employees and 4% to self-employed persons.

The second half of 2004 and all of 2005 were characterised in **Estonia** by a large-scale campaign for substituting the residence permits of aliens, which meant that the terms of validity of the residence permits of many third country nationals expired. At the beginning of 2005, there were 207 749 valid permanent residence permits and 47 375 valid temporary residence permits. Most residence permits were issued to persons with unidentified citizenship, which in 2005 amounted to 150 536, with an additional 98 434 for third country nationals (primarily Russia) and 6 154 to other EU nationals. In fact the number of residence permits for persons with unidentified citizenship had decreased from the previous two years (when it was above 160 000) as a result of a number of them obtaining Estonian nationality.

Data on positive decisions for residence permits in **Ireland** are extremely limited and data on employment permits are used instead. The number of employment permits issued in 2004 (34 067) was substantially lower than in 2002 and 2003 and decreased even further in 2005 to 27 136, which was the lowest on record since 2000. This decrease is directly attributable to EU enlargement in 2004, since workers from the EU-10 Member States, and other Eastern European countries, dominated work permit allocations in 2002 and 2003.

Despite the non-availability of reliable data on the number of residence permits (applications or issuances) in the **Netherlands**, data on issued work permits in 2004 to persons from EU-8 shows an impact on its labour market following enlargement. The extent of employee migration from EU-8 Member States to the Netherlands increased sharply from May 2004, largely in the form of temporary labour migration. Between 2003 and 2004, the number of

work permits issued to persons from EU-8 Member States doubled from more than 12 000 in 2003 to almost 25 000 in 2004. Most of these permits were valid for less than 24 weeks and were issued for low-skilled jobs in agriculture and horticulture, meat-processing, transport and the temporary employment agency sector. In 2005, the available data on more general (i.e. not focussing on work permits or on EU-8) and longer-term residence permits had most of these (70 059 or 64% of the total) for family formation and family reunification.<sup>20</sup> However, it is recognised that this was lower than for previous years owing to new policy initiatives and legislative amendments introduced by the Dutch government in 2005.

An important event in **Spain** in 2005 was the entry into force of the *Third Transitional Provision on [The Process of Normalisation](#)* (Regularisation)<sup>21</sup> of the Royal Decree no. 2393/2004, of 30<sup>th</sup> December 2004, which approved the Regulations of the Organic Law no. 4/2000, of 11<sup>th</sup> January 2000, on the rights and liberties of foreigners in Spain and their social integration. This *Process of Normalisation* ensured that many migrants illegally-residing in Spain were able to regularise their status, as long as they had an employment contract. The most important evolution in this process, with respect to previous ones, was that the issuing of a work and residence permit was conditional on the migrant actually being affiliated and registered as in employment in the Social Security System, thereby avoiding fraud in recruitment. During this process, a total of 691 655 requests were received, of which 578 375 were granted, 44 457 were refused, 17 362 were not accepted, 50 356 were filed pending further analysis and 1 105 were undergoing prosecution (including also applications which were denied and against which administrative or judicial appeals had been filed, and which had still not been decided on 11<sup>th</sup> January 2007). The largest number of requests came from nationals of Ecuador (140 020 with 127 925 granted), followed by Romania (118 546 with 100 128 granted), then Morocco (86 806 with 68 727 granted), Colombia (56 760 with 50 417 granted), Bolivia (47 325 with 39 773 granted), Bulgaria (25 598 with 22 239 granted), Argentina (23 896 with 21 519 granted), and Ukraine (22 247 with 19 466 granted). This regularisation was the main cause for the significant increase in the number of migrants holding residence permits in 2005, an increase of 38.5% (761 641 people) compared to 2004, resulting in a total of 2 738 932 migrants holding residence permits.

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<sup>20</sup> Family reunification refers to the reunification of family members with a sponsor legally-residing in the **Netherlands** and where the family relationship existed before in the country of origin, and Family formation, refers to the establishment of a family relationship after the entry of the sponsor into the **Netherlands**. This distinction is also made by **Sweden**.

<sup>21</sup> See [http://extranjeros.mtin.es/es/normativa\\_jurisprudencia/Nacional/RD2393-04.pdf](http://extranjeros.mtin.es/es/normativa_jurisprudencia/Nacional/RD2393-04.pdf) for more details.



## **6. FIRST TIME ASYLUM APPLICATIONS AND DECISIONS MADE**

### **6.1 Asylum applications**

Table 4 summarises the number of first-time asylum applications, including (when available) of unaccompanied minors, made in [\(a\) 2004](#) and [\(b\) 2005](#) respectively and ordered by the ratio of asylum applicants per 1 000 habitants in each Member State (highest first). Where available, the breakdown by gender, and for adults and children, is also given.

Whilst the three largest Member States (**Germany**, France, **United Kingdom**) received the largest number of asylum applicants, the ratio of asylum applicants per 1 000 habitants indicates that the largest burden (highest proportion first) is with Cyprus, Luxembourg, **Austria**, **Sweden**, Malta and Slovak Republic. Conversely, the Baltic States of **Estonia**, **Latvia** and Lithuania had very few asylum applicants, although there was a concern that a significant increase might occur following accession. This, however, did not happen in 2004 and 2005, with, for example, **Estonia** receiving 11 asylum applicants in both 2004 and again in 2005 and the corresponding figures for **Latvia** were 7 and 20 respectively. For these two Member States, asylum applicants are mainly nationals of C.I.S. states (Belarus, Georgia, Moldova, Russia) and of Middle East countries (Afghanistan, Iraq, Pakistan, Turkey), with **Latvia** also receiving in 2005 applicants from nationals of Japan (1) and Somalia (7).

Whilst most Member States saw a general trend since 2001 of decreasing asylum applications, consistent also with a decrease internationally, a (slight) increase in 2005 occurred. Whilst an increase in asylum applicants from Iraq in part explains this increase, there were also increases in asylum applicants from other parts of the world, notably other Asian countries (e.g. Pakistan, Afghanistan), Brazil, Nigeria and Somalia. From which country/region differed between Member States and, to a certain extent, reflected the geographical proximity and/or previous historical migratory ties between the (third) country of origin and the Member State.

**Table 4a: First-time asylum applications in 2004 ordered by ratio of asylum applicants per 1 000 habitants in each member state (highest first)**

	2004				
	Male (incl.child)	Female (incl. child)	Total (incl. children)	Asylum applicants per 1000 inhabitants	Unaccompanied Minors
<b>LUXEMBOURG</b>	N/A	N/A	1 575	3.49	N/A
<b>AUSTRIA</b>	17 721 (N/A)	6 913 (N/A)	24 634	3.03	1 212
<b>SWEDEN</b>	14 816 (3 562)	8 345 (2 985)	23 161 (6 547)	2.58	388
<b>BELGIUM</b>	8 147 (395)	4 253 (216)	12 400 (611)	1.19	584
<b>IRELAND</b>	N/A	N/A	4 265	1.06	124
<b>FRANCE</b>	N/A	N/A	58 545	0.99	1 221
<b>FINLAND</b>	1 368 (557)	2 486 (791)	3 861 (1 348)	0.74	140
<b>UNITED KINGDOM</b>	26 785 (N/A)	13 840 (N/A)	40 625	0.68	2 990
<b>NETHERLANDS</b>	N/A	N/A	9 782	0.60	594
<b>DENMARK</b>	N/A	N/A	3 235	0.60	N/A
<b>GERMANY</b>	24 148 (6 494)	11 459 (4 234)	35 607 (10 728)	0.43	636
<b>GREECE</b>	N/A	N/A	4 469	0.40	195
<b>ITALY</b>	N/A	N/A	9 796	0.17	N/A
<b>SPAIN</b>	3 930 (N/A)	1 623 (N/A)	5 553 (509)	0.13	N/A
<b>PORTUGAL</b>	N/A	N/A	113	0.01	N/A
	<b>Total (EU-15)</b>		<b>229 623</b>	<b>0.60</b>	
<b>CYPRUS</b>	N/A	N/A	9 675	13.25	N/A
<b>SLOVAK REPUBLIC</b>	N/A	N/A	11 395	2.12	N/A
<b>MALTA</b>	N/A	N/A	846	2.12	N/A
<b>SLOVENIA</b>	961	212	1 173	0.59	105
<b>CZECH REPUBLIC</b>	3 478 (592)	1 981 (474)	5 459 (1 066)	0.53	91
<b>POLAND</b>	N/A	N/A	7 924	0.21	233
<b>HUNGARY</b>	N/A	N/A	1 600	0.16	43
<b>LITHUANIA</b>	N/A	N/A	167	0.05	11
<b>ESTONIA</b>	N/A	N/A	11	0.01	Nil
<b>LATVIA</b>	7 (0)	0	7	0.00	Nil
	<b>Total (EU-10)</b>		<b>38 172</b>	<b>0.51</b>	
	<b>TOTAL (EU-25)</b>		<b>267 795</b>	<b>0.59</b>	
<b>BULGARIA</b>	N/A	N/A	985	0.13	233
<b>ROMANIA</b>	N/A	N/A	544	0.03	N/A
<b>ICELAND</b>	N/A	N/A	80	0.28	N/A
<b>NORWAY</b>	N/A	N/A	7 950	1.74	N/A

**Notes:**

1. Data for **Belgium, Czech Republic, Netherlands** includes first and repeated applications.
2. Data for **United Kingdom** includes dependants.

**Table 4b: First-time asylum applications in 2005 ordered by ratio of asylum applicants per 1 000 habitants in each member state (highest first)**

	2005				
	Male (incl.child)	Female (incl. child)	Total (incl. children)	Asylum applicants per 1000 inhabitants	Unaccompanied Minors
<b>AUSTRIA</b>	15 957 (N/A)	6 504 (N/A)	22 461	2.74	881
<b>SWEDEN</b>	11 196 (2 558)	6 334 (2 240)	17 530 (4 798)	1.95	398
<b>LUXEMBOURG</b>	N/A	N/A	802	1.76	N/A
<b>BELGIUM</b>	8 327 (372)	4 246 (236)	12 573 (608)	1.20	566
<b>IRELAND</b>	N/A	N/A	4 304	1.05	96
<b>GREECE</b>	N/A	N/A	9 050	0.82	N/A
<b>FRANCE</b>	N/A	N/A	49 733	0.81	735
<b>NETHERLANDS</b>	7 486 (2 279)	4 826 (2 057)	12 347 (4 356)	0.76	515
<b>FINLAND</b>	2 368 (654)	1 226 (483)	3 594 (1 137)	0.69	303
<b>UNITED KINGDOM</b>	20 705 (N/A)	10 135 (N/A)	30 840	0.51	2 965
<b>DENMARK</b>	N/A	N/A	2 281	0.42	N/A
<b>GERMANY</b>	17 727 (8 097)	11 187 (6 679)	28 914 (14 776)	0.35	331
<b>ITALY</b>	N/A	N/A	9 346	0.16	N/A
<b>SPAIN</b>	3 563 (N/A)	1 694 (N/A)	5 257 (754)	0.12	N/A
<b>PORTUGAL</b>	N/A	N/A	113	0.01	N/A
	<b>Total (EU-15)</b>		<b>201 990</b>	<b>0.52</b>	
<b>CYPRUS</b>	N/A	N/A	7 717	10.30	N/A
<b>MALTA</b>	N/A	N/A	1 036	2.57	N/A
<b>SLOVENIA</b>	1 308	289	1 597	0.80	83
<b>SLOVAK REPUBLIC</b>	N/A	N/A	3 549	0.66	N/A
<b>CZECH REPUBLIC</b>	2 719 (423)	1 302 (323)	4 021 (746)	0.39	99
<b>HUNGARY</b>	N/A	N/A	1 609	0.16	42
<b>POLAND</b>	N/A	N/A	5 240	0.14	N/A
<b>LITHUANIA</b>	N/A	N/A	102	0.03	9
<b>LATVIA</b>	15 (4)	5 (3)	20 (7)	0.01	3
<b>ESTONIA</b>	N/A	N/A	11	0.01	N/A
	<b>Total (EU-10)</b>		<b>24 854</b>	<b>0.34</b>	
	<b>TOTAL (EU-25)</b>		<b>226 844</b>	<b>0.49</b>	
<b>BULGARIA</b>	N/A	N/A	698	0.09	160
<b>ROMANIA</b>	N/A	N/A	485	0.02	N/A
<b>ICELAND</b>	N/A	N/A	87	0.30	N/A
<b>NORWAY</b>	N/A	N/A	5 402	1.17	N/A

Notes:

1. Data for **Belgium, Czech Republic, Netherlands** includes first and repeated applications.
2. Data for **United Kingdom** includes dependants.

Asylum applications fell sharply in **Austria** in 2005 for the third year in a row. In 2005, a total of 22 461 applications for asylum were filed, lower than in 2004 when it was 24 634. Main countries of origin of the asylum applicants are Russia, primarily from Chechnya (6 172 in 2004 and 4 355 in 2005), Serbia and Montenegro (2 835 in 2004 and 4 403 in 2005), India (1 839 in 2004 and 1 530 in 2005), Nigeria (1 828 in 2004 and 880 in 2005), Georgia (1 731 in 2004 and 954 in 2005), Moldova (1 346 in 2004 and 1 210 in 2005) and Turkey (1 114 in 2004 and 1 064 in 2005). An increase in applications from nationals of Bangladesh, Mongolia and Afghanistan was also observed in 2005. As well as the previously mentioned decrease internationally, other factors which might have contributed to the overall decrease in asylum applications in Austria are EU enlargement, changes in circumstances in the main countries of origin and the entry into force, on 1<sup>st</sup> May 2004, of an amendment to the Austrian Asylum Act, which stipulated changes in the asylum procedure. The accession of the EU-10 Member States resulted in Austria no longer being an external border of the EU. This, combined with the implementation of the Dublin II and EURODAC Regulations equally to EU-10 Member States, as well as the non-acceptance of asylum applications from nationals of these Member States, is considered to be the most important factor contributing to the observed decrease in 2004 and 2005.

**Belgium** saw the total number of asylum applications in 2004 decrease compared to 2003 and then increase in 2005 (almost) to the level of 2003. This rise in 2005 can be partially explained by an increase (+15%) in multiple applications. Most asylum applicants originated from Africa (2004: 39%), and mainly from the Great Lakes and a number of West African countries, in particular the Democratic Republic of Congo, owing to the close ties with Belgium; Caucasus (mainly Chechnya, but also Armenia, Azerbaijan and Georgia); Serbia and Montenegro; Iran; Turkey; and Slovak Republic (minorities). The arrival of asylum applicants from Chechnya is attributed to the fact that Belgium is home to one of the largest Chechen communities in Western Europe. In 2005, many African countries showed a considerable decline in the number of asylum applicants, attributed to the improving political situation, such as Liberia (– 40%), Angola (– 20%), Mauritania (– 31%) and Burundi (– 35%).

For **Greece** the total number of asylum applications in 2005 (9 050) was more than twice the number in 2004 (4 469), being more comparable with the number in 2003 (8 178). The main reason for the decrease in applications from 2003 to 2004 was a result of a significant

decrease in the number of applications from nationals of Iraq (attributed to the political developments in their country following the demise of the Saddam Hussein regime), followed by nationals of Pakistan. On the other hand, there was a substantial increase in asylum applicants from Georgia, becoming, in 2005, the largest proportion (21%) of asylum applicants, followed by Pakistan (12.8%) and Iraq (10.8%). This increase in asylum applications by nationals of Georgia (from 323 in 2004 to 1 897 in 2005) is a consequence of the political turmoil in that country. The number of applicants from Bangladesh also increased significantly (from 208 in 2004 to 550 in 2005), which is considered to indicate that an increasing number of them use the asylum procedure to acquire a temporary legal status in Greece. Other significant increases were observed in 2005 for nationals of Afghanistan (+20%) and Nigeria (+25%).

From a peak of 11 634 in 2002, the number of first instance asylum applications in **Ireland** fell by 60% to 4 265 in 2004, increasing slightly to 4 304 in 2005. The main decrease in the period 2002 to 2004 was in applications from nationals of Nigeria (by 54% from 3 110) and Romania (by 68% from 777). Whilst this trend continued in 2005 for the former, a marked increase by over 55% occurred in applications from Romania. It has been speculated that the increase in Romanian asylum flows in 2005 was a direct result of prospective accession to the EU with higher flows of movement of Romanian nationals throughout Europe in general, and with the perception of a *de facto* decrease in the effecting of removals of Romanian nationals from Ireland. Other substantial decreases were observed in applications from nationals of Moldova and the Democratic Republic of the Congo. Whilst the general trend of decreasing asylum applicants, to some extent, reflected international trends, it is also possible that domestic policy contributed to this decline. The Department of Justice, Equality and Law Reform argued (in April 2004) that migrants were coming to Ireland as asylum applicants, having children there and then pursuing residency claims on that basis. For example, it was claimed that almost 60% of female asylum applicants aged 16 years or over were pregnant when they arrived in Ireland. This right was suspended in 2003 and there was an indication that the numbers of asylum applicants fell in response to this suspension. Other relevant domestic policy changes included designating Croatia and South Africa as safe countries of origin, with effect from 9th December 2004, in addition to Bulgaria, Romania and EU-10 Member States. Priority was also given to processing applications from nationals of Nigeria, as well as there being an increased duty on an asylum applicant to co-operate.

The decrease in the number of asylum applications in the **Netherlands** was probably partly caused by the implementation of the Aliens Act 2000 in April 2001. One of the main goals of this Act was to speed-up procedures. Another potential impact was the repealing in January 2003 of the policy of granting asylum when the asylum procedure took more than three years. For the first time in many years, however, an increase occurred in 2005 when the number of asylum applicants was 12 347, an increase of 26% compared to 2004 (9 782). Over this two year period, Iraq was the country of origin with the biggest absolute increase in applications (increase: +577; +55%), followed by Somalia (increase +523; +66%), the nationality registered as “unknown”<sup>22</sup> (increase: +322; +36%) and Afghanistan (increase: +214; +31%). The increase was partly caused by an increase of repeated applications and of first asylum applications by Iraqi asylum applicants, as well as an increase in second or subsequent applications in respect of Somalia, since, from June 2005, there has been a policy of categorical protection for asylum applicants from certain parts of Somalia. Categorical protection also existed in 2005 for asylum applicants from Burundi and Ivory Coast, from Central Iraq and for homosexual asylum applicants from Iran, whilst it was ended for certain groups of asylum applicants from Sudan. During the second half of 2005, the return of failed asylum seekers from the Democratic Republic of Congo was also postponed. There was also an increase in the category of “other” (‘miscellaneous’) applications, which are applications for asylum that were lodged without the asylum applicant staying in an application centre. This particularly concerns applications from children born in the Netherlands of asylum applicants, as well as decisions on “14-1 letters”<sup>23</sup> and applications of foreign nationals held in detention.

**Finland** received 3 861 asylum applications in 2004, its highest number so far, and 3 574 applications in 2005. This slight decrease of 7% was due to the fact that the share of Roma from South-East Europe fell. Also, the number of applicants from Serbia and Montenegro halved, as did the number of applicants from Macedonia. On the other hand, the number of asylum applicants from crisis areas did not decrease, with the number of applications from Somalia, Iraq and Afghanistan increasing substantially. In 2005, Bulgaria was the biggest country of origin, with 570 asylum applicants. The other main countries remained more-or-

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<sup>22</sup> The group with nationality “unknown” consists of asylum applicants that are insufficiently documented and are therefore registered with the nationality “unknown” in the municipal personal records database.

<sup>23</sup> A requirement that unsuccessful asylum applicants, who believed they had compelling or compassionate reasons why they should be allowed to stay in the Netherlands, to put this in writing to the relevant Minister.

less the same as in previous years: Serbia and Montenegro (457), Somalia (321), Iraq (289), Afghanistan (237), Russia (233), Macedonia (191), Turkey (97), Azerbaijan (93) and Iran (79).

During 2005, 28 914 first-time applications for asylum were lodged in **Germany**. In comparison with the previous year (35 607), this constitutes an 18.8% decrease and, in comparison with 2001, a 67.2% decrease. As well as a dramatic decrease in absolute numbers, there has also been a significant change in the country of origin of asylum applicants. For example, at the beginning of the 1990s, most applicants came from Romania and Bulgaria, whilst in 2005 the majority of first-time applicants were lodged by persons from Serbia and Montenegro (5 522), followed by Turkey (2 958) and Iraq (1 983). The proportion of “other countries” (i.e. countries other than the main ten countries of origin) among the overall total of persons making first-time applications for asylum has also changed. In 1992, this proportion was still as low as 24.4%, but in recent years it has risen sharply, amounting to 39.7% in 2005. This illustrates that a large proportion of asylum applicants now come from a wider range of countries of origin, and this is also observed for immigration in general, with the domination of individual countries of origin declining.

Continued decreases in the number of asylum applications since 2001 were also observed for **Portugal, Spain, Sweden** and the **United Kingdom**. For **Portugal**, the number of asylum applications was relatively low with 113 applications each in 2004 and 2005, and in both years the main nationalities being (highest first) Russia, Angola and Colombia, Bosnia and Herzegovina, Armenia, Liberia and Ukraine. Corresponding data for **Spain** had 5 553 asylum applications in 2004 and 5 257 in 2005, with the largest proportion being nationals of Algeria, Colombia and Nigeria, but overall there were some 100 different nationalities. **Sweden** received significantly more applications, with 23 161 in 2004, decreasing to 17 530 in 2005. The main groups (representing 55% of the total) are nationals of Serbia and Montenegro, the former Soviet Union and Africa, particularly Somalia. Other significant groups were stateless (e.g. Palestinians), plus nationals of Iraq, Armenia and Afghanistan. The number of applications in 2004 for the **United Kingdom** was 40 625 (a 32% decrease from 2003), decreasing still further by 24% in 2005 to 30 840. Some 60% of all applications were made by nationals from the main ten countries of origin, with, in 2005, most applications coming from nationals of Iran, then Pakistan, Somalia, Eritrea, China, Afghanistan, Iraq, Zimbabwe, Democratic Republic of Congo and Nigeria.

## 6.2 Unaccompanied Minors

Whilst data on unaccompanied minors are more limited, some Member States reported on developments. **Belgium**, for example, introduced, on 1<sup>st</sup> May 2004, a [guardianship system](#)<sup>24</sup> with the creation of two observation and orientation reception centres specifically for all unaccompanied minors, both asylum and non-asylum applicants. In the **Netherlands**, the most important country of origin of unaccompanied minors in 2004 was China (99 applications). In 2005, it was India (88 applications), but a large number of these disappeared from reception centres before a decision on their request could have been taken. Another significant country of origin for the **Netherlands** was Angola, although the number of applications decreased, from 1 991 in 2001 and 854 in 2002 down to 28 in 2004 and 23 in 2005. This was partly owing to the establishment of a reception centre in Angola for unaccompanied minors.

## 6.3 Decisions

[Table 5](#) provides an overview of the number of decisions made in 2004 and 2005, including, where available, first instance data. Note that the data presented is *calendar-based*, i.e. a particular year represents mainly decisions from applications made in previous years, as well as the current year for which data are given. A *cohort-based* analysis, which follows an asylum applicant in time through the asylum decision process, requires more analysis and, because some asylum procedures take a long time, it is not always possible to give definitive data on positive decisions this way.

Many Member States implemented measures in order to have asylum decisions made more rapidly than in previous years. In some cases, this meant allocating additional resources to address a backlog and/or having a specific policy towards asylum applications from a specific country or region. For example, accepting asylum applicants from certain very problematic countries/regions or promoting the return of applicants as a result of an improving situation in their country of origin.

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<sup>24</sup> Details available at [http://www.just.fgov.be/fr\\_htm/information/htm\\_justice\\_a\\_z/mena/index.html](http://www.just.fgov.be/fr_htm/information/htm_justice_a_z/mena/index.html).



**Table 5: Overview of decisions made in 2004 and 2005, including first instance**

	2004				2005			
	Positive (First instance)	Negative (First instance)	Other non- status (First instance)	Total (First instance)	Positive (First instance)	Negative (First instance)	Other non- status (First instance)	Total (First instance)
<b>BELGIUM</b>	2 374 (2 275)	14 841 (13 037)	1 319 (1 175)	<b>18 534</b> <b>(16 487)</b>	3 730 (3 059)	15 334 (13 732)	4 204 (3 301)	<b>23 268</b> <b>(20 092)</b>
<b>DENMARK</b>	210	1 945	None	<b>2 155</b>	229	1 098	None	<b>1 327</b>
<b>GERMANY</b>	3 031	38 599	20 331	<b>61 961</b>	3 121	27 452	17 529	<b>48 102</b>
<b>GREECE</b>	33	3 722	None	<b>3 755</b>	88	4 585	5 712	<b>10 421</b>
<b>SPAIN</b>	N/A (161)	N/A (6 301)	N/A (163)	<b>N/A</b> <b>(6 625)</b>	N/A (202)	N/A (4 531)	N/A (124)	<b>N/A</b> <b>(4 857)</b>
<b>FRANCE</b>	6 358	61 760	None	<b>68 118</b>	4 184	47 088	None	<b>51 272</b>
<b>IRELAND</b>	430	6 468	None	<b>6 898</b>	455	4 787	None	<b>5 242</b>
<b>ITALY</b>	3 132	2 942	2 627	<b>8 701</b>	5 266	5 583	3 802	<b>14 651</b>
<b>LUXEMBOURG</b>	N/A	N/A	N/A	<b>N/A</b>	671	554	257	<b>1 482</b>
<b>NETHERLANDS</b>	5 463 (4 537)	10 657 (8 178)	4 237 (2 939)	<b>20 357</b> <b>(15 654)</b>	9 959 (8 818)	10 051 (8 084)	6 058 (2 848)	<b>26 068</b> <b>(19 750)</b>
<b>AUSTRIA</b>	5 136 (2 808)	5 069 (3 137)	15 219	<b>25 424</b> <b>(5 945)</b>	4 528	5 427	8 630	<b>18 585</b>
<b>PORTUGAL</b>	9	62	2	<b>73</b>	16	73	None	<b>89</b>
<b>FINLAND</b>	791 (665)	3 395 (3 345)	542 (537)	<b>4 728</b> <b>(4 547)</b>	570 (450)	2 514 (2 420)	370 (368)	<b>3 454</b> <b>(3 194)</b>
<b>SWEDEN</b>	4 407 (3 396)	42 556 (27 870)	5 159 (3 993)	<b>52 122</b> <b>(35 259)</b>	6 974 (5 358)	34 316 (15 923)	3 919 (2 638)	<b>45 212</b> <b>(23 922)</b>
<b>UNITED KINGDOM</b>	N/A (6 355)	N/A (49 040)	N/A (4 195)	<b>N/A</b> <b>(58 915)</b>	N/A (5 425)	N/A (27 780)	N/A (2 955)	<b>N/A</b> <b>(36 650)</b>
<b>CZECH REPUBLIC</b>	184 (176)	4 654 (4 635)	3 089 (3 065)	<b>7 927</b> <b>(7 876)</b>	330 (330)	2 636 (2 636)	1 410 (1 410)	<b>4 376</b> <b>(4 376)</b>
<b>ESTONIA</b>	None	8	None	<b>8</b>	1	13	None	<b>14</b>
<b>CYPRUS</b>	74	2 734	2 525	<b>5 333</b>	162	3 126	2 508	<b>5 796</b>
<b>LATVIA</b>	None	6 (6)	5 (5)	<b>11</b> <b>(11)</b>	None	12 (12)	None	<b>12</b> <b>(12)</b>
<b>LITHUANIA</b>	420	51	91	<b>562</b>	343	30	11	<b>384</b>
<b>HUNGARY</b>	326	931	527	<b>1 784</b>	192	853	609	<b>1 654</b>
<b>MALTA</b>	533	223	None	<b>756</b>	534	548	None	<b>1 082</b>
<b>POLAND</b>	1 131	2 002	2 763	<b>5 896</b>	2 144	2 284	4 413	<b>8 841</b>
<b>SLOVENIA</b>	39	317	769	<b>1 125</b>	26	661	1 161	<b>1 848</b>
<b>SLOVAK REPUBLIC</b>	15	1 595	11 778	<b>13 388</b>	25	827	2 934	<b>3 786</b>
<b>BULGARIA</b>	270	334	361	<b>965</b>	86	380	478	<b>944</b>
<b>ROMANIA</b>	88	406	63	<b>557</b>	54	417	None	<b>471</b>
<b>ICELAND</b>	N/A	N/A	N/A	<b>N/A</b>	None	55	28	<b>83</b>
<b>NORWAY</b>	3 480	8 346	695	<b>12 521</b>	2 480	4 270	694	<b>7 444</b>

## Notes:

- For **Belgium**, the figures are for Adults only (dependent minor children are not included). *Positive first instance* relates to the recognition of refugee status made by the Commissioner General for Refugees and Stateless Persons (CGRS); *Positive first appeal* relates to the recognition of refugee status by the Permanent Appeals Commission (PCA); *Negative first instance* comprises (a) negative decisions (on the admissibility) made by the Immigration Office (IO) and for which the person did not lodge an urgent appeal at the CGRS, (b) (final) negative decisions on the admissibility by the CGRS, plus (c) final negative decisions on the merit of the request made by the CGRS. *Other non-status decisions (First instance)* comprises the number of files/persons who have been cancelled or declared "without object" (devenu sans objet) as a result of (a) people who desisted voluntarily from their asylum application (at the CGRA); or (b) people who desisted voluntarily from their asylum application, deceases, naturalizations, people who left the country, etc. (at the PCA).
- For **Czech Republic**, the Total number of decisions refers to the numbers of decisions of the first and second instance. Appeals to the regional court and cessations are not included in the total number of decisions as they are decisions on legality, not decisions on asylum.
- Data for **United Kingdom** includes dependants and the First instance Total includes also withdrawn applications (3 520 in 2004 and 3 440 in 2005).

**Austria** issued 25 424 final decisions in 2004, of which 5 136 were positive, 5 069 were negative and 15 219 non-status (as a result of, for example, cessation of asylum proceedings, absence of asylum applicant). Since 1997 the number of decisions made had been increasing, but 2005 saw a decrease, with 18 585 decisions made of which 4 528 were positive, 5 427 negative and 8 630 non-status. It is difficult to assess the impact of the aforementioned amendment of the Asylum Act, which came into force in May 2004, since applications filed before its entry into force were treated according to previous legislation. Indeed, of the 4 957 decisions taken in 2005 according to the amended Asylum Act, 46% (or 2 272) were positive decisions, which is to be compared with the 45% of positive decisions obtained also in 2005 using the previous Asylum Act. Of the 4 528 positive decisions issued in 2005, the main nationalities to which they were issued were Russia (2 427), then Afghanistan (517), then Serbia and Montenegro (462), then Iran (247) and then Iraq (130). Whilst the absolute numbers change, the same ordering occurred in 2004. There were very high recognition rates for nationals of Russia (94% in 2004 and 90% in 2005) and Afghanistan (87% in 2004 and 79% in 2005), as well as for Iran (78% in 2004 and 87% in 2005) and Iraq (62% in 2004 and 73% in 2005). For nationals of Serbia and Montenegro this was around 30% for both 2004 and 2005, whilst it was very low (3% or less) for nationals of India, Moldova and Nigeria.

The data presented for **Belgium** relate only to refugee recognition rates, defined as the number of positive decisions (Convention relating to the Status of Refugees) divided by the total number of final decisions in the same year. Comparisons with other Member States can thus only be made when it relates solely to refugee status within the meaning of the Geneva Convention. From these data, however, the number of recognitions considerably increased: from 1 348 (6% recognition rate) in 2003 to 2 374 (12.7% recognition rate) in 2004 and 3 748 (16% recognition rate) in 2005. Of the total number of recognitions, in 2005, 41% concerned persons coming from Russia (33% in 2004) and 14.5% Rwanda (22% in 2004). Reasons for the considerable overall increase include *inter alia* “better files” (asylum applications more in accordance with the Convention on Refugees and/or coming from very problematic regions); reducing the backlog in the admissibility stage; a reversal of policy with regard to asylum applicants from Chechnya; and an increase in recognitions for some African countries (Rwanda, Togo and Ivory Coast) and Serbia and Montenegro (particularly for Roma from Kosovo).

The share of positive decisions in **Finland** has been quite stable (approximately 17%) since 2000. In 2004, 800 of the 4 764 asylum decisions were positive, which was a substantial increase from 2003 when 494 of the 3 320 asylum decisions were positive. The reason for this increase was probably due to a project aiming at improving operational efficiency of the Directorate of Immigration, as well as a slight increase in the number of applications. For 2005, 597 of the total of 3 439 decisions were positive. Most of the positive decisions are residence permits on other grounds. For example, in 2005, 2% received asylum, 24% residence permit on the ground of need of protection and 74% were residence permits on other grounds. In 2004, Iraq was the biggest country of origin and 207 people from Iraq received a positive decision. The next countries were Somalia (81), Russia (61), Yugoslavia (49), and Angola (48). In 2005, Somalia continued to be a large country of origin with a total of 158 people receiving a positive decision, followed by Afghanistan (100), Iraq (95), Serbia and Montenegro (45), Russia (39), and then Turkey (32).

The number of positive decisions in **Germany** in 2005 amounted to 6.5% of all decisions reached. Over the years 2001 to 2004 inclusive, this quota was 24.4%, 6.2%, 5.0% and 4.9% respectively. Negative decisions in the first instance amounted to 57.1% in 2005 (62.3% in 2004), while almost one third of all proceedings were concluded in both 2004 and 2005 in some other fashion. Of the positive decisions, 78.9% in 2005 (68.2% in 2004) were related to the recognition of refugee status (in accordance with the Geneva Convention Relating to the Status of Refugees) with Turkey (669) as the largest country of origin, followed by Russia (564). Iran and Syria were other significant countries of origin. Subsidiary protection accounted for 21.1% (31.8% in 2004) of the positive decisions in 2005, with the largest number being for Russia (94) and Afghanistan (93).

Final decisions in **Greece** were made in 3 755 cases in 2004, with a significant increase to 10 421 cases in 2005. In terms of recognition rates, these were at very low (<1%) levels being, in 2004, 11, slightly higher than in 2003 when it was 3, and 39 in 2005. A dramatic rise in the number of new applications in 2003 led to a total of 5 231 pending applications at the beginning of 2004. The largest group of these pending applications was for nationals of Iraq, as a result of the suspension in the examination of their asylum applications following the outbreak of war in Iraq in March 2003. Consequently, a huge backlog of pending asylum applications occurred which was addressed by the Appeals Board (the advisory body that conducts interviews with all asylum applicants who appeal against a first instance decision),

holding its hearings twice per week from November 2004. Another development in 2005 was the promulgation of Law L3386/2005, which permitted a rejected asylum applicant, who could prove his/her presence in Greece before 31 December 2004 and was in possession of a rejection decision dated before this time, to participate in the regularisation programme.

Relative to the total number of asylum decisions made, there was an increase in **Ireland** in the proportion of positive decisions between 2003 and 2004: 3.7% of determinations were positive in 2003, while 6.2% were positive in 2004, which increased slightly to 8.7% in 2005. Of those granted positive decisions at first instance, nationals of Somalia, Sudan and Iran were in the main five for both 2004 and 2005. For nationals of Somali, for example, 82 were granted a positive decision in 2004, which was a substantial increase from 2003 when 24 were granted.

Both the absolute number of positive decisions (total and first instance) and the percentage of positive decisions in the total number of decisions in the **Netherlands** increased in 2005 compared to 2004. The influence of country-specific policy can be observed in some of the positive decisions made. For example, the moratoria on decisions and returns for asylum applicants from Burundi and Somalia resulted in a decline in the percentage of positive decisions for these countries because of the number of pending cases. The high number of positive decisions on asylum request from nationals of Somali could be explained by the policy of categorical protection for some groups from Somalia.

For **Portugal**, 9 positive decisions were granted in 2004, one more than in 2003, increasing to 16 in 2005. The increase in 2005 can be largely attributed to a larger number being granted to nationals of Colombia. **Spain** too has accorded most positive decisions to nationals of Colombia, although the absolute number is higher, being 109 in 2004 and 98 in 2005. Overall for **Spain**, the number of positive decisions relative to the number of applications is, like for some other Member States, relatively low being 324 (including 163 subsidiary protection) out of 6 625 (or 4.9%) in 2004 and 326 (including 112 subsidiary protection) out of 4 857 (or 6.7%) in 2005.

**Sweden** is another Member State that has seen, over the last ten years in this instance, the share of positive decisions fall from 21% to 10%. The most important explanation for this development is that the needs for protection of those seeking asylum have changed and that

large groups of asylum applicants have been able to return home. Because the situation in the Balkans has stabilised in recent years and the situations in Iraq and Afghanistan have also changed for the better, nationals of these countries can no longer receive residency simply on the basis of the general situation in their countries. The share of first positive decisions has been stable at around 8% in the last three years, when one discounts asylum applicants from Iraq, Serbia and Montenegro, Bosnia-Herzegovina, Afghanistan and Somalia.

A total of 55 390 initial decisions were made on asylum applications in the **United Kingdom** in 2004, a decrease from 2003 when it was 80 370, of which 11% were positive (6 355 – down 52% from 13 185 in 2003). Of these 6 355 positive decisions, 2 160 were granted asylum, the highest number, making up 40% of all positive (first instance) decisions, being to nationals of Somali (1 135, 18%), Afghanistan (500, 8%), Iran (335, 5%), Zimbabwe (335, 5%) and Bangladesh (275, 4%). Corresponding figures for 2005 were 33 210 initial decisions of which 16% (or 5 425) were positive with 2 470 granted asylum. Again this was for nationals of Somali (1 045, 19%), but then Eritrea (740, 14%), primarily granted Geneva Convention Status, followed by Afghanistan (545, 10%), Iran (480, 9%) and Democratic Republic of Congo (255, 5%), who were mainly granted discretionary leave.

## **7. REFUSALS, APPREHENSIONS AND REMOVALS**

The data presented in this Section needs to be treated with utmost caution, since they might, for example, reflect more Member State priorities in law enforcement and administrative procedures. Also the very nature of illegal entry and illegal residence in a Member State by definition avoids any recording, to a sufficient level of reliability, of data and it is not possible to establish accurately what the proportion of the data recorded is to the overall total. The sometimes short-term nature of illegal immigration (e.g. seasonal workers) and the wide diversity of the motivations for and reasons for illegality (e.g. asylum applicants who have gone into hiding, the illegal reunification of families) also contribute to reduced reliability of the data. Given these caveats, the data available can at least give an indication of any trends or marked changes in illegal immigration.

[Table 6](#) gives an overview of the number of refusals, of apprehensions of illegally-resident migrants and of removed migrants in 2004 and 2005 ordered for each category, and in decreasing order, by the total for both years for both EU-15 and then EU-10 Member States. Part of the decreases in going from 2004 to 2005 explained in the following sections can be

attributed to the change in status, from third country to EU citizen, of nationals of EU-10 Member States following accession.

**Table 6: Overview of number of Refusals, of Apprehensions of illegally-resident migrants and of Removals in 2004 and 2005**

	Refusals			Apprehended			Removed	
	2004	2005		2004	2005		2004	2005
SPAIN	599 040	628 463	ITALY	81 134	100 277	UNITED KINGDOM	61 160	58 215
FRANCE	33 232	35 921	SPAIN	77 017	62 812	ITALY	35 437	30 428
UNITED KINGDOM	39 020	30 490	FRANCE	44 545	63 681	GREECE	39 842	21 238
ITALY	24 528	23 878	GREECE	44 985	40 649	SPAIN	26 432	25 370
AUSTRIA	24 803	23 295	AUSTRIA	36 879	37 934	GERMANY	26 807	19 988
GERMANY	30 155	15 012	GERMANY	22 558	20 270	FRANCE	16 850	19 841
GREECE	14 584	11 399	BELGIUM	20 606	18 400	NETHERLANDS	15 373	12 658
NETHERLANDS	4 929	5 901	SWEDEN	20 003	14 528	SWEDEN	12 489	8 599
IRELAND	4 763	4 807	PORTUGAL	16 020	17 223	BELGIUM	9 647	10 302
PORTUGAL	4 327	4 146	NETHERLANDS	11 576	10 803	AUSTRIA	9 408	5 239
BELGIUM	2 030	1 661	FINLAND	2 949	2 757	PORTUGAL	3 507	6 162
FINLAND	1 533	951	DENMARK	1 414	1 064	DENMARK	3 093	2 225
SWEDEN	1 293	846	IRELAND	N/A	N/A	FINLAND	2 775	1 900
DENMARK	367	333	LUXEMBOURG	N/A	N/A	IRELAND	599	396
LUXEMBOURG	N/A	N/A	UNITED KINGDOM	N/A	N/A	LUXEMBOURG	N/A	N/A
POLAND	65 403	41 296	CZECH REPUBLIC	17 655	10 789	POLAND	6 042	5 141
SLOVENIA	34 714	32 521	HUNGARY	5 651	9 780	CYPRUS	2 982	3 015
HUNGARY	24 600	20 197	POLAND	8 191	7 045	SLOVENIA	2 632	3 133
CZECH REPUBLIC	23 872	5 553	SLOVAK REPUBLIC	8 571	4 916	SLOVAK REPUBLIC	2 528	2 569
SLOVAK REPUBLIC	19 896	7 203	SLOVENIA	5 646	5 890	CZECH REPUBLIC	2 157	2 479
LITHUANIA	4 690	3 886	ESTONIA	1 549	2 703	MALTA	680	962
CYPRUS	2 540	2 018	MALTA	1 723	2 416	HUNGARY	619	720
ESTONIA	2 308	1 924	CYPRUS	2 535	1 281	LITHUANIA	306	182
LATVIA	2 024	783	LITHUANIA	406	863	LATVIA	244	190
MALTA	607	262	LATVIA	399	307	ESTONIA	101	60
BULGARIA	6 395	6 561	BULGARIA	877	1 190	BULGARIA	1 271	1 608
ROMANIA	61 818	51 082	ROMANIA	4 981	4 940	ROMANIA	650	616
ICELAND	71	55	ICELAND	63	50	ICELAND	18	16
NORWAY	1 105	585	NORWAY	979	902	NORWAY	5 439	3 080

Notes:

1. For **Belgium**, *Apprehended* data includes also EU-10 Nationals (particularly from Poland) who were mainly intercepted while working without the necessary labour and/or residence documents. *Removals* data includes assisted voluntary departures (IOM).
2. For **Hungary**, apprehensions data before 2005 contained only the number of persons apprehended for breaching ban on entry and residence. However, after a revision in the definitions, the numbers of third country nationals apprehended for some contravention of alien policy rules (such as overstayers, etc.) was also included. This resulted in the large increase when compared with previous years. For Removals, data contain the number of removals by air and by land actually implemented by the Police and not the number of removal decisions issued.
3. For **Netherlands**, the data on Refusals only includes refused aliens at the Schiphol Airport in Amsterdam. Aliens refused at other airports or harbours are not included in the data as these airports and ports do not use centralised systems. The definition used for Removals is as given in Council Regulation 862/2007 ("Migration Statistics Regulation").
4. For **Spain**, data on Refusals includes refusals of entry at the two Spanish cities located on the African continent: Ceuta and Melilla. Data on Apprehensions include: a) number of foreigners found to be illegally present on the territory, plus b) number of foreigners found whilst trying to cross illegally the external borders.
5. Data on Apprehensions are not recorded in **Ireland** and **United Kingdom**.
6. For **United Kingdom**, data are rounded to the nearest five and for 2005 are provisional. Removals includes persons who departed voluntarily after enforcement action had been initiated against them, and also those persons who left under Assisted Voluntary Return Programmes run by the IOM, as well as persons who it has been established have left the UK without informing the immigration authorities.

## 7.1 Refusals

Most Member States, for which data are available, saw a decrease in the number of refusals at the border. Exceptions occurred for **Spain**, which experienced a notable increase, and for Bulgaria, France, **Ireland** and the **Netherlands**, which had relatively minor increases. **Spain** is also an exception in that it had, by a very large margin, the largest number of refusals, which primarily related to the large number of refusals at Melilla and Ceuta (Spanish cities on the African continent). Amongst the main nationalities refused entry, several Member States (**Ireland, Portugal, Spain** and the **United Kingdom**) had significant refusals of nationals of Brazil.

There were 24 803 refusals at its borders by **Austria** in 2004, a further increase from 2003 when there were 22 305, but then decreasing to 23 295 in 2005. The main countries of origin of those refused entry were Romania (38% in 2004 and 55% in 2005) and Bulgaria (21% in 2004 and 19% in 2005). Increases in refusals were also observed for nationals of Switzerland (468 in 2004 increasing to 1 625 in 2005) and Serbia and Montenegro (383 in 2004 increasing to 740 in 2005), whilst decreases occurred for nationals of Bulgaria (5 144 in 2004 decreasing to 4 317 in 2005), Croatia (753 in 2004 decreasing to 717 in 2005), Ukraine (768 in 2004 decreasing to 659 in 2005) and Moldova (610 in 2004 decreasing to 249 in 2005). A significant decrease occurred for nationals of Russia, from 1 808 in 2004 to no longer being in the main ten countries of origin in 2005.

**Belgium** has seen a sharp decline in the number of refusals at the border, decreasing from 3 548 in 2003 to 2 030 in 2004 and then 1 661 in 2005. The main factor which led to this reduction was the transfer of responsibility for border control at the Eurostar train terminal in Brussels to the **United Kingdom** from 1<sup>st</sup> April 2004. Consequently, attempts to enter the country illegally were almost entirely detected at the air borders, about 90% of which were at the Brussels-National airport. Another factor was the conclusion of Memorandums of Understanding with carriers (3 in 2004 and 7 in 2005) permitting administrative fines to be imposed on carriers, in accordance with Article 26 of the [Schengen Acquis](#)<sup>25</sup> and [Council Directive 2001/51/EC](#)<sup>26</sup> supplementing the provisions of this Article, who transport to

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<sup>25</sup> Available from

[http://europa.eu.int/eur-lex/lex/Result.do?checktexts=checkbox&TypeAffichage=sort\\_key&page=1&idReq=1&Submit22=GO](http://europa.eu.int/eur-lex/lex/Result.do?checktexts=checkbox&TypeAffichage=sort_key&page=1&idReq=1&Submit22=GO).

<sup>26</sup> Available from

[http://europa.eu.int/eur-lex/lex/Result.do?checktexts=checkbox&TypeAffichage=sort\\_key&page=1&idReq=4&Submit22=GO](http://europa.eu.int/eur-lex/lex/Result.do?checktexts=checkbox&TypeAffichage=sort_key&page=1&idReq=4&Submit22=GO).

Belgium passengers not in possession of the required travel documents. High risk airports where most attempts for illegal entry were made in 2004 were identified to be Abidjan, Banjul, Douala and Kinshasa.

**Estonia** too experienced a steady decrease in the number of refusals at the border (in 2003: 3 056 persons, 2004: 2 308 and 2005: 1 924). Most refusals were for nationals of India (738 in 2005), Russia (290 in 2005) and the Philippines (227 in 2005). The Indian and Filipino nationals were mainly crew members of ships which docked in Estonia. Nationals of Russia also made up the largest proportion in **Finland** (1 101 out of a total of 1 533 in 2004 and 648 out of a total of 951 in 2005). Similarly in **Latvia**, nationals of Russia made up the largest proportion in 2005 (379 out of a total of 783), which was a slight increase from the number in 2004, when it was 345.<sup>27</sup> Attempts by nationals of Moldova and Ukraine to enter **Latvia** as a means to travel to Western Europe using counterfeit Lithuanian passports also occurred. The decrease in numbers in **Finland** is attributed to better observance of the law, including a decrease in the smuggling of alcohol and tobacco, and the entry into force (on 1<sup>st</sup> May 2004) of a new Aliens Act, part of which permitted the imposition of penalties on carriers in accordance with the aforementioned Article 26 of the Schengen Acquis. For **Sweden**, whilst in 2004 most refusals were for nationals of the Baltic States and Poland, in 2005, as they were no longer considered as third country nationals, it was primarily nationals of Serbia and Montenegro, Romania and Russia who were refused entry.

**Germany** has experienced a significant decrease in the number of refusals, falling by 70.6% from the number in 2001 to 15 012 in 2005, which was itself a significant decrease from the number in 2004 (30 155). The three most frequent nationalities refused entry came from Serbia and Montenegro (3 115 in 2005), Turkey (1 622 in 2005) and Bulgaria (1 314 in 2005). For **Greece**, a decrease to 11 399 in 2005 from 14 584 in 2004 occurred, continuing also a decline observed in previous years (there were 17 642 refusals in 2003). A possible factor for this decline might be the more strict policy on issuance of visas by Greek Consulates in third countries, as well as the implementation of the Schengen Convention, which resulted in more thorough passport control measures. The vast majority of refused migrants, representing 77.4% of the total number in 2004, came from neighbouring (non-EU) countries, primarily

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<sup>27</sup> For **Latvia** in 2004, nationals of **Estonia** and Lithuania made up the largest proportion of refusals being 476 and 796 respectively out of a total of 2 024.



Bulgaria (5 407 in 2004 and 5 266 in 2005), Albania (2 878 in 2004, decreasing dramatically to 1450 in 2005), Romania (1 916 in 2004 and 1 646 in 2005) and fYROM (1 269 in 2004 and 835 in 2005). A noticeable change was the number of refused aliens from Nigeria, which rose from 61 in 2003 to 246 in 2004.

The total number of refusals by **Ireland** fell by 18% from 5 826 in 2003 to 4 763 in 2004, with virtually no change in 2005 when it was 4 807. Large decreases occurred for nationals of Latvia, Lithuania and Poland (by 66%, 60% and 56% respectively in 2004 compared to 2003 levels), which again most likely reflects the fact that EU-10 nationals gained freedom of movement within the EU in May 2004. Decreases, compared to 2003 levels, in the number of refusals of nationals from South Africa (by 22% to 218) and Romania (by 50% to 306) occurred in 2004 but then increased in 2005 (to 253 and 548 respectively), which is attributed to their designation as safe countries of origin in 2004. Refusals of nationals of Brazil was the largest increase (by 24%, compared to 2003, to 490 in 2004, increasing further to 604 in 2005).

The number of refusals in the **Netherlands** decreased by 47%, from the number in 2003, to 4 929 in 2004, following by a slight increase to 5 901 in 2005. The possible explanations for the change in going from 2003 to 2004, are an increase in the number of refusals of nationals from Ecuador in 2003, who tried to enter the Netherlands before the re-introduction (in June 2003) of a visa requirement; and an increase in capacity by the Royal Military Constabulary in tackling drug trafficking. Most refusals in 2004 and 2005 were for nationals of Surinam (783 in 2004 and 638 in 2005), Nigeria (549 in 2004 and 521 in 2005) and China (554 in 2004 and 471 in 2005). At the end of 2004, specific attention was paid to the influx of nationals of Bolivia, which increased from 158 in 2004 to 239 in 2005. Spanish authorities asked the Dutch Royal Constabulary (KMAR) for assistance in this matter, in particular for the KMAR to be extra vigilant with regard to nationals of Bolivia transferring through Schiphol Amsterdam Airport to Madrid, and to allow Spanish border control officials to be present at the airport to monitor such transfers.

**Portugal** re-established internal border controls during the period of the Euro 2004 football championship. This might explain why the total of refusals increased in 2004 to 4 335, from the 3 700 in 2003, and there was a slight decrease to 4 146 in 2005. Most refusals were for nationals of Brazil (2 910 in 2004 and 2 161 in 2005), Venezuela (216 in 2004 and 329 in

2005) and Bolivia (214 in 2004 and 617 in 2005). This indicates an increasing migratory pressure from Latin America, surpassing even that of (Portuguese-speaking) African countries. An increase in the number of "unknowns", from 82 in 2004 to 150 in 2005, was also observed.

**Spain** had by far the largest number of refusals of the Member States, being 599 040 in 2004, a slight decrease from 2003 when it was 706 081, and 628 463 in 2005. Nationals of Morocco were, for both 2004 and 2005, the most significant group: 591 065 in 2004 (98.67% of the total number of refusals) and 617 531 in 2005 (98.26%). This is primarily related to the large number refused entry at Melilla and Ceuta (Spanish cities on the African continent) and who were not integrated in the statistics until 2003. Similarly to **Portugal**, nationals of Latin American countries make up the next largest group; in particular of Bolivia (1 525 in 2004 and 3 319 in 2005), Brazil (1 738 in 2004 and 2 006 in 2005) and Venezuela (839 in 2004 and 834 in 2005). Referring also to the experience in the **Netherlands** outlined previously, whilst 5 000 nationals of Ecuador were refused entry to **Spain** in 2003, this dramatically decreased in 2004 and 2005 to less than 200.

In the **United Kingdom** in 2004, there were 39 020 refusals which decreased to 30 490 in 2005. It is worthwhile to note that, referring to the experience of **Ireland**, **Portugal** and **Spain**, nationals of Brazil constituted the largest proportion (5 935 in 2004 and 5 430 in 2005). There was also a significant number of refusals of nationals of Nigeria (1 950 in 2004 increasing to 2 635 in 2005).

## 7.2 Apprehension of illegally-resident migrants

The caveats outlined at the beginning of this Chapter are perhaps most relevant to this section. Note also that no data on apprehensions are available from **Ireland** or the **United Kingdom**, whilst for **Sweden** they are calculated as a function of asylum applicants.

A number of Member States (**Estonia**, **Finland**, **Netherlands** (in 2002/2003)) introduced specific measures to apprehend illegally-resident migrants and there is some indication that the observed increase in apprehensions might, at least partly, be a result of such measures. However, there was an increase in the number of apprehensions in **Portugal** and **Spain** which might reflect more an increasing migratory pressure on these Member States. For others (i.e.

**Belgium, Germany, Greece, Latvia, Netherlands** (2004/2005)) there has been a decline in the number of apprehensions.

In 2005, 37 934 aliens, who were illegally present in **Austria**, were apprehended, which was a small increase of 3% compared to 2004 (36 879 apprehensions). The main countries of nationality were Romania (32%), Serbia and Montenegro (11%), Russia (10%), Bulgaria (5%) and Moldova (5%). Whilst the ten main countries of origin for apprehensions in 2004 and 2005 were mainly the same, changes in the ranking were observed. The number of apprehensions of nationals of Serbia and Montenegro (4 105 in 2005) more than tripled compared to 2004 (1 200), then resulting also in the increase in the number of asylum applications from these nationals. Increases also occurred for nationals of Romania (9 560 in 2004 increasing to 12 184 in 2005), primarily because they can enter the Schengen area without a visa but are then apprehended after overstaying the allowable 90-day period of residence, and Turkey (699 in 2004 increasing to 1 001 in 2005). By contrast, significant decreases were observed for nationals of Russia, Bulgaria, Moldova, India, Ukraine, Georgia and Mongolia.

Slightly more than 30 000 administrative apprehensions were made in **Belgium** in 2004. Of these, 9 676 persons (32%) were released, 14 370 persons (47%) received an order to leave the territory, 4 626 persons (15%) were immediately returned and 1 756 persons (6%) were detained. Corresponding figures in 2005, had 34% of the total 27 856 administrative apprehensions released, 43% an order to leave the territory, 6% detained and 16% immediately returned. This meant that (at least) 20 754 interceptions of illegally-resident third country nationals were made in 2004 (2003: 22 627) and 18 400 in 2005, although these data do not exclude that the same person has been intercepted more than once. Those apprehended were mainly nationals of Morocco (2 197 in 2004 and 2 148 in 2005), Algeria (1 846 in 2004 and 1 649 in 2005), India (1 692 in 2004 and 1 509 in 2005), Poland (1 457 in 2004 and 1 233 in 2005), Romania (1 372 in 2004 and 1 315 in 2005) and Bulgaria (1 289 in 2004 and 1 153 in 2005). For the latter three (now EU) nationalities, they were primarily apprehended whilst working without the necessary labour and/or residence documents.

The number of apprehensions in **Estonia** has increased significantly in 2005 (2 703) compared to 2004 (1 549). This increase is attributed to the granting of more rights to the migration supervisory officials of the Citizenship and Migration Board following changes in

the *Aliens Act*,<sup>28</sup> which entered into force on 1<sup>st</sup> May 2005. For example, officials were given the right to enter a dwelling for the purpose of verifying the legality of residence of the occupant. Also a landlord was legally obliged to verify the identity of their tenant(s) and the legality of their residence. Nationals of Russia were the largest number apprehended (as for refusals and for removals). Reasons for this include those who settled in Estonia during the Soviet Union (until the year 1991) and have not legalised their stay, i.e. not applied for a residence permit; their relatives who have entered Estonia but stayed beyond the expiry of a visa; illegal crossing of the border (through fishing, swimming over the state border); and using falsified documents to enter Estonia. The most apprehensions in **Latvia** were also of nationals of Russia (120 out of a total of 399 in 2004 and 93 out of a total of 307 in 2005). Other significant groups included nationals of Ukraine (64 in 2004 and 50 in 2005) and of unknown nationality (46 in 2004 and 30 in 2005).

In **Finland**, the number of apprehensions in 2004 was 2 949, which decreased slightly in 2005 to 2 757. This was a significant increase from 2003, when 1 588 apprehensions were made. This might be as a result of having inland immigration monitoring introduced as part of basic police work and the establishment in 2004 of a specific unit to monitor the use of illegal foreign labour. For the period 2004/2005, most apprehensions were made of nationals of Serbia and Montenegro (397 in 2004 and 291 in 2005), Bulgaria (168 in 2004 and 413 in 2005), Somalia (245 in 2004 and 295 in 2005), Afghanistan (159 in 2004 and 222 in 2005) and Iraq (112 in 2004 and 247 in 2005).

A total of 64 747 illegally-resident persons, as registered by the police forces, were identified in 2005 in **Germany**. This was a reduction of 20.1% compared to 2004 (81 040) and continued a trend observed over a number of years. Apprehensions by the Federal Police, which include to a substantial extent apprehensions at the German borders, also demonstrates a clear and continuous decrease since the end of the 1990s, with, in 2005, 20 270 such apprehensions, a 10.1% decrease from 2004 when there were 22 558 apprehensions. In this respect, the three largest apprehensions in 2005 were for nationals of Turkey (2 330 making up 11.5% of all apprehensions), Ukraine (2 120, 10.5%), and Russia (2 064, 10.2%). This was also the case for 2004, although more nationals of Ukraine (3 321) than Turkey (2 484) were apprehended in that year, along with nationals of Russia (2 393).

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<sup>28</sup> Available (in English) from <http://www.legaltext.ee/text/en/X1019K13.htm>.

The total number of apprehensions in **Greece** continued to decrease, being 40 649 in 2005, lower than in 2004 when it was 44 985 which, in turn, was lower than in 2003 (51 031). Like for removals, and for both 2004 and 2005, nationals of Albania were by far the largest group (31 637 in 2004 and 17 937 in 2005), followed by Afghanistan (1 802 in 2004 and 1 920 in 2005). Very large increases in the number of apprehensions of nationals of Bulgaria (1 553 in 2004 increasing to 2 757 in 2005), Romania (951 in 2004 increasing to 2 452 in 2005) and Pakistan (687 in 2004 increasing to 1 938 in 2005) occurred in the same period.

The **Netherlands** saw a continued decline in the number of apprehensions in 2004 (11 576) and 2005 (10 803) compared to an increase which occurred in 2002 and 2003. The increase in 2002/2003 can be explained by a national project involving both the Aliens Police and other partner organisations to intensify the inspection of aliens in the Netherlands ('project Intensivering Toezicht'). In contrast to other Member States, there are no dominant nationalities present in the apprehensions, with nationals of Bulgaria, China and Turkey representing the largest groups. The main reason for becoming illegally-resident was exceeding the permitted duration of stay or losing their legal right to residency by undertaking illegal work or by committing a punishable offence.

For **Portugal** in 2005, 17 223 persons were identified as being illegally-resident, primarily nationals of Brazil (7 084), Ukraine (2 740), Romania (2 184), Cape Verde (856) and Moldova (733). This represents an increase, in contrast to most other Member States, from 2004 when the total was 16 025 (primarily comprising nationals of Brazil (6 757), Ukraine (2 128), Romania (1 584), Moldova (846), Cape Verde (710)).

**Spain** saw a significant increase in apprehensions in going from 2003 (55 164) to 2004 (77 017), this then decreased in 2005 to 62 812. As for refusals, nationals of Morocco made up the largest group (20 754 or 33% of the total in 2005 and 22 340 or 29% of the total in 2004). Despite this decrease in the total in going from 2004 to 2005, there was, however, an increase in the number of apprehensions of nationals of Romania (9 526 in 2004 increasing to 9 829 in 2005), Brazil (1 790 in 2004 increasing to 2 650 in 2005) and India (758 in 2004, increasing by 118% to 1 655 in 2005).

### 7.3 Removals<sup>29</sup>

The magnitude of removals undertaken by the Member States in 2005 ranged from 58 215, for the **United Kingdom**, down to 60 for **Estonia**. A general trend of decreasing numbers of removals since 2001 is observed for most Member States, which, in the case of the **Netherlands** was in spite of initiatives undertaken to promote a more effective return policy. Once again the accession of EU-10 Member States contributed to the observed decrease since, prior to this, significant numbers of nationals of, for example, Poland were removed. Exceptions to this general trend were found in **Portugal**, with increasing numbers of removals; in **Spain**, where the number of removals has been relatively stable at approximately 26 000 per year since 2001; and in **Sweden**, which saw an increase in 2004 (as asylum recognition rates went down and more asylum applicants received a final negative decision), and then a decrease. Overall, the main nationalities of those removed are from Albania, Brazil, Bulgaria, Morocco, Nigeria, Romania, Russia, Turkey, Serbia and Montenegro and Ukraine.

Compared to 2004, when 9 408 aliens were removed, a further decrease to 5 239 in 2005 occurred in **Austria**. Most of the removals were for nationals of Romania (20%), followed by Serbia and Montenegro (12%), Moldova (10%), Ukraine (10%) and Bulgaria (7%). Overall, these nationalities are similar to those refused entry and apprehended. Conversely, the number of voluntary returns, implemented via the IOM's Assisted Humanitarian Voluntary Return Programme (AHVR),<sup>30</sup> continued to increase in 2005 to 1 406 returnees from 1 158 in 2004. Serbia and Montenegro (mostly returning to Kosovo) was the main destination with 306 voluntary returnees (22% of the total). Other main countries of return in 2005 were Georgia (131; 9%), Turkey (99; 7%), Belarus (92; 7%) and Moldova (92; 7%).

The overall total number of removals, refoulements, Dublin II transfers, escorts to the border and escorted voluntary returns from **Belgium** was 11 783 in 2004 and 12 266 in 2005. Most returnees (voluntarily or otherwise) went back to Romania, Bulgaria, Poland, Brazil and Albania. The number of removals was less than in 2002 and 2003, which for 2004 was as a result of the suspension of forced removals following a judgment in December 2003.<sup>31</sup> Other

<sup>29</sup> A comprehensive overview on this topic is given in the EMN study on *Return Migration*.

<sup>30</sup> Details available from <http://www.iomvienna.at/index.php?module=Content&idc=69&newlang=eng>.

<sup>31</sup> Some police officers were condemned by a Court in Brussels because they were found guilty for the death of a failed Nigerian asylum applicant during her forced removal in 1999. After this judgment, police officers refused to carry out forced removals for several weeks until they had more legal certainty on their tasks.

reasons for the decrease were considered to be the accession of EU-10 Member States and fewer places being available in closed accommodation centres (owing to problems of infrastructure, staff shortage, agreements with unions after incidents involving residents). In 2005, 13 secured flights were organised (16 in 2004) either for reasons of security or for the removal of a large number of illegally-resident third country nationals to one single destination. A number of "new" destinations arose, such as Armenia, Belarus and Democratic Republic of Congo. In the same year Belgium also organised or participated in nine joint flights involving another Member State(s).

**Estonia** too had a decreasing number of removals, with 101 removals in 2004 (compared to 171 in 2003) and 60 removals in 2005. The main nationalities have remained the same in recent years, being Russia (35 in 2004 and 33 in 2005), Ukraine (17 in 2004 and 5 in 2005) and Moldova (5 in 2004 and 8 in 2005). Violation of their visa regime was the main reason for becoming illegally-resident. Likewise in **Latvia**, 244 removals occurred in 2004 (to be compared with 366 in 2003) and 190 in 2005, primarily of nationals of Russia (81 in 2004 and 59 in 2005), Ukraine (44 in 2004 and 36 in 2005), Moldova (19 in 2005) and Belarus (20 in 2004 and 10 in 2005). **Finland** had 2 775 removals in 2004, which was similar to the number in 2003 when it was 2 773, but then decreased in 2005 to 1 900. The main country of nationality of those removed is Russia. Like for refusals and apprehensions, the trend of decreasing numbers of "forced returns"<sup>32</sup> continued in **Germany** being, in 2004, 26 807 and, in 2005, 19 988. The principal nationalities of those returned were Turkey (14% or 3 753 in 2004 and 15% or 2 998 in 2005), Serbia and Montenegro (11.2% or 3 002 in 2004 and 15.2% or 3 038 in 2005) and Ukraine (8.8% or 2 359 in 2004 and 7.6% or 1 519 in 2005).

The total number of removals in **Greece** fell from 40 930 in 2003 to 39 842 in 2004, decreasing significantly in 2005 to 21 238. Since nationals of Albania make up the vast number of removals, this significant decrease in going from 2004 to 2005 can be attributed to the reduction (by 18 522) in removals of these nationals. A comparison of the country of nationality between those apprehended and removed aliens shows that, especially for Asian countries (such as Afghanistan, Iraq and Pakistan) who tend not to accept back their nationals, removal orders to these countries are not implemented. The consequence is that, in such cases,

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<sup>32</sup> "Forced Returns" are composed of "deportations" (i.e. compulsory execution of obligation to leave, mainly of person who has lived a long time in Germany) and "removals" (i.e. termination of stay within six months of person who has illegally entered into Germany).

the apprehended migrants are released after a maximum detention period of three months and thereafter most of them remain in the country illegally. To illustrate this further, in 2004, 89% of the total apprehensions (44 985) were removed, whilst in 2005 this percentage decreased to 52% of the total apprehensions (40 649).

**Ireland** had an even lower percentage of removals effected when compared to removal orders signed. In 2004, 2 915 removal orders were signed, with 599 then performed, whilst corresponding figures for 2005 were 1 899 and 396 respectively. Prior to 2005, the number of removals increased steadily from 1999. The reason for the lack of enforcement of removals is attributed, by the Department of Justice, Equality and Law Reform and the Garda National Immigration Bureau (GNIB), to the high incidence of judicial review proceedings, which at least results in a delay in effecting any removal. The main countries to which removals were made were Nigeria and Romania, together constituting 65% of the total in 2005, followed by China.

An increasing focus on an effective return policy occurred in the **Netherlands** with a number of policy initiatives and/or amendments to legislation occurring in 2004 and 2005, as well as procedural changes. For example, a Memorandum on Return Migration,<sup>33</sup> which contained *inter alia* the so-called Return Project ([Project Terugkeer](#)<sup>34</sup>) with specific measures to provide substantial assistance to asylum applicants who have exhausted all legal remedies to return to their country of origin. Despite these measures, however, there was a decrease in the number of removals from the levels of 2002 and 2003 (when it was 21 070 and 20 872 respectively) to 15 373 in 2004 and then 12 658 in 2005. Possible causes for this are the start-up of the Return Project, which led to a (temporary) decline in the execution of the obligation to leave; the suspension of departure of many foreign nationals in light of their special or harrowing circumstances; the reluctance of some local authorities to collaborate in the return of foreign nationals once the deadline for voluntary departure has expired; and the attention paid to the education of employers in the field of migrant supervision. The number of removals also declined following accession and as a result of the decline in the number of asylum applications in recent years. The three main countries of nationality of those removed are Turkey (2 856 in 2004 and 1 544 in 2005), Bulgaria (1 201 in 2004 and 1 160 in 2005) and Morocco (803 in 2004 and 626 in 2005).

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<sup>33</sup> See [http://www.ind.nl/en/Images/terugkeernota\\_tcm6-879.doc](http://www.ind.nl/en/Images/terugkeernota_tcm6-879.doc) for more information.

<sup>34</sup> See <http://www.coa.nl/NED/website/page.asp?menuid=143> for more information.



**Portugal** marks an exception in that the numbers of removals has increased in recent years. From a total of 2 798 in 2003, there were 3 505 removals in 2004 [primarily nationals of Brazil (1 163), of Romania (642), of Ukraine (468) and of Cape Verde (140)] which almost doubled in 2005 to 6 162 [again primarily nationals of Brazil (3 335), of Romania (1 139), of Ukraine (395) and of Cape Verde (144)].

For **Spain**, the situation has been relatively stable since 2001 with, in 2004, 26 432 removals and, in 2005, 25 370 removals. The average over the period 2001 to 2005 is approximately 26 000 removals each year. The main group are nationals of Morocco (15 716 in 2004 and 16 396 in 2005), and then of Romania (3 112 in 2004 and 3 493 in 2005). Other main groups included Nigeria (1 042 in 2004 and 663 in 2005), Algeria (560 in 2004 and 894 in 2005), Ecuador (983 in 2004 and 406 in 2005), Colombia (778 in 2004 and 391 in 2005) and Brazil (604 in 2004 and 528 in 2005).

In **Sweden**, there were an increasing number of removals in 2004 (12 489) compared to 2003 (7 355) as asylum recognition rates went down and more asylum applicants received a final negative decision. In 2005, however, this then decreased to 8 599, primarily reflecting the reduced influx of asylum applicants and lack of enforced removal of failed asylum applicants from Iraq. For both years, it was primarily nationals of Serbia and Montenegro (1 207 in 2004 and 1 256 in 2005), Bosnia and Herzegovina (1 148 in 2004 and 421 in 2005), followed by Russia (928 in 2004 and 589 in 2005) and Iraq (665 in 2004 and 487 in 2005).

Since 2002, the number of removals from the **United Kingdom** has decreased, being 61 160 in 2004 and 58 215 in 2005. The top ten nationalities removed constituted 45% (in 2004) and 47% (in 2005) of the overall total, with nationals of Brazil (2004: 11% of the total or 6 725; 2005: 12%, 6 875) being the largest group. Other significant third countries of nationality were Nigeria (2 110 in 2004 and 3 895 in 2005), Romania (2 380 in 2004 and 2 325 in 2005), Jamaica (2 635 in 2004 and 2 005 in 2005), Serbia and Montenegro (2 410 in 2004 and 2 140 in 2005) and India (1 720 in 2004 and 2 080 in 2005). One factor which might have had an impact on the change in the number of removals was the designation of some countries (in particular Brazil, Romania, Serbia and Montenegro, Jamaica plus, in 2005, Nigeria (males only) and India) as non-suspensive appeal countries, i.e. asylum applicants from such a country have no right of appeal before being removed, although they may appeal from outside the United Kingdom.

#### 7.4 Relationship between refusals, apprehensions and removals

A relationship between the statistics on refused, apprehended and removed migrants could be expected. When a migrant from a particular country of origin tries to enter the EU illegally, they will likely be refused entry at the border. If, however, they do succeed to enter and then reside illegally they may be apprehended and then removed. Given the high flux of migrants from certain regions outside the EU (e.g. Balkans), then it could be expected that nationals of these countries would be amongst the most significant for refusals, apprehensions and returns. For example, the most common nationalities in these three categories in **Germany** are from Turkey, Serbia and Montenegro and the Ukraine, whilst for the **Netherlands** in 2004 it was China and Nigeria and in 2005, it was Surinam and Nigeria. In **Austria**, the statistics on apprehended persons and asylum applicants are considered to be interrelated, because asylum applicants who enter Austria illegally are also registered as apprehended persons, and vice versa in that the tendency is to enter illegally and then file an asylum application at/after their apprehension. As a result, the trends for certain nationalities are consistent when comparing asylum applications and apprehensions, i.e. the number of either asylum applicants or apprehended persons from Serbia and Montenegro increased, whilst for nationals of Russia, Georgia, India and Moldova, both numbers declined.

For some nationalities, however, the relationship is influenced by other factors. Nationals of China, for example, are the third most important with respect to refusals and apprehensions in the **Netherlands**, but are not one of the most important countries in respect to removals. This might be caused by difficulties in effecting the return back to China of their nationals. Clearly the same situation exists for those migrants whose nationality is "unknown". Many other Member States experience similar difficulties with, for example and as mentioned previously, **Greece** finding that certain Asian countries, such as Afghanistan, Iraq and Pakistan, accept their nationals back only with difficulty. Conversely, again for the **Netherlands**, nationals of Turkey are amongst the most important in the number of apprehensions and removals, but not in respect to refusals. One explanation for this might be that those nationals of Turkey that are apprehended and removed have been living in the Netherlands for a longer period of time. Similarly, for nationals of Bulgaria and Romania, they are more likely to travel over land (by car or other means of transport) and are, therefore, not in the main top ten refusals at Schiphol Airport.

In **Portugal**, a significant number of those apprehended and returned are of Eastern European nationality (including Bulgaria, Moldova, Romania, Russia and Ukraine), but they do not appear on the main nationalities refused entry. This implies that their entry occurs through an internal EU border. By contrast, a comparison of the main nationalities for refusals with apprehensions and removals, indicates that Hispanic South American nationals (Argentina, Bolivia, Colombia, Paraguay and Venezuela) attempt to use the Portuguese external air border to enter the EU.

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