

Extract from the Annual Risk Analysis 2010

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



Risk Analysis Unit
Reference nr: R023
Copy nr:
Warsaw, March 2010



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

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Executive Summary

In 2009, there was a significant decrease in illegal migration at the EU external borders compared to 2008. This decreasing trend was the result of two factors: firstly, employment opportunities, which are the main pull factor for illegal migration to the EU, were reduced by the global economic downturn, and secondly, there was a strong deterrent effect of more effective border controls between Western Africa and the Canary Islands, and between Libya and the Island of Lampedusa.

Most illegal migrants to the EU are from Middle Eastern and African countries. Greece now accounts for 75% of all detections of illegal border crossings in the EU. Illegal migrants who enter Greece illegally are increasingly reported transiting to other Member States via the Western Balkans or air routes using forged documents obtained in Greece. Following decreased departures from Libya and Western Africa, Turkey has now become the most important transit country for illegal migration to the EU.

Reduced employment opportunities for illegal migrants, combined with strengthened controls at the borders have resulted in a higher risk of unfounded international protection applications being used to enter the EU, which inevitably inhibits the rapid provision of protection for the third country nationals with legitimate claims.

Forged documents, particularly EU passports and ID cards, are frequently used by illegal migrants to enter to the EU. Forged documents are mostly used in association with other criminal activities or types of frauds, such as the abuse of social benefits. There is growing abuse of documentation by impostors. Unconfirmed identities undermine border controls and are a potential threat to the internal security of the EU, particularly if migrants are able to conceal a criminal or terrorist past.

There is an increasing risk of the use of regular, legal entry channels to enter the EU, with intent to overstay. Overstaying is probably the most common technique for illegal migration to the EU, mostly through the air borders.

There are concerns among the general public and policy makers about trafficking in human beings (THB) which is recognised as a form of modern slavery.

Along both the Eastern land borders and the Western Balkan land borders, there are reports that border control authorities are confronted with cross



border crime issues more frequently than illegal migration issues. On entry to the EU, the most common cross border crimes are the smuggling of excise goods, drugs or weapons, while on exit crimes are usually related to stolen assets

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ACKNOWLEDGMENTS

Frontex Annual Risk Analysis 2010 has been prepared by Frontex Risk Analysis Unit. The core editing team consisted of the Analysis and Planning Sector. During the course of developing this assessment, many colleagues at Frontex and outside contributed to this assessment and their assistance is here acknowledged with gratitude.

1. Introduction

This document constitutes an extract from the Annual Risk Analysis report for 2010. Three parts of the original report: the environmental scan, the outlook for 2011 and the recommendations for operational response have been removed. Furthermore, operationally sensitive details have been taken out.

Frontex Annual Risk Analysis (ARA) 2010 has been developed to plan the coordination of operational activities at the external borders of the EU in 2011. The ARA combines an assessment of threats and vulnerabilities at the EU external borders, with an estimation of their impacts and consequences to enable the Agency to effectively balance and prioritise the allocation of resources against identified risks.

Frontex operational activities aim to strengthen border security by ensuring the coordination of Member States' actions in the implementation of Community measures relating to the management of the external borders. The coordination of operational activities also contributes to better allocation of Member States' resources and protection in the area of freedom, security and justice.

The ARA 2010 concentrates on the current scope of Frontex operational activities, which is focused on illegal migration at the external borders of the EU and the Schengen Associated Countries. As recommended by the concept of Integrated Border Management, border management should also cover security threats present at the external borders. Hence, a full chapter is devoted to the phenomenon of trafficking in human beings (THB) with which Frontex was tasked, according to the EU Action Plan (2005/C 311/01) on best practices, standards and procedures for combating and preventing THB.

Frontex Risk Analysis Unit would like to thank all FRAN members and in particular the staff in Member States for their efforts in providing data and information, as well as Europol which contributed to the ARA 2010, and colleagues at Frontex involved in the preparation of the report.

2. Methodology

Data collection plan

The backbone of the ARA 2010 is the Member States' monthly statistics provided within the framework of the Frontex Risk Analysis Network (FRAN). This regular data collection exercise was launched in September 2007 and refined in 2008. Thanks to the FRAN members' efforts, a much larger statistical coverage was achieved in 2009 focussed on six key indicators on illegal migration: 1) detections of illegal border crossing, 2) refusals of entry, 3) detections of illegal stay, 4) asylum applications, 5) detections of facilitators, and 6) detections of forged documents.

Member States were not addressed with specific questions for this assessment. Rather, Member States' bi-monthly analytical reports and incidents reports routinely collected through the FRAN, and Member States contributions to several Tailored Risk Analyses conducted in 2009 have all been important sources of information, especially in the analysis of routes and modi operandi. A substantial amount of information was provided through the analysis of the materials collected during Frontex coordinated joint operations.

The chapter on trafficking in human beings (THB) was based on Member States statistics for 2008, collected for the Frontex THB project.

Open sources of information were also effectively exploited, especially in identifying the main push and pull factors for illegal migration to the EU. These sources included but were not limited to reports issued by governmental agencies, international or non-governmental organisations, as well as official EU reports, such as the Commission's reports on third countries, and main stream news agencies,

In addition, Frontex, together with experts from Member States' analytical units, organised an annual analytical review to consolidate the risk analyses presented in the FRAN Quarterlies for 2009, as well as to gather knowledge on likely risks of illegal migration expected in 2010 and 2011 at the EU external borders.

Data were collected by Frontex from the national border control authorities categorised by border type (land, air and sea) and from land borders categorised by the different border sections with neighbouring third countries.

The data collected within FRAN is compiled and analysed on a quarterly basis. Priority is given to the use of the data for management purposes and to its rapid sharing among Member States' border control authorities. Member States' data that are processed by Frontex are not treated as official statistics, and thus may occasionally vary from data published officially by national authorities.

During 2009, some FRAN Members made backdated updates to their 2008 statistics. These updates have been accounted for in this document, and thus the data presented here sometimes differ from the data presented in the 2009 Annual Risk Assessment. Also of note, despite the entry of Switzerland into the Schengen area, data on its borders with Member States (Germany, France, Italy, Austria) have been removed from the 2008 data to enable direct comparison with the situation in 2009.

EUROPOL contributed to the ARA 2010, by providing information on facilitated illegal migration and on trafficking in human beings.

Quality of the available data

Consistent with other law enforcement indicators, variation in administrative data related to border control depends on several factors. In this case, the number of detections of illegal border crossing and refusals of entry are both functions of the amount of effort spent detecting migrants and the flow of illegal migrants to the EU. For example, increased detections of illegal border crossing might be due to an actual increased flow of illegal migrants, or it may actually be an artefact of more resources made available to detect migrants. In exceptional cases, more available resources may produce an increase in reported detections while effectively masking an actual decrease in the flow of migrants, resulting from a strong deterrent effect.

Conservative estimates of the number of illegal migrants within the EU vary between three and six million, according to the latest results of *Clandestino*, an EU sponsored project implemented by the ICMPD. However, other estimates indicate eight million illegal migrants, of which 80% are inside the Schengen area, half of which entered legally. However, there is currently no estimate of the annual flow of illegal migrants crossing the border illegally.

Information on national level resources for border control authorities and their allocation is currently only partially known. These data are provided by the Member States themselves either within the Schengen evaluation mechanism or to the External Borders Fund. Without systematic and reliable information on

resources allocated to border control and on estimates of illegal migration flow, it is not possible to assess the performance and impact of the border controls put in place, at the same time, analyses of the situation at the EU external borders are limited to descriptive statistics of the administrative data provided by Member States.

As highlighted in the Schengen Catalogue, variation in regular passenger flow is an important factor to be taken into account in the allocation of border control resources. However, regular flows of passengers across the EU external borders are currently not recorded systematically. Data on the quantity of issued EU visas and their places of issue would improve the profile of third country passenger flows. However this information, collected within the Council Visa Working Party, is not yet available for risk analysis, and thus was not considered for this document. Similarly, data on readmissions are collected by CIREFI¹ but results for 2009 were not yet available at the time of writing this report, and thus could not be analysed in relation to detected flows of illegal border crossing.

¹ Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration

Table 1: 2009 indicator factsheet

Indicators	Total in 2008	Total in 2009	Per cent change compared to 2008
Detections of illegal border crossing at the green and blue external borders	159,100	106,200	- 33%
Detections of clandestine entry at BCPs	:	1,600	n.a.
Refusals of entry	121,300	113,000	- 7%
Detections of illegal stay	441,200	352,800	- 21% (excluding Norway)
Applications for international protection	223,200	219,800	- 2%
Detections of forged documents on entering the EU	:	8,200	
Detections of facilitators	9,900	9,200	- 7 %

Source: FRAN data as of 15 February 2010

: data not available

n.a .not applicable

3. Situation at the External Borders

In 2009 there were decreases, compared to the situation in 2008, in most indicators used to monitor the situation of illegal migration at the EU external borders.

3.1 Detections of illegal border crossing

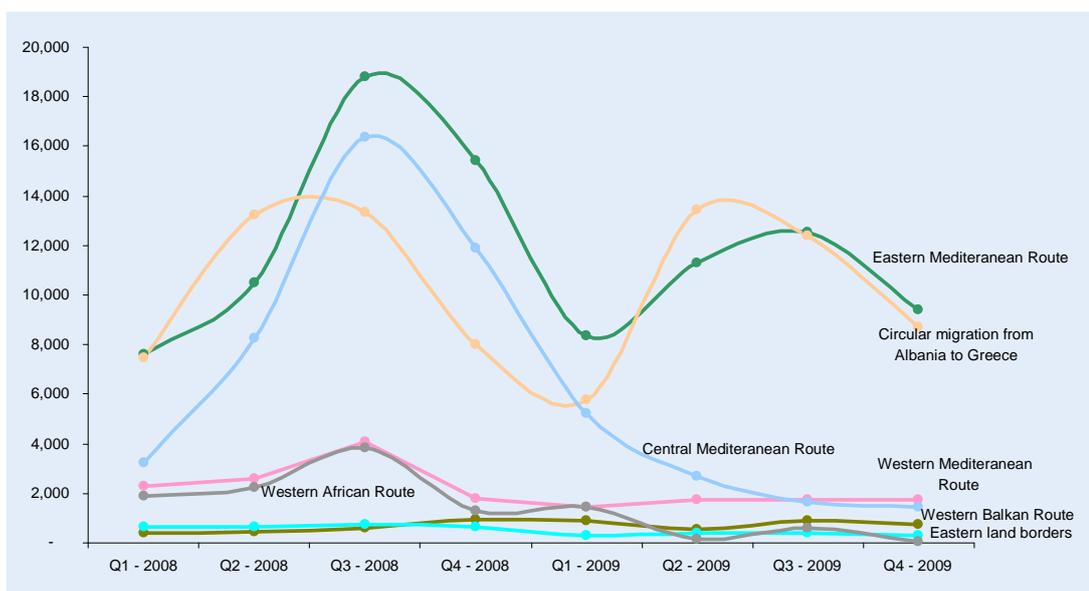
In 2009, the Member States and Schengen Associated Countries reported a total of 106,200 detections of illegal border crossings at the sea and land borders of the EU. This represented a 33% decrease compared to 2008. The decrease is comprised of both a strong decrease reported from the sea borders (-23%), and land borders (-43%).

The bilateral collaboration agreements with third countries of departure on the Central Mediterranean route (Italy with Libya) and the Western African route (which Spain signed with Senegal and Mauritania) had an impact on reducing departures of illegal migrants from Africa. The agreements were made at a time when the economic crisis decreased the labour demand in the EU, thus simultaneously reducing the pull factor. The synchronisation of these events probably explains why no displacement has so far been noticed from the Central Mediterranean and Western African routes to other illegal migration routes in the statistics for detections. However, intelligence suggests that the risk of displacement remains high, either with the emergence of new routes or the exploitation of existing ones by nationalities which used to be detected along the Central Mediterranean or the Western African routes.

As a corollary to the sharp decreases registered in Italy and Spain, the number of detections of illegal border crossing in Greece rose from 50% of the total EU detections to 75% of the total. In 2009, the Greek land border sections with Albania and FYROM represented the largest share of the EU total, with 36,600 detections (34% of the EU total), followed by 22,000 detections in the Aegean Sea with (21% of the EU total).

There were 24,400 detections outside Greece, mainly along the Central Mediterranean route (11,000 detections) and the Western Mediterranean route (6,600 detections). Compared to 2008, the small increase in the Western Balkans in 2009 was due to the larger detections of Serbian nationals of Kosovo origins and Afghan nationals along the land border between Hungary and Serbia.

Chart 1: Quarterly trend in detections of illegal border crossing routes



Source: FRAN data received as of 15 February 2010

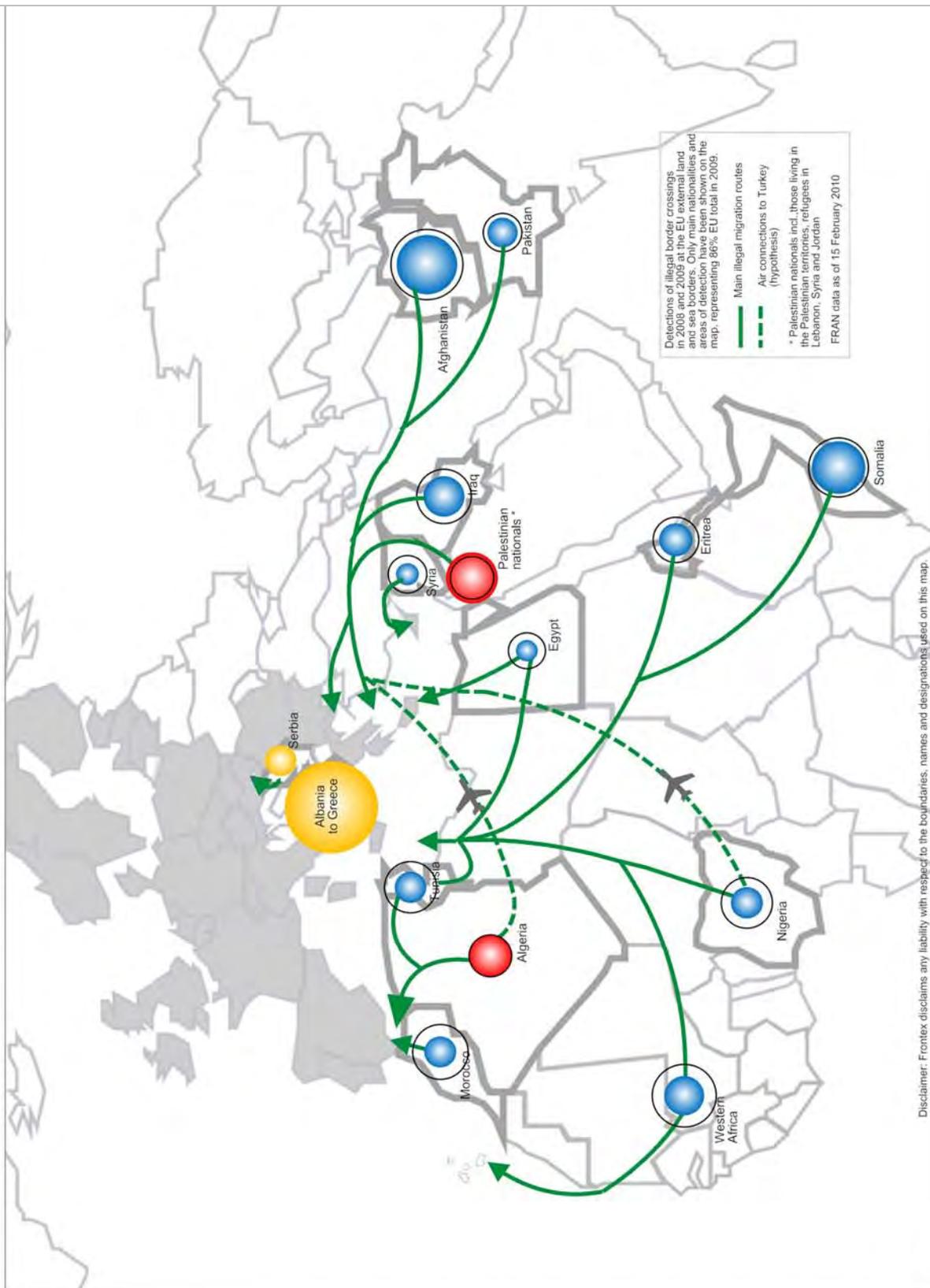
Claimed nationalities

In terms of nationality, Albanian nationals, with 40,500 detections representing 38% of the EU total, continue to represent the largest share of detections. The detections of Albanian nationals are followed at a distance by Afghan nationals (14,500 detections, 14% of the total) and Somali nationals (9,100 detections or 9% of the total).

There was a general decreasing trend for most nationalities (Albania -8%, Afghanistan -24%, Somalia -21%). Detections of Iraqi nationals strongly decreased from 8,800 in 2008 to 4,100 in 2009 (-52%), a trend that is also shown for detections of illegal stay (-38%) and applications for international protection (-43%).

The most noticeable exception to the decreasing trend is for Palestinian nationals whose detections increased by 77% from 4,300 in 2008 to 7,600 in 2009. However, false declarations of nationality, in this case by nationals of other Arab-speaking countries, may have inflated the numbers of Palestinian nationals.

Map 1: Trends in detection of illegal border crossing for main countries of origin in 2009



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3.1.1 Eastern Mediterranean route

The Eastern Mediterranean route is the route taken by illegal migrants transiting through Turkey and entering the EU through eastern Greece, southern Bulgaria or Cyprus. Turkey, due to its geographical position near the EU, is the main nexus point on this route. From Istanbul, illegal migrants may reach the Greek islands in the Aegean Sea, or cross the land borders to Greece or to Bulgaria.

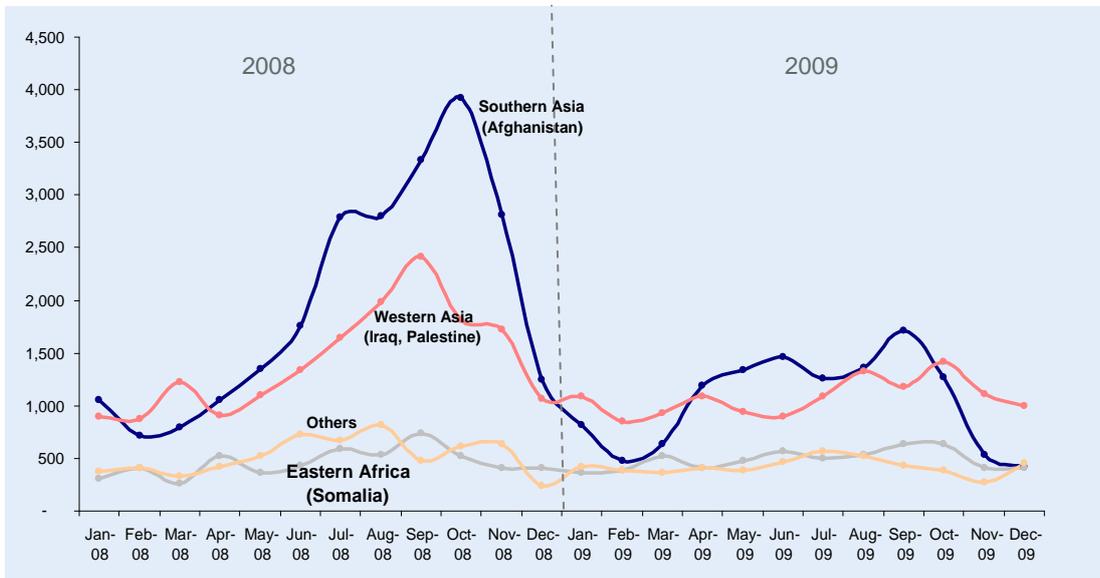
In 2009, illegal border crossing on the Eastern Mediterranean route totalled 41,500, or 39% of all EU detections. Most of the detections were reported from the Aegean Sea, followed by detections along the land border between Turkey and Greece. The number of detections reported by Bulgaria and Cyprus were considerably lower.

Three nationalities constitute 80% of the detections along the Eastern Mediterranean route: Afghan, Palestinian and Somali nationals. Over the past two years, these nationalities have consistently been the most often detected.

A seasonal effect is more apparent in the number of the detections of Asian nationals than for numbers of African nationals. One possible explanation is that Asian nationals reach Turkey overland and are thus more sensitive to inclement winter weather conditions, while African nationals arrive in a steady flow to Turkey by air, taking advantage of the easily available Turkish visas and cheap flights from Nigeria.

False declarations of nationality is assumed to be widespread among East African nationals arriving in Greece, in particular among claimed Somalis who might actually be from Western Africa. This would explain why the number of detections of Somali nationals does not vary with the security situation in Somalia.

Chart 2: Trends in the nationalities detected for illegal border crossings on the Eastern Mediterranean route



Source: FRAN data received as of 15 February 2010

The number of detections of nationals from Afghanistan and Iraq decreased by 50% from 26,700 in 2008 to 13,300 in 2009. One possible explanation for this decrease is the reduced employment opportunities in the UK (the main destination country), combined with stricter law enforcement measures in Greece and France, the main transit countries. Another possible explanation is a deterrent effect of return operations from the UK to Afghanistan.

The 79% increase in detections of Palestinian nationals, from 4,200 in 2008 to 7,500 in 2009 is more difficult to interpret. Palestinian nationals are the first or second most commonly detected nationality in Greece, Bulgaria and Cyprus. The situation in the West Bank and the Gaza strip continues to be unstable through 2008 and 2009, but at the EU level, 59% fewer Palestinians applied for asylum in 2008 (2,200) than in 2009 (900). Based on information gathered during Frontex joint operations in 2009, there would be a large number of false declarations of nationality among claimed Palestinian nationals, in particular by nationals from Maghreb (Algeria, Morocco) and Middle East countries (Iraq). The reason for these false declarations is currently unclear. Perhaps the most likely reason is that they wish to avoid return or at least to reduce the length of their stay in the detention centres, but these declarations are not linked with applications for international protection.

Pervasive effects of illegal border crossing from the Eastern Mediterranean route can be found in France (Northern region), Nordic countries, Germany, Belgium and The Netherlands which have reported large number of migrants that illegally entered the EU in Greece. At the end of 2009, after the Greek authorities stepped

up measures on exit at their airports, the number of third country nationals detected with forged or falsified documents on flights to other Member States averaged about 350 cases per week.

3.1.2 Circular illegal migration from Albania to Greece

In 2008, detections of illegal border crossing between Albania and Greece and between FYROM and Albania, totalled 40,800 and represented almost 40% of the EU total. More than 90% of the illegal migrants were Albanian nationals.

In Greece, most Albanian nationals detected crossing the border illegally or staying illegally are quickly returned under a bilateral police agreement. Persons returned to Albania are finger printed by the Albanian police, a procedure that enables authorities to distinguish between cases and persons. Between 2008 and 2009, there was a decrease of 10% in the number of persons actually readmitted by Greece. This decrease is attributed to the decrease in employment opportunities in the agricultural and tourist sectors in Greece where Albanian nationals are most often illegally employed as seasonal workers.

Despite strengthened measures, border controls appear to have little effect on the circular illegal migration from Albanian nationals to Greece. The lack of effect of border controls might be attributed to the ease with which Albanian migrants repeat their attempts after detections and the impunity of their employers in Greece. These are two strong pull factors that cannot be addressed only by measures at the borders.

Only a small proportion of the Albanian illegal migrants intend to reach Member States other than Greece. Their impact is thus mostly limited to seasonal work in Greece.

3.1.3 Central Mediterranean route

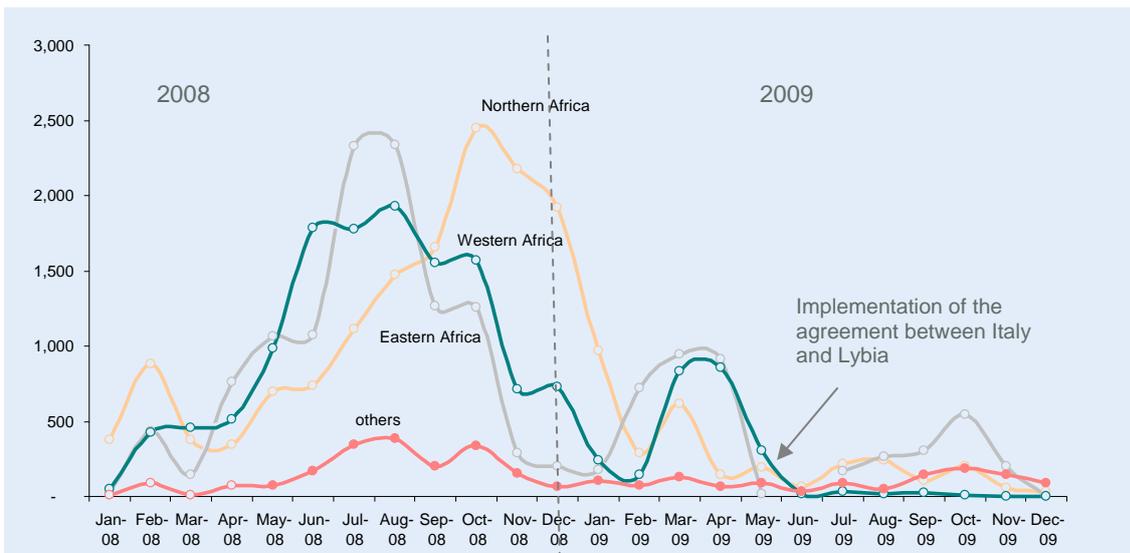
The Central Mediterranean route refers to illegal migration from northern Africa to Italy and to Malta. For the past two years, Libya has been a nexus point where migrants from the Horn of Africa and Western African routes and a small proportion of Asian nationals met before embarking.

Since the signing of a bilateral agreement with Libya, joint patrols by Libya and Italy have had a clear and measurable deterrent effect, with 3,200 detections in the seven months after the joint patrols (June to December), compared to 7,200 detections in the five months before the joint patrols (January to May), and almost 40,000 detections in the whole of 2008.



Picture 1: An boat overloaded with illegal migrants in the southern Mediterranean

Chart 3: Trend in the nationalities detected for illegal border crossing on the Central Mediterranean route



Source: FRAN data as pf 15 February 2010

3.1.4 Western African route

The Western African route is primarily through Western African countries to Spain via the Canary Islands. The main embarkation points are in Senegal and Mauritania and the main countries of origin are Mali, Mauritania, Guinea Conakry and Senegal. Other African nationals have also been reported, and occasionally migrants from Asia.

This route is now less favoured since the Spanish collaboration agreements with Senegal and Mauritania. The Frontex coordinated Joint Operation Hera plays a major role in maintaining effective surveillance in the area.

3.1.5 Western African route

The Western Mediterranean route includes the sea route from Northern Africa to the Iberian Peninsula, and the land route through Ceuta and Melilla. It is mostly used by Northern African nationals (Algerian and Moroccan) travelling to Spain, France and Italy.

Maritime detections between Northern Africa and Spain are rising, with increasing detections of Algerian and to a lesser extent Sub Saharan nationals.

Moroccan nationals are also regularly detected on this route. The lack of employment opportunities for the growing population of young people in Morocco continues to increase the incentives of migrating to the EU. The Spanish authorities recently reported an increasing number of attempts by Moroccan minors to get on the ferry link between Tanger and Spain. These cases do not seem connected with criminal networks; rather individual attempts are driven by poor employment prospects in Morocco.

3.1.6 Western Balkan route

The Western Balkan route describes illegal migration to the EU from the Western Balkan countries of Croatia, Serbia, Kosovo, Bosnia and Herzegovina, Albania, Montenegro, and the former Yugoslav Republic of Macedonia. It also includes the transit of illegal migrants through the Western Balkans, as an outlet from the Eastern Mediterranean route. Illegal migration of Albanian nationals to Greece is treated separately under the section '3.1.2 circular illegal migration from Albania to Greece'.

Along the Western Balkan route, the most commonly detected nationality for illegal border crossing was from Kosovo, particularly along the land border between Serbia and Hungary. Most of the detections were made along the green borders, and few were detected using forged documents or during clandestine entry through the Border Control Point (BCP), e.g. hiding in vehicles. Serbians of Kosovo origin were more commonly refused at the land border with Hungary and Slovenia than at the air borders of the EU, confirming that their preferred route to the EU is the land route. Based on statistics for illegal stay, their preferred destinations are Germany, Sweden, Belgium and Austria, together representing 65% of the detections of Serbian nationals.

In 2009, a large number of Serbians of Kosovo origin claimed asylum in Hungary after being detected crossing the border illegally. Most of them soon absconded from the asylum centre to continue their travel through the EU.

In 2009, there was increasing evidence that the Western Balkan was used as transit region by Afghan nationals who had entered Greece illegally from Turkey and then travelled in the EU, mostly towards the UK. This increase in the Western Balkan route is consistent with the 2008 increase of Afghan nationals detected illegally crossing the border from Turkey to Greece, combined with stricter alien laws in Greece and controls on regular ferry links between Greece and Italy.

Most Afghan nationals were detected at the green border between Serbia and Hungary. Their journey was mostly reported to be comprised of three parts: the first part was from Greece to the green border between Serbia and Hungary, the second part was the crossing of the green border without the presence of facilitators, and finally the third part was meeting with other facilitators for the last leg of the journey within the EU.

Several recent investigations conducted by Member States or by Western Balkan countries indicated that illegal migration in the Western Balkans is not limited to illegal crossing of the green border, but also includes clandestine entry by concealment in trucks. Following the strengthening of surveillance along green borders, facilitators are likely to switch to the concealment of illegal migrants, hence putting lives at risk in confined vehicle compartments

Illegal migration via the Western Balkan route should be considered in the context of a recent visa liberalisation policy granted to citizens of EU candidate countries (Serbia, Croatia, Montenegro and the Former Yugoslav Republic of Macedonia). As a result of this policy, a large proportion of the population can now travel freely to the EU, thus now restricting the risk of illegal border crossing only to that proportion that don't have access to the new biometric passports. However nationals from Bosnia and Herzegovina, Albania and people living in Kosovo (who do not have free access to the EU) might start to use forged Western Balkan travel documents.

The Western Balkans is also used for smuggling high taxed goods and drugs to the EU. For many years Western Balkan countries have been used as one of the main routes for heroin trafficking from Afghanistan, via Turkey and onward to the EU. In addition, long periods of war in the Western Balkan region has resulted in large stocks of weapons and ordnance which are now readily available for criminals. Hence, the smuggling of small arms, ammunition and explosives is also a frequent crime in the region.

Another important threat for internal security within the EU is the ease with which criminals are able to smuggle stolen vehicles from the EU to the Western Balkans. According to information from Austrian experts deployed during the Joint Operation Focal Point, BCPs on the border between Hungary and Serbia are frequently used to smuggle stolen vehicles from European to Western Balkan countries.

3.1.7 Eastern European land borders

This section summarises the detection of illegal migration along the EU eastern land borders with the Russian Federation, Belarus, Ukraine and Moldova. The number of detections of illegal border crossing along the Eastern land borders of the EU was low in 2008 relative to the total number of detections, and was even lower in 2009 with 1,335 detections, representing 1% of the EU total. The low number of detections can partly be explained by the strong border controls in the Russian Federation and Belarus. For example, in 2009 the Russian Federation authorities reported the detection of more than 200 Afghan nationals attempting to cross illegally to the EU along the border with Finland. In this case, most of the Afghan nationals reside in Commonwealth Independent States (CIS) and do not come directly from Afghanistan. The low number of detections along the border with Belarus might be attributed to the fence set up by the Belarusian authorities along their border with the EU.

Ukraine, and in particular the capital city Kiev, is the main nexus point for illegal migration along the Eastern land border, with illegal migrants arriving via the Russian Federation and then onward by air or overland routes to the EU. The number of passengers at the border between Poland and Ukraine has increased after Poland's entry into the Schengen area; this border section now registers the largest flow of third country nationals requiring visas, followed by the German air borders¹. Consequently there was an increase in refusals of entry of Ukrainian nationals who now rank first among the most commonly refused nationalities at the EU external borders.

Between June and September 2009, the border between Belarus and Poland reported an exceptionally high number of Georgian nationals claiming asylum and then quickly absconding from the asylum centres to reach other Member States such as Germany, Austria and Belgium.

¹ Based on Council entry exit exercise conducted in September 2009, excluding air passengers to the UK for which data is not available

Along the Eastern land borders, several Member States reported being confronted with cross border crimes more often than with illegal migration issues. Similar observations have been expressed by border control authorities in neighbouring third countries. In particular, the issue of smuggling of excise goods has been reported has a high threat along the borders between the Russian Federation and Poland, Lithuania and Latvia.

3.1.8 Detections of clandestine entry at BCPs

In addition to the detections of illegal border crossing made along the green border, Member States reported 1,600 detections of clandestine entry through BCPs, mostly illegal migrants concealed in confined compartments of vehicles. This number is probably slightly conservative as some Member States such as Greece do not distinguish between detections at the green border and at BCPs.

3.1.9 False declaration of nationality

According to intelligence and operational information the top three most commonly false claimed countries of origin are Somalia, Palestinian territories and Afghanistan. Migrants from that have cultural or linguistic links with these false countries of origin (Maghreb, the Middle East, Iran, Pakistan, Central Asia and East Africa) are most likely to engage in the practice of nationality swapping.



Photo: Frontex

3.2 Facilitators

In 2009, there were 9,200 detections of facilitators, compared with 9,900 detections in 2008. The top three Member States reporting detections of facilitators were the same three Member States that reported the highest number of detections for illegal border crossing, namely Italy, Spain and Greece.

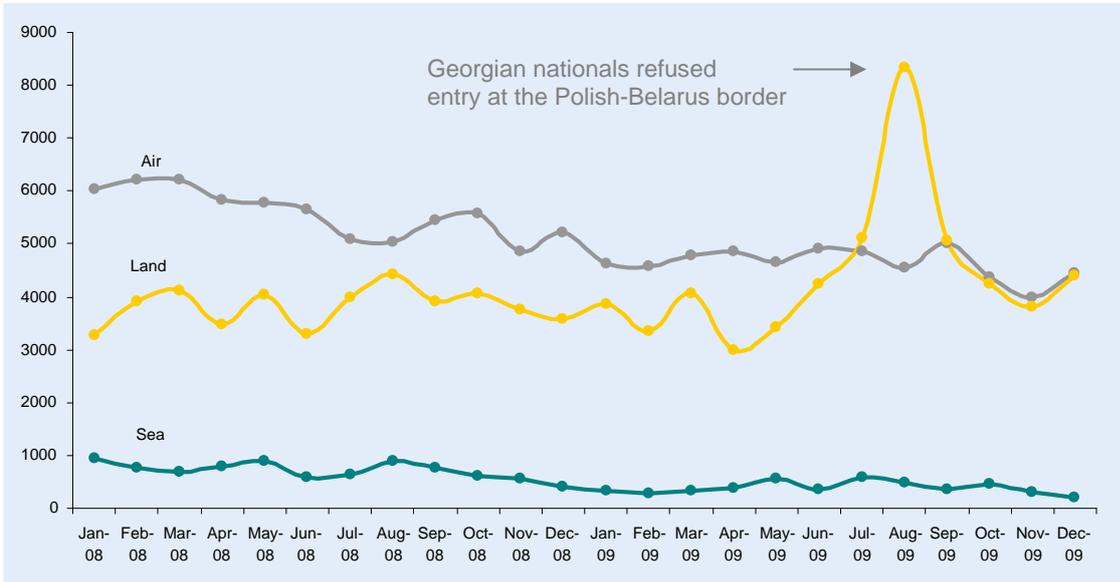
The vast majority of facilitators were EU nationals. A total of 20 Member States reported their own nationals among the top five nationalities for facilitators, of which 13 Member States reported their own nationals as ranking first. This clearly shows the segmentation of the illegal migration networks, whereby facilitators from one country organise the operations in their own countries, and for the most part do not accompany the illegal migrants across the borders.

3.3 Refusals of entry

Compared to 2008, refusals of entry in 2009 remained fairly stable, only showing a small decrease of 7% to 113,000. Refusals of entry were split almost equally between refusals at the air borders (49%) and at the land border (47%). Only few refusals of entry were reported from the sea borders due to the low number of regular passengers.

There were two notable trends: 1) a continued decrease in the number of refusals of entry at the air borders due to widespread reductions in air traffic, and 2) a sharp increase in the number of land border refusals of entry in August 2009, resulting from large numbers of refusals of entry at the land borders between Poland and Belarus, and Slovenia and Croatia. The refusals in Poland were of Georgian nationals who later claimed for international protection and then absconded from the centres to stay illegally in the EU, and the refusals in Slovenia were of Western Balkans circular migrant workers travelling to Italy.

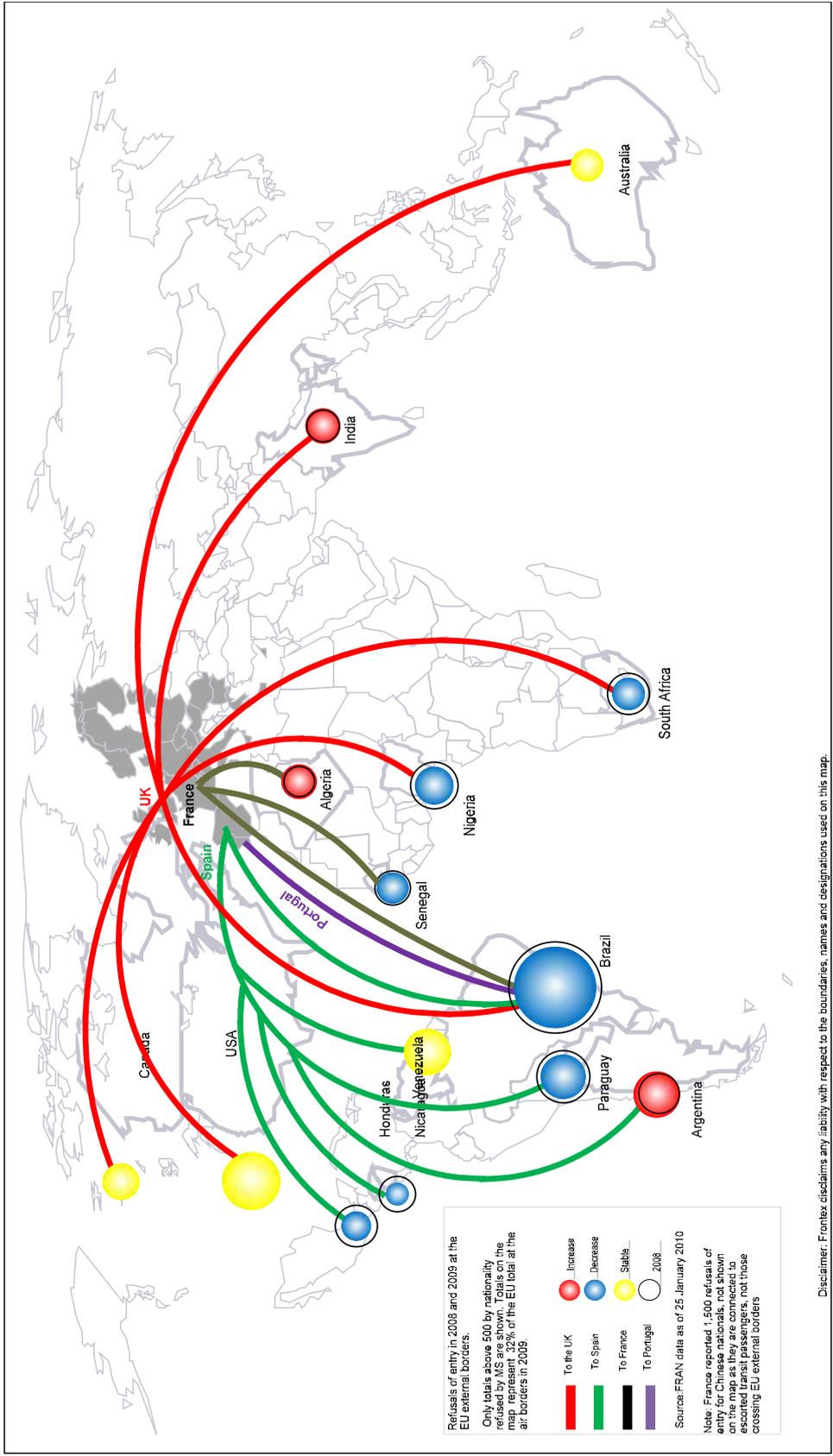
Chart 4: Trend in refusals of entry at the EU external borders by border types



Source: FRAN data received as of 15 February 2010

Excluding the UK and Ireland which did not participate, the European Council's one week data collection exercise implemented at the beginning of September 2009 which focussed on the entry/exit system, showed that about 2 million third country nationals (requiring and not requiring visas) and 5 million EU nationals crossed the external EU border in a week. This extrapolates to an annual figure of about 100 million entries for third country passengers and about 260 million entries of EU nationals. Thus, refusals of entry of third country nationals represented only 0.1% of the third country passenger flow.

Map 2: Annual trend in refusals of entry at the air borders for main countries of origin and Member States in 2009



Disclaimer: Frontex disclaims any liability with respect to the boundaries, names and designations used on this map.

Most refusals of entry are on the grounds of either lacking valid visas or residence permits (38%) or documentation justifying the purpose and conditions of stay (31%). In 2009, there was a total of 29,700 refusals of entry on the grounds of lacking appropriate documentation justifying the purpose of stay. This directly reduced the number of overstaying in the EU, which is probably the main path for illegal migration to the EU.

In terms of nationalities, Ukrainian nationals were most commonly refused entry at the border between Poland and Ukraine. The three Polish land border sections constitute the busiest flow in the EU of third country passengers requiring visas (about 120,000 weekly entries of third country passengers requiring visa).

Spain also reported refusals of entry in Ceuta and Melilla; a decrease of 61% from 492,700 in 2008 to 193,100 in 2009, due to stricter controls on exit by Moroccan border authorities, as a direct consequence of a bilateral agreement with Spain.

3.4 Applications for international protection

The number of applications for international protection in 2009 totalled 219,800, a figure comparable to 2008 (-2%). However, this figure excludes applications made in inland France which may have been among the highest of Member States. The EU total for 2009 was about half that of the annual peak in 2000/2002 (420,000 asylum seekers,) and about a third of the Bosnian-Herzegovina war peak in 1992.

The annual number of applications should be interpreted with respect to the average rejection rate which was of 70% at the EU level when considering the total of all types of international protections. The rejection rates vary widely between Member States but the high EU average supports the fact that application for international protection is one of the main paths for illegal migration within the EU, with many undocumented asylum applicants deciding to stay illegally in the EU once their application has been rejected.

Asylum flows are unpredictable as they depend on fluctuations in large scale geopolitical situations. There is no guarantee that a Member State with currently low numbers of asylum applications will not experience pressures in the short term.

Reduced employment opportunities for illegal migrants, combined with strengthened controls at the borders have resulted in a higher risk of unfounded international protection applications being used to enter the EU, which inevitably inhibits the rapid provision of protection for those third country nationals with legitimate claims.

Some signs of this can already been seen in 2009, with a massive influx of Georgian nationals applying for asylum in Poland and then quickly absconding from the asylum centre and soon detected staying illegally in Germany, Austria, Belgium and other Member States. A similar situation occurred at the border between Serbia and Hungary, with many passengers from Kosovo applying for asylum and then quickly disappearing from the asylum centre.

The number of applications from Iraqi nationals decreased by 43% from 31,000 in 2008 to 17,000 in 2009. This decrease was detectable in almost every Member State. In addition, compared to 2008, Iraqi nationals were detected 49% less frequently crossing the EU external border illegally and were detected 42% less frequently staying illegally. Overall these figures indicate a general decline in Iraqi illegal migration at the EU level.

In contrast, the number of Afghan nationals increased by 82% from 13,600 applications in 2008 to 24,600 applications in 2009, an increase that is attributed to the secondary movement of Afghan nationals from Greece to other EU Member States. At the EU level, Afghan nationals are now the most common nationality applying for international protection.

3.5 Illegal stay

FRAN members reported a total of 352,800 detections of persons staying illegally in the EU in 2009, down 21% compared to 2008. The largest decreases were reported by Spain and France

In Spain, there was a sharp drop recorded between January and February 2009, which is interpreted as a change in law enforcement activity, whereas the general decreasing trends recorded prior and subsequent to the drop are due to decreasing detections of illegal migrants from Latin America.

The decrease in France is mostly due to lower detections of Iraqi and Eritrean nationals, but also to lower detections of many other nationalities. This could be explained for in part by the dismantlement of the camps of illegal migrants in northern France that have dispersed migrants into other parts of the country and in other Member States, and also by the end of the border controls with Switzerland where many migrants staying illegally in France used to be detected on exit. Thus, in this case the decreasing detections do not necessarily reflect an actual decrease in the number of illegal migrants.

At the EU level, the most noticeable trend is the decrease in detections of Iraqi, Eritrean, Moroccan and Indian nationals in most Member States. In contrast, there was an increase in detections of Afghan nationals, most of them reported arriving from Greece, as well as an increase in Vietnamese nationals.

The three main paths for illegal stay in the EU are 1) illegal border crossing, 2) overstay the legal period of stay and 3) loss of status related to international protection (either rejection of application or non-renewal of status). However, there is an intelligence gap on the relative importance of these paths.

3.6 Detection of forged documents to enter the EU

A total of 8,200 detections of forged documents used to enter the EU were detected in 2009. Most of the detections (72%) were reported at the air borders. The most common nationality detected using forged documents was Nigerian, whereas the most commonly reported country of origin of the forged documents was France.



Picture 6: Following increased biometric security in travel documents there is a growing risk of the use of impostor techniques

The detections of forged documents is small in comparison to the flow of passengers, which was estimated at about 380 millions entries in 2009, excluding the UK and Ireland. This low level of detection might be due the presence of fewer forged documents in response to increased security features on legitimate travel documents. However, it might also be due to ineffective detection of forged documents.

There are increasing numbers of reports to suggest that the EU is becoming a hub for illegal migration to Canada. The Netherlands have reported increased detections of forged documents on passengers on transit to Canada. The Canadian authorities themselves have reported that most of their detections of illegal migrants using forged documents at the air borders are connected with passengers transiting through the EU.

3.7 Trafficking in human beings

Almost half of the victims of trafficking identified in 2009 were EU nationals, and of these most were nationals of the Member States that joined the EU after 2004, detected in EU-15 Member States. Sexual exploitation was the main purpose of trafficking in human beings, especially in the case of women and minors. A significant proportion suspected traffickers of human beings were EU nationals

The role of Frontex in the field of combating trafficking in human beings (THB) focuses on prevention. This is to be achieved by 1) increasing situational awareness and reaction capability of Member State border control authorities, 2) working closely with Europol, Interpol, Member State and Third Country law enforcement authorities to ensure that intelligence and intelligence from THB related investigations is fully taken into account when profiling potential victims and their traffickers, and 3) planning Frontex coordinated joint operations.

3.7.1 About the victims

Of 30 Member States and Schengen Associated Countries, 22 provided statistics on victims of trafficking for the year 2008, and a total of 4,371 victims of trafficking were identified.

The major challenge related to the number of reported victims of trafficking remains the lack of a consensus on the definition of victims of trafficking. Differences in definitions may result in double counts of victims originating from one Member State and being trafficked to another Member State. The numbers reported are often based on residence permits given to victims, assisted victims of trafficking, victims in reception centres or victims in cases under investigation. The actual number of undetected victims is unknown, but likely to be much higher.

Spain reported the highest number of victims of trafficking, followed closely by the Netherlands. Across the Member States, around 90% of the identified victims are female and almost 10% are minors. In other countries, such as the UK and Romania, males and minors are more highly represented, for example Romania reported more than 50% of the identified victims as minors.

It is important to emphasize that the Member States reporting the highest numbers of victims of trafficking are not necessarily considered as the Member States with the largest problems of THB. This is because the Member States with the highest numbers of reported victims may simply have the best mechanisms for identifying the victims.

The nationalities of the victims of trafficking are almost equally split between nationalities of the Member States (48%) and third countries (52%). Victims of Romanian nationality are by far the most exploited group within the Member States, followed by the Nigerians and the Dutch.

In terms of this report, victims of domestic trafficking within the EU are defined as “persons with a Member State nationality reported by their own or another Member State as victims of trafficking.” The victims of domestic trafficking are mostly reported by the EU-15 Member States. Germany, the Netherlands and Belgium reported the highest numbers of domestic victims of trafficking, totalling jointly 84% of all domestic victims across the Member States. These three countries also reported 98% of the trafficking victims who were nationals of EU-15 Member States. Victims of EU-15 Member State nationalities are mainly reported by the EU-15 Member States. Furthermore, domestic victims with EU-15 Member State nationalities represent 36% of the total number of victims of domestic trafficking within the EU.

Minors that are victims of trafficking are mainly identified as victims of domestic trafficking (81%), and were all nationals of Member States joining the EU after 2004. Of all the minors that were victims of domestic trafficking, 82% came from Romania. Also the male victims of trafficking are mainly identified as victims of domestic trafficking (66%), and were all nationals of Member States joining the EU after 2004. Of all male domestic victims of trafficking, 54% were of Romanian nationality.

As many as 84% of identified victims of trafficking are meant for prostitution purposes or other forms of sexual exploitation. Most of the female victims of trafficking are reported for exploitation in this category (92%), as well as minors (84%). In 2008, forced labour represented 14% of all cases of trafficking reported by the Member States. Male victims of trafficking are the largest group in this category (68%), with 94% of all male victims being exploited for labour exploitation.

Some Member States also provide assistance to victims upon return to their home country. While commendable, this may result in the double counting of the same victim, both by the Member State where exploitation was detected and the Member State of repatriation. Conversely, some Member States only report residence permits provided to third country victims, thus resulting in the non-reporting of victims of EU nationality.

3.7.2 About traffickers

Of 30 Member States and Schengen Associated Countries, 20 provided statistics on suspected traffickers of human beings for the year 2008, which totalled 2,628 detections.

The major challenge with the collection of data on the traffickers of human beings is that there is no consensus on the definition of traffickers across the EU and the Schengen Associated Countries. Member States reported on the numbers of suspected traffickers detected, arrested traffickers, convicted traffickers and the number of traffickers reported to the government.

The majority of suspected traffickers are from the Member States joining the EU after 2004. However, there is only a slight difference between the numbers of suspected traffickers from the new and from the EU-15 Member States (37% from new and 35% from the old). This is most probably due to the fact that victims from the Member States joining the EU after 2004 are often trafficked to the EU-15 Member States, while the victims from EU-15 Member States are mainly trafficked domestically, within their country of origin. Only 27% of the suspected

traffickers are from third countries, while the number of victims from third countries is twice as high (53%).

The vast majority of the suspected traffickers come from Europe (84%), and in particular from the Member States with the highest numbers of reported victims of trafficking, namely from Germany and Romania. The highest numbers of third country traffickers detected by the Member States are Turkish nationals, followed by Nigerian and Brazilian nationals.

Most suspected traffickers are involved in exploitation for prostitution of others (51%), followed by slavery or practices similar to slavery (22%), and activities associated with begging or other unlawful activities (12%). Forced labour or services were only a small share of the exploitation practices (6%), but this figure can also be somewhat distorted by a time lag in the prosecution of certain cases in the Member States.





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