

Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe

**A Survey and Analysis of Border Management and Border Apprehension Data
from 2009**

With a Special Survey on Return and Readmission of Illegally Staying Migrants

International Centre for Migration Policy Development, Vienna 2011

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MSWiA

Ministry of the Interior
and Administration

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The yearbook was prepared by ICMPD staff.

This edition of the Yearbook relies on the analytical approach of previous editions, edited by Peter Futo, Michael Jandl and Thomas Tass.

The responsibility for any errors rests solely with ICMPD.

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Table of Content

Introduction	5
Irregular Migration in CEE in 2009 – Comparative Analysis	7
Border apprehensions	7
Rejections at the border	15
Human Smuggling	17
Trafficking in Human Beings	19
Return and readmission	21
Country Chapters	29
Armenia.....	30
Azerbaijan.....	35
Bosnia and Herzegovina	45
Bulgaria	54
Croatia.....	64
Cyprus	78
Czech Republic.....	86
Estonia.....	97
Georgia.....	105
Greece.....	111
Hungary.....	115
Kosovo under UNSCR 1244	126
Latvia.....	132
Lithuania.....	142
The former Yugoslav Republic of Macedonia.....	155
Montenegro.....	163
Poland	176
Romania	189
Serbia	201
Slovakia	213
Slovenia	230
Turkey	242
Ukraine.....	248
Questionnaire	258

Introduction

This is the 13th edition of ICMPD's Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe. The Yearbook provides a comprehensive overview and detailed analysis of irregular migration flows in the wider CEE region.

The basic information for the Yearbook has been collected through a questionnaire, disseminated to border agencies, ministries of interior and other national authorities dealing with issues related to irregular migration. Through this method, detailed assessments and authentic information on the situation and developments of irregular migration, human smuggling and trafficking in the countries is obtained directly from reliable sources.

In the last decade several European countries have engaged in negotiations and conclusions of bilateral readmission agreements. In addition, return and readmission of illegally staying immigrants has become the major response of countries to the challenge of irregular migration. Against this background, the Yearbook 2009 takes a closer look into the practices of return and readmission in the wider Central and Eastern European region.

In 2009 the trend of decreasing numbers of apprehensions in the region has continued. Migration-related border apprehensions decreased by more than a fifth from 2008 to 2009. Greece and to a much lower extent Turkey represent the countries with the largest numbers of apprehensions of persons who enter or stay in a country without authorisation. The most important source countries are Albania, Afghanistan as well as the Occupied Palestinian Territory. Apprehensions of human smugglers and traffickers show a decreasing tendency in 2009 as well.

With the Yearbook, the International Centre for Migration Policy Development provides a reliable and continuously available source of information on the development in the area of irregular migration. It serves its Member States as a basis for the development of fact based policy responses to irregular migration in Europe.

I would like to genuinely thank all collaborating authorities in the countries for their excellent co-operation, their efforts and inputs to the Yearbook. I would also like to thank ICMPD staff members for their dedicated work.

Peter Widermann

Director General, ICMPD

Irregular Migration in CEE in 2009 – Comparative Analysis

The comparative analysis of ICMPD's Yearbook presents a synthesis of the statistical information provided by each country. The aim of the comparative chapter is to present an overview on the situation and developments in the area of irregular migration, human smuggling and trafficking in Central and Eastern Europe in 2009. Comparative tables provide information on the most important countries in each area of analysis as well as on changes in the statistics from 2008 to 2009.

Altogether, 23 countries and territories responded to the questionnaire for the 2009 Yearbook. Due to differences in the availability of several statistics, international comparison is limited to the number of countries that did provide the requested statistics.

The statistics were collected through a questionnaire, which was sent out to the responsible bodies in the countries and territories in 2010. The questionnaire contains qualitative and quantitative questions. The qualitative questions focus on the main legal and institutional developments in the area of (irregular) migration policy and border management as well as on the experiences of authorities with human smuggling and human trafficking in the year 2009. In addition to the standard questions of the Yearbook, special questions about return and readmission of persons found to be illegally staying in a country were included in the questionnaire.

Border apprehensions

Migration related border apprehensions in 2008 and 2009. All together, 22 countries reported the total numbers of migration-related border apprehensions for the years 2008 and 2009 (see Table 1). In 2008, a total of 263,380 migration-related border apprehensions were reported by these 22 countries. Compared to 2008, this number decreased by 21 percent to 207,867 apprehensions in 2009. The largest decrease was observed in Turkey, where the comparatively high number of over 65,000 apprehensions dropped by almost half to some 34,000 in 2009. Slovakia also registered a strong decrease by 41 percent from 1,034 to 611. Other countries where a considerable decline in apprehensions was observed are Poland (-38%), Latvia (-38%), Georgia (-34%), Slovenia (-31%), Bosnia and Herzegovina (-30%) and Cyprus (-27%).

At the same time, seven countries reported increasing numbers of migration-related border apprehensions. The strongest increase in apprehensions occurred in Serbia, where the numbers more than doubled from 2008 to 2009 (+113%). Lithuania (+46%) and Hungary (+44%) also show a significant rise in border apprehensions.

In 2009, by far most apprehensions were reported by Greece, where some 126,000 or 61 percent of all apprehensions in the 22 countries were reported. The second most important country is Turkey, where 17 percent of all apprehensions occurred in 2009. Not considering the two major countries Greece and Turkey, which together reported more than three quarters of all apprehensions, Ukraine and Hungary are important countries of

migration-related border apprehensions with 8,569 and 8,197 apprehensions, respectively. These two countries together represent eight percent of all apprehensions. The numbers include apprehensions of citizens of the reporting countries. In this respect, it has to be kept in mind that in 12 of the 22 countries, citizens of the reporting countries are among the top three groups of citizenship of border apprehensions.

Gender and age composition. The gender ratio among persons apprehended at the border is unbalanced, since most persons apprehended are male. In 2009, 15 countries provided figures on the gender of persons apprehended for irregular migration.¹ Out of the 142,595 persons apprehended, 13,708 were women, representing 9.6 percent of the total number. In 2008, the proportion of women among apprehensions was similar. Above-average percentages of women among apprehensions were especially observed in Lithuania (26% women) and Ukraine (21% women). Other countries with higher percentages of women are Armenia, Estonia and the Czech Republic. In these three countries the total numbers of apprehensions is comparably low.

Concerning the age structure of the apprehended persons in 2009, 13 countries provided information on the number of minors included in the statistics.² In these countries, 1,617 apprehensions or 5 percent of all apprehensions involved minors in 2009. In 2008, the proportion of minors was the same. Among minors, the percentage of males is slightly lower than among the total number of apprehensions; however, considerably more male minors were apprehended. In 2009, 73 percent of all minors were male.

¹ Armenia, Azerbaijan, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Greece, Hungary, Lithuania, Montenegro, Serbia, Slovakia, Slovenia, Ukraine

² Including Azerbaijan, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Hungary, Lithuania, Montenegro, Serbia, Slovakia, Slovenia, Ukraine

Table 1: Number of migration-related border apprehensions in 22 countries

Reporting country	2008	2009	Change in %	% of total 2009	Three most important source countries in 2009*
Armenia	104	78	-25%	0%	Armenia, Georgia, India
Azerbaijan	408	355	-13%	0%	Azerbaijan, Georgia, Iran
Bulgaria	1864	1833	-2%	1%	Bulgaria, Turkey, Occupied Palestinian Territory
Bosnia and Herzegovina	543	381	-30%	0%	BiH ³ , Serbia, Croatia
Croatia	2366	1868	-21%	1%	BiH, Croatia, Serbia
Cyprus	5198	3791	-27%	2%	Syria, Occupied Palestinian Territory, Iran
Czech Republic	168	190	13%	0%	Syria, Ukraine, Vietnam
Estonia	59	62	5%	0%	Estonia, Russian Federation, Unknown
former Yugoslav Republic of Macedonia	1080	1111	3%	1%	Albania, the former Yugoslav Republic of Macedonia, Afghanistan
Georgia	350	232	-34%	0%	Georgia, Armenia, Russia
Greece	14633 7	12614 5	-14%	61%	Albania, Afghanistan, Occupied Palestinian Territory
Hungary	5684	8197	44%	4%	Serbia, Afghanistan, Kosovo ⁴
Latvia	7520	4639	-38%	2%	Latvia, Russia, Belarus
Lithuania	3226	4709	46%	2%	Lithuania, Georgia, Russia
Montenegro	965	1117	16%	1%	Albania, Kosovo ⁵ , Serbia
Poland	5797	3581	-38%	2%	Ukraine, Russia, Georgia
Romania	2315	2011	-13%	1%	Romania, Moldova, Ukraine
Serbia	1514	3218	113%	2%	Afghanistan, former Yug. Rep. of Macedonia, Albania
Slovakia	1034	611	-41%	0%	Moldova, Georgia, Ukraine
Slovenia	1189	824	-31%	0%	BiH, Croatia, Kosovo ⁶
Turkey	65737	34345	-48%	17%	Occupied Palestinian Territory, Myanmar, Afghanistan
Ukraine	9922	8569	-14%	4%	Ukraine, Moldova, Russia
Total	26338 0	20786 7	-21%	100%	
Total without GR and TK	51306	47377	-8%	23%	

Notes: Table includes apprehensions of citizens of the reporting country; * information on source countries was drawn from the statistical tables of question 12. Other data were drawn from statistics collected by question 13, see questionnaire in annex.

³ Bosnia and Herzegovina

⁴ Under UNSCR 1244

⁵ Under UNSCR 1244

⁶ Under UNSCR 1244

Major source countries in 2008 and 2009. Altogether, 60 different nationalities were included in the top ten nationalities in at least one of the 22 countries in 2008 and 2009. As already indicated above, the most important countries of origin of apprehended persons were the reporting countries themselves. In all but ten countries that are covered in Table 1, citizens of the reporting country are among the top three groups of citizenship of border violators. Compiling the numbers of all groups of citizenship that are included in the top ten list, Albanian citizens were the most important group of persons apprehended for border violation in 2009. Almost all apprehensions of Albanian citizens were reported by Greece. Compared with 2008, the number of Albanians apprehended for border violation has decreased by 12 percent in 2009. The second most important country of citizenship of persons committing border violation is Afghanistan. 73 percent of the 25,385 Afghans were apprehended in Greece and the second most important country of apprehension of Afghan citizens is Turkey. The third most important country of origin of persons apprehended for border violation is the Occupied Palestinian Territory. These persons were mainly apprehended in Greece and Turkey. Romanian citizens in this ranking come on fourth place. Essentially all Romanians were apprehended in Romania. Further important source countries in 2009 (mainly reported by Greece and Turkey) were Somalia and Iraq. Other important groups among the top nationalities in 2009 are Ukrainians (mainly in Ukraine and Poland), citizens from Myanmar (all in Turkey), Moldovans (mainly in Ukraine and Romania) as well as Bosnians (mainly in Bosnia and Herzegovina and Croatia). Compared with the numbers for 2008, all but apprehensions of Ukrainian citizens show a decrease in 2009.⁷ The strongest decrease was observed for Iraq citizens.

Looking at the countries of origin by region, it becomes clear that most persons apprehended for border violation are from outside Europe. Apprehensions of these persons show a considerable decrease by almost 30 percent. More than a third of the apprehended persons in 2009 were citizens of the Western Balkans, which is mainly due to the high number of Albanians apprehended in Greece. Within the Western Balkans more than three quarters of the apprehensions involve citizens of a country of the Western Balkans.⁸ EU citizens mainly involve Romanians apprehended in Romania.

⁷ The very small increase of apprehended Ukrainians might be explained by the fact that Ukrainians were among the top ten in Turkey in 2009 but not in 2008, and were not included in the statistics in 2008 from Turkey. Hence, apprehensions of Ukrainians might have decreased as well.

⁸ No data available from Albania and Kosovo (under UNSCR 1244).

Table 2: Most important countries of origin of apprehended persons

Most important source country 2009	2008	2009	Change in %	Most important country of apprehension 2009	Second most important country of apprehension 2009
1. Albania	74209	65424	-12%	Greece (98%)	f. Y. R. o. Macedonia (2%)
2. Afghanistan	36900	25385	-31%	Greece (73%)	Turkey (15%)
3. Occ. Palestinian Ter.	7418*	23843	-	Greece (75%)	Turkey (23%)
4. Romania	23218	20515	-12%	Romania (99.9%)	-
5. Somalia	19679	13137	-33%	Greece (82%)	Turkey (17%)
6. Iraq	25363	10134	-60%	Greece (76%)	Turkey (11%)
7. Ukraine	7667	7753	1%	Ukraine (49%)	Poland (20%)
8. Myanmar	4831	4087	-15%	Turkey (100%)	-
9. Moldova	5883	3950	-33%	Ukraine (45.6%)	Romania (40.3%)
10. BiH	3690	3391	-8%	BiH (77.4%)	Croatia (15.4%)
EU	30026	23486	-22%		
Western Balkans	83089	72756	-12%		
Non-Europe	116882	83501	-29%		
Total	250956	197668	-21%		

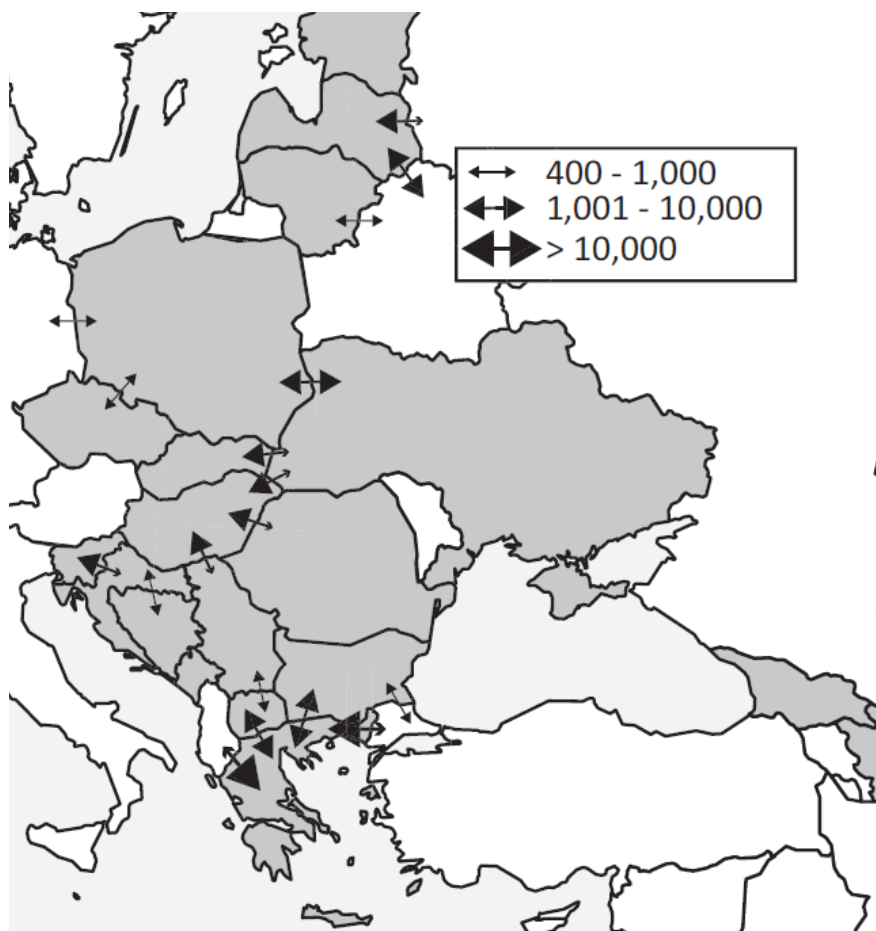
Note: Numbers were included only if they were among the top ten groups in a country. Greece provided numbers of the top five countries only. Therefore, the statistics are influenced by countries with higher apprehension numbers. Reporting countries: Armenia, Azerbaijan, Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Georgia, Greece, Hungary, Latvia, Lithuania, Montenegro, Poland, Romania, Serbia, Slovakia, Slovenia, Turkey, Ukraine.* These citizens were not part of the top five nationalities in Greece in 2008. Consequently, a comparison between the two years would be biased, as the data from Greece are not available for 2008.

Most important border sections. In 2009, most apprehensions were reported at the Albanian-Greek border. Greek authorities registered 38,164 apprehensions, i.e. more than 100 apprehensions per day on average. The second most important border section is the border between Greece and Turkey, where 27,685 apprehensions were recorded by Greek authorities in 2009. With comparably much less apprehensions, the Hungarian-Serbian border is on third place of countries that provided information on border sections. The Hungarian and Serbian authorities report some 4,600 apprehensions at this border section, whereas more than 70 percent of these occurred in Hungary. 95 percent of the apprehensions in Hungary concern movements from Serbia to Hungary. In Serbia, no information on the direction is available. Another important border section in terms of

apprehensions is the one between Greece and the former Yugoslav Republic of Macedonia (3,208) followed by the border sections Latvia-Russia, Hungary-Ukraine and Hungary-Romania (each some 2,200 apprehensions).

Figure 1 shows the most important border sections in the region. Reporting countries are highlighted in grey. In case the direction of the apprehensions was known, the different sizes of arrowheads indicate the major direction of the flows. In case the direction of the flows is not captured in the data, arrowheads were kept the same size in both directions.

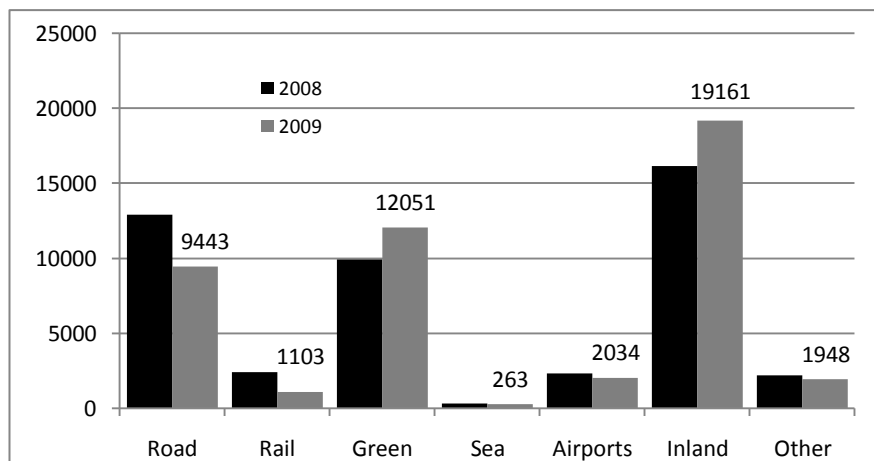
Figure 1: Most important border sections related to illegal border crossings in 2009



Place of apprehensions. Besides the different border sections, it is of interest which types of borders are mainly crossed illegally. Based on the information of 15 countries in the region (see Figure 2), most persons were apprehended within the territory of the reporting countries (42%) in 2009. The second most important place of apprehensions in the region is the green border, where slightly more than a quarter of all apprehensions occurred in 2009. 21 percent of the apprehensions were reported at road border crossings. Compared to these three major places of apprehension (inland, green border and road border), apprehensions at airports, rail borders, sea borders or other places are of minor importance.

From 2008 to 2009, the number of apprehensions within a reporting country's territory and on the green border increased by 18 and 22 percent, respectively. On the other hand, the number of apprehensions at road border crossings decreased considerably, i.e. by 27 percent. Concerning the importance of different types of borders, there are differences between countries. In the Czech Republic, Estonia, Lithuania, Montenegro, Romania and Slovakia most apprehensions were reported within the territory. In Azerbaijan, Croatia, Bosnia and Herzegovina, Hungary, Serbia and Slovenia most persons were apprehended at the green border. In Bulgaria and Latvia, most apprehensions took place at the road border.

Figure 2: Border apprehensions by type of border in 15 countries 2008 and 2009



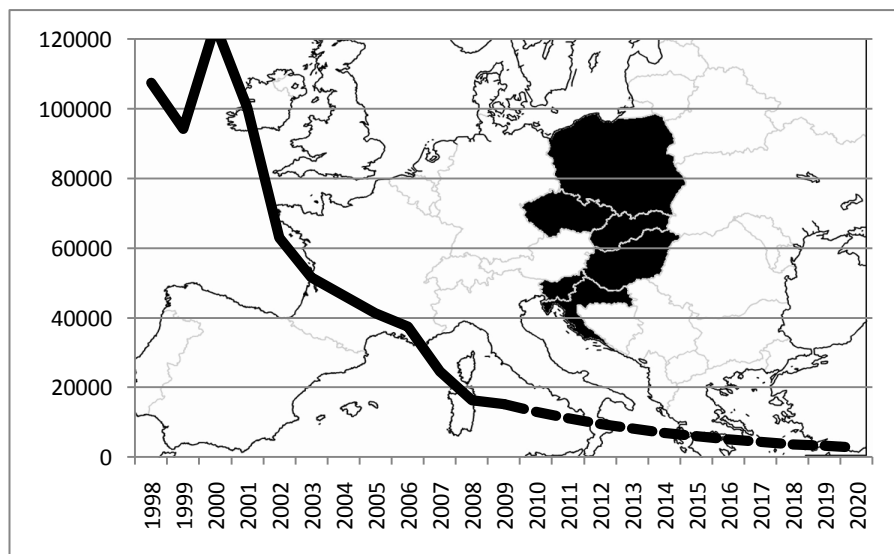
Data from Azerbaijan, Bulgaria, Croatia, the Czech Republic, Estonia, Bosnia and Herzegovina, Hungary, Latvia, Lithuania, Montenegro, Poland, Romania, Serbia, Slovakia, and Slovenia.

Long term trends and projections. Since the 1990s, ICMPD collects data on irregular migration, enabling the identification of long-term trends. Evaluating long-term trends

furthermore allows for projections of the development of apprehensions in the future. Statistics on apprehensions for 1998 to 2009 are available for seven Central and Eastern European countries, namely Poland, the Czech Republic, Slovakia, Hungary, Slovenia, and Croatia. Since the year 2000, the total number of apprehensions in these countries has steadily decreased from some 124,000 to 15,000 in 2009. The strongest decrease was observed in the Czech Republic, where apprehensions decreased from almost 45,000 in 1998 to about 3,400 in 2007 and subsequently dropped below 200. This drop after 2007 can be explained by the accession of the Czech Republic to the Schengen area and the associated abolishment of border controls. A strong decrease of apprehensions can furthermore be observed in Slovenia (-94%), Slovakia (-93%), and Croatia (-82%). Hungary (-64%) and Poland (-49%) also report decreasing apprehensions.

On basis of the development of apprehensions in these countries, future developments in this area can be projected. However, this projection is a rough estimate, since the decrease in apprehensions was influenced by several peculiar historical events, such as the EU Enlargements and extension of the Schengen area. Between 1998 and 2009, the annual numbers of apprehensions have decreased by 14.5 percent on average. Assuming that the average decrease of the past 11 years will continue in the following 11 years, the numbers in the abovementioned seven countries in CEE will further decline to just below 3,000 in 2020.

Figure 3: Border-related apprehensions in six CEE countries from 1998 to 2009 and projection until 2020



Note: including Poland, Czech Republic, Slovakia, Hungary, Slovenia, Croatia

Rejections at the border

Persons trying to enter a country without permission are often rejected at the border, i.e. entry is refused by border guards. In 2009, 152,019 rejections at borders were reported in 20 countries in the region. In 2008, this number was only slightly lower (149,957 rejections). A strong decrease in rejections at the border from 2008 to 2009 took place in Estonia, where the number dropped by 61 percent. In Romania, Slovakia, Latvia, and Bulgaria a significant decline in rejections at the border (by 32 to 52 percent) was reported. Considerable increases in rejections at the border from 2008 to 2009 can be observed in Bosnia and Herzegovina (+65%), Poland (+60%), the Czech Republic (+47%), Hungary (+40%), Serbia (+36%), and Azerbaijan (+31%).

Most cases occurred in Ukraine, where more than 31,000 rejections at the border took place in 2009, constituting 21 percent of all rejections in the region. Further important countries are Poland (18%), Serbia (14%), Croatia (14%), and Turkey (8%). The remaining countries reported numbers below 10,000 in 2009. Approximately 56,000 rejections were reported at the borders of the ten EU countries included in Table 3. In these EU countries, the number of rejections has slightly increased from 2008 to 2009. Rejections in Western Balkan countries also increased in the two years of observation.

Source countries of persons rejected at the borders are mostly neighbouring countries. In countries with high numbers of rejections, persons also originate from countries that are not adjacent to the reporting country. For instance, the most important source countries of rejected persons at the Ukrainian border are neighbouring Moldova, but also Uzbekistan and Tajikistan. In Poland, most rejected persons originate from the neighbouring countries Ukraine and Belarus, but also from Georgia. In Croatia, most rejected persons originate from the Western Balkans, whereas the most important group rejected at the Serbian border in 2009 were Germans.

Table 3: Rejections at the border in 20 countries

Reporting country	2008	2009	Change in %	% of total 2009	Three most important source countries in 2009
Azerbaijan	293	383	31%	0%	Iran, Russia, Nigeria
Bosnia and Herzegovina	3102	5103	65%	3%	Croatia, Serbia + Kosovo ⁹ , Russia
Bulgaria	5473	3748	-32%	2%	Turkey, f. Y. R. of Macedonia, Serbia
Croatia	25461	21549	-15%	14%	BiH, Serbia, Kosovo ¹⁰
Cyprus	917	677	-26%	0%	Jordan, Ukraine, Russia
Czech Republic	257	379	47%	0%	Russia, Armenia, Ukraine
Estonia	2326	916	-61%	1%	Russia, Philippines, Myanmar
The former Yugoslav Republic of Macedonia	263	200	-24%	0%	Albania, former Yugoslav Republic of Macedonia, Kosovo ¹¹
Georgia	426	509	19%	0%	Russia, Azerbaijan, Turkey
Hungary	5531	7739	40%	5%	Ukraine, Serbia, Croatia
Latvia	877	555	-37%	0%	Russia, Belarus, Ukraine
Lithuania	2214	1751	-21%	1%	Russia, Belarus, Ukraine
Montenegro	2055	2251	10%	1%	BiH, Albania, Kosovo ¹²
Poland	16852	26889	60%	18%	Ukraine, Georgia, Belarus
Romania	9174	4427	-52%	3%	Moldova, Ukraine, Turkey
Serbia	16026	21735	36%	14%	Germany, Romania, BiH
Slovakia	1611	888	-45%	1%	Ukraine, Moldova, India
Slovenia	7848	8147	4%	5%	Croatia, BiH, the former Yugoslav Republic of Macedonia
Turkey	11046	12804	16%	8%	Georgia, Moldova, Iraq
Ukraine	38205	31369	-18%	21%	Moldova, Uzbekistan, Tajikistan
EU	53080	56116	6%	37%	
Western Balkan	46907	50838	8%	33%	
Total	149957	152019	1%	100%	

⁹ Under UNSCR 1244¹⁰ Under UNSCR 1244¹¹ Under UNSCR 1244¹² Under UNSCR 1244

Human Smuggling

Persons who migrate irregularly or flee from their country often use the 'services' of human smugglers to reach their destination country. Although the authorities of several countries report an observed increase in human smuggling (see country chapters), the number of apprehended human smugglers has decreased from 2008 to 2009. The decrease in apprehensions indicates a decrease in human smuggling in general; however, the decrease in apprehensions can also be related to the tendency of smugglers avoiding to cross the borders together with smuggled persons. In line with general societal developments, it is reported that persons make increased use of internet services for organising smuggling operations.

In 2009, 3,314 persons were apprehended for human smuggling in 21 countries in the region. In these 21 countries, most apprehensions of smugglers were reported by Turkey, where more than 1,000 persons were apprehended for human smuggling. Other countries with comparably higher numbers of apprehensions are Croatia (303), Bulgaria (246), and Hungary (241). In Romania, Slovenia, the Czech Republic, Greece, Serbia, and Slovakia the numbers range from 150 to 209 in 2009.

As already mentioned, the number of apprehended smugglers has decreased by 19 percent from 2008 to 2009. The most significant decrease was reported by Slovenia, where the number of apprehended smugglers dropped by two thirds from 622 to 204. Among other countries with larger numbers of persons apprehended for human smuggling (i.e., larger than 150), decreases were observed in Turkey, the former Yugoslav Republic of Macedonia, Bulgaria, Croatia, and Greece. Significant increases were found the Czech Republic, Hungary, and Serbia.

The countries of origin of human smugglers are the countries of apprehension, neighbouring countries, or the home countries of the smuggled persons. In all countries except for Greece and Poland, citizens of the reporting country are among the top three groups of citizenship of apprehended smugglers.

Table 4: Number of apprehended smugglers in 21 countries

Reporting country	2008	2009	Change in %	% of total 2009	Three most important source countries in 2009
Azerbaijan	1	5	400%	0%	n.a.
Bulgaria	354	246	-31%	7%	Turkey, Bulgaria, Unknown
Bosnia and Herzegovina	93	78	-16%	2%	BiH, Serbia, Slovenia
Croatia	416	303	-27%	9%	Croatia, BiH, Serbia
Cyprus	58	26	-55%	1%	Pakistan, Cyprus, Syria
Czech Republic	77	197	156%	6%	Czech Republic, Vietnam, Mongolia
Estonia	2	14	600%	0%	Latvia, non-citizen Estonian residents, Estonia
The former Yugoslav Republic of Macedonia	160	70	-56%	2%	The former Yugoslav Republic of Macedonia
Georgia	n.a.	6	n.a.	0%	Georgia
Greece	243	186	-23%	6%	Turkey, Ukraine, Afghanistan
Hungary	176	241	37%	7%	Romania, Serbia, Hungary
Latvia	20	22	10%	1%	Latvia, Ukraine
Lithuania	6	34	467%	1%	Lithuania, Latvia, Armenia
Montenegro	20	16	-20%	0%	Albania, Montenegro, Serbia
Poland	43	40	-7%	1%	Ukraine, Russia, Vietnam
Romania	178	209	17%	6%	Romania, Turkey, Bulgaria
Serbia	119	156	31%	5%	Serbia, BiH, China
Slovakia	142	150	6%	5%	Slovakia, India, Ukraine
Slovenia	622	204	-67%	6%	Slovenia, Croatia, Serbia
Turkey	1305	1027	-21%	31%	Turkey, Afghanistan, Iran
Ukraine	78	84	8%	3%	Ukraine, Russia, Moldova
EU	1921	1569	-18%	47%	
Western Balkan	808	623	-23%	19%	
Total*	4113	3314	-19%	100%	

* Total without Georgia to maintain comparability.

Trafficking in Human Beings

In 2009, 575 persons who have become victims of trafficking were found in eleven countries in the CEE region. This number slightly increased (by 3%) in comparison to the previous year.¹³ The strongest increase was observed in Cyprus, where the number of trafficking victims almost doubled compared to 2008.

Most victims of trafficking were found in Romania and Cyprus, where 46 percent of all victims were found. In 2009, further important countries were Turkey, Serbia, and Azerbaijan. In most countries, considerably more women than men are among victims of trafficking. For instance, all persons who were trafficked to Hungary, Montenegro, and Poland (and who were found by the authorities in 2009) were female. However, in Cyprus and Romania, the countries with most victims of trafficking, considerably more men were among the victims.

Table 5: Number of persons being trafficked in 12 countries

Reporting country	2008	2009	Change in %	% of total 2009	Percentage of women in 2009
Azerbaijan	78	60*	-23%	11%	n.a.
Croatia	7	8	14%	1%	75%
Cyprus	58	113	95%	20%	24%
The former Yugoslav Republic of Macedonia	11	8*	-27%	1%	n.a.
Hungary	10	9	-10%	2%	100%
Montenegro	3	2	-33%	0%	100%
Poland	-	21	n.a.	4%	100%
Romania	157	145	-8%	26%	27%
Serbia	55	85	55%	15%	78%
Slovakia	13	9	-31%	2%	78%
Slovenia	25	13	-48%	2%	85%
Turkey	120	102	-15%	18%	97%
EU**	263	289	10%	52%	
Total**	537	554	3%	100%	

* Only first half of 2009, ** total without Poland to maintain comparability

According to the reports from 15 countries, 2,701 persons were apprehended for trafficking in human beings in 2009. Two thirds of those persons were apprehended in Greece, where more than 1,700 human traffickers were apprehended. The second most

¹³ The actual increase might be higher, since the former Yugoslav Republic of Macedonia and Azerbaijan provided numbers on the first half of 2009 only.

important country concerning apprehensions of human traffickers is Turkey with 301 apprehended traffickers, followed by Romania with 262 traffickers. In all other countries of Table 6, the number of traffickers was below 100 in 2009.

In most countries, the number of persons apprehended for trafficking in human beings decreased from 2008 to 2009, and the overall number decreased by 17 percent. Most likely, persons apprehended for trafficking are citizens of the reporting countries. In all countries, the majority of traffickers did not hold a foreign citizenship, except in Croatia, where only one out of the eleven apprehended traffickers in 2009 was a Croatian citizen.

When comparing Table 5 with Table 6, it can be seen that the number of apprehended traffickers mostly exceeds the number of victims of trafficking. This might be related to the fact that whole groups involved in trafficking were apprehended without information on the victims involved, but it also indicates that more persons are involved in trafficking single persons.

Table 6: Number of traffickers in 15 countries

Reporting country	2008	2009	Change in %	% of total 2009	% of citizens of reporting country 2009
Armenia	8	16	100%	1%	81%
Azerbaijan	91	76	-16%	3%	100%
Bosnia and Herzegovina	33	69	109%	3%	n.a.
Croatia	15	11	-27%	0%	9%
Cyprus	118	90	-24%	3%	61%
The former Yugoslav Republic of Macedonia	25	17	-32%	1%	82%
Greece	2211	1716	-22%	64%	n.a.
Hungary	17	16	-6%	1%	100%
Lithuania	19	12	-37%	0%	100%
Montenegro	9	4	-56%	0%	100%
Romania	329	262	-20%	10%	98%
Serbia	81	94	16%	3%	97%
Slovakia	12	6	-50%	0%	100%
Slovenia	25	11	-56%	0%	55%
Turkey	253	301	19%	11%	86%
EU	2731	2113	-23%	78%	
Total	3246	2701	-17%	100%	
Total without Greece	1035	985	-5%	36%	

Return and readmission

Irregular migration is a challenge for migration management in all reporting countries. One of the main responses to irregular migration undertaken by national authorities is the deportation of persons who stay in a country without authorisation. In addition, there are assisted returns of persons who were obliged to leave the country, mainly referred to as Assisted Voluntary Returns (AVR). In the past decades, return and readmission policies have become increasingly important in Europe, which is also reflected in the increasing number of bilateral readmission agreements concluded between European countries. The following analysis provides an overview on bilateral agreements related to readmission in the CEE region.¹⁴ Many agreements have already been signed or come into force in the 1990s; however, most existing readmission agreements have been signed or come into force in the beginning of the new millennium, mostly in 2004. Most agreements have been signed by the latest EU accession countries, Bulgaria and Romania, which signed more than 30 bilateral agreements. Other countries with comparably as many bilateral agreements related to readmission have been signed by the Baltic countries, Hungary, Poland, Slovakia, Slovenia, Croatia, Montenegro, and Bosnia and Herzegovina. The partner country of bilateral agreements chosen most often is Switzerland, whereas all countries considered in the Yearbook except for Azerbaijan, Cyprus, and Turkey, have signed a readmission agreement with Switzerland. Altogether, the 22 countries of the Yearbook have either signed bilateral agreements or are negotiating such an agreement with 47 different countries. These countries are mainly EU and EFTA countries, but also other countries such as Albania, Russia, and Moldova. Six countries have signed a readmission agreement with the EU, namely Georgia (came into force in 2011), Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, and Ukraine (all in force since 2008).¹⁵ In addition, several countries are currently negotiating about signing and implementing readmission agreements. Especially Ukraine and Turkey report several ongoing negotiations. These negotiations mainly concern countries in Eastern Europe, the Middle East and Central Asia.

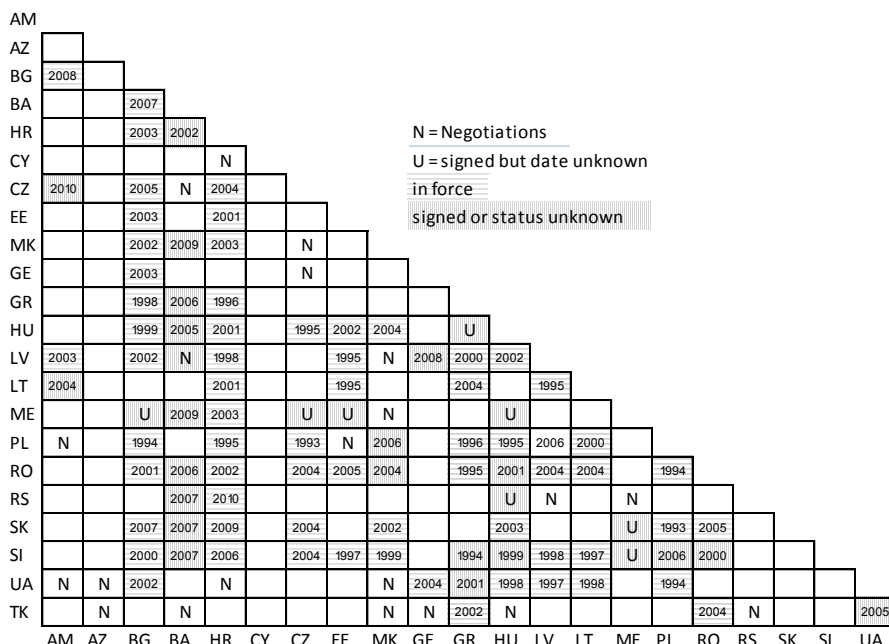
Within the region of Central and Eastern Europe, countries are well organised in terms of readmission agreements. In the 22 countries, 94 out of possible 231 bilateral agreements have been signed. In addition to those, 21 country pairs have started negotiations about bilateral agreements. Most agreements within the region were signed by Bulgaria, Croatia, and Hungary. Slovenia, Romania, Poland, Latvia, Greece, and Bosnia and Herzegovina are also well connected in terms of readmission agreements since they signed agreements with at least 10 countries in the region. Azerbaijan and Cyprus did not sign any readmission

¹⁴ Detailed and reliable information on readmission agreements is difficult to compile. The following analysis is based on the information provided in the questionnaires for the Yearbook 2009 as well as from the website of the EU funded project MIREM: <http://www.mirem.eu/datasets/agreements> (accessed on 12 March 2011). Due to partly contrasting and missing information, certain information on agreements might have been left out or is erroneous.

¹⁵ Cf. Communication from the Commission to the European Parliament and the Council. Evaluation of EU Readmission Agreements. EU Readmission Agreements: Brief Overview of state of play (February 2011), COM(2011) 76 final and SEC(2011)209.

agreement with another country in the region. Cyprus signed agreements with Italy, Sweden, Russia, and Lebanon, and is negotiating with Croatia, the Benelux countries, Syria, and Jordan. For Azerbaijan, information on ongoing negotiations with Turkey and Ukraine is available.

Figure 4: Bilateral agreements on readmission related to irregular migration in CEE



Note: If contrasting information was found, the more recent dates was chosen.

Source: Replies to ICMPD Yearbook Questionnaire and MIREM Database
 (<http://www.mirem.eu/datasets/agreements/> March 2011)

Readmission agreements provide a good overview on the extent of connections between countries, but they do not explain the readmission practice, since agreements might not have come into force, were not accompanied by an implementing protocol or remain ineffective due to other reasons. The following statistics will provide an overview on de facto return practices from and to countries in the CEE region. The discussion and data evaluation is limited to countries which provided statistics.

Forced removals. 21 countries provided information on persons who were forcibly removed from their territories, amounting to some 117,000 removals in 2009 (Table 7).

This number was considerably higher in 2008, when more than 156,000 removals were reported. Most forced removals are reported by Greece, where more than 64,000 removals were carried out in 2009. This number has only slightly dropped since 2008, when almost 69,000 forced returns were reported. The majority of the readmissions in Greece are so-called fast-track readmissions via Greece's northern border. The second major country concerning removals is Turkey, which reported 34,345 removals in 2009, representing 29 percent of all removals in 2009. The number of removals in Turkey was almost double as high in 2008, reaching almost 66,000 removals. Other countries reported far lower numbers, whereas Cyprus, Ukraine, and Poland are countries with most substantial numbers, ranging from 2,000 to 4,000 removals in 2009.

Generally, a clear downward trend in the number of removals can be observed from 2008 to 2009, with a total decrease of 25 percent. This decrease is mainly influenced by the drop of removals in Turkey. In the EU countries included in the analysis, removals decreased by 9 percent and in the Western Balkans removals decreased by 4 percent. Besides Turkey, considerable decreasing numbers of removals can be found in Poland, where the numbers dropped by 63 percent. Latvia, Slovakia, Croatia, and Ukraine as well as Greece and the former Yugoslav Republic of Macedonia report shrinking numbers. A comparatively strong increase in removals was observed in Azerbaijan, Montenegro, the Czech Republic, Hungary, and Slovenia.

The major groups of citizenship of removed persons are Serbia, Turkey, and Russia, which appear among the top three countries of origin of removed persons in five countries in 2009. Other important citizenships or destinations of removed persons are Moldova, Georgia, Afghanistan, Ukraine, and Kosovo¹⁶. Most often, no return agreement is signed with the country of citizenship of the returned persons.¹⁷

In addition to forced removals of persons to other countries, 12 countries reported statistics on forced returns received from other countries. A total of 12,711 citizens of the reporting countries were forcibly returned to their country of citizenship in 2009. The main receiving countries of forced returns are Serbia, Romania, and Kosovo¹⁸. Romania received most returnees from France and most persons who were returned to Kosovo¹⁹ came from Austria.

¹⁶ Under UNSCR 1244

¹⁷ When doing this comparison, it has to be kept in mind that the citizenship of the persons returned does not necessarily reflect the destination country of the forced return, although it often is (see also Table 8).

¹⁸ Under UNSCR 1244

¹⁹ Under UNSCR 1244

Table 7: Removed persons from 21 countries and territories

Reporting country	2008	2009	Change in %	% of total 2009	Three most important citizenship/ destination countries in 2009*
Azerbaijan	327	780	139%	1%	Pakistan, China, <u>Turkey</u>
Bulgaria	275	283	3%	0%	<u>Turkey</u> , Afghanistan, Kosovo ²⁰
Bosnia and Herzegovina	n.a.	22	n.a.	0%	<u>Serbia</u> , Romania, China
Croatia	1344	1019	-24%	1%	<u>BiH</u> , <u>Serbia</u> , <u>Turkey</u>
Cyprus	3231	3673	14%	3%	<u>Syria</u> , Bangladesh, Pakistan
Czech Republic	704	1024	45%	1%	Ukraine, <u>Vietnam</u> , <u>Slovakia</u>
Estonia	103	103	0%	0%	Russia, Unknown, Afghanistan
The former Yugoslav Republic of Macedonia	1301	1255	-4%	1%	<u>Albania</u> , Kosovo ²¹ , Serbia
Greece	68807	64319	-7%	55%	n. a.
Hungary	1030	1332	29%	1%	<u>Serbia</u> , Kosovo ²² , the f. Y. R. of <u>Macedonia</u>
Kosovo ²³	2	7	250%	0%	Moldova
Latvia	209	145	-31%	0%	Russian F., <u>Moldova</u> , <u>Ukraine</u>
Lithuania	123	144	17%	0%	Russia, Belarus, Georgia
Montenegro	289	541	87%	0%	<u>Albania</u> , Kosovo ²⁴ , <u>Serbia</u>
Poland	5779	2165	-63%	2%	<u>Ukraine</u> , Georgia, <u>Russia</u>
Romania	395	392	-1%	0%	<u>Moldova</u> , <u>Turkey</u> , China
Serbia	179	180	1%	0%	Afghanistan, Iran, Turkey
Slovakia	1332	953	-28%	1%	<u>Ukraine</u> , Moldova, Georgia
Slovenia	1485	1794	21%	2%	<u>BiH</u> , <u>Croatia</u> , f. Y. R. of <u>Macedonia</u>
Turkey	65737	34345	-48%	29%	Occ. Palestinian T., Myanmar, <u>Afghanistan</u>
Ukraine	3738	2885	-23%	2%	<u>Moldova</u> , <u>Georgia</u> , <u>Russia</u>
EU	83473	76327	-9%	65%	
Western Balkans*	3115	3002	-4%	3%	
Total*	156390	117339	-25%	100%	
Total* without GR and TK	21846	18675	-15%	16%	

* Total without BiH to maintain comparability

..Negotiations about readmission agreement; Agreement signed

²⁰ Under UNSCR 1244

²¹ Under UNSCR 1244

²² Under UNSCR 1244

²³ Under UNSCR 1244

²⁴ Under UNSCR 1244

The reporting countries carried out 1,785 forced returns of persons who are not citizens of their country in 2009. Most non-citizens who have been deported to another country than their country of citizenship were received by the Czech Republic and Croatia. In these two countries as well as in Hungary, Latvia, Slovakia, and Slovenia, the number of non-nationals outweighs the numbers of nationals among the received deportations to the reporting countries in 2009.

Table 8: Forced returns to reporting country

Reporting country	2008		2009		% of total 2009		Most important source country in 2009
	Non-national	National	Non-national	National	Non-national	National	
Bulgaria	54	834	39	698	2%	5%	Belgium (47%)
Bosnia and Herzegovina	248	231	125	528	7%	4%	Croatia (36)
Croatia	426	48	366	39	21%	0%	Slovenia (97%)
Czech Republic	1259	24	511	18	29%	0%	Germany (94%)
the f. Yugoslav Rep. of Macedonia	137	347	114	206	6%	2%	n.a.
Hungary	241	7	205	10	11%	0%	n.a.
Kosovo ²⁵	-	2655	-	3272		26%	Austria (21%)
Latvia	4	3	12	3	1%	0%	
Romania	n.a.	3059	n.a.	3509		28%	France (24%)
Serbia	103	3572	197	4377	11%	34%	n.a.
Slovakia	40	2	38	5	2%	0%	Ukraine (100%)
Slovenia	115	48	178	46	10%	0%	Croatia (48%)
Total	2627	10830	1785	12711	100%	100%	

Assisted and unassisted return. Besides forced returns, national authorities, in cooperation with international and national organisations, are engaged in the implementation of return programmes, within which the return of persons who are obliged to leave the country is assisted. The numbers of assisted returns from the reporting countries is much lower compared to the number of removals. A total of 3,024 assisted returns are reported from ten countries in the CEE region. Most returns are reported by Cyprus, where more than 1,000 returns were assisted in 2009. The main destination country of assisted returns from Cyprus was Syria. Poland and Azerbaijan also report higher numbers of assisted returns. The main destination country of returns from Poland was the

²⁵ Under UNSCR 1244

Russia. In 2008, higher numbers of assisted returns can be found in the Czech Republic with more than 1,800 assisted returns, mainly of persons who returned to Ukraine.

Table 9: Assisted returns from 10 countries

Reporting country	2008	2009	Change in %	% of total 2009	Most important destination country in 2009
Azerbaijan	-	481	-	16%	-
Bosnia and Herzegovina	28	153	446%	5%	Serbia and Kosovo ²⁶
Cyprus	435	1016	134%	34%	Syria
Czech Republic	1844	169	-91%	6%	Ukraine
Hungary	188	293	56%	10%	Kosovo ²⁷
Lithuania	15	-	-	-	(2008): Russia
Montenegro	1	2	100%	0%	Cameroon
Poland	137	510	272%	17%	Russia
Slovakia	96	139	45%	5%	Vietnam
Slovenia	388	263	-32%	9%	Kosovo ²⁸
Total	3131	3024	-3%	100%	

Only a few countries collect reliable statistics on persons who left a country without any assistance following an obligation to leave. Statistics on returns without assistance were provided by Lithuania, Latvia, Poland, and Ukraine for the years 2005 to 2009. On average, 9,500 persons left these four countries annually between 2006 and 2009. However, the number of recorded returns without assistance has been decreasing since 2006. The main destinations are countries adjacent to the reporting countries, most notably the Russian Federation. The top three destination countries of unassisted returns from Latvia are the Russian Federation, Belarus, and Ukraine. In Latvia, the most important countries of unassisted return are Ukraine, Russia, Armenia, and Belarus. In Poland, the top three countries are Ukraine, Belarus, and Russia. From Ukraine, most persons leaving without assistance of the police force headed towards Moldova, Georgia, China, and the Russian Federation.

Statistics on received returnees from other countries were reported only by Montenegro and Kosovo²⁹. The number of received returnees in Montenegro was rather small, with 209 persons in 2008 and 182 persons in 2009. Most persons returned from Germany, Sweden, or Luxembourg to Montenegro in 2009. Compared to Montenegro, Kosovo³⁰ reports high

²⁶ Under UNSCR 1244

²⁷ Under UNSCR 1244

²⁸ Under UNSCR 1244

²⁹ Under UNSCR 1244

³⁰ Under UNSCR 1244

numbers of returns. In 2008 and 2009, Kosovo³¹ received almost 6,000 persons who returned from other countries. Out of the 3,584 returnees in 2009, most persons came from Austria, Germany, and Hungary.

Table 10: Departures/ returns without assistance following an obligation to leave from reporting countries

Reporting country	2005	2006	2007	2008	2009
Latvia	68	69	81	70	27
Lithuania	1024	1002	898	759	1035
Poland	n.a.	6503	6502	2875	3107
Ukraine	6720	5217	4369	3303	2310
Total	7812	12791	11850	7007	6479

³¹ Under UNSCR 1244

Country Chapters

ARMENIA	30
AZERBAIJAN.....	35
BOSNIA AND HERZEGOVINA	45
BULGARIA	54
CROATIA	64
CYPRUS	78
CZECH REPUBLIC.....	86
ESTONIA.....	97
GEORGIA	105
GREECE	111
HUNGARY.....	115
KOSOVO UNDER UNSCR 1244	126
LATVIA	132
LITHUANIA.....	142
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA	155
MONTENEGRO	163
POLAND	176
ROMANIA.....	189
SERBIA	201
SLOVAKIA	213
SLOVENIA	230
TURKEY	242
UKRAINE	248

ARMENIA



General Information³²

Location:	South-Western Asia, bordering Azerbaijan, Georgia, Iran and Turkey
Area:	<i>Total:</i> 29,743 sq km – <i>land:</i> 28,203 sq km – <i>water:</i> 1,540 sq km
Land boundaries:	<i>Total:</i> 1,254 km <i>Border countries:</i> Azerbaijan 556 km, Nakhchevan 221 km, Georgia 164 km, Iran 35 km, Turkey 268 km
Population:	2,966,802 (estimate for 30 June 2010)

General legislative and institutional developments

In order to reform the migration management system, an inter-agency work group was established by decision No. 304 of the Prime Minister of Armenia, dated 16 April 2009. On 1 July 2009, the group submitted its proposals to the government of Armenia, which endorsed the recommendations. As a result, the State Migration Service was created within the Territorial Administration Ministry by decree of the President of the Republic of Armenia (dated 18 November 2009). The Armenian government approved the Migration Service's statute on 17 December 2009. Currently, the Service is fully established in operation. In 2009, progress in implementing the provisions of the Concept Paper for the Migration System in Armenia and for Introducing Biometric Passports and Identification Cards (approved by decree of the President of the Republic of Armenia No. NK-53-A, dated

³² Source: CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/am.html> (Dec. 2010)

15 March 2008) was made. The National Action Plan for Introducing Electronic Passports and Identification Cards in Armenia was submitted for discussion to governmental bodies on 6 November 2009. The concept paper and draft law 'On Repatriation' were elaborated in 2009. The Action Plan of the government of Armenia for 2010 envisaged the submission of the draft law to the government in the end of 2010. The Action Plan for 2010 also provided the development of the Concept Paper for State Regulation of Population Migration, and the State Migration Service is intensely working on the document.³³

Irregular migration flows

Although Armenia traditionally is a source country for irregular migration, it faces irregular migration flows from Asian countries and the Middle East. These migrants usually do not stay in Armenia, but use it as a transit country on their way to Russia and further to Western European countries and the United States.³⁴

The majority of persons apprehended for border violation were citizens of Armenia: 91 percent of all apprehensions in 2009 and 87.5 percent in 2008. Among the foreign nationals apprehended for border violation in 2008 and 2009 were citizens of Georgia, Turkey, Russia, Iran, Lebanon, and India. In 2009 and 2008, men were apprehended more often than women at the Armenian border.

In 2009, 78 border apprehensions were recorded, marking a decrease by 26 apprehensions compared with 2008 (104 apprehensions).

Irregular border crossing and other offences related to falsification of identity documents are under the responsibility of the Police and the Service of National Security of the Republic of Armenia.

Smuggling and trafficking

Armenia prohibits trafficking in persons for both labour and sexual exploitation in Article 132 of its criminal code. In 2007, the government approved its second National Plan of Action on Trafficking for 2007-2009.

In 2009, 16 traffickers in human beings were apprehended in Armenia (8 in 2008). The majority of traffickers are Armenian citizens (13 Armenian traffickers were apprehended in 2009 and 8 in 2008).

In addition to being a source country for victims of trafficking, there is evidence that Armenia is a destination country for victims of forced labour, mainly from Russia. Non-Armenian victims of trafficking were permitted to stay in the country and work in the local economy. For 85 percent of all identified victims of trafficking in Armenia, Armenia also was the source country. For the remaining 15 percent, Armenia either was the country of destination or served as a transit country. 13 out of 34 victims of trafficking identified in

³³ Source: Information provided by the Armenian Migration Service for the Extended Migration Profile, 2011 (Building Migration Partnership project)

³⁴ Ibid

2008 were citizens of Russia. In the first half of 2009, 11 out of 44 identified victims of trafficking were Russian citizens. From 2006 to 2009, Armenian courts received 16 criminal cases charged under Article 132 of the criminal code ('recruitment, transportation, transfer, harbouring or receipt of persons for purpose of exploitation'), 4 criminal cases charged under Article 132.1 of the criminal code ('involvement of a person in prostitution or other forms of sexual exploitation, forced labour, services, placement or holding of a person in slavery or practices similar to slavery') and 7 criminal cases charged under Article 261 of the criminal code ('involvement of another person in prostitution for mercenary purposes').³⁵

It is not clear whether Armenia in official statistics distinguishes between trafficked and smuggled persons (or between smugglers and traffickers). There is only very little information on trafficking and no information on smuggling available.

Return and readmission

Return policy. The Law on Foreigners of the Republic of Armenia (adopted on 25 December 2006) provides that a foreigner shall leave the country in case his/her visa or residence permit expires, the visa is banned, his/her application on residence or prolongation of residence is rejected, or if he/she has lost the right to reside in Armenia in accordance with the law (Article 30). If a foreigner did not follow the obligation to leave the country, the competent authority within the Armenian police will forcibly remove the person from the Republic of Armenia. The decision on deportation from Armenia is taken by the court. The foreigner has the right to appeal (having a suspensive effect) against the deportation decision. The law also establishes the circumstances under which deportation cannot be applied (Article 32). Partly, these circumstances are related to the principle of non-refoulement, partly to humanitarian grounds, such as family ties, age, etc. Accordingly, when the court decides not to deport a person from Armenia, it shall specify in this decision an obligation for the competent authority to issue a temporary residence permit.³⁶

Readmission Agreements. Armenia signed bilateral readmission agreements with following countries:

- Benelux countries (signed in 2009, did not come into force)
- Bulgaria (came into force in 2008)
- Czech Republic (signed in 2010, did not come into force)
- Denmark (2004)
- Germany (2008)
- Lithuania (2004)
- Sweden (2009)

³⁵ Source: US Department of State, Trafficking in Persons Report 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/> (accessed in Dec. 2010)

³⁶ Source: Law on Foreigners of the Republic of Armenia, 2006, <http://www.parliament.am/legislation.php?sel=show&ID=2861&lang=rus> (accessed in December 2010)

- Switzerland (came into force in 2005)

Readmission agreements with Norway and Russia were signed in 2010 and are under ratification procedure. Armenia currently negotiates readmission agreements with Poland, Ukraine, and Estonia.³⁷

Statistical tables³⁸

Total number of persons legally crossing the border		
	2008	2009
Entry	1,397,169	1,431,989
Exit	1,420,228	1,456,967
Total	2,817,397	2,888,956

Total number of persons claiming asylum		
	2008	2009
At the border	-	-
Inland	207	67
Unknown	-	-
Total	207	67

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	79	56
Persons whose applications were negative/ rejected	128	11
Persons whose applications were otherwise closed	-	-

³⁷ Source: Information provided by the Armenian Migration Service for the Extended Migration Profile, 2011 (Building Migration Partnership project)

³⁸ Sources: Statistical data is provided by the State Migration Service under the Ministry of Territorial Administration and by the Police of the Republic of Armenia, Main Board on Combating Organized Crime for the Extended Migration Profile, 2011 (Building Migration Partnership project) and ICMPS Questionnaire for this Yearbook.

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Armenia)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Armenia	91	1. Armenia	71
2. Georgia	5	2. Georgia	5
3. Turkey	3	3. India	1
4. Russian Federation	2	4. Russian Federation	1
5. Iran	2		
6. Lebanon	1		
Total	104	Total	91

Total number of migration-related border apprehensions (including foreigners and citizens of Armenia)		
	2008	2009
Foreign nationals	13	7
Citizens of Armenia	91	71
Total	104	78

Total number of migration-related border apprehensions, by gender (including foreigners and citizens of Armenia)		
Gender	2008	2009
Males	66	44
Females	38	34
Unknown	0	0
Total	104	78

Number of 'human traffickers' apprehended (including foreigners and citizens of Armenia)		
	2008	2009
Foreign nationals	0	3
Citizens of Armenia	8	13
Unknown	0	0
Total	8	16

Information provided by: State Migration Service under the Ministry of Territorial Administration; Police of the Republic of Armenia, Main Board on Combating Organised Crime

AZERBAIJAN



General Information³⁹

Location:	South-Western Asia, bordering the Caspian Sea, the Russian Federation, Georgia, Armenia, Iran, and Turkey
Area:	<i>Total:</i> 86,600 sq km – <i>land:</i> 82,629 sq km – <i>water:</i> 3,971 sq km
Land boundaries:	<i>Total:</i> 2,646 km <i>Border countries:</i> Armenia 1,007 km, Georgia 480 km, Iran 756 km, Russia 390 km, Turkey 13 km)
Coastline:	713 km (Caspian Sea)
Population:	8,997,400 (2010 est.)

General legislative and institutional developments

The new ‘National Action Plan on the Struggle against Human Trafficking in Azerbaijan Republic for 2009-2013’ was adopted on 6 February 2009 by decree of the president of the Azerbaijan Republic. The Action Plan is a continuation of activities which were included in the first national Action Plan (adopted in 2004), which established the National

³⁹ Source(s): Ministry of Foreign Affairs of Azerbaijan, <http://www.mfa.gov.az/eng/index.php>, State Statistical Committee of the Republic of Azerbaijan, <http://www.azstat.org>; CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/aj.html> (Dec. 2010)

Coordinator and the Department on Struggle against Trafficking in Human Beings, responsible for combating and prevention of trafficking in human beings.⁴⁰

The decree of the president of Azerbaijan on Application of the Single Window Principle in Migration Management was adopted on 4 March 2009. This decree plays an important role in improving migration management, as well as in filling the gaps in migration procedures. The decree came into force on 1 July 2009. It regulates the following areas:

- Improvement of migration management mechanisms;
- Simplification of the procedures for granting the relevant permits to foreign citizens and stateless persons entering the Azerbaijan Republic to reside and work, as well as procedures for registration of foreigners;
- Assurance of transparency in the area of migration management, etc.

In 2009, the State Migration Service developed a single migration information system, which was approved by the president of the Azerbaijan Republic. The information system aims at:

- Registration of foreigners permanently or temporarily residing in Azerbaijan;
- Exchange of information between agencies involved in migration management;
- Data automation directed to improve e-services related to migration.

Additionally, the following rules were approved by the Cabinet of Ministers of the Republic of Azerbaijan in 2009:

- Rules of prolongation of temporary stay for foreigners and stateless persons who arrived to the Azerbaijan Republic under visa-free regime;
- Rules on issuance of temporary residence permits in the Azerbaijan Republic for foreigners and stateless persons.

According to the decree of the president of the Azerbaijan Republic of 8 April 2009, the State Migration Service was granted the status of a law enforcement institution. This change aims at strengthening the measures for combating irregular migration. Furthermore, the State Migration Service was strengthened by newly established regional offices in Baku, Shirvan, Yevlach, Lenkoran, and Hachmaz.

Irregular migration flows

Due to its geographic location on the border between Europe and Asia, Azerbaijan is a transit route for trans-Eurasian and intercontinental migration flows. Being a part of Europe, Azerbaijan shares borders with seven states: Iran, Armenia, Turkey, Georgia, Russia, Kazakhstan, and Turkmenistan on the Caspian Sea. Persons, transport vehicles, and goods are entering Azerbaijan through 30 border crossing points, 15 of which have international status.

⁴⁰ Source: Information provided by the State Migration Service for the Extended Migration Profile on Azerbaijan, 2010 (Building Migration Partnership project)

In 2009, 8.77 million persons and 1.52 million transport vehicles crossed the borders of Azerbaijan (7.53 million persons and 1.61 million transport vehicles in 2008). In the same year, 4,899 persons were apprehended at the border (3,606 persons in 2008), out of which 355 persons were border violators (408 in 2008). 147 citizens of countries such as Afghanistan, Georgia, Iran, China, Moldova, Pakistan, Russia, and Turkey tried to cross the border with false documents or visas, mainly with false EU documents (195 persons in 2008).

The majority of migrants apprehended for border violation were foreign nationals: in 2008, 65.9 percent were non-nationals (59.4% in 2009). In 2008 and 2009, more than 80 percent of migrants apprehended at the border were male. In 2008, there were 54 minors among the apprehended migrants (53 in 2009).

The main routes of illegal migration through Azerbaijan towards Europe start in Afghanistan, Iran, Iraq, Pakistan, and South-East Asian countries and transit the territories of the Russian Federation, Georgia, and Turkey. The majority of migrants attempt to irregularly cross the border shared with Iran.

Modes of illegal border crossings. One of the most common modes to illegally cross the border is to attempt to enter the Azerbaijan Republic with false identity documents and visas. In 2009, 147 persons were apprehended with false travel documents (citizens of Afghanistan, Georgia, Iran, China, Moldova, Pakistan, Russia, and Turkey), and 195 persons in 2008. Usually, foreigners arrive with false identity documents or visas from an EU country.

Smuggling

As in previous years, smuggling of persons starts at the periphery of a state bordering Azerbaijan. Migrants are then transported to the border region, where they illegally cross the border. They are usually being informed about routes to safe places along the border within Azerbaijan territory. Sometimes this is carried out by a few smugglers on both sides of the border, but there are registered cases of smugglers transporting migrants directly from their country of origin to the destination country as well.

Despite the existing measures for combating irregular migration and smuggling, smugglers remain active on Azerbaijan territory. They try to act independently, without contacting citizens of Azerbaijan who reside in the border area, and they also change their routes very often. Frequently, smugglers accompany migrants only to the border line and instruct them how to reach certain areas on the other side of the border. Furthermore, smugglers have all necessary technical equipment: communication devices, night vision devices, transportation vehicles, etc.

In some cases, tourist agencies were involved in the smuggling process, in particular in the falsification of documents. Recently, the activities of six enterprises as such were stopped.

The price for document falsification, according to the operative data of the Azerbaijan police, ranges from 2,000 to 10,000 USD. The main countries where the forged documents (mainly Schengen visas) are usually being manufactured are Iran, Russia, Georgia, Armenia, Turkey, Singapore, and Pakistan. In 2009, the State Border Service of the Azerbaijan Republic apprehended eight groups of persons involved in smuggling.

Trafficking

According to the information provided by the responding authorities, three victims of trafficking were identified in 2008 and four in 2009, all of which were women.

In 2009, three criminal groups involved in trafficking were apprehended; 76 persons in total, all citizens of Azerbaijan (in 2008: 91, all citizens of Azerbaijan). In 2008, 394 crimes related to human trafficking were registered in Azerbaijan under related articles of the criminal code (Articles 144, 151, 171, 243, and 244). During the first half of 2009, 181 crimes related to trafficking in human beings were registered.⁴¹

Return and readmission

Return policy. There are a few state institutions involved in combating irregular migration: the Ministry of National Security, the Ministry of Internal Affairs, the State Border Guard Service and the State Migration Service. According to the legislation, all foreigners and stateless persons who are not registered with the responsible institutions or who work in Azerbaijan without proper documents may be considered irregular. Penalties are being imposed upon employers who employ foreigners without work permits. Azerbaijan legislation imposes the highest penalties upon employers within CIS countries and has a number of laws providing measures for the prevention of irregular migration. It is planned to improve the unification of procedures and to attain greater efficiency within different institutions, culminating in the adoption of a new Migration Code, the draft of which is already in the final stage. The code will unify all migration laws into one single document.⁴²

In accordance with Article 27 of the Law on the Legal Status of Foreigners and Stateless Persons, foreigners and stateless persons who do not have immigrant status can be deported in cases of serious violation of the legislation on the legal status of foreigners, as well as in other cases specified in the laws of the Republic of Azerbaijan. Decisions on deportation are taken by the Ministry of Internal Affairs, the State Migration Service or the court. A person can appeal to the court against any deportation decision, although such appeals do not have a suspensive effect. The authorities take the fingerprints of all foreigners and stateless persons against whom a deportation decision was taken. They can be accommodated in the Irregular Migrants Centre. On 3 December 2008, the Cabinet of Ministers adopted the rules on the voluntary accommodation of foreigners in the Centre

⁴¹ Source: Department on Struggle against trafficking in human beings of the Ministry of Internal Affairs of the Republic of Azerbaijan, <http://www.iaqmi.gov.az/?/en/> (December 2010)

⁴² Source: The executive Committee of CIS, Illegal migration in CIS: problems and the ways to solve it, <http://www.cis.minsk.by/main.aspx?uid=13734> (December 2010)

for Irregular Migrants of the State Migration Service. Foreigners or stateless persons who refuse to leave the territory of Azerbaijan may be detained by court decision.⁴³

In 2009, Azerbaijan forcibly returned 780 foreigners from its territory, which is more than twice compared with 2008 (327 foreigners). More than 66 percent of the returned foreigners were citizens of Pakistan (516 persons), followed by citizens of China (9%, 70 persons) and Turkey (5.3%, 41 persons). Citizens of these three countries were among the most important groups of forcibly returned persons in 2008 as well. The number of Pakistan citizens who were forcibly returned from Azerbaijan increased by more than 5 times (in 2008, 88 citizens of Pakistan were returned from Azerbaijan, 60 citizens of Turkey, and 44 citizens of China).

Readmission Agreements. Azerbaijan did not sign any readmission agreements with other countries. At the moment, the draft strategy on readmission is considered within the state institutions. After the adoption of this strategy, the measures on conclusion of readmission agreements will be planned.⁴⁴

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	3,771,872	4,542,642
Exit	3,760,866	4,228,009
Total	7,532,738	8,770,651

Total number of persons claiming asylum		
	2008	2009
Inland	87	121
Total	87	121

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	1	1 (+3 family members)
Persons whose applications were negative/ rejected	80	117
Persons whose applications were otherwise closed	6	3

⁴³ Source: Information provided by the State Migration Service for the Extended Migration Profile on Azerbaijan, 2010 (Building Migration Partnership project)

⁴⁴ Ibid

Total number of migration-related border apprehensions (including foreigners and citizens of Azerbaijan)		
	2008	2009
Foreign nationals	269	
Citizens of Azerbaijan	139	144
Total	408	355

Total number of migration related border apprehensions by gender (including foreigners and citizens of Azerbaijan)		
Gender	2008	2009
Males	333	295
Females	75	60
Unknown	-	-
Total	408	355

Number of minors apprehended at the border due to border violation (including foreigners and citizens of Azerbaijan)		
Gender	2008	2009
Males	32	41
Females	22	12
Unknown	-	-
Total	54	53

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Azerbaijan)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Azerbaijan	139	1. Azerbaijan	144
2. Iran	105	2. Georgia	60
3. Georgia	76	3. Iran	52
4. Russian Federation	15	4. Pakistan	18
5. Pakistan	14	5. Turkey	16
6. Afghanistan	13	6. Bangladesh	15
7. Turkey	12	6. Russian Federation	12
8. Iraq	8	7. Afghanistan	11
9. Nigeria	7	9. China	10
10. Bangladesh	7		
Other	12	Other	17
Total	408	Total	355

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Azerbaijan)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	67	78
On rail border crossings	22	20
On the green (land) border	181	154
At the sea border	4	1
On airports	106	65
In the country	15	10
On other places	13	27
Total	408	355

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of Azerbaijan)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Azerbaijan on the border with that country	OUT: Number of apprehensions of people LEAVING Azerbaijan on the border with that country	Total number of apprehensions on the border with that country
1. Turkey	2	-	2
2. Iran	121	24	145
3. Russian Federation	21	24	45
4. Georgia	66	38	104
5. Airport section	69	37	106
6. Sea border	6		6
Total	285	123	408

Number of migration related apprehensions by border section in 2009 (including foreigners and citizens of Azerbaijan)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Azerbaijan on the border with that country	OUT: Number of apprehensions of people LEAVING Azerbaijan on the border with that country	Total number of apprehensions on the border with that country
1.Iran	71	49	120
2.Russian Federation	46	22	68
3.Georgia	50	51	101
4.Airport section	48	17	65
5. Sea border	1	-	1
Total	216	136	355

Total number of 'human smugglers' apprehended (including foreigners and citizens of Azerbaijan)		
	Apprehensions in 2008	Apprehensions in 2009
Total	1	5

Number of people being trafficked into Azerbaijan		
	2008	2009, 1 st half
Total	3	4
Of the total: women	3	4

Number of 'human traffickers' apprehended (including foreigners and citizens of Azerbaijan)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	-	-
Citizens of Azerbaijan	91	76
Citizenship unknown	-	-
Total	91	76

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Nigeria	28	1. Iran	41
2. Russian Federation	28	2. Russian Federation	40
3. Iran	24	3. Nigeria	26
4. China	23	4. Cameroon	23
5. Turkey	22	5. Pakistan	22
6. Iraq	18	6. Turkey	20
7. India	13	7. China	16
8. Philippines	13	8. India	12
9. Pakistan	9	9. Philippines	10
10. Bangladesh	8	10. Turkmenistan	9
Other	107	Other	164
Total of ALL rejected persons at the border (of any nationality)	293	Total of ALL rejected persons at the border (of any nationality)	383

Persons to whom residence was refused and the top 10 nationalities/ citizenships to whom residence was refused			
Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008	Citizens of the following countries in 2009	Number of persons to whom residence was refused in 2009
1. Georgia	219	1. Georgia	812
2. Turkey	46	2. Turkey	323
3. Russian Federation	45	3. Russian Federation	308
4. Iran	18	4. Iran	112
5. Pakistan	17	5. China	106
6. Kazakhstan	10	6. Pakistan	62
7. Ukraine	8	7. United Kingdom	60
8. Uzbekistan	7	8. India	48
9. Bangladesh	7	9. Kazakhstan	33
10. Korea	5	10. USA	28
Total of ALL refused persons of any nationality	409	Total of ALL refused persons of any nationality	2,158

Removed persons and the top 10 nationalities or citizenships removed from Azerbaijan ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Pakistan	88	1. Pakistan	516
2. Turkey	60	2. China	70
3. China	44	3. Turkey	41
4. India	17	4. Turkmenistan	28
5. Georgia	17	5. Iran	27
6. Iran	15	6. Georgia	23
7. Turkmenistan	14	7. Bangladesh	20
8. Nigeria	13	8. Uzbekistan	8
9. Russian Federation	10	9. Nigeria	6
10. Afghanistan	9		
Total of ALL removed persons (of any nationality or country)	327	Total of ALL removed persons (of any nationality or country)	780

Number of voluntary returns (number of persons) to other countries in the past two years		
To the following country	Number of assisted voluntary returns (number of persons) TO other countries in 2008	Number of assisted voluntary returns (number of persons) TO other countries in 2009
Total	n.a.	481

Number of forced returns (number of persons) to other countries in the past two years		
To the following country	Number of forced returns (number of persons) TO other countries in 2008	Number of forced returns (number of persons) TO other countries in 2009
1. Pakistan	88	516
2. China	44	70
3. Turkey	60	41
4. Iran	15	27
5. Georgia	17	23
Other	103	103
Total	327	780

Information provided by: State Migration Service, Ministry of the Interior, State Border Guard Service

BOSNIA AND HERZEGOVINA



General Information⁴⁵

Location:	South-Eastern Europe, bordering the Adriatic Sea and Croatia
Area:	<i>Total:</i> 51,209.2 sq km – <i>water:</i> 12.2 sq km – <i>land:</i> 51,197 sq km
Land boundaries:	<i>Total:</i> 1,538 km <i>Border countries:</i> Croatia 932 km, Serbia 357 km, Montenegro 249 km
Coastline:	20 km
Population:	3,843,126 (estimate for 30 June 2010)

General legislative and institutional developments

In 2009, the following legislative decisions and regulations relating to matters of irregular migration have been issued.

- Decision on the Minimum Subsistence Resources for Aliens during Intended Stay in BiH ('BiH official Gazette' No.17.09)
- Rulebook on Obligations for Carriers and Organizers of Tourist and Similar Travels ('BiH official Gazette' No .17/09)
- Rulebook on Covering the Cost and Placing an Alien under Supervision ('BiH official Gazette' No. 2/09)

⁴⁵ Source(s): Website Agency for Statistics of Bosnia and Herzegovina, <http://www.bhas.ba/eng> (accessed on 17 Nov. 2010); CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/bk.html> (Nov. 2010)

- Rulebook on Central Database on Aliens ('BiH official Gazette' No. 25/09)
- Rulebook on Format and Contents of Travel Certificate for Refugees, Travel Certificate for Stateless Persons and Travel Document for Foreigners ('BiH official Gazette' No.78/09)
- Rulebook on Travel Document for Foreigners, on Travel Certificate for Stateless Persons, on Travel Documents for Refugees, on Price of Travel Documents (all 'BiH official Gazette' No.80/09)

For the year 2009, no changes or developments concerning law enforcement institutions were reported by the Ministry of Security of Bosnia and Herzegovina.

Irregular migration flows

Bosnia and Herzegovina is used as a transit country for irregular migration, mainly from Eastern countries (Serbia, Kosovo⁴⁶, Albania, the former Yugoslav Republic of Macedonia, Turkey) towards the EU. In recent years, the number of apprehended border violators who are not Bosnian citizens has decreased. The majority of persons apprehended for border violation are citizens of Bosnia and Herzegovina (78% of all apprehensions in 2009), or citizens of neighbouring countries. In 2009, 381 border apprehensions were recorded, which is a decrease by 30 percent compared to the year 2008 (543 border apprehensions).

In 2009, more than 70 percent of all border apprehensions were recorded at the green (land) border. Another quarter of the apprehensions took place at road border crossings. While in 2008 the majority (68%) of the border apprehensions concerned persons entering BiH illegally, the proportion of apprehensions of persons entering and exiting BiH was balanced in 2009. The number of persons rejected at the border has increased by almost 65 percent from 3,102 in 2008 to 5,103 in 2009. Most rejected persons were Croatian citizens (29%), followed by Serbian citizens (23%).

Modes of illegal border crossings. According to the information provided by the Ministry of Security, apprehended migrants mostly use cars or buses to reach the border crossing, after which guides (usually from the local population) lead them further, avoiding official border crossing points to get into and to exit Bosnia and Herzegovina. In certain cases, smuggled persons arrive in BiH by plane, especially from and to countries with non-visa agreements for nationals of certain countries (Albania, Turkey) with Bosnia and Herzegovina. Sometimes, police officers at border crossing points are bribed by migrants who wish to enter BiH illegally.

Smuggling

In 2009, 78 human smugglers were apprehended in Bosnia and Herzegovina (the same number as in 2008). The majority of smugglers are citizens of BiH.

According to the Ministry of Security, organised groups dealing with human smuggling usually consist of up to ten members, including organisers, guides, and persons who

⁴⁶ Under UNSCR 1244

provide accommodation, invitation letters, and guarantees. Such groups are always associated with similar groups abroad. Transport to the border crossing points is mostly carried out by cars or buses. Afterwards, the guides, who are usually from the local population, avoid border crossings to get into Bosnia and Herzegovina. Transport in BiH is mostly carried out by car. Exit from BiH is also done by using guides and by avoiding the border crossings. In certain cases, the transport of smuggled people in BiH is done by plane, where the advantages of non-visa agreements for nationals of certain countries (Albania, Turkey) with Bosnia and Herzegovina are used. Further transport (to HR and probably further to the EU) is done by car, according to the previously described mode. The common means of communication are mobile phones. Accommodation of migrants is mainly done privately, but services of motels and hostels are used as well. Smuggling fees for the transfer to Western Europe vary from 1,000 to 5,000 EUR. Based on the Ministry of Security's experience, the following modes of payment are used: Persons only pay for subsistence in advance and the total payment is done upon arrival by the smuggled person's family (usually via Western Union). There were several cases of money being distributed personally. This personal distribution of money has come up only recently. Other recent changes observed by the Ministry of Security included organisers buying mobile phones and giving them to migrants to use during smuggling, the usage of several phones and SIM cards from different countries, and persons leaving their smugglers in Croatia in order to continue to Slovenia by themselves.

Trafficking

In 2008, 33 trafficked persons were found in Bosnia and Herzegovina. In 2009, 69 cases were reported; a third of those persons were minors. In both years almost all persons were female. The Ministry of Security gave account that 23 reports on criminal offences related to trafficking in human beings were received by prosecution offices in BiH in 2009. A total of 22 reports remained unsolved at the end of 2009. In 20 cases, orders to conduct investigations were issued, which together with the 24 unsolved investigations from the previous period make a total of 44 ongoing investigations in the reporting period. A total of 20 persons received a verdict (2 persons lawfully convicted to prison sentences). As per agreement, verdicts have been pronounced against 4 persons (2 suspended sentences, 2 prison sentences). Following the main hearings, convicting verdicts were rendered for 10 persons (all prison sentences). Five persons were acquitted and in one case the verdict was abandoned. Against these verdicts, a total of 7 appeals have been filed.

In the statistics there is a clear division of trafficked and smuggled persons. However, smuggled persons may become victims of trafficking.

Return and readmission

Return policy. An alien can be ordered to leave the territory of Bosnia and Herzegovina voluntarily within a certain period, which is determined by an administrative document (not longer than 15 days). The Service for Foreigners shall inform the person concerned about possibilities for leaving Bosnia and Herzegovina on a voluntary basis, and about obligations and consequences within voluntary return in the country of usual residence or

the country from which an alien entered BiH, or any other third state which accepts an alien.

Assisted return can take place independently (no stamp impressed in travel document) or with the help of international governmental or non-governmental organisations. An alien shall cooperate with the authorities in order to leave the territory of BiH and determine date and time of border crossing. The competent authorities have the obligation to offer organisational help to an alien who wants to leave BiH on a voluntary basis, and to achieve full cooperation with international governmental and non-governmental organisations. The Service of Foreigners will fill in the execution of cancellation of stay in the travel documents, add the stamp 'annulled' on the permit sticker, and inform border officials in written form about deadline, date, time, and border crossing. At the border crossing point the travel documents will be stamped. In case a person does not report leaving the territory, the border police will inform the Service for Foreigners.

Concerning assisted return, persons will be informed about current programmes by the Service for Foreigners and register their participation. An alien shall not be forcibly removed if the procedure of assisted return is implemented. Assisted return is carried out in cooperation with the International Organization for Migration (IOM). On 4 September 2007, the Ministry of Security and the IOM signed a Memorandum of Understanding on the implementation of the IOM Assisted Voluntary Return (AVR) Programme. The aim of this AVR Programme is to promote a human, orderly and effective policy on assisted returns of aliens and establish a framework to implement voluntary return assistance.

Readmission Agreements. Bosnia and Herzegovina signed bilateral readmission agreements with the following EU countries:

- Germany (1996)
- Hungary (2005)
- Bulgaria (2006)
- Greece (2006)
- Italy (2006)
- Romania (2006)
- France (2007)
- Austria (2007)
- Benelux (2007)
- Slovakia (2007)
- Slovenia (2007)
- Sweden (2007)

An agreement on the readmission of persons residing without authorisation between the European Community and Bosnia and Herzegovina was signed in September 2007 and came into force on 1 January 2008. Bosnia and Herzegovina also signed bilateral agreements with the following countries:

- Croatia (2002)

- Norway (2005)
- Denmark (2006)
- Serbia (2007)
- The former Yugoslav Republic of Macedonia (2009)
- Montenegro (2009)
- Albania (2009)
- Switzerland (2009)

In 2008, 28 assisted returns from BiH to another country were recorded. This number increased to 153 in 2009. Most persons were returned to Serbia and Albania. In addition, 22 forced returns were registered in 2009. In 2008 and 2009, more than 1,100 persons were returned to Bosnia and Herzegovina (653 in 2009). Most of these returnees were citizens of BiH.

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	28,232,764	26,155,059
Exit	27,212,806	25,277,127
Total	55,455,570	51,432,186

Total number of persons claiming asylum		
	2008	2009
At the border	6	5
Inland	96	49
Unknown	-	-
Total	102	54

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	2	4
Persons whose applications were negative/ rejected	67	29
Persons whose applications were otherwise closed	26	14

Total number of migration-related border apprehensions (including foreigners and citizens of Bosnia and Herzegovina)		
	2008	2009
Foreign nationals	373	212
Citizens of Bosnia and Herzegovina	170	169
Total	543	381

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Bosnia and Herzegovina)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Bosnia and Herzegovina	3,060	1. Bosnia and Herzegovina	2,622
2. Serbia + Kosovo ⁴⁷	279	2. Serbia + Kosovo ⁴⁸	195
3. Croatia	148	3. Croatia	170
4. Albania	66	4. Albania	46
5. Turkey	44	5. Turkey	58
6. The former Republic Yugoslav of Macedonia	29	6. Slovenia	45
7. Slovenia	26	6. Germany	44
8. China	23	7. Montenegro	19
9. Germany	17	9. The former Republic Yugoslav of Macedonia	18
10. Austria	17	10. Austria	13
Other	130	Other	116
Total	3,839	Total	3,346

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Bosnia and Herzegovina)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	170	94
On rail border crossings	-	-
On the green (land) border	358	271
At the sea border	-	-
On airports	15	16
In the country	-	-
On other places	-	-
Total	543	381

⁴⁷ Under UNSCR 1244⁴⁸ Under UNSCR 1244

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of Bosnia and Herzegovina)			
Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING BiH on the border with that country	OUT: Number of apprehensions of people LEAVING BiH on the border with that country	Total number of apprehensions on the border with that country
1. Croatia	180	151	331
2. Montenegro	119	9	128
3. Serbia	61	8	69
4. Airport section	8	7	15
5. Sea/river port section	0	0	0
Other	-	-	-
Total	368	175	543

Number of migration-related apprehensions by border section in 2009 (including foreigners and citizens of Bosnia and Herzegovina)			
Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING BiH on the border with that country	OUT: Number of apprehensions of people LEAVING BiH on the border with that country	Total number of apprehensions on the border with that country
1.Croatia	69	144	213
2.Montenegro	69	21	90
3.Serbia	44	18	62
4.airport section	6	10	16
5. Sea river section	0	0	0
Total	188	193	381

Total number of 'human smugglers' apprehended (including foreigners and citizens of Bosnia and Herzegovina)		
	Apprehensions in 2008	Apprehensions in 2009
Non-nationals	17	23
Citizens of Bosnia and Herzegovina	69	55
Citizenship unknown	7	-
Total	93	78

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Bosnia and Herzegovina)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1.Bosnia and Herzegovina	69	1.Bosnia and Herzegovina	55
2.Serbia	9	2.Serbia	12
3.Croatia	3	3.Slovenia	7
4.The former Yugoslav Republic of Macedonia	2	4.Turkey	2
5.Turkey	1	5. The former Yugoslav Republic of Macedonia	1
Other	9	Other	1
Total	93	Total	78

Number of 'human traffickers' apprehended (including foreigners and citizens of Bosnia and Herzegovina)		
	2008	2009
Total	33	69
Of the total: women	32	64
Of the total: minors	28	23

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Serbia + Kosovo (UNSCR 1244)	807	1. Croatia	1,470
2.Croatia	732	2. Serbia + Kosovo ⁴⁹	1,180
3.Turkey	411	3. Russia	810
4.Montenegro	291	4.Ukraine	233
5.Switzerland	186	5. Germany	222
6.Albania	83	6. Albania	218
7. The former Yugoslav Republic of Macedonia	73	7. Turkey	208
8 Brazil	64	8.Italy	190
9.Ukraine	59	9.Montenegro	181
10. Italy	44	10. The former Yugoslav Republic of Macedonia	87
Total of ALL rejected persons at the border (of any nationality)	3,102	Total of ALL rejected persons at the border (of any nationality)	5,103

⁴⁹ Under UNSCR 1244

Number of voluntary returns (number of persons) to other countries in the past two years		
To the following country	Number of assisted voluntary returns (number of persons) TO other countries in 2008	Number of assisted voluntary returns (number of persons) TO other countries in 2009
1. Serbia + Kosovo ⁵⁰	9	68
2. Albania	18	52
3. Turkey	-	10
4. Pakistan	-	5
Other		16
Total	28	153

Number of forced returns (number of persons) to other countries in the past two years		
To the following country	Number of forced returns (number of persons) TO other countries in 2008	Number of forced returns (number of persons) TO other countries in 2009
Serbia	n.a.	15
Romania	n.a.	2
China	n.a.	2
Montenegro	n.a.	1
Bahrain	n.a.	1
The former Yugoslav Republic of Macedonia	n.a.	1
Total	n.a.	22

Number of forced returns from other countries accepted by Bosnia and Herzegovina in the past 2 years				
From the following country	Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
	Foreign nationals	Nationals of your country	Foreign nationals	Nationals of your country
1. Croatia	248	211	122	189
2. Switzerland	-	-	-	131
3. Austria	-	16	-	9
4. Germany	-	-	-	17
5. Slovenia	-	-	-	6
Other	-	4	3	10
Total	248	231	125	528

Information provided by: Ministry of Security, Bosnia and Herzegovina

⁵⁰ Under UNSCR 1244

BULGARIA



General Information⁵¹

Location:	South-Eastern Europe, bordering the Black Sea, Greece, the former Yugoslav Republic of Macedonia, Romania, Serbia, and Turkey
Area:	<i>Total:</i> 110,879 sq km – <i>land:</i> 108,489 sq km – <i>water:</i> 2,390 sq km
Land boundaries:	<i>Total:</i> 1,808 km <i>Border countries:</i> Greece 494 km, the former Yugoslav Republic of Macedonia 148 km, Romania 608 km, Serbia 318 km, and Turkey 24 km
Coastline:	354 km (Black Sea)
Population:	7,148,785 (July 2010 est.)

Irregular migration flows

The main migration flow through Bulgaria includes citizens of Middle Eastern and Near East countries, North Africa, and republics of the former Soviet Union. Attempts to illegally cross the state border include various types of offences: single cases of illegal border crossing, facilitated illegal migration across the green border, and attempts to pass border crossing points with forged documents or hidden in vehicles.

The biggest group of border violators in 2008 and 2009 were citizens of Bulgaria (27.5% or 513 persons, and 25.1% or 461 persons in 2008 and 2009, respectively), followed by

⁵¹ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/bu.html> (Dec. 2010)

citizens of Turkey (25.3% or 472 persons, and 21.7% or 397 persons in 2008 and 2009, respectively). The number of Palestinians apprehended for border violation increased from 40 persons in 2008 to 216 persons in 2009. About 80 percent of border violators in 2008 and 2009 were male. Most border violations are committed at the Bulgarian-Turkish green border, while trying to get into the territory of Bulgaria (937 apprehensions in 2009). The majority of apprehended persons were nationals of Turkey and Iraq. On their way from Bulgaria, migrants attempt to cross the border with Greece (286 apprehension in 2009) and Romania (164 apprehensions).

Modes of illegal border crossings. The main place where migrants start to organise their journey to Bulgaria is Istanbul, Turkey. The groups of migrants include citizens of Iraq, Afghanistan, Iran, the Occupied Palestinian Territory, Sudan, Tunisia, Algeria, Morocco, and other countries. They move in the direction to Bulgaria by public transport or rented cars. The next destination point on Turkish territory is the region around the city of Odrin. From this point there are two common ways of crossing the Bulgarian border:

- Through the section of the green border between the Maritsa and Toundzha rivers (following roads to the border crossing points 'Kapitan Andreevo' and 'Lesovo');
- On the Turkish-Greek border across the Maritsa river beside the Turkish border crossing point 'Kapa kule'. On the Greek side, the local facilitators show the migrants the way to the Greek-Bulgarian border.

After crossing the border, migrants are being directed to the capital Sofia, where they apply for asylum at the State Agency of Refugees. Persons who have overstayed in the country, former asylum seekers, or transit migrants who wish to leave Bulgaria, usually use the assistance of local Bulgarian facilitators. These flows are usually being organised at places in Sofia where there is a high concentration of migrants, e.g. accommodation centres of the State Agency of Refugees. The destination of migrants leaving Bulgaria usually is the territory of Greece, which migrants attempt to enter by crossing the border in the area of the Mesta and Struma rivers.

For citizens of Moldova, Ukraine, and other former Soviet Union republics, it is typical to enter Bulgaria legally, usually as a part of organised tourist groups at Black Sea resorts. Later, some of them try to leave Bulgaria, e.g. through established border crossing points, and by using forged Romanian identity documents (this way is common for citizens of Moldova). Sometimes, migrants also use forged documents of other EU MS, often from small countries such as Lithuania and Latvia.

Turkish nationals of Kurdish origin who enter the territory of Bulgaria with valid documents and the required tourist or transit visas sometimes try to leave Bulgaria via border crossing points to Romania (BCP 'Danube Bridge'), by using forged Bulgarian identity documents.

Smuggling

The main recent change in the organisation of smuggling migrants into the territory of Bulgaria is that smugglers usually do not cross the border together with migrants: they will

only transport migrants to the border and explain to them how to reach the capital Sofia on the other side of the border.

Persons who smuggle migrants to Bulgaria are mostly Turkish nationals, while Istanbul continues to be the main starting point. The majority of migrants are directed to cross the green border in the section between the Maritsa and Tundzha rivers. The price for smuggling across the border depends on the method of crossing: in case smugglers do not accompany the migrants across the border they are usually being paid from 1,000 to 1,500 Euro; when migrants are hidden in vehicles, they will get paid about 2,000 euro. Recently, the prices for smuggling have increased.

Trafficking

Bulgaria is a source and, to a lesser extent, also a transit and destination country for trafficking in human beings. Bulgarian women and children are subject to forced prostitution in the Netherlands, Belgium, France, Austria, Italy, Germany, the Czech Republic, Finland, Greece, Italy, Spain, Poland, Switzerland, Turkey, Cyprus, and the former Yugoslav Republic of Macedonia. In addition, Bulgarian citizens are subject to forced labour in Greece, Italy, Spain, and the United Kingdom. Some Bulgarian children are forced into street begging and petty theft in Greece and the United Kingdom. In 2009, Bulgaria amended Section 159 of its criminal code and increased the minimum penalty for trafficking offenses from one year imprisonment to two years. The criminal code prohibits trafficking for both commercial sexual exploitation and forced labour and prescribes penalties between two and 15 years of imprisonment. In 2009, police conducted 131 new trafficking investigations, including nine labour trafficking investigations, compared with 187 sex trafficking and 25 labour trafficking investigations conducted in 2008. In 2009, authorities prosecuted 77 individuals for sex trafficking and four individuals for forced labour, compared to 79 persons prosecuted for sex trafficking and eight persons for labour trafficking in 2008. A total of 83 trafficking offenders were convicted (80 for sex trafficking and three for labour trafficking offenses), compared to 66 sex trafficking offenders and three labour trafficking offenders convicted in 2008. In 2009, 289 victims of trafficking – including 44 children – were identified and referred for assistance, compared to 250 victims identified in 2008.⁵²

Return and readmission

Return policy. In Bulgaria, the Chief Directorate of the Border Police is responsible for the implementation of readmission agreements as well as for return and deportation of illegally staying migrants. The Migration Directorate also takes part in the deportation procedure, especially in the identification of migrants.

In 2009, Bulgaria carried out 292 forced returns from its territory (307 in 2008). The main country of origin is Turkey (in 2009, 92 foreigners were returned to this country, and 197 in

⁵² Source: US Department of State, Trafficking in Persons Report, 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/> (December 2010)

2008), followed by Afghanistan (47 persons returned in 2009) and Iraq (21 persons returned in 2009).

Readmission Agreements. Bulgaria has signed readmission agreements with 23 EU MS (agreements were not signed with Lithuania, Malta and Cyprus):

- Poland (in force since 1994)
- Slovakia (1996)
- Greece (1996)
- France (1997)
- Spain (1997)
- Portugal (1998)
- Denmark (1998)
- the Czech Republic (1998)
- Austria (1998)
- Italy (1998)
- Sweden (1999)
- Hungary (1999)
- Finland (1999)
- Slovenia (2000)
- Romania (2001)
- Latvia (2002)
- Estonia (2003)
- The United Kingdom (2004)
- Ireland (2004)
- Benelux countries (2005)
- Germany (2006)

Additionally, Bulgaria has signed readmission agreements with the following countries:

- Switzerland (1994)
- Norway (in force since 1999)
- Ukraine (2001)
- Albania (2002)
- The former Yugoslav Republic of Macedonia (2002)
- Georgia (2003)
- Lebanon (2003)
- Croatia (2003)
- Uzbekistan (2004)
- Bosnia and Herzegovina (2007)
- Armenia (2008)

According to the readmission agreements, Bulgaria receives the highest number of returnees from Belgium and France, and in general receives back more own citizens than

foreigners. In 2009, Bulgaria accepted the return of 698 Bulgarian citizens and 39 foreigners (834 Bulgarian citizens and 54 foreigners in 2008).

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	7,825,096	5,932,358
Exit	9,184,148	7,781,739
Total	17,009,244	13,714,097

Total number of persons claiming asylum		
	2008	2009
At the border	152	25
Inland	594	828
Unknown	-	-
Total	746	853

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	294	267
Persons whose applications were negative/ rejected	381	380
Persons whose applications were otherwise closed	70	91

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Bulgaria)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Bulgaria	513	1. Bulgaria	461
2. Turkey	472	2. Turkey	397
3. Iraq	251	3. Occ. Palestinian Territory	216
4. Afghanistan	60	4. Iraq	180
5. France	55	5. Germany	50
6. Germany	44	6. Iran	42
7. Occ. Palestinian Territory	40	6. Netherlands	37
8. Netherlands	39	7. Afghanistan	33
9. Moldova	39	9. Morocco	30
10. Romania	33	10. Algeria	24
Other	318	Other	363
Total	1,864	Total	1,833

Total number of migration-related border apprehensions (including foreigners and citizens of Bulgaria)		
	2008	2009
Foreign nationals	1,351	1,372
Citizens of Bulgaria	513	461
Total	1,864	1,833

Total number of migration-related border apprehensions by gender (including foreigners and citizens of Bulgaria)		
Gender	2008	2009
Males	1,467	1,499
Females	397	334
Unknown	-	-
Total	1,864	1,833

Number of minors apprehended at the border due to border violation (including foreigners and citizens of Bulgaria)		
Gender	2008	2009
Males	167	179
Females	98	92
Unknown	-	-
Total	265	271

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Bulgaria)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	1,160	958
On rail border crossings	69	30
On the green (land) border	569	786
At the sea border	1	-
On airports	65	59
In the country	275	283
On other places	-	-
Total	1,864	1,833

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of Bulgaria)			
Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Bulgaria on the border with that country	OUT: Number of apprehensions of people LEAVING Bulgaria on the border with that country	Total number of apprehensions on the border with that country
1. Romania	53	223	276
2. Serbia	20	58	78
3. the former Yugoslav Republic of Macedonia	19	8	27
4. Greece	220	296	516
5. Turkey	853	48	901
5. Sea border	-	1	1
6. Airports	23	42	65
Total	1,118	676	1,864

Number of migration-related apprehensions by border section in 2009 (including foreigners and citizens of Bulgaria)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Bulgaria on the border with that country	OUT: Number of apprehensions of people LEAVING Bulgaria on the border with that country	Total number of apprehensions on the border with that country
1. Romania	35	164	199
2. Serbia	19	27	46
3. the former Yugoslav Republic of Macedonia	10	5	15
4. Greece	251	286	537
5. Turkey	937	40	977
6. Sea borders	-	-	-
7. Airports	14	45	59
Total	1,266	567	1,833

Number of apprehended persons being smuggled into Bulgaria		
	2008	2009, I half
Total	316	293
Of the total: women	64	45
Of the total: minors	38	49

Total number of 'human smugglers' apprehended (including foreigners and citizens of Bulgaria)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	225	149
Citizens of Bulgaria	115	88
Citizenship unknown	14	9
Total	225	246

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Bulgaria)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Turkey	172	1. Turkey	123
2. Bulgaria	115	2. Bulgaria	88
3. Citizenship unknown	14	3. Citizenship unknown	9
4. France	13	4. Germany	5
5. Germany	8	5. Latvia	4
6. Other	32	6. Other	17
Total	354	Total	246

Persons to whom residence was refused			
2008	Number of persons to whom residence was refused in 2008	2009	Number of persons to whom residence was refused in 2009
Total of ALL refused persons of any nationality	88	Total of ALL refused persons of any nationality	77

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Turkey	2,202	1. Turkey	1,687
2. the former Yugoslav Republic of Macedonia	386	2. the former Yugoslav Republic of Macedonia	415
3. Serbia	331	3. Serbia	136
4. Russian Federation	267	4. Russian Federation	118
5. Ukraine	240	5. Greece	116
6. Greece	186	6. Ukraine	71
7. Moldova	185	7. Moldova	68
8. Bosnia and Herzegovina	137	8. Romania	59
9. Albania	128	9. Albania	49
10. China	93	10. Kosovo ⁵³	3,748
Total of ALL rejected persons at the border (of any nationality)	5,473	Total of ALL rejected persons at the border (of any nationality)	

Removed persons and the top 10 nationalities or citizenships removed from Bulgaria ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Turkey	47	1. Turkey	72
2. Iraq	38	2. Iraq	16
3. Kosovo ⁵⁴	27	3. Kosovo ⁵⁵	34
4. Moldova	24	4. Moldova	24
5. Iran	28	5. Iran	14
6. Romania	9	6. Afghanistan	47
7. Armenia	11	7. Armenia	13
8. the former Yugoslav Republic of Macedonia	11	8. the former Yugoslav Republic of Macedonia	13
9. Russian Federation	8	9. Russian Federation	10
10. Lebanon	6	10. Lebanon	7
Total of ALL removed persons (of any nationality or country)	275	Total of ALL removed persons (of any nationality or country)	283

⁵³ Under UNSCR 1244

⁵⁴ Under UNSCR 1244

⁵⁵ Under UNSCR 1244

Number of forced returns (number of persons) to other countries in the past two years			
To the following country	Number of forced returns in 2008	To the following country	Number of forced returns in 2009
1. Turkey	197	1. Turkey	92
2. Iraq	30	2. Afghanistan	47
3. Moldova	14	3. Iraq	21
4. the former Yugoslav Republic of Macedonia	11	4. the former Yugoslav Republic of Macedonia	13
5. Iran	9	5. Kosovo ⁵⁶	11
Other	26	Other	108
Total	307	Total	292

Number of forced returns from other countries accepted by Bulgaria in the past 2 years			
Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
Foreign nationals	Nationals of Bulgaria	Foreign nationals	Nationals of Bulgaria
Iraq - 25	Belgium – 329	Iraq – 16	Belgium – 329
Lebanon – 6	France – 141	Afghanistan – 7	France 145
Afghanistan – 6	Finland – 65	Morocco – 4	Germany – 44
Iran – 3	Switzerland – 58	Unknown – 3	Switzerland – 25
Cuba – 2	Sweden – 36	Sri Lanka – 3	Austria – 24
Other – 12	Other – 205	Other – 9	Other – 171
Total - 54	Total 834	Total - 39	Total – 698

Information provided by: Chief Directorate, Border Police; Migration Directorate; State Agency of Refugees

⁵⁶ Under UNSCR 1244

CROATIA



General Information⁵⁷

Location:	South-Eastern Europe, bordering the Adriatic Sea, Slovenia, Hungary, Serbia, Bosnia and Herzegovina, and Montenegro
Area:	<i>Total:</i> 56,594 sq km – <i>land:</i> 55,974 sq km – <i>water:</i> 620 sq km
Land boundaries:	<i>Total:</i> 1,982 km <i>Border countries:</i> Bosnia and Herzegovina 932 km, Hungary 329 km, Serbia 241 km, Montenegro 25 km, Slovenia 455 km
Coastline:	5,835 km (Adriatic sea: mainland 1,777 km, islands 4,058 km)
Population:	4,486,881 (July 2010 est.)

General legislative and institutional developments

Illegal migration in the Republic of Croatia is regulated by the Aliens Act (Official Gazette 79/07, 36/09), criminal code, Law on the Police, State Border Surveillance Act and relevant by-laws. A new Aliens Act is, to a large extent, harmonised with the EU acquis; which came into force on 1 January 2008. Along with this act, new by-laws came into force on 6 April 2008. The most important among them are the Ordinance on Status and Employment of Aliens in the Republic of Croatia (Official Gazette 36/08) and the Ordinance on Travel Documents for Aliens, Visas and Code of Conduct of Aliens (Official Gazette 36/08, 42/08).

⁵⁷ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/hr.html> (Dec. 2010)

On 31 March 2009, the Act on the Amendments to the Aliens Act came into force (Official Gazette 36/09). Most of the amendments were related to the status of aliens, whereas the amendments regarding the area of irregular migration regulated the following issues:

- The period of banned entry and residence of aliens has been extended from 5 to 10 years;
- A new way of calculating a ban regarding entry and residence (two measures of expulsion cannot be placed at the same time) has been introduced;
- The provision on two-day entrance ban following the entrance refusal has been annulled;
- The provisions regarding the conditions of entry for unaccompanied minors have been amended;
- The regulations for registration of aliens on a short-term stay have been changed.

With the aim of reaching the EU standards in the area of combating irregular migration, the Republic of Croatia directed its activities on further changes and adjustments of the legislation regulating the movement and residence of aliens, as well as on efficient border controls in order to prevent all forms of crimes related to border crossing.

Furthermore, great effort has been put into the training activities of the state servants of Croatia. During 2009, four specialised courses for the border police have been implemented as well as several specific training programmes aiming at improving the proficiency in border police work.

With the aim of professional specialisation and introduction of the duties of the Croatian Border Police following the accession into the EU and Schengen area, a series of regional TAIEX seminars have been organised. The national information system for border management was created and supplied on nine additional border crossings. The system is currently in function on 18 border crossings.

Through the ASF-2 interface, access has been granted to the Interpol system 24/7 on 10 naval border crossings. The system is exceptionally important for border control of passengers in maritime transport because of the automated and simultaneous check of a large number of persons. Important technical equipment for state border protection has been supplied as well (thermo vision devices, vehicles, etc.)

Irregular migration flows

As in previous years, there is a continued trend of a general decrease in irregular migration flows, in particular concerning the number of illegal state border crossings. Moreover, the Republic of Croatia mainly serves as a transit country for irregular migration flows, mostly for nationals from South-Eastern European countries. These persons comprised up to 90 percent of the total number of apprehended migrants.

In 2008, 2,013 illegal state border crossings were committed; 1,770 of which were committed by nationals of South-Eastern European countries (87.9% of the total number). Respectively, in 2009, 85.8 percent of all illegal border crossings were committed by citizens from South-Eastern European countries (1,546 total apprehensions in 2009).

Following a drastic decline in the number of illegal state border crossings in the period between 2000 and 2002, the annual number of illegal state border crossings remained around 4,000 to 5,000 for subsequent years. After 2007, the number of illegal state border crossings decreased further, which also continued in 2009.

In 2009, a decline in the number of illegal state border crossings by nationals of Serbia (68%), Turkey (58%) and the former Yugoslav Republic of Macedonia (47%) was registered. It has to be noticed that regarding nationals of Serbia, the main reason for this trend was the proclamation and recognition of the independence of Kosovo⁵⁸ (in 2009, there were 186 illegal crossings by nationals of Kosovo⁵⁹).

The number of illegal state border crossings by nationals from African and Asian countries has slightly increased. Their share in the overall number of illegal state border crossings in comparison to 2008 rose from 2.3 to 4.5 percent. One of this group's main characteristics is that their structure changes every year and they regularly account for an insignificant share in the overall number of illegal crossings.

The main reasons of the decrease in irregular migration to Croatia or through its territory as well as in the whole South-Eastern European region are the following:

- The accession of Romania and Bulgaria into the EU resulted in a change of irregular migration routes, which shifted from the so-called Balkan corridor to the Middle European corridor (Poland, Czech Republic, Slovakia, Hungary);
- Improved equipment in terms of technical resources, human resources and training of the Border Police services in Croatia and neighbouring countries;
- Better regional and cross-border cooperation of border police services, individual responsibility assumed by all countries in the region, as well as developments in the area of combating irregular migration. Effective application of readmission agreements between countries in the region has also partly influenced a decrease in illegal migration flows.

Modes of illegal border crossings. The tendency of using forged travel documents as well as documents belonging to other persons in order to cross the state border illegally has increased over the last few years. This way of crossing the border is the main mode of irregular migration, along with illegal border crossing outside the official border crossing points.

⁵⁸ Under UNSCR 1244

⁵⁹ Under UNSCR 1244

Human smuggling is often related to irregular migration, whereas assisted illegal border crossing counts up to 25 percent of all border violations. In this regard, the country capital Zagreb remains the main transit point. Migrants illegally stay in Zagreb for a short period of time, usually in order to establish contact with facilitators and to have their further transfer organised.

Smuggling

The results of the investigations conducted by the law enforcement authorities of Croatia show that there are several criminal groups in Croatia which have long been involved in human smuggling. Therefore, they have developed special knowledge, established connections and good relations with the members of criminal groups abroad as well as with organisers of smuggling.

Usually organised smuggling groups tend to include 5 to 10 persons. An analysis of perpetrators of these criminal acts points to the fact that there is great number of recidivists, who continue to engage in this form of crime even after being prosecuted.

The recorded cases show that the leaders of smuggler groups are usually foreign nationals who manage criminal organisations from outside of Croatia. This way, Croatia is mainly used as a transit country on the way to EU member states, and Croatian nationals only perform one part of the smuggling operation through the Croatian territory and further towards Slovenia and other EU countries.

Criminal groups in Croatia usually adjust themselves well to the situation in the illegal market, so that the area of their interest and activity depends on the profitability of illegal activities for which there is demand. The majority of organised criminal groups involved in human smuggling through established channels also smuggles narcotic drugs, as well as weapons and explosives. They also engage in the procurement of forged personal documents and visas which facilitate their criminal activity.

Police investigations confirmed a strong connection and cooperation among human smugglers in all countries belonging to a smuggling channel. There is a clear division of tasks between the criminal group's members. Only a few persons (guides) who know the area along the state border very well are involved in the immediate transfer of smuggled persons.

By monitoring the situation and development of human smuggling crimes over the last two years, a change in smuggling channels was observed: smuggling operations are more often conducted in the East, via Serbia, Romania, Bulgaria, and Hungary and further to EU countries. In financial terms such routes decrease travel costs. Moreover, by the accession of Romania and Bulgaria to the EU, the usage of already established smuggling channels through Croatia has significantly decreased.

A new *modus operandi* in smuggling activities was registered: migrants from Turkey who plan to get smuggled to EU countries contact persons in Croatia to obtain invitation letters

and letters of guarantee or hotel bookings, in order to legally enter Croatia. In case entry is denied, persons also resort to illegal ways of entering Croatia. After a larger group of persons has formed in Croatia, criminal groups transfer them into Slovenia illegally. In each country there are members of criminal groups who are responsible for reception, accommodation and further transfer of smuggled persons. A part of the payment related to the smuggling of persons is paid through Western Union (withdrawn through delivered codes). Smuggled persons sometimes pay for their further transfer from one country to the other themselves. So-called fake companies are also used for the provision of letters of guarantee, causing the stay in Croatia to appear legal. Persons who own small hotels or motels are used for the provision of accommodation services. Furthermore, there are registered cases of persons being smuggled by ships which were rented in Croatia, embarking in Montenegro or Albania and travelling to Italy.

Regarding technical equipment of the smuggling operations, criminal groups mostly use personal vehicles or trucks, boats, ferries or fast ships. Often, built-in bunkers are constructed in passenger vehicles, trucks, and even camping trailers, where ten or more persons are hidden.

According to the available information, the price of an illegal transfer of one person from Zagreb to Ljubljana ranges from 800 to 1,300 EUR and it is mostly paid by money transfer through Western Union or sometimes also by personal delivery. By accepting the transfer of persons, a smuggler group also assumes responsibility for taking over persons again and transferring them to their final destination in case they are apprehended by the police.

Trafficking

The Article 3 of the Palermo Protocol, i.e. the UN's definition of human trafficking, was completely incorporated in the changes and amendments of the Croatian Penal Code in 2006. Furthermore, in 2008 the definition was expanded in the way that besides the main definition of trafficking, the use of services provided by victims of trafficking (especially in cases of sexual exploitation) was also criminalised, as well as illicit child adoption and criminal offences committed by an official person when performing public duty. The total number of victims identified in the Republic of Croatia since a comprehensive national strategy for the suppression of trafficking in human beings has been established is 89. Certain victims among these 89 could be connected to human smuggling: either they illegally crossed the state border (outside the border crossing checkpoints, by using falsified or other person's documents) during the transport phase, meaning that they used established modalities and routes of people smuggling, or the persons involved in criminal activities related to human smuggling participated in trafficking in human beings (e.g. they organised trafficking of women for the purpose of sexual exploitation).

Croatia is a destination, source and transit country for trafficking in human beings. Women and girls from Serbia, Bosnia and Herzegovina and other parts of Eastern Europe are subjected to forced prostitution in Croatia and in Western Europe. Men reportedly are

subjected to forced labour in agricultural sectors, and children, including Roma, are subjected to forced begging and theft.⁶⁰

In 2009, 11 suspected trafficking offenders were investigated in Croatia (15 in 2008); one of them was a Croatian national, and 10 were foreigners (8 citizens of Serbia and 2 citizens of Bosnia and Herzegovina). Eight victims of trafficking were identified in 2009 (seven in 2008), six of them were women.

Return and readmission

Return policy. The Irregular Migration Department within the Border Police Directorate of the Republic of Croatia is primarily and specifically competent in the area of irregular migration. Additionally, the Reception Centre for Aliens and the Mobile Unit for the Implementation of State Border Surveillance are directly competent for the same area. The Department for Organised Crime within the Criminal Police Directorate is competent, inter alia, for the processing of criminal acts of human smuggling across the state border, trafficking in human beings and other criminal acts which are directly or indirectly connected to illegal migration. As a result of the implementation of a new border police, units dealing with irregular migration were organised on the level of police stations and on the regional level as well as on the local level of police officers competent for irregular migration in the second half of 2005.

From 2001 to 2004, the institutions of the Ministry of the Interior (the Reception Centre for Aliens), implemented the programme for assisted voluntary return together with the International Organization for Migration. In the course of four years of the implementation of this programme, following returns have taken place to the countries of citizenship:

- In 2001: 24 citizens of China, 18 citizens of Tunisia;
- in 2002: 24 citizens of Turkey, 12 citizens of the Federal Republic of Yugoslavia, 2 citizens of Moldova, 2 citizens of Columbia, 2 citizens of Peru, 2 citizens of Romania, 2 citizens of Albania, 1 citizen of the former Yugoslav Republic of Macedonia, and one citizen of Egypt;
- In 2003: 15 citizens of Serbia and Montenegro, 3 citizens of Turkey, 3 citizens of Albania, 2 citizens of India;
- In 2004: 36 aliens, no data on nationality is available.

Readmission Agreements. The Republic of Croatia concluded 25 readmission agreements with 27 countries, 19 of which are agreements concluded with EU member states (Austria, the Benelux countries, Bulgaria, the Czech Republic, Estonia, France, Greece, Italy, Latvia, Lithuania, Hungary, Germany, Poland, Romania, Slovenia, Slovakia, Sweden), and the remaining eight agreements have been concluded with other countries (Albania, BiH,

⁶⁰ Source: US Department of State, Trafficking in Persons Report 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/> (December 2010)

Montenegro, Iceland, the former Yugoslav Republic of Macedonia, Norway, Serbia and Switzerland).

Country	Signed	Entered into force	Aligned with the EU format
Albania	28/1/2003	15/6/2005	Yes
Austria	18/6/1997	1/11/1998	Yes
Benelux	11/6/1999	1/2/2005	Yes
BiH	27/7/2000	11/5/2001	No
Bulgaria	4/7/2002	3/8/2003	Yes
Montenegro	4/9/2008	1/5/2010	Yes
Czech Republic	30/11/1999	1/5/2004	Yes
Estonia	22/5/2000	28/4/2001	Yes
France	27/1/1995	19/12/1995	Yes
Greece	27/1/1995	15/3/1996	Yes
Iceland	31/5/2001	25/4/2002	Yes
Italy	27/6/1997	1/6/1998	Yes
Latvia	21/9/1998	21/9/1998 [*]	Yes
Lithuania	28/5/1998	1/1/2001	Yes
Hungary	15/11/2001	27/2/2003	Yes
former Y. Republic of Macedonia	17/9/2001	1/2/2003	Yes
Norway	24/1/2005	1/8/2005	Yes
Germany	25/4/1994	22/10/1997	No
Poland	8/11/1994	27/5/1995	Yes
Romania	30/9/2000	6/10/2002	No
Slovakia	23/6/2008	10/7/2009	Yes
Slovenia	10/6/2005	1/7/2006	Yes
Serbia	25/5/2009	1/5/2010	Yes
Sweden	4/4/2001	6/4/2003	Yes
Switzerland	21/2/1997	1/9/1997	No

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	75,485,386	71,129,700
Exit	74,324,637	70,253,747
Total	149,810,005	141,383,447

Total number of persons claiming asylum		
	2008	2009
At the border	15	31
Inland	139	117
Unknown	-	-
Total	154	148

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	10	5
Persons whose applications were negative/ rejected	55	60
Persons whose applications were otherwise closed	70	70

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of the Republic of Croatia)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Serbia	643	1. Bosnia and Herzegovina	520
2. Bosnia and Herzegovina	457	2. Croatia	322
3. Croatia	353	3. Serbia	205
4. Turkey	265	4. Kosovo ⁶¹	186
5. The former Yugoslav Republic of Macedonia	182	5. Albania	175
6. Albania	171	6. Turkey	110
7. Kosovo ⁶²	60	7. The former Yugoslav Republic of Macedonia	96
8. Italy	40	8. Slovenia	29
9. Slovenia	26	9. Montenegro	28
10. Montenegro	25	10. China	3
Other	144	Other	194
Total	2,366	Total	1,868

⁶¹ Under UNSCR 1244

⁶² Under UNSCR 1244

Total number of migration-related border apprehensions (including foreigners and citizens of the Republic of Croatia)		
	2008	2009
Foreign nationals	2,013	1,546
Citizens of the Republic of Croatia	353	322
Total	2,366	1,868

Total number of migration-related border apprehensions, by gender (including foreigners and citizens of the Republic of Croatia)		
Gender	2008	2009
Males	1,821	1,691
Females	192	177
Unknown	-	-
Total	2,013	1,868

Number of minors apprehended at the border due to border violation (including foreigners and citizens of the Republic of Croatia)		
Gender	2008	2009
Males	n.a.	122
Females	n.a.	38
Unknown	n.a.	-
Total	166	160

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of the Republic of Croatia)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	455	334
On rail border crossings	40	27
On the green (land) border	1,791	1,426
At the sea border	42	26
On airports	22	5
In the country	247	50
On other places (river borders)	16	-
Total	2,366	1,868

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of the Republic of Croatia)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Croatia on the border with that country	OUT: Number of apprehensions of people LEAVING Croatia on the border with that country	Total number of apprehensions on the border with that country
1. Slovenia	87	1,075	1,162
2. Bosnia and Herzegovina	594	33	627
3. Serbia	107	4	111
4. Montenegro	137	-	137
5. Hungary	16	24	40
6. Maritime traffic	23	19	42
Total	964	1,155	2,119

Number of migration-related apprehensions by border in 2009 (including foreigners and citizens of the Republic of Croatia)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Croatia on the border with that country	OUT: Number of apprehensions of people LEAVING Croatia on the border with that country	Total number of apprehensions on the border with that country
1. Slovenia	116	882	998
2. Bosnia and Herzegovina	522	35	557
3. Serbia	56	11	67
4. Montenegro	137	3	140
5. Hungary	8	18	26
6. Maritime traffic	29	6	35
Total	868	955	1,823

Number of apprehended persons being smuggled into Croatia		
	2008	2009
Total	2,013	1,546
Of the total: women	187	177
Of the total: minors	158	166

Total number of 'human smugglers' apprehended (including foreigners and citizens of Croatia)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	130	64
Citizens of the Republic of Croatia	286	239
Total	416	303

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Croatia)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Croatia	286	1. Croatia	239
2. Bosnia and Herzegovina	56	2. Bosnia and Herzegovina	12
3. Serbia	25	3. Serbia	12
4. Slovenia	22	4. Slovenia	11
5. Iran	15	5. Turkey	11
Other	12	Other	18
Total	416	Total	303

Number of people being trafficked into Croatia		
	2008	2009
Total	7	8
Of the total: women	4	6
Of the total: minors	-	1

Number of 'human traffickers' apprehended (including foreigners and citizens of Croatia)		
	Apprehensions in 2008	Apprehensions in 2009
Non-nationals	6	10
Citizens of Croatia	9	1
Citizenship unknown	-	-
Total	15	11

Number of 'human traffickers' apprehended and the top 5 nationalities or citizenships with most of 'human traffickers' apprehended (including foreigners and citizens of Croatia)			
Citizens of the following countries in 2008	Number of 'traffickers in humans' apprehended in 2008	Citizens of the following countries in 2009	Number of 'traffickers in humans' apprehended in 2009
1. Croatia	9	1.Serbia	8
2. Bosnia and Herzegovina	2	2.Bosnia and Herzegovina	2
3. The former Yugoslav Republic of Macedonia	2	3.Croatia	1
4. Serbia	1		
5. Italy	1		
Total	15	Total	11

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Bosnia and Herzegovina	10,209	1. Bosnia and Herzegovina	8,066
2. Serbia	3,026	2. Serbia	1,835
3. Russian Federation	1,600	3. Kosovo ⁶³	1,286
4. Ukraine	1,534	4. Italy	1,076
5. Slovenia	705	5. Moldova	849
6. The former Yugoslav Republic of Macedonia	694	6. Slovenia	795
7. Turkey	644	7. Germany	582
8. Albania	503	8. The former Yugoslav Republic of Macedonia	580
9. Montenegro	139	9. Turkey	549
10. Other	6,407	10. Albania	542
Total of ALL rejected persons at the border (of any nationality)	25,461	Total of ALL rejected persons at the border (of any nationality)	21,549

⁶³ Under UNSCR 1244

Persons to whom residence was refused and 10 nationalities/citizenships to whom residence was refused			
2008	Number of persons	2009	Number of persons
1. Albania	136	1. Albania	160
2. Bosnia and Herzegovina	947	2. Bosnia and Herzegovina	890
3. Montenegro	31	3. Montenegro	25
4. Kosovo ⁶⁴	58	4. Kosovo ⁶⁵	234
5. The former Yugoslav Republic of Macedonia	185	5. The former Yugoslav Republic of Macedonia	114
6. Romania	72	6. Romania	79
7. Russian Federation	32	7. Russian Federation	31
8. Slovenia	71	8. Slovenia	45
9. Serbia	548	9. Serbia	209
10. Turkey	193	10. Turkey	105
Total of ALL refused persons of any nationality	2,644	Total of ALL refused persons of any nationality	2,229
Of the total: number of overstayers	n.a.	Of the total: number of overstayers	44

Removed persons and the top 10 nationalities or citizenships removed from Croatia ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Serbia	387	1. Bosnia and Herzegovina	446
2. Bosnia and Herzegovina	382	2. Serbia	131
3. Turkey	167	3. Turkey	86
4. The former Yugoslav Republic of Macedonia	108	4. Albania	56
5. Albania	73	5. The former Yugoslav Republic of Macedonia	47
6. Romania	20	6. Romania	30
7. Slovenia	18	7. Slovenia	19
8. Montenegro	15	8. Hungary	7
9. Moldova	8	9. Russian Federation	6
10. Bulgaria	8	10. Bulgaria	5
Total of ALL removed persons (of any nationality or country)	1,344	Total of ALL removed persons (of any nationality or country)	1,019

⁶⁴ Under UNSCR 1244

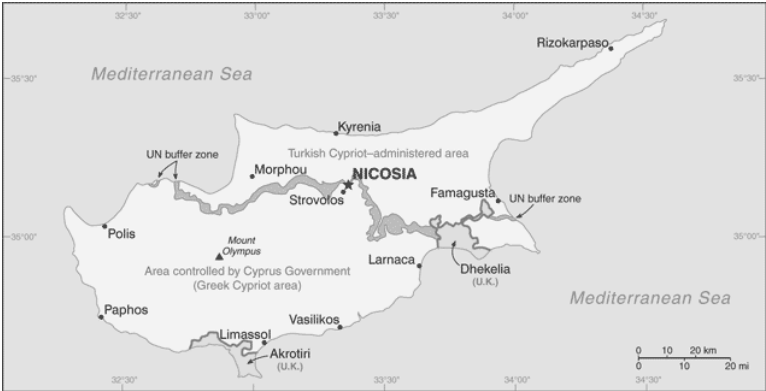
⁶⁵ Under UNSCR 1244

Number of illegally staying immigrants who have voluntarily left the Republic of Croatia following an obligation to leave the territory in the past years		
	Number of voluntary returns without assistance	Most important countries to which the persons have returned voluntarily
2009	2,970	Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Serbia
2008	3,217	Bosnia and Herzegovina, Serbia, the former Yugoslav Republic of Macedonia
2007	1,376	Bosnia and Herzegovina, Serbia, the former Yugoslav Republic of Macedonia
2006	2,465	Albania, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina
2005	1,408	Albania, the former Yugoslav Republic of Macedonia

Number of forced returns from other countries accepted by Croatia in the past 2 years				
From the following country	Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
	Foreign nationals	Nationals of Croatia	Foreign nationals	Nationals of Croatia
1. Slovenia	424	48	363	38
2. Hungary	0	0	2	0
3. Serbia	0	0	0	1
4. Montenegro	1	0	0	0
5. Bosnia and Herzegovina	1	0	1	0
Other	-	-	-	-
Total	426	48	366	39

Information provided by: Ministry of the Interior, Police Administration, Border Directorate

CYPRUS



General Information⁶⁶

Location:	Middle East, island in the Mediterranean Sea, south of Turkey
Area:	Total: 9,251 sq km – land: 9,241 sq km – water: 10 sq km
Land boundaries:	Total: 150.4 km (approx.)
Coastline:	648 km
Population:	1,120,489 (July 2011 est.)

General legislative and institutional developments

No changes regarding the legislation in relation to illegal immigration issues have taken place in 2009. The most important legislation on irregular migration is the Aliens and Immigration Law (as amended) as well as the Aliens and Immigration Regulations of 1972 (as amended). In the Framework of Solidarity Funds, in particular the EBF External Fund, the Cyprus Police was equipped with forty 4X4 motor vehicles, in order to patrol the sea borders that are being controlled by the government of the Republic of Cyprus.

Irregular migration flows

The number of migrants arriving illegally in Cyprus compared to 2008 has decreased in the year 2009. The total apprehensions of border violators have decreased by 27 percent. The top four countries of origin, which are Syria, the Occupied Palestinian Territory, Iran, and Pakistan, have not changed in the past two years.

⁶⁶ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/up.html> (March 2011)

In the years 2008 and 2009, the main routes of irregular migration to Cyprus proceeded from neighbouring countries via Turkey to certain areas in Cyprus where the Government of the Republic of Cyprus does not exercise effective control. After crossing the green line (EC/866/2004), which does not constitute a border, immigrants reach the areas controlled by the Government of the Republic of Cyprus, where they regularly apply for asylum.

According to results of analyses of international and European agencies (FRONTEX and ICMPD), irregular migration from Turkey to Greece is increasing. On the other hand, the route from Africa towards Western and Central European countries is decreasing. Therefore, it is assumed that there is a tendency of travelling to and entering the EU via Greece. Furthermore, the Cyprus Police has concentrated its efforts on combating illegal employment and the networks of facilitation and smuggling of immigrants, which are supposed to be the main pull factors.

Finally, the period needed to examine asylum applications has also been shortened, which supposedly contributed to the decrease of the number of irregular arrivals.

Smuggling

The networks involved in the smuggling of persons to Cyprus consist of members that operate in neighbouring countries and in the areas of Cyprus which are not under the effective control of the government of the Republic of Cyprus. The Cypriot Police has managed to arrest a number of facilitators that were operating in the areas where the government of Cyprus exercises effective control. After investigations and analysis, it is pointed out that they do not belong to big smuggling organisations, but to small groups that operate occasionally.

In 2008, 304 persons being smuggled to Cyprus were apprehended by the police. In 2009, the number was lower (186). A decrease in smuggling to Cyprus is also indicated by the number of apprehended human smugglers, which dropped from 58 in 2008 to 21 in 2009. The most important country of origin of smugglers was Syria in 2008 and Pakistan in 2009.

Testimonies of persons apprehended indicate that the price for being smuggled to Cyprus is around 2,000 to 3,000 EUR per person.

Trafficking

The number of victims of trafficking found in Cyprus has increased from 58 in 2008 to 113 in 2009. However, the number of women among the victims of trafficking has considerably decreased by 50 percent, while the number of male victims of trafficking has increased from 2 in 2008 to 86 in 2009. The number of apprehended traffickers has decreased from 118 to 90. Most traffickers in human being are Cypriot nationals.

Return and readmission

Return policy. Returning illegally staying migrants is one of the main measures undertaken by Cypriot authorities in order to counteract irregular migration. The return policy is combined with operations that focus on apprehensions of persons who illegally stay in Cyprus and operations tackling illegal employment. In case an illegally staying person is apprehended, the necessary procedures are conducted in order to return the person with commercial flights. The authorities responsible for dealing with repatriation of migrants are the Civil Registry and Migration Department as well as the Aliens and Immigration Unit.

Readmission Agreements.

Country	State of negotiations
Italy	Readmission Agreement and Protocol signed on 28 June 2002 In force on 21/3/2003, L.9(III)/2003, Official Journal No. 3697.
Sweden	Readmission Agreement and Protocol signed on 26 January 2005 In force on 11 November 2005, L. 35(III)/2005, Official Journal No. 4049.
Lebanon	Readmission Agreement signed on 19 July 2002. Protocol implementing the readmission agreement signed on 15 May 2008. The law ratifying the agreement and protocol [L.17(III)/2009] were published in the Official Journal No. 4124 on 11 December 2009.
Russian Federation	A readmission Agreement between the European Commission and Russian Federation was signed on 25 May 2006. On 3 February 2009, Cyprus and Russia agreed on the text of the implementing protocol. Signing of the protocol is pending.
Syria	Negotiations for signing a readmission agreement and implementing protocol started on 10-12 November 2003. The Minister of Interior had a meeting on the issue with the Syrian Minister of Interior in Damascus on 10 April 2010. The Minister of Interior invited the Syrian Minister to visit Cyprus for signing the Readmission Agreement.
Jordan	A draft readmission agreement was initiated on 14 June 2005. The implementing protocol is expected to be negotiated during 2010.

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	4,163,252	3,858,387
Exit	4,303,594	3,857,269
Total	8,466,846	7,715,656

Total number of persons claiming asylum		
	2008	2009
At the border	-	-
Inland	3,922	3,199
Total	3,922	3,199

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	64	49
Persons whose applications were negative/ rejected	4,001	3,325
Persons whose applications were otherwise closed	3,684	2,038

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of the Cyprus)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1.Syria	2,479	1.Syria	1,551
2.Occ. Palestinian Territory	435	2.Occ. Palestinian Territory	367
3.Iran	430	3.Iran	313
4.Pakistan	295	4.Pakistan	238
5.Georgia	222	5.Iraq	179
6.Iraq	217	6.Bangladesh	133
7.Nigeria	134	7.Georgia	133
8.Turkey	121	8.Turkey	99
9.Bangladesh	116	9.Cameroon	90
10.India	96	10.Mongolia	88
Other	653	Other	600
Total	5,198	Total	3,791

Total number of migration-related border apprehensions (including foreigners and citizens of Cyprus)		
	2008	2009
Foreign nationals	5,198	3,791
Citizens of Cyprus	-	-
Total	5,198	3,791

Total number of migration-related border apprehensions by gender (including foreigners and citizens of Cyprus)		
Gender	2008	2009
Males	4,521	3,244
Females	677	547
Total	5,198	3,791

Number of minors apprehended at the border due to border violation (including foreigners and citizens of Cyprus)		
Gender	2008	2009
Males	257	163
Females	174	141
Unknown	-	-
Total	431	304

Number of persons being smuggled into Cyprus		
	2008	2009
Total	304	186
Of the total: women	n.a.	n.a.
Of the total: minors	n.a.	n.a.

Total number of 'human smugglers' apprehended (including foreigners and citizens of Cyprus)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	53	21
Citizens of the Cyprus	5	5
Citizenship unknown	-	-
Total	58	26

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Cyprus)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1.Syria	38	1.Pakistan	12
2.Turkey	6	2.Cyprus	5
3.Cyprus	5	3.Syria	5
4.Occ. Palestinian Territory	3	4.Turkey	1
5.Iraq	2	5.Iran	1
Other	4	Other	2
Total	58	Total	26

Number of people being trafficked into Cyprus		
	2008	2009
Total	58	113
Of the total: women	56	27
Of the total: minors	-	1

Number of 'human traffickers' apprehended (including foreigners and citizens of Cyprus)		
	Apprehensions in 2008	Apprehensions in 2009
Non-nationals	51	35
Citizens of Cyprus	67	55
Citizenship unknown	-	-
Total	118	90

Number of 'human traffickers' apprehended and the top 5 nationalities or citizenships with most of 'human traffickers' apprehended (including foreigners and citizens of Cyprus)			
Citizens of the following countries in 2008	Number of 'traffickers in humans' apprehended in 2008	Citizens of the following countries in 2009	Number of 'traffickers in humans' apprehended in 2009
1. Cyprus	67	1. Cyprus	55
2. Romania	12	2. Bulgaria	9
3. Russian Federation	8	3. Romania	8
4. Ukraine	5	4. Ukraine	4
5. Bulgaria/China	4/4	5. Vietnam/China	3/3
Other	18	Other	8
Total	118	Total	90

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Russian Federation	81	1. Jordan	52
2. Egypt	62	2. Ukraine	52
3. Syria	62	3. Russia	42
4. Ukraine	61	4. India	41
5. Moldova	45	5. Syria	36
6. Sri Lanka	40	6. Iran	34
7. India	37	7. Moldova	33
8. Pakistan	36	8. Egypt	30
9. Lebanon	31	9. Pakistan	24
10. Albania	29	10. Sri Lanka	24
Total of ALL rejected persons at the border (of any nationality)	917	Total of ALL rejected persons at the border (of any nationality)	677

Persons to whom residence was refused and 10 nationalities/citizenships to whom residence was refused			
2008	Number of persons to whom residence was refused in 2008	2009	Number of persons to whom residence was refused in 2009
1. Moldova	275	1. Moldova	223
2. Russian Federation	272	2. Russian Federation	215
3. Sri Lanka	251	3. Syria	152
4. Ukraine	168	4. Egypt	149
5. Philippines	163	5. Ukraine	136
6. Egypt	161	6. Sri Lanka	123
7. Syria	129	7. Bangladesh	118
8. India	125	8. India	106
9. Iran	123	9. Philippines	91
10. Vietnam	94	10. Vietnam	81
Total of ALL refused persons of any nationality	1,761	Total of ALL refused persons of any nationality	1,696

Removed persons and the top 10 nationalities or citizenships removed from Cyprus ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1.Syria	1,228	1.Syria	446
2.Bangladesh	300	2.Bangladesh	131
3.Sri Lanka	195	3.Pakistan	86
4.Pakistan	189	4.Sri Lanka	56
5.Egypt	124	5.India	47
6.Turkey	108	6.Vietnam	30
7.India	107	7.Egypt	19
8.Philippines	105	8.Philippines	7
9.Georgia	102	9.China	6
10. Iran	93	10.Georgia	5
Total of ALL removed persons (of any nationality or country)	3,231	Total of ALL removed persons (of any nationality or country)	1,019

Number of assisted voluntary returns to other countries		
To the following country	Number of assisted voluntary returns (number of persons) TO other countries in 2008	Number of assisted voluntary returns (number of persons) TO other countries in 2009
1.Sri Lanka	106	141
2.Bangladesh	57	200
3.Syria	46	257
4.Pakistan	36	49
5.Georgia	29	32
Other	161	337
Total	435	1,016

Number of forced returns to other countries		
To the following country	Number of assisted voluntary returns (number of persons) TO other countries in 2008	Number of assisted voluntary returns (number of persons) TO other countries in 2009
1.Syria	1,228	744
2.Bangladesh	300	456
3.Sri Lanka	195	311
4.Pakistan	189	315
5.Egypt	124	197
Other	1,195	1,650
Total	3,231	3,673

Information provided by: Cyprus Police, Aliens and Immigration Unit

CZECH REPUBLIC



General Information⁶⁷

Location:	Central Europe, bordering Austria, Germany, Poland, and Slovakia
Area:	<i>Total: 78,867 sq km – land: 77,247 sq km – water: 1,620 sq km</i>
Land boundaries:	<i>Total: 1,989 km</i> <i>Border countries: Austria 362 km, Germany 815 km, Poland 615 km, Slovakia 197 km</i>
Population:	10,201,707 (July 2010 est.)

General legislative and institutional developments

In the middle of 2009, the Czech Republic started to prepare an extensive amendment to the Czech Aliens Act which is currently being discussed in the parliament. The main part of this amendment is related to the transposition of several EU directives and the adaptation of two EU regulations. More specifically, in the field of illegal migration it applies to following directives:

- Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in member states for returning illegally staying third-country nationals;

⁶⁷ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/ez.html> (Dec. 2010)

- Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals.

Regarding institutional developments in the field of migration, the inter-institutional and international cooperation between involved state agencies has been improved in 2009. The main actors in the field of combating irregular migration, in particular the Unit for Combating Organized Crime (hereinafter referred to as 'UCOC') of the Criminal Police and Investigation Service, pay great attention to the problems related to irregular migration, smuggling and trafficking, including operational and preventive measures as well as information exchange between related state bodies. At the international level, the cooperation with foreign police forces was established as well. Since 2009, the UCOC has been participating in the project COSPOL, which is focused on monitoring and documenting organised criminal activities of Vietnamese nationals at the EU level.

Irregular migration flows

With the accession of the Czech Republic to the Schengen area on 27 December 2007, the conditions for the entry of aliens into the territory of the state have been changed. At the moment, the Czech Republic has only internal EU borders; thus, conventional checks of aliens who entered state territory from neighbouring countries through land borders were abolished. This led to a substantial reduction of the number of checked aliens. The international airports of the Czech Republic became the only crossing points on the external Schengen border with border control.

Although the territory of the Czech Republic is still used as a transit area for the purpose of illegal migration, the latest developments in this area show that the state becomes a destination country for certain groups of migrants.

Irregular stay in the Czech Republic. In 2009, the authorities of the Czech Republic detected 4,267 persons staying illegally on the territory of the state; out of this number 3,579 aliens were apprehended during routine police control activities. The number of apprehended persons shows an increase by 606 persons comparing with 2008.

Some of the aliens who overstayed their legal residence in the country arrive to the asylum centre and apply for international protection there (in 2009, this way to legalise their stay was used by 226 persons out of 4,267 illegally staying persons). Regarding the asylum procedure in general, 234 asylum seekers who applied for asylum in the Czech Republic in 2009 have previously submitted asylum applications in other EU MS (196 persons in Poland, 27 in Austria, 3 in Hungary, Slovakia and Germany, and 1 in Norway and Sweden).

983 detected irregularly staying migrants (23% of the total number) had previously been issued a decision on administrative (or judicial) expulsion from the territory of the state, and they either had not departed from the Czech Republic or had left the territory and returned later. 187 persons used forged travel documents in order to prove their identity; this constitutes an increase of 98 persons compared with the number for 2008. In total, 192 forged travel documents were identified in 2009 (91 in 2008); out of this number, 108

forged travel documents were EU MS documents (the majority Slovak, Romanian, and Bulgarian documents). Regarding forged travel documents of third countries (84 documents in 2009), the majority were Vietnamese and Nigerian papers. In addition to travel documents, the foreigners also presented other forged documents, e.g. a driving license, asylum seekers ID, residence permit, marriage certificate, health insurance documents, employment and bank documents. That means that foreigners try to use forged documents in order to meet the conditions for one or another legal status in the Czech Republic.

Irregular arrival to the Czech Republic. In 2009, 190 persons were apprehended while trying to illegally cross the external Schengen border of the Czech Republic (i.e. at the airports). In comparison to 2008, this constitutes an increase of 22 persons (+13.1%). The number of apprehensions of persons entering the Czech Republic illegally is higher: 146 apprehensions when entering the Czech Republic and 44 when leaving.

Modes of illegal border crossings. The use of forged and counterfeit travel and other documents (as well as valid documents belonging to other persons) continues to be a security risk. In 2009, most persons (125 persons or 65.8 %) also used forged travel documents; in addition, 32 persons held valid travel documents but they presented forged residence permits (mainly French or Italian residence permits). The majority of persons with an irregular travel document travelled across Czech territory to another country. Thus, the Czech Republic was not the country of destination.

In total, 140 irregular travel documents were detected in 2009 (some persons presented more than one document, e.g. both a passport and an identity document, or they presented a forged passport, and later, during a body search, another forged passport was found). There was a slight decrease compared to 2008.

Another challenge is the abuse of concluded international agreements on facilitating the issue of visas between the European Union and Russia, Ukraine, Moldova, Bosnia and Herzegovina, and Albania. The abovementioned agreements contain provisions regarding the procedure of departure of nationals of these countries in case of lost or stolen documents. If the nationals of these countries lose (or are robbed of) their identity documents during their stay in the EU, they can leave this territory without a visa or another permit on the basis of valid identity documents issued by diplomatic missions or consular authorities which authorise them to cross the border. By means of the inspectorates of the Aliens Police Service (APS) located at international airports, and in connection with the abovementioned agreements, the directorate of APS registered an increased number of passengers who were nationals of the mentioned third countries and departed from the Schengen area through the CR on the basis of such substitute travel documents. These aliens are not obliged to present a valid visa to border officers on exit; however, the police are obliged to find out whether these aliens were authorised to stay in the territory before the loss or theft of their travel documents. Currently, the APS does not have any available means to verify these facts. Thus, the APS supposes that the provision enabling the departure from the territory of member states can be also abused for the purpose of a legal departure after an illegal stay.

Smuggling

197 persons were apprehended in connection with human smuggling in 2009: for supporting illegally staying persons in the Czech Republic (Section 171d Act No140/1961 Coll.) or for organisation of unauthorised crossings of the national border (Section 171a Act No140/1961 Coll.).

90 persons were apprehended for the organisation of unauthorised crossing of the national border (e.g. the organisation, provision of transport and travel documents, etc.). Often the national communities of foreigners residing in the country participate in the smuggling process. There was, for example, a case of smuggling of Mongolian nationals to Germany, France, Benelux countries, and Norway.

The main method used in smuggling is to provide migrants with documents, allowing them to travel within the EU. Usually, this will be a stolen or lost document of another person, and facilitators use the similarity of the person's appearance. This was used for smuggling citizens of the Russian Federation (of Chechen origin) and Georgia.

Other cases of smuggling were related to supporting an irregular stay in the Czech Republic:

- 32 persons were apprehended for illegal registration of aliens in a birth certificate in order to receive a residence permit;
- Marriage of convenience was detected in 35 cases: contracting of marriage or organisation of such marriages. Usually, the marriage is being organised between a woman of a socially deprived group and an alien in order to receive a residence permit. In all cases the couple either never met before the marriage or did not live together afterwards.

The members of criminal organisations involved in smuggling use several ways of communication: the main ways are phone communication (both landlines and mobile phones), e-mail, Skype and Facebook. The handling of documents and visas is done in electronic form, including communication for the purpose of agreeing on the basic organising procedures. Communication during illegal border crossings is also done via mobile phones.

The evidence found leads to the conclusion that the sum paid for an illegal transport of one person amounts to about 10,000 EUR. In the area of so-called fictitious marriages, the sum paid for organising and arranging amounts to approximately 130,000 CZK (approx. 5,000 EUR).

In 2009, the most frequently used irregular travel documents were documents of other persons on the basis of a similar appearance (42 documents, i.e. 30 %) and travel documents with counterfeit visas or residence permits (39 documents, i.e. 27,8 %). In comparison with 2008, the abovementioned methods increased considerably (documents of other persons increased by 22 documents, i.e. 100%; counterfeit visas by 31 documents, i.e. 387,5 %). On the other hand, there was a considerable decrease in the area of total

counterfeit documents (10 documents in 2008, 35 in 2009) and of documents with photo substitution or with a counterfeit data page (26 documents in 2008, 41 in 2009).

Trafficking

According to the US Department of State Trafficking in Persons Report 2010, the Czech Republic is a source, transit, and destination country for women who are subjected to trafficking in persons, specifically forced prostitution, as well as for men and women in conditions of forced labour.⁶⁸

The main source countries continue to be countries with a lower standard of living (such as the Russian Federation, Slovakia, and Ukraine). The Czech Republic, on the other hand, itself is a source country for Austria, Germany, and Switzerland. Victims of trafficking were being transported by different available means (such as trains, buses, or cars). As regards trafficking in human beings for the purpose of labour exploitation, the Czech Republic has remained a destination country for persons from the former Soviet Union, but also from Romania, Bulgaria, Vietnam, India, China, Mongolia, and other Asian countries. Some sources indicate that there is a quite large group of migrants in the Czech Republic who find themselves in very risky situations with respect to trafficking in human beings. The Ministry of Foreign Affairs reported that the Czech embassies and consulates, mainly in Ukraine, Vietnam, China, Moldova, Mongolia, Uzbekistan, and Kazakhstan, recorded a persistently large interest in working in the Czech Republic under any conditions.⁶⁹

In the year 2009, the police conducted 47 investigations related to trafficking in human beings, including three labour trafficking investigations (81 investigations were conducted in 2008). In 2009, authorities prosecuted 115 persons for trafficking offenses (110 individuals prosecuted in 2008); 83 trafficking offenders were convicted during 2009 (64 in 2008). 13 victims of trafficking in human beings were identified in 2009: eight victims of forced labour and five victims of forced prostitution.⁷⁰

Return and readmission

Return policy. The following return possibilities are implemented in the Czech Republic:

- Ad hoc return projects organised by the responsible institutions of the Czech Republic: both legally and illegally staying migrants have a right to participate in these projects. However, a foreigner with irregular status in the Czech Republic receives a formal decision on administrative expulsion with an entry ban which is fixed on the lowest possible time period;

⁶⁸ Source: US Department of State, Trafficking in Persons Report 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/index.htm>

⁶⁹ Source: Ministry of Interior of the Czech Republic, Security Police Department: 2009 Status Report on Trafficking in Human Beings in the Czech Republic, <http://www.mvcr.cz/clanek/obchod-s-lidmi-dokumenty-982041.aspx>

⁷⁰ Source: US Department of State, Trafficking in Persons Report 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/index.htm>

- Assisted return on the initiative of a migrant with irregular status in the Czech Republic: if such an alien contacts the responsible institution and expresses his/her wish to leave the Czech Republic, he/she receives a formal decision on administrative expulsion with an entry ban which is fixed on the lowest possible time period;
- Assisted return procedure within the administrative expulsion procedure: an alien against whom an expulsion procedure has been initiated and who was placed in the detention centre still has the right to apply for assisted return.

In the Czech Republic, forced return is implemented by administrative or judicial expulsion. A foreigner can leave the country on his/her own expenses and without assistance of the police. If a foreigner does not have a possibility to leave the Czech Republic independently or refuses to do so, he/she could be detained and the return will be paid by the state. In this case, return could also be organised with a police escort; eventually, the Czech Republic also organises returns by charter flights to the countries of origin.

In 2009, the Czech Republic implemented the Voluntary Return Project, which was divided into 2 phases. Phase I took place between 16 February and 24 July 2009 and was dedicated to the assisted return of foreigners who lost their employment in the Czech Republic due to economic crisis. During the indicated period, 1,871 foreigners registered their intention to return to their country of origin; out of this number 1,844 foreigners (98.5% of all registered) were successfully returned home. The biggest group of returnees were citizens of Mongolia (1,220 citizens of Mongolia registered for assisted return, i.e. 65% of the total number), followed by citizens of Uzbekistan (287 persons or 15.3%), Vietnam (239 persons or 12.8%), and Ukraine (52 persons or 2.8%).

Phase II of the project was implemented from 15 September to 15 December 2009. During this part of the project, all irregularly residing foreigners in the Czech Republic could apply for assisted return back to their country of origin. In total, 169 foreigners applied for assisted repatriation, among them 70 citizens of Ukraine (41.4%), 20 citizens of Vietnam (11.8%), 15 citizens of Mongolia (8.9%), 14 citizens of Kyrgyzstan (8.3%), 13 citizens of Uzbekistan and Moldova (7.7%).

The Czech Republic cooperates with representatives and consular authorities in the migrant's countries of origin and third countries in the area of identity verification as well as issuance of travel documents of returnees. The main issue of concern remains the time-consuming procedure for the issuance of travel documents. Some foreign embassies refuse to cooperate in the mentioned areas.

Readmission Agreements. The Czech Republic has concluded agreements on readmission with 11 countries; among them 5 Schengen countries (Germany, Austria, Poland, Slovakia, and Slovenia), 2 other EU member states (Bulgaria and Romania) and 4 other countries (Croatia, Canada, Moldova, and Vietnam). The Czech Republic negotiates readmission

agreements with Kazakhstan and Kosovo⁷¹. In addition, draft agreements on readmission were sent to Cambodia and Egypt.

The provisions on readmission regarding citizens of the contracting parties are also included in agreements on lifting the visa obligation concluded with third countries, predominantly with South American and some other countries⁷², and also in community agreements on partnership and cooperation with some third countries (e.g. Philippines, Iraq, Mongolia, and Thailand).

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	7,139,178	5,383,243
Exit	7,105,348	5,408,732
Total	14,244,526	10,791,975

Total number of persons claiming asylum		
	2008	2009
Total	1,656	1,258

Total number of migration-related border apprehensions (including foreigners and citizens of the Czech Republic)		
	2008	2009
Foreign nationals	168	190
Citizens of the Czech Republic	-	-
Total	168	190

Total number of migration-related border apprehensions by gender (including foreigners and citizens of the Czech Republic)		
Gender	2008	2009
Males	104	131
Females	54	47
Unknown	9	11
Total	167	189

⁷¹ Under UNSCR 1244

⁷² Argentina, Brazil, Guatemala, Honduras, Chile, Israel, Costa Rica, Mexico, Nicaragua, Panama, Paraguay and Singapore.

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of the Czech Republic)

Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Moldova	30	1. Syria	33
2. Syria	28	2. Ukraine	20
3. Iraq	14	3. Vietnam	13
4. Unknown	11	4. China	11
5. Ukraine	10	5. Sri Lanka	11
6. Nigeria	9	6. Occ. Palestinian Territory	10
7. Stateless	9	7. Nigeria	9
8. Sri Lanka	7	8. Turkey	9
9. Turkey	5	9. Lebanon	9
10. Vietnam	5	10. Stateless	8
Other	-	Other	-
Total	128	Total	133

Number of minors apprehended at the border due to border violation (including foreigners and citizens of the Czech Republic)

Gender	2008	2009
Males	3	4
Females	3	1
Unknown	9	11
Total	15	16

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of the Czech Republic)

Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	-	-
On rail border crossings	-	-
On the green (land) border	-	-
At the sea border	-	-
On airports	168	190
In the country	3,661	4,267
On other places	-	-
Total	3,829	4,457

Number of migration-related apprehensions by border (including foreigners and citizens of the Czech Republic in 2008)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING CZ on the border with that country	OUT: Number of apprehensions of people LEAVING CZ on the border with that country	Total number of apprehensions on the border with that country
Airports	130	38	168
Total	130	38	168

Number of migration-related apprehensions by border section in 2009 (including foreigners and citizens of the Czech Republic)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING CZ on the border with that country	OUT: Number of apprehensions of people LEAVING CZ on the border with that country	Total number of apprehensions on the border with that country
Airports	146	44	190
Total	146	44	190

Number of apprehended persons being smuggled into the Czech Republic

	2008	2009
Total	101	-

Total number of 'human smugglers' apprehended (including foreigners and citizens of the Czech Republic)

	Apprehensions in 2008	Apprehensions in 2009
Total	77	197

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of the Czech Republic)

Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Czech Republic	51	1. Czech Republic	88
2. Vietnam	5	2. Vietnam	23
3. Mongolia	3	3. Mongolia	14
4. Russian Federation	3	4. Russian Federation	11
5. Ukraine	2	5. Poland	9
Other	-	Other	-
Total	64	Total	145

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Turkey	70	1. Russian Federation	85
2. Ukraine	29	2. Armenia	44
3. Russian Federation	20	3. Ukraine	40
4. Vietnam	19	4. Recognised refugees	16
5. China	8	5. India	15
6. Serbia	6	6. Turkey	13
7. the former Yugoslav Republic of Macedonia	7	7. Philippines	12
8. Bosnia and Herzegovina	6	8. Nigeria	11
9. Iraq	6	9. Belarus	11
10. Slovakia	5	10. the former Yugoslav Republic of Macedonia	11
Total of ALL rejected persons at the border (of any nationality)	257	Total of ALL rejected persons at the border (of any nationality)	379

Removed persons and the top 10 nationalities or citizenships removed from the Czech Republic ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Ukraine	269	1. Ukraine	413
2. Vietnam	101	2. Vietnam	169
3. Slovakia	69	3. Slovakia	115
4. Mongolia	45	4. Mongolia	87
5. Moldova	26	5. Moldova	55
6. Russian Federation	21	6. Russian Federation	36
7. Belarus	17	7. Romania	19
8. Romania	15	8. Lithuania	15
9. China	14	9. Belarus	15
10. Poland	14	10. Georgia	14
Total of ALL removed persons (of any nationality or country)	704	Total of ALL removed persons (of any nationality or country)	1,024

Number of assisted voluntary returns (number of persons) to other countries successfully implemented in 2009		
To the following country	Number of assisted voluntary returns (number of persons) TO other countries implemented in 2009 (I Phase of voluntary return project 2009)	Number of foreigners registered for assisted voluntary return (number of persons) TO other countries (II Phase of voluntary return project 2009)
1. Mongolia	1,207	
2. Uzbekistan	287	13
3. Vietnam	227	20
4. Ukraine	51	70
5. Indonesia	19	-
Other	53	51
Total	1,844	169

Number of forced returns from other countries accepted by the Czech Republic in the past 2 years				
From the following country	Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
	Foreign nationals	Nationals of the Czech Republic	Foreign nationals	Nationals of the Czech Republic
Germany	877	17	447	17
Poland	371	2	53	
Austria	9	5	6	
Slovakia	1	-	4	1
Total	1,259	24	511	18

Information provided by: Aliens Police Service, Police of the Czech Republic

ESTONIA



General Information⁷³

Location:	Eastern Europe, bordering the Baltic Sea and the Gulf of Finland, Latvia and the Russian Federation
Area:	<i>Total: 45,228 sq km – land: 42,388 sq km (including 1,520 islands in the Baltic Sea) – water: 2,840 sq km</i>
Land boundaries:	<i>Total: 633 km Border countries: Latvia 343 km, the Russian Federation 290 km</i>
Coastline:	3,794 km (Baltic Sea)
Population:	1,291,170 (July 2010 est.)

General legislative and institutional developments

In 2009, the definition of ‘identity document’, presented in article 350 of the Penal Code of the Republic of Estonia was amended by introducing the term ‘identification document of a foreign state’. The purpose of the amendment was to increase penalties for the forgery of identification documents of a foreign state, for using forged identification documents of a foreign state and for fraudulent use of identification documents of a foreign state belonging to another person.

⁷³ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/en.html> (Dec. 2010)

The new penalty for the illegal crossing of the state border or temporary border line of the Republic of Estonia, i.e. administrative detention for up to 30 days, was introduced in the State Borders Act. This amendment came into force on 1 January 2010. Previously, the mentioned violation was punishable only with a fine. In October 2009, the Government of Estonia signed the Council of Europe's Convention on Action against Trafficking in Human Beings.⁷⁴

Regarding institutional developments, the year 2009 can be considered a year of preparations for the merger of four different law enforcement bodies (Police Board, Citizenship Board, Migration Board and Border Guard Board) into one single structure by 1 January 2010: the Police and Border Guard Board. On the international level, the border guard authorities of the Republic of Estonia, Lithuania and Belarus signed a cooperation agreement in the area of fighting cross-border crime in 2009, including illegal immigration and human smuggling.

Irregular migration flows

In 2009, the general situation regarding illegal immigration changed remarkably, showing a steep increase towards the Schengen area. The main feature of irregular migration tendencies is that persons are being smuggled to or through Estonian territory: across the external border from the Russian Federation to Estonia and also across internal borders from Latvia to Estonia.

In 2008, the Estonian Border Guard detected 40 cases of irregular migration, which involved 57 persons with irregular status. In 2009, the number of cases and especially of detected persons significantly increased to 61 cases with 134 apprehended migrants. At the same time, it has to be noted that besides cases where migrants were detected by the Estonian Border Guard, as a result of ongoing or finished investigations in neighbouring countries it became clear that at least 50 migrants (in addition to the above mentioned 134) were successfully smuggled across Estonia without being detected.

The pull factors towards Estonia as a transit country are good ferry connections with Sweden and Finland, speculating on the absence of border control in the area of free movement and more active participation of Estonian criminals involved in human smuggling as well.

The following major developments occurred in the last two years in the area of irregular migration:

- Migrants from Afghanistan, Syria, the Occupied Palestinian Territory, as well as some African countries were smuggled to Estonia or through Estonian territory;
- Illegal border crossing in bigger groups (from 5 to 14 persons), often families including small children and infants;
- Migrants use forged/altered travel documents and visas (often Schengen visas);
- Increased criminal activities of organised smugglers.

⁷⁴ Source: US Department of State, Trafficking in Persons Report, 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/>

Modes of illegal border crossings. Migrants are usually being smuggled through the green border of Estonia with Russia at night. This mode of illegal border crossing usually involves citizens of Afghanistan, which were travelling in large groups, often with family members. After illegally crossing the border, the migrants were transported to the harbour of Tallinn where they continue on a ferry. Tickets for the ferry were bought using identity documents belonging to Estonian or Latvian citizen.

Within the Schengen area, internal borders from Latvia to Estonia and from Estonia to Sweden (by ferry) or Finland were used most often. In most cases, migrants were smuggled into the Schengen area days or weeks before moving them towards Estonia. After a short stay, they were placed on the bus (most often carriers 'Eurolines' and 'Ecolines' on the route Riga-Tallinn) or they were transported straight to the harbour by private cars.

Smuggling

The results of investigations related to smuggling showed involvement of Estonian citizens and non-nationals residing in Estonia as facilitators. The main responsibility of Estonian facilitators was to provide transport to the port of Tallinn after successful entry to Estonia. In all these incidents, Estonia was used as a transit country en route towards Finland, Sweden or Norway. While being detected on Estonian territory, migrants applied for asylum and, before the end of the respective proceedings, left towards the countries of destination after a few days.

Estonian facilitators involved in smuggling of illegally staying migrants mostly were not part of a criminal group. Apprehended facilitators were mainly men of Roma or Azeri ethnicity residing in Latvia or Estonia.

The names of smugglers are usually not known to migrants. Smugglers often use one-way mobile phones or pre-paid cards with pre-defined numbers. Depending on the border crossing mode, other means of smuggling included provision of transport (public transportation or private car), maps, guides, safe houses, hostels or hotels (usually booked under false name), agreements on pick-up points, etc.

Currently there is no clear evidence that could help to estimate the possible smuggling costs to or via Estonia because Estonia is just one leg in the whole route. According to statements of apprehended persons, smuggling fees from Afghanistan to Scandinavian countries can vary between 8,000 and 15,000 USD.

Trafficking

Estonia is a source country and, to a lesser extent, a destination country for trafficking in human beings. Women from Estonia are trafficked for the purpose of sexual exploitation to Finland, the Netherlands, the United Kingdom, and Italy, while Latvian women are subjected to forced prostitution in Estonia. Men and women from Estonia are subjected to forced labour in Spain, Norway, and Finland. In 2009, authorities conducted 73 trafficking investigations under Articles 133, 175, and 176 of the criminal code, compared with two investigations reported in 2008. Estonian authorities prosecuted 18 individuals and

convicted three trafficking offenders in 2009, compared with two prosecutions and two convictions in 2008. 78 trafficking victims, including some victims who were identified during previous years, received government-funded assistance in 2009, compared with 55 victims assisted in 2008. At least six victims were also identified in 2009 through a government-funded hotline.⁷⁵

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	n.a.	Est. 3.2 m
Exit	n.a.	Est. 3.3 m
Total (external border only)	5,710,170	Est. 6.5 m

Total number of persons claiming asylum (repeated applications excluded)		
	2008	2009
At the border	2	-
Inland	12	36
Total	14	36

Total number of persons who were granted (refused) asylum (final decisions)		
	2008	2009
Persons whose applications were positive	4	4
Persons whose applications were negative/ rejected	8	15
Persons whose applications were otherwise closed	1	2

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Estonia)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
No data by citizenship		1. Estonia	75
		2. Russian Federation	25
		3. Citizenship unknown	15
		4. Afghanistan	12
		5. France	6
		6. Finland	4
		6. Latvia	3
		7. Armenia	2
		9. Somalia	2
		10. Ukraine	1
		Other	2
Total	93	Total	147

⁷⁵ Source: US Department of State, Trafficking in Persons Report, 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/>

Total number of migration related border apprehensions including foreigners and citizens of Estonia		
	2008	2009
Foreign nationals	59	62
Citizens of Estonia	-	-
Total	59	62

Total number of migration-related border apprehensions by gender (including foreigners and citizens of Estonia)		
Gender	2008	2009
Males	44	40
Females	13	22
Total	57	62

Number of minors apprehended at the border due to border violation (including foreigners and citizens of Estonia)		
Gender	2008	2009
Males	4	8
Females	1	7
Total	5	15

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Estonia)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	17	23
On rail border crossings	17	20
On the green (land) border	5	17
At the sea border	-	-
On airports	1	2
In the country	17	48
On other places	-	-
Total	57	110

Number of migration-related apprehensions by border section in 2008 (including foreigners and citizens of Estonia)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Bulgaria on the border with that country	OUT: Number of apprehensions of people LEAVING Bulgaria on the border with that country	Total number of apprehensions on the border with that country
Russian Federation	34	5	39
Total	34	5	39

Number of migration-related apprehensions by border section in 2009 (including foreigners and citizens of Estonia)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Bulgaria on the border with that country	OUT: Number of apprehensions of people LEAVING Bulgaria on the border with that country	Total number of apprehensions on the border with that country
Russian Federation	56	4	60
Other	-	2	2
Total	56	6	62

Number of apprehended persons being smuggled into Estonia

	2008	2009
Total	2	27
Of the total: women	-	6
Of the total: minors	-	10

Total number of 'human smugglers' apprehended (including foreigners and citizens of Estonia)

	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	2	10
Citizens of Estonia	-	2
Citizenship unknown	-	-
Total	2	14

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Estonia)

Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
India	2	1. Latvia	8
		2. non-citizen residents of Estonia	2
		3. Estonia	2
		4. Russian Federation	1
		5. Hong Kong	1
		6. Other	-
Total	2	Total	14

Persons to whom residence was refused ⁷⁶			
Citizens of following countries in 2008	Number of persons to whom residence was refused in 2008	Citizens of following countries in 2009	Number of persons to whom residence was refused in 2009
1. Russian Federation	54	1. Russian Federation	54
2. Unknown	7	2. Ukraine	18
3. Belarus	4	3. Unknown	5
4. Georgia	2	4. Azerbaijan	2
5. Ukraine	1	5. Georgia	2
6. India	1	6. Armenia	1
7. USA	1	7. Belarus	1
		8. India	1
		9. Israel	1
		10. Moldova	1
Total of ALL refused persons of any nationality	70	Total of ALL refused persons of any nationality	88
Of the total: number of overstayers	-	Of the total: number of overstayers	815⁷⁷

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. India	1,042	1. Russian Federation	371
2. Philippines	515	2. Philippines	333
3. Russian Federation	374	3. Myanmar	43
4. Pakistan	92	4. Turkey	42
5. Myanmar	49	5. Ukraine	35
6. Turkey	45	6. Pakistan	19
7. China	32	7. India	17
8. Cape Verde	29	8. Belarus	7
9. Ukraine	21	9. Turkmenistan	6
10. Bangladesh	20	10. China	5
Total of ALL rejected persons at the border (of any nationality)	2,326	Total of ALL rejected persons at the border (of any nationality)	916

⁷⁶ Refusals of temporary residence permits, renewals of temporary residence permits and long-term residence permits

⁷⁷ Estimate; the number indicates the total number of irregular migrants apprehended inland minus persons removed from the country for following reasons: illegal entry, prisoners who did not possess a residence permit upon release, prohibition to entry, rejected asylum applicants, restriction of right of residence of EU citizens

Removed persons and the top 10 nationalities or citizenships removed from Estonia ('removed persons' refers to persons who have been forcibly returned to their country of origin ⁷⁸)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Russian Federation	44	1. Russian Federation	19
2. Belarus	9	2. Undetermined citizenship	15
3. Ukraine	6	3. Afghanistan	13
4. Undetermined citizenship	6	4. Latvia	12
5. Kazakhstan	5	5. Lithuania	6
6. Azerbaijan	4	6. Belarus	4
7. Moldova	4	7. Poland	4
8. Colombia	4	8. Azerbaijan	4
9. Lithuania	3	9. Ukraine	3
10. Jordan	3	10. Kazakhstan	3
Total of ALL removed persons (of any nationality or country)	103	Total of ALL removed persons (of any nationality or country)	103

Information provided by: Migration and Border Policy Department, Estonian Ministry of the Interior

⁷⁸ In some cases foreigners were removed to third countries

GEORGIA



General Information⁷⁹

Location:	South-Western Asia, bordering the Black Sea, the Russian Federation, Azerbaijan, Armenia, and Turkey
Area:	<i>Total:</i> 69,700 sq km
Land boundaries:	<i>Total:</i> 1,461 km <i>Border countries:</i> Armenia 164 km, Azerbaijan 322 km, Russian Federation 723 km, Turkey 252 km
Coastline:	310 km (Black Sea)
Population:	4,600,825 (estimate for July 2010)

General legislative and institutional developments

In 2009, the following legislative decisions and regulations related to irregular migration were issued. The Action Plan for the Integrated Border Management (IBM) Strategy was elaborated in cooperation with the EU. The document was approved by the Security Council of Georgia and was signed by the President on 25 December 2009 (IBM Strategy was approved on 4 February 2008). Amendments have been made to the Criminal Law of Georgia. The new article on 'violation of rules of entry to (through) the occupied zones' has been introduced.

Amendments have been made to the laws on Defence, Border Police and State Border, according to which the structural changes have been conducted in MIA Border Police of

⁷⁹ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/gg.html> (Nov. 2010)

Georgia. The Agreement on Border Cooperation between the Ministry of Interior of Georgia and the Ministry of Interior of Latvia was concluded on 8 December 2009. The Working Arrangement between the Ministry of Interior of Georgia and FRONTEX was signed in December 2008 and the Cooperation Plan between FRONTEX and the Ministry of Internal Affairs of Georgia for the years 2010-2012 has been elaborated and agreed on. The objectives of cooperation with FRONTEX include countering irregular migration and cross-border crime, strengthening security at the borders between EU Member States and Georgia, and developing good working relations and mutual trust between border guard authorities of the EU Member States and Georgia.

In the frame of the EU-funded project 'Establishment of the Immigration Liaison Officers Point of the Republic of Latvia, the Republic of Lithuania and the Republic of Estonia in Georgia' the State Border Guard Service of the Republic of Latvia has appointed liaison officers to Georgia. The activities of the liaison officers are aimed at promotion and acceleration of collection and exchange of information for preventing and combating illegal immigration. Liaison officers have started their duties in February 2009.

The border management system of Georgia was reformed in 2009. As a result of the amendments to the relevant legislation, the MIA Patrol Police Department assumed the responsibility for the border check points, replacing the MIA Border Police. This substantially improved the coordination of all relevant units involved in border management and, as a result, more efficient detection and prevention of criminal activities as well as administrative offences at the border should be made possible.

According to the abovementioned changes, tasks of the Patrol Police Department at the border are as follows:

- Border-migration control at the border crossing points;
- Inspection of citizens of Georgia and foreigners on the state border check points of Georgia;
- Observation and control over the legal regime of the Georgian state border;
- Prevention and detection of trans-border organised crime and irregular migration, trafficking in human beings, smuggling of drugs, weapons, explosive devices and the movement of means of nuclear materials and other activities as defined by the legislation;
- Issuance of the National Visa on the state border.

Following the above mentioned changes, the most important structural reform was the merger of the Border Police Coast Guard with Armed Forces Navy. The tasks of the BP Coast Guard remained unchanged, i.e. responsibility for the control of the maritime space and territorial waters as well as exclusive economic zone of Georgia, enforcing the border regime, conducting search and rescue operations on the sea and acting as the maritime support of the armed forces in case of war. The MIA Border Police Coast Guard has undertaken international obligations of the Naval Forces such as participation in the Allied Operation 'Achieve Endeavour'.

Irregular migration flows

Georgia is a source and transit country of migration. Migration from Georgia, as a rule, is directed towards the Russian Federation, EU Member States, Turkey, and, to a lesser extent, to the United States of America. Most border violations are committed by Georgian nationals, followed by citizens of Armenia, the Russian Federation, Azerbaijan and Turkey.

Georgia represents a conjunction passage stretched between Europe and Asia. Thus, its territory frequently has been used as a transit passage on the way to Europe, with EU member states being the major goal. The border police of Georgia has detected irregular transit migration at the Georgian-Turkish border.

Modes of illegal border crossings. Georgia has simplified its visa regime, i.e. Georgian visas may be obtained at the border crossing point. Thus, many migrants enter Georgia legally, with a Georgian visa, and later try to leave the territory and travel further to member states of the EU illegally.

Smuggling

Investigations carried out by Georgian authorities revealed that criminal smuggler groups are operating near the borders of Georgia; they are assisted by local residents. Sometimes, tourist companies and agencies are involved in these criminal activities.

The fees for smuggling vary, depending on way and destination of smuggling. The usual price for smuggling through the territory of Georgia is up to 1,000 USD; in case forged documents (travel documents or visa) are involved, the price can increase to 3,000 USD. The Main Operative Investigation Office has apprehended members of organised criminal groups which charged each of 16 smuggled citizens of Bangladesh 3,000 USD. The route of smuggling included irregular crossing of the Georgian-Azerbaijan border and via the Georgian-Turkish border to Greece.

In 2009, six smugglers were apprehended in Georgia, out of which five were Georgian citizens, and one was a citizen of Turkey.

Trafficking

Georgia is a source country for trafficked persons. In 2009, women and girls from Georgia were subjected to forced prostitution within the country and in Turkey, the United Arab Emirates, and Greece. In recent years, cases of forced prostitution of Georgian victims were also documented in Russia, Germany, and Austria. Men and women are subjected to conditions of forced labour within Georgia and also in Libya and Turkey. Men from Turkey are subjected to conditions of forced labour in the region of Abkhazia, which was outside the control of the Georgian government.

According to Article 143 of the Georgian Criminal Code, all forms of trafficking in persons are prohibited. In 2009, the government investigated 33 trafficking cases (in 2008 there were 14 investigations), and the authorities prosecuted 40 individuals for trafficking, including three individuals for forced labour (in 2008, 10 individuals were prosecuted for

sex trafficking). 48 victims of trafficking were identified in 2009 (21 trafficking victims were identified in 2008). Georgian authorities provide foreign victims with legal alternatives to removal to countries where they would face hardship or retribution; the Law on Legal Status of Foreigners provided a foreign person suspected of being a trafficking victim with a residence permit even if authorities could not prove beyond reasonable doubt that the person was a victim. However, in 2009, no foreign victims requested a residence permit.⁸⁰

Return and readmission

Readmission Agreements. Georgia has readmission agreements with the countries listed below:

- Switzerland
- Germany
- Ukraine
- Bulgaria
- Italy (not ratified yet)

Georgia is currently negotiating a readmission agreement with Norway.

On 17 June 2010, the visa facilitation agreement between the EU and Georgia was signed. The visa facilitation agreement aims at making it easier for Georgian citizens, in particular for those who travel most, to acquire short term visas for the EU. The readmission agreement between the EU and Georgia was signed on 22 November 2010. According to the agreement, Georgia and the EU have to take back any of their nationals who are in an irregular situation on the respective territories. Nationals of third countries and stateless persons will also have to be taken back if it the person holds a visa for the signatory state or has resided or transited through that country.

On 14 December 2010, the European Parliament approved both agreements with Georgia. The two agreements now need to be formally approved by the Council. Both will come into force at the same time: two months after notification by both parties that the ratification process is complete.⁸¹

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	3,132,295	3,484,258
Exit	3,142,085	3,450,057
Total	6,274,380	6,934,316

⁸⁰ Source: US Department of State, Trafficking in Persons Report 2010, Georgia, <http://www.state.gov/g/tip/rls/tiprpt/2010/>

⁸¹ Source: European Parliament: Green light for visa and readmission accords with Georgia, <http://www.europarl.europa.eu/en/pressroom/content/20101213IPR09449/html/Green-light-for-visa-and-readmission-accords-with-Georgia> (14 Dec. 2010).

Total number of persons claiming asylum ⁸²		
	2008	2009
Total	41	43

Total number of migration-related border apprehensions (including foreigners and citizens of Georgia)		
	2008	2009
Foreign nationals	136	96
Citizens of Georgia	214	136
Total	350	232

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Georgia)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Georgia	214	1. Georgia	136
2. Armenia	39	2. Armenia	52
3. Russian Federation	30	3. Russian Federation	38
4. Turkey	18	4. Azerbaijan	37
5. Ukraine	9	5. Turkey	21
6. Azerbaijan	5	6. Ukraine	7
Other	35	Other	42
Total	350	Total	232

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Georgia)	
Place of apprehension	Number of apprehensions in 2009
On road border crossings	-
On rail border crossings	-
On the green (land) border	89
At the sea border	9
On airports	-
In the country	-
On other places	134
Total	232

⁸² UNHCR Statistical Online Population Database, United Nations High Commissioner for Refugees (UNHCR), data extracted: 22/09/2010, www.unhcr.org/statistics/populationdatabase.

Number of migration-related apprehensions by border section in 2009 (including foreigners and citizens of Georgia)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Georgia on the border with that country	OUT: Number of apprehensions of people LEAVING Georgia on the border with that country	Total number of apprehensions on the border with that country
1. Azerbaijan	21	3	24
2. Armenia	22	5	27
3. Turkey	27	13	40
4. Russian Federation	7	-	7
Total	77	21	98

Total number of 'human smugglers' apprehended (including foreigners and citizens of Georgia)

Country	Apprehensions in 2009
Turkey	1
Georgia	5
Total	6

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border

Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Russian Federation	156	1. Russian Federation	182
2. Turkey	123	2. Azerbaijan	63
3. Nigeria	40	3. Turkey	58
4. China	27	4. Côte d'Ivoire	43
5. Azerbaijan	20	5. Cameroon	38
6. Pakistan	17	6. India	31
7. Germany	13	7. Nigeria	26
8. Iraq	11	8. Pakistan	25
9. India	11	9. Bangladesh	23
10. Lebanon	8	10. Iran	20
Total of ALL rejected persons at the border (of any nationality)	426	Total of ALL rejected persons at the border (of any nationality)	509

Information provided by: Ministry of Internal Affairs of Georgia, Prosecutor's Office of Georgia, Ministry of Justice of Georgia, Ministry of Foreign Affairs of Georgia, Ministry of IDPs from the Occupied Territories, Accommodation and Refugees of Georgia.

GREECE



General Information⁸³

Location:	Southern Europe, bordering the Aegean Sea, Ionian Sea, and the Mediterranean Sea, between Albania and Turkey
Area:	<i>Total:</i> 131,957 sq km – <i>land:</i> 130,647 sq km – <i>water:</i> 1,310 sq km
Land boundaries:	<i>Total:</i> 1,228 km <i>Border countries:</i> Albania 282 km, Bulgaria 494 km, Turkey 206 km, the former Yugoslav Republic of Macedonia 246 km
Population:	10,760,136 (July 2011 est.)

Irregular migration flows

Greece is known for high numbers of apprehensions of persons entering or staying illegally in the country. The total number of migration-related apprehensions was 126,145 in 2009. Compared to the previous year the number has decreased by 13.8 percent (2008: 146,337). The majority of persons apprehended were citizens from Albania (50% of all apprehensions in 2009). The second most important group of citizenship is Afghanistan (14.8% in 2009), closely followed by the Occupied Palestinian Territory (14.1% in 2009) and Somalia (8.5% in 2009).

⁸³ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/hu.html> (March. 2011)

Persons apprehended are mostly male. Only 7 percent of all apprehensions in 2008 and 2009 involved women. The most important border sections where apprehensions were recorded are the Greek borders with Albania and Turkey.

Smuggling

243 persons were apprehended for human smuggling in 2008. In 2009 the number decreased to 186. Two thirds of the human smugglers apprehended in 2009 were Turkish citizens. Other nationalities of human smugglers are of minor importance, including Ukraine, Afghanistan, Iraq and Egypt.

Trafficking

Compared to other countries in the region, the number of apprehensions of human traffickers in Greece is very high. In 2008, 2,211 persons were apprehended for trafficking. In 2009, the number dropped by 22 percent to 1,716.

Return and readmission

Greece signed readmission agreements with eight EU countries (Bulgaria, France, Italy, Latvia, Lithuania, Poland, Romania and Slovenia) and with Switzerland. In addition, Greece readmission agreements were concluded with Albania, Bosnia and Herzegovina, Croatia, Russia, Ukraine, Tunisia, Egypt, Turkey, China and Pakistan.⁸⁴

Statistical tables

Total number of persons claiming asylum		
	2008	2009
Number of new asylum claims	19,884	15,928
Total	35,157	28,227

Total number of migration-related apprehensions for illegal entry or residence		
	2008	2009
Total	146,337	126,145

Total number of migration-related border apprehensions by gender		
Gender	2008	2009
Males	99171	100687
Females	7545	7604
Total	106,716	108,291

⁸⁴ Source of information: MIREM project, European University Institute (<http://www.mirem.eu/datasets/agreements/grece>, accessed in March 2011).

Top 5 nationalities/ citizenships with most of the border violations

Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Albania	72,454	1. Albania	63,563
2. Afghanistan	25,577	2. Afghanistan	18,619
3. Iraq	19,941	3. Occ. Palestinian Territory	17,828
4. Somalia	15,940	4. Somalia	10,763
5. Pakistan	6,713	5. Iraq	7,662

Number of migration-related apprehensions by border section with neighbouring countries

Border Section: Name of neighbouring country on the border of which the apprehension took place	Total number of apprehensions on the border with that country 2008	Total number of apprehensions on the border with that country 2009
Turkey	30149	27685
Albania	39267	38164
Bulgaria	1795	1258
The f. Yugoslav R. of Macedonia	3459	2355
Egypt	313	99

Total number of 'human smugglers' apprehended (arrested and prosecuted)

	Apprehensions in 2008	Apprehensions in 2009
Total	243	186

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended

Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Turkey	161	1. Turkey	123
2. Ukraine	18	2. Ukraine	12
3. Iraq	13	3. Afghanistan	8
4. Afghanistan	7	4. Iraq	5
5. Egypt	1	5. Egypt	4

Number of traffickers arrested by police and port authorities

	2008	2009
Total	2,211	1,716

Deportations of immigrants		
	Number of removed persons in 2008	Number of removed persons in 2009
Deportations of immigrants with no papers	20,555	20,342
Fast track readmissions via northern borders	48,252	43,977

Information provided by: Ministry of Citizen Protection/Hellenic Coast Guard/ Security Directorate, Hellenic Police

HUNGARY



General Information⁸⁵

Location:	Central Europe, bordering Austria, Slovakia, Ukraine, Romania, Serbia, Croatia, and Slovenia
Area:	<i>Total:</i> 93,028 sq km – <i>land:</i> 89,608 sq km – <i>water:</i> 3,420 sq km
Land boundaries:	<i>Total:</i> 2,185 km <i>Border countries:</i> Austria 366 km, Croatia 329 km, Romania 443 km, Serbia 166 km, Slovakia 676 km, Slovenia 102 km, Ukraine 103 km
Population:	9,992,339 (July 2010 est.)

Irregular migration flows

After the accession of Hungary to the Schengen area in December 2007, Hungary lifted up border controls at the Austrian, Slovakian and Slovenian borders. This resulted in a decrease in regard to detected cases of irregular migration in 2008. At the same time, the Hungarian Police observed a significant increase in irregular migration on the Serbian (126%) and Romanian (60%) border sections. The top nationalities of border violators were Serbian, Kosovar⁸⁶, Ukrainian, and Moldovan. The biggest growth was observed in the number of border violators from Serbia, Kosovo⁸⁷, Somalia and Afghanistan. The majority of apprehended citizens of the mentioned countries applied for asylum in Hungary (many

⁸⁵ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/hu.html> (Dec. 2010)

⁸⁶ Under UNSCR 1244

⁸⁷ Under UNSCR 1244

of them disappeared from the shelter during the procedure). The number of apprehended citizens of Ukraine, however, showed a clear decrease in 2008.

In 2009, the border police reported an increase of detected cases of irregular migration. In that year, the most affected border sections were the border sections with Serbia, Ukraine, and Romania. The top nationalities of apprehended migrants were Serbian, Kosovar⁸⁸, Ukrainian, Afghan and Turkish. According to information of the Hungarian Police, the influx of citizens of Afghanistan arriving via Greece and Turkey will continue in the upcoming years.

The main routes of illegal migration have not changed since Hungary joined the Schengen area, and Hungary remains a transit country. Human smugglers try to transport migrants via Hungary to the United Kingdom, Germany, Austria, Italy, and France. The main countries of origin are Serbia, Ukraine, Kosovo⁸⁹, Turkey and Albania. A new tendency recorded in 2009 was the increase in the number of Afghan, Somali and Vietnamese citizens.

Modes of illegal border crossings. The modes of illegal border crossing depend on the financial means of migrants:

One of the cheapest ways is to hide in trucks, lorries, vans, caravans or cars. Vehicles with detected migrants usually are registered in Slovakia, Poland, Bulgaria, Germany, or Greece, and the drivers originate from Slovakia, Poland, or Greece. Some smugglers use the following tactic: they show migrants the way through the green border (at the Romanian, Ukrainian or Serbian border section) and provide them with a map and phone numbers of taxi drivers who are ready to pick up the migrants at the border. Finally, the most expensive (and efficient) mode is to use falsified documents. In this case the false or falsified document costs 1,000 to 2,000 EUR; additionally, migrants have to pay for transportation and accommodation.

Smuggling

The experience of the Hungarian Police shows that groups of human smugglers are often organised by nationality. Only their leaders permanently participate in human smuggling and other members change regularly. It also often happens that smuggled persons are of the same nationality as the main organisers of smuggling: in Hungary, mostly Turkish, Arabian, Serbian, Albanian, Vietnamese, and Ukrainian smugglers were detected. The groups of smugglers usually consist of 8 to 15 members. It is also common that the members of these groups are relatives, who receive a fixed amount of money for their tasks. The smuggler groups often cover up their criminal activities by running travel agencies, phone stores, transportation companies, etc. These companies are also used for money laundering.

⁸⁸ Under UNSCR 1244

⁸⁹ Under UNSCR 1244

In general, the structure of these groups is simple: only a few people have direct contact with the group's leader, and they contact other members in the countries of origin, transit or destination. The group members located in the countries of origin, transit and destination are then responsible for:

- Recruiting potential migrants in the countries of origin,
- Transportation and accommodation (in Hungary and in the neighbouring countries),
- Crossing the green border,
- Contacting/cooperating with officials (at the border crossing points, consular posts, asylum offices, etc.),
- Reception at the destination.

The groups usually use mobile phones which are changed (or SIM cards) after each action.

15 percent of apprehended human smugglers in Hungary were Hungarian citizens. Foreign perpetrators usually arrived to Hungary only in order to accomplish smuggling operations (so-called 'travelling delinquency').

Human smuggler groups often focus on reception centres as they support migrants to apply for asylum (during the procedure migrants get humanitarian residence permits), later they escape from the reception centre and move toward other EU MS.

The average price for smuggling to EU MS is about 1,000 to 2,000 EUR from Eastern European countries and about 8,000 to 10,000 EUR from Central Asia and Far East.

Trafficking

Hungary is a source, transit, and destination country for trafficking in persons. Women from Hungary are trafficked for purposes of prostitution to the Netherlands, Switzerland, the United Kingdom, Denmark, Germany, Austria, Italy, Spain, Ireland, Greece, and the United States. Women from Romania and Ukraine are transported through Hungary to the Netherlands, the United Kingdom, Denmark, Germany, Austria, Italy, Switzerland, France, and the United Arab Emirates where they are subsequently subjected to forced prostitution; some of these victims may also be exploited in Hungary before they reach their destination country. Police and border guards conducted 27 trafficking investigations in 2009 (21 investigations in 2008), 16 traffickers were prosecuted (18 in 2008). Law enforcement and consular officials identified approximately 30 victims within the country and abroad in 2009 (26 in 2008). Victims of trafficking are not penalised for unlawful acts committed as a direct result of being trafficked. Victims are encouraged to assist with trafficking investigations and prosecutions: in 2009, 27 victims assisted in the investigation and prosecution of trafficking cases.⁹⁰

There is a clear distinction between statistics on smuggling and trafficking in Hungary.

⁹⁰ Source: US Department of State, Trafficking in Persons Report 2010, Hungary, <http://www.state.gov/g/tip/rls/tiprpt/2010/142760.htm>

Return and readmission

Return policy. In general, Hungary's return policy supports the assisted return of persons who are obliged to leave the territory of Hungary. An alien will be removed from the territory of Hungary by deportation, if he/she:

- is released from imprisonment as sentenced for a deliberate crime;
- is under detention;
- makes it necessary to supervise his/her exit for national security reasons, if so required by commitment under international treaty, or for the protection of public security or public policy.

The Office of Immigration and Nationality implemented a number of assisted return programmes in cooperation with the International Organization for Migration. The Hungarian Voluntary Return Programme (HARP) has been in operation since 1993 and aimed to assist irregular migrants in Hungary to return to their home countries in safety while at the same time providing the Office of Immigration and Nationality with an alternative to deportation by taking over the organisational tasks of return movements. Information leaflets and posters were designed and distributed to promote the programme and all border guard community shelters are being visited by IOM staff members in order to answer specific questions in connection with the programme and to advise potential returnees.

The Hungarian Voluntary Return and Information Programme (HARIP) started in 2004 and its purpose was to facilitate the assisted and orderly return of refugees, rejected asylum-seekers, and persons authorised to stay in Hungary to their country of origin. The programme consisted of two phases: an information phase aiming to raise awareness about HARIP and provide beneficiaries with information about the advantages of participating in the programme; and an operational return phase providing assistance to beneficiaries in arranging their assisted return to their home country.

The Hungarian Assisted Return and Reintegration Programme consists of two components: a return component, where beneficiaries were provided assistance in arranging their assisted return, and a reintegration component which focused on providing the returnees with help in finding reintegration opportunities.

Assisted return from Hungary to Kosovo⁹¹ has been running since 2008. In line with general returns of Kosovars from other countries of the world, the programme assists Kosovar migrants who are under temporary protection in Hungary.

The International Movements ex Hungary aims to assist migrants/refugees/self-payers residing in Hungary to resettle in a third country.

RETURN Preparatory Actions 2007 (Enhancing Mechanisms and Harmonizing Standards in the field of Voluntary Return of Irregular Migrants in Central European Member States,

⁹¹ Under UNSCR 1244

PHASE III) continues to assist return operations from Czech Republic, Hungary, Poland and Slovakia in an EU-aligned and harmonised manner.

The purpose of the Information Programme for Assisted Voluntary Return (IPAVR) is to facilitate the assisted and orderly return of rejected asylum-seekers, refugees, and persons authorised to stay in Hungary to their country of origin and to provide extensive information about the migrant's countries of origin as well as about the Hungarian Assisted Return and Reintegration Programme (HARRP). The programme consists of two components: an information-outreach component about HARRP and about the advantages of participating. The Country of Origin Information Gathering Assistance helps the migrants in their decision.

Readmission Agreements. Hungary has signed readmission agreements with the following EU MS: France, Portugal, Greece, Estonia, Slovakia, Belgium, the Netherlands, Luxemburg, Romania, Latvia, Slovenia, Italy, Germany, Bulgaria, Poland, the Czech Republic and Austria. Hungary also has readmission agreements with Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Croatia, Serbia, Montenegro, Albania, Moldova, Ukraine and Switzerland.

Hungary has started to prepare protocols in order to implement EC readmission agreements and has signed a protocol on the implementation of the EC-Albania readmission agreement on 30 October 2009 in Tirana. A similar protocol was signed with Serbia on 19 December 2009 at the Hungarian-Serbian border, in Röske, Hungary. The protocol between Hungary and Moldova was signed in February 2010. As soon as these protocols come into force, the previous bilateral readmission agreements with these three countries will be repealed.⁹²

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	14,156,078	13,601,727
Exit	13,007,443	12,283,648
Total	27,163,521	25,885,375

Total number of persons claiming asylum		
	2008	2009
At the border	1,528	2,179
Inland	1,590	2,493
Unknown	-	-
Total	3,118	4,672

⁹² Source: Information is provided by the Hungarian Ministry of Interior for the Extended Migration Profile on Hungary, 2011 (Building Migration Partnership project)

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	160	172
Persons whose applications were negative/ rejected	2,321	3,329
Persons whose applications were otherwise closed	451	1,360

Total number of migration-related border apprehensions (including foreigners and citizens of Hungary)		
	2008	2009
Foreign nationals	5,637	8,159
Citizens of Hungary	47	38
Total	5,684	8,197

Total number of migration-related border apprehensions by gender (including foreigners and citizens of Hungary)		
Gender	2008	2009
Males	4,634	6,765
Females	1,050	1,432
Unknown	-	-
Total	5,684	8,197

Number of minors apprehended at the border due to border violation (including foreigners and citizens of Hungary)		
Gender	2008	2009
Males	24	125
Females	10	35
Unknown	-	-
Total	34	160

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Hungary)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	1,644	2,296
On rail border crossings	242	123
On the green (land) border	3,053	4,735
On airports	284	234
In the country	461	809
other places	-	-
Total	5,684	8,197

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Hungary)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Serbia	1,007	1. Serbia	1,191
2. Kosovo ⁹³	630	2. Afghanistan	1,026
3. Moldova	293	3. Kosovo ⁹⁴	975
4. Pakistan	245	4. Ukraine	688
5. Somalia	206	5. Turkey	333
6. Turkey	169	6. Moldova	254
7. Georgia	158	7. the former Yugoslav Republic of Macedonia	116
8. Afghanistan	114	8. Georgia	108
9. Iraq	111	9. Pakistan	88
10. the former Yugoslav Republic of Macedonia	90	10. Somalia	73
Other	611	Other	1,096
Total	3,634	Total	5,948

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of Hungary)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Hungary on the border with that country	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country	Total number of apprehensions on the border with that country
1. Croatia	100	11	112
2. Serbia	1,840	37	1,876
3. Romania	1,353	66	1,421
4. Ukraine	1,517	17	1,535
5. Airports	282	2	284
Other border sections (Slovenia, Austria, Slovakia)	19	405	424
Total	5,092	536	5,647

⁹³ Under UNSCR 1244

⁹⁴ Under UNSCR 1244

Number of migration-related apprehensions by border section in 2009 (including foreigners and citizens of Hungary)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Hungary on the border with that country	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country	Total number of apprehensions on the border with that country
1. Croatia	146	17	163
2. Serbia	3,183	167	3,350
3. Romania	1,649	113	1,762
4. Ukraine	1,790	89	1,879
5. Airports	206	28	234
Other border sections (Slovenia, Austria, Slovakia)	31	752	782
Total	7,005	1,166	8,171

Number of apprehended persons being smuggled into Hungary		
	2008	2009
Total	461	464
Of the total: women	141	37
Of the total: minors	n.a.	n.a.

Total number of 'human smugglers' apprehended (including foreigners and citizens of Hungary)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	135	195
Citizens of Hungary	38	32
Citizenship unknown	3	14
Total	176	241

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Hungary)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Hungary	38	1. Romania	46
2. Romania	35	2. Serbia	38
3. Serbia	32	3. Hungary	32
4. Turkey	13	4. Turkey	29
5. Slovakia	10	5. Unknown	14
6. Other	48	6. Other	82
Total	176	Total	241

Number of people being trafficked into Hungary		
	2008	2009
Total	10	9
Of the total: women	9	9
Of the total: minors	-	-

Number of 'human traffickers' apprehended (including foreigners and citizens of Hungary)		
	Apprehensions in 2008	Apprehensions in 2009
Non-nationals	-	-
Citizens of Hungary	17	16
Citizenship unknown	-	-
Total	17	16

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Ukraine	2,356	1. Ukraine	3,709
2. Serbia	1,517	2. Serbia	1,729
3. Croatia	468	3. Croatia	839
4. Moldova	271	4. Moldova	290
5. Turkey	230	5. Turkey	250
6. Russian Federation	133	6. the former Yugoslav Republic of Macedonia	216
7. the former Yugoslav Republic of Macedonia	108	7. Russian Federation	148
8. Bosnia and Herzegovina	95	8. Bosnia and Herzegovina	102
9. Belarus	14	9. China	35
10. Tunisia	14	10. Albania	33
Total of ALL rejected persons at the border (of any nationality)	5,531	Total of ALL rejected persons at the border (of any nationality)	7,739

Persons to whom residence was refused and 10 nationalities/citizenships to whom residence was refused			
2008	Number of persons to whom residence was refused in 2008	2009	Number of persons to whom residence was refused in 2009
1. China	278	1. China	720
2. Ukraine	234	2. Ukraine	416
3. Vietnam	51	3. Iran	167
4. Mongolia	39	4. Vietnam	144
5. Iran	35	5. Turkey	123
6. Serbia	33	6. Mongolia	98
7. Turkey	33	7. Russian Federation	85
8. Nigeria	30	8. Serbia	85
9. Israel	28	9. Nigeria	66
10. Syria	18	10. Syria	60
Total of ALL refused persons of any nationality	944	Total of ALL refused persons of any nationality	1,964

Removed persons and the top 10 nationalities or citizenships removed from Hungary ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Serbia	450	1. Serbia	620
2. Moldova	143	2. Kosovo ⁹⁵	134
3. the former Yugoslav Republic of Macedonia	76	3. the former Yugoslav Republic of Macedonia	121
4. Ukraine	74	4. Turkey	64
5. Turkey	52	5. Moldova	50
6. Albania	30	6. Albania	40
7. Pakistan	29	7. Ukraine	39
8. Kosovo ⁹⁶	20	8. Afghanistan	35
9. Iraq	15	9. Bosnia and Herzegovina	18
10. Bangladesh	10	10. Montenegro	17
Total of ALL removed persons (of any nationality or country)	1,030	Total of ALL removed persons (of any nationality or country)	1,332

⁹⁵ Under UNSCR 1244⁹⁶ Under UNSCR 1244

Assisted voluntary returns (number of persons) from Hungary successfully implemented in the past two years			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Kosovo ⁹⁷	139	1. Kosovo ⁹⁸	228
2. Mongolia	18	2. Mongolia	16
3. Moldavia	6	3. Serbia	11
4. Albania	3	4. the former Yugoslav Republic of Macedonia	8
5. Malaysia	2	5. Turkey	6
Other	20	Other	24
Total of ALL removed persons (of any nationality or country)	188	Total of ALL removed persons (of any nationality or country)	293

Number of forced returns from other countries accepted by Hungary in the past 2 years			
Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
Foreign nationals	Nationals of Hungary	Foreign nationals	Nationals of Hungary
Moldova – 51		Moldova – 35	
Serbia – 37		Afghanistan – 33	
Ukraine – 34		Ukraine – 26	
Georgia – 25		Pakistan – 21	
Kosovo ⁹⁹ – 18		Kosovo ¹⁰⁰ – 17	
Other – 69		Other – 62	
Total - 241	Total - 7	Total – 205	Total - 10

Information provided by: Ministry of Interior of the Republic of Hungary, Office of immigration and Nationality

⁹⁷ Under UNSCR 1244

⁹⁸ Under UNSCR 1244

⁹⁹ Under UNSCR 1244

¹⁰⁰ Under UNSCR 1244

KOSOVO UNDER UNSCR 1244



General Information¹⁰¹

Location:	South-East Europe, bordering Albania, Montenegro, Serbia, and the former Yugoslav Republic of Macedonia
Area:	<i>Total:</i> 10,887 sq km
Land boundaries:	<i>Total:</i> 702 km <i>Border countries:</i> Albania 112 km, the former Yugoslav Republic of Macedonia 159 km, Montenegro 79 km, Serbia 352 km
Population:	1,815,048 (estimate for July 2010)

General legislative and institutional developments

Kosovo's¹⁰² legislation in the field of migration, citizenship and asylum was adopted in the last years. In particular, in 2008 and 2009 the following legal acts were adopted:

- Law on Asylum;
- Law on Foreigners;
- Law on Citizenship of Kosovo¹⁰³;
- Law on Travel Documents;
- Law on Integrated Border Management and Control;
- Law on Identity Cards.

¹⁰¹ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/kv.html> (Dec. 2010)

¹⁰² Under UNSCR 1244

¹⁰³ Under UNSCR 1244

In 2010, the Law on Readmission was adopted. Additionally, the following main administrative instructions were adopted in the field of migration:

- On travel documents for foreigners (2009);
- On the establishment of the Review Committee and Appeal Committee (2009, amended 2010). The established committee is a second instance in the residence permits issuance procedure;
- On prohibition of entry to the Republic of Kosovo¹⁰⁴ (2010);
- On the content, form, manner of issuance and cancellation/termination of residence permits (2010);
- On issuance of visas of the Republic of Kosovo¹⁰⁵, at the consular departments abroad (2010) and at the border crossing points (2010), etc.¹⁰⁶

The Department of Citizenship, Asylum and Migration (DCAM) was established within the Ministry of the Interior in September 2009. The Department is, *inter alia*, responsible for:

- Collection, analysis and evaluation of statistics, information and the flow of information in relevant areas of activities;
- Development of policies, strategies, action plans and ensuring close coordination with other relevant institutions and organisations;
- Development of administrative, procedural directives and operational instructions;
- Examination and decision making on applications for asylum and international protection, entry and residence permits, and citizenship;
- Coordination of return of foreigners to their countries of origin and return of Kosovars to Kosovo¹⁰⁷, etc.¹⁰⁸

The Border Police is part of the Kosovo¹⁰⁹ Police, which was established in 1999. Initially, the Border Police was established to respond to the needs of the post-war situation, and its structure was organised in accordance to these needs. The Kosovo¹¹⁰ Border Police was established in 1999 as UNMIK Police with the mandate of UNMIK resolution 1244, responsible for control and security at all border crossings. The green and blue (airport in Pristina) borders were initially under control of the NATO Kosovo Force (KFOR); currently, the control functions and responsibilities are gradually overtaken by the Border Police. In 2009, the Border Police took over surveillance at the green border with Albania, and it is in

¹⁰⁴ Under UNSCR 1244

¹⁰⁵ Under UNSCR 1244

¹⁰⁶ Source: Ministry of Interior of the Republic of Kosovo, Legislation, Administrative Instructions, <http://www.mpb-ks.org/?page=2,41&date=2009-00-00> (Dec. 2010).

¹⁰⁷ Under UNSCR 1244

¹⁰⁸ Source: Ministry of the Interior of Kosovo, Department of Citizenship, Asylum and Migration, <http://www.mpb-ks.org/?page=2,112> (Dec. 2010)

¹⁰⁹ Under UNSCR 1244

¹¹⁰ Under UNSCR 1244

the process of taking over the surveillance of the green border with the former Yugoslav Republic of Macedonia.¹¹¹

Irregular migration flows

Irregular migration flows directed to Kosovo¹¹² are mainly of transit character. Migrants arrive to Kosovo¹¹³ by passing the green border (mainly with the former Yugoslav Republic of Macedonia) and by air (usually via Turkey, while Kosovo¹¹⁴ has visa-free regime with this country). Later, migrants try to cross the border with Serbia and move further to member states of the EU. The main countries of origin of transit migrants are Afghanistan, Pakistan, Iraq, Somalia, Algeria, and Sri Lanka.

Smuggling

In Kosovo's¹¹⁵ legislation, the smuggling of migrants is defined as the procurement of service whereby a person, who is not a legal resident of Kosovo¹¹⁶, illegally enters the country for the purpose of obtaining financial or other material benefit. Illegal entry is defined as crossing a border or a boundary without complying with the necessary requirements for legal entry into Kosovo¹¹⁷, or crossing the borders of a state without complying with the necessary requirements for legal entry into such state. Accordingly, smuggled persons consent to the process of illegal border crossing and to illegally acquire residence permits and travel documents with the purpose to obtain employment and stay in the respective country.¹¹⁸

Trafficking

Kosovo's¹¹⁹ legislation differentiates victims of trafficking in human beings from irregularly staying and smuggled migrants. Article 139 of the Provisional Criminal Code of Kosovo (PCCK) defines the term 'trafficking in persons' in accordance with the Palermo Protocol, namely as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, the abuse of power or a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. The legal act establishes that exploitation could be defined as (but not limited to) the prostitution of others or other forms of sexual

¹¹¹ Source: Kosovo Police, Border Police Department, <http://www.kosovopolice.com/?page=2,22> (Dec. 2010).

¹¹² Under UNSCR 1244

¹¹³ Under UNSCR 1244

¹¹⁴ Under UNSCR 1244

¹¹⁵ Under UNSCR 1244

¹¹⁶ Under UNSCR 1244

¹¹⁷ Under UNSCR 1244

¹¹⁸ Source: OSCE Mission in Kosovo, Department of Human Rights, Decentralisation and Communities, Anti-trafficking Unit, 'Assessment of Establishment a referral mechanism for victims of trafficking in Kosovo', http://www.osce.org/documents/mik/2007/10/27677_en.pdf (Dec. 2010).

¹¹⁹ Under UNSCR 1244

exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.¹²⁰

Kosovo¹²¹ is a source, transit, and destination country for trafficking in human beings. Most foreign victims of forced prostitution in Kosovo¹²² are young women from Eastern European countries, including Moldova, Albania, Bulgaria and Serbia. Women and children from Kosovo¹²³ are subjected to forced prostitution within Kosovo¹²⁴ and also in countries throughout Europe. Internal trafficking remains a challenge: the International Organization for Migration reports that it provided assistance to more domestic trafficking victims than foreign victims. In 2009, the law enforcement authorities prosecuted 25 sex trafficking offenders, resulting in 22 convictions (15 convictions in 2008). Four traffickers were sentenced to more than five years of imprisonment; eleven traffickers were sentenced to more than one year imprisonment; four received sentences of between six and twelve months of imprisonment; and three received sentences of between two to six months. 29 victims of trafficking were identified in 2009 (27 in 2008).¹²⁵

Return and readmission

Return policy. The return of citizens of Kosovo¹²⁶ from foreign countries, in particular from EU MS, remains a major challenge for the authorities. The Law on Readmission was approved by the parliament in 2010, as well as the Strategy for reintegration of returned persons for 2010 – 2012.

The national strategy on migration and an action plan were approved on 9 September 2009. The strategy provides measures for combating and the prevention of all forms of illegal migration, and for promoting legal migration.

Readmission Agreements. Kosovo¹²⁷ has signed readmission agreements with the following countries:

- Albania, signed on 06/10/2009, ratified on 17/11/2009;
- France, signed on 02/12/2009, ratified on 21/01/2010;
- Switzerland, signed on 03/02/2010, ratified on 29/03/2010;

¹²⁰ Source: OSCE Mission in Kosovo, Department of Human Rights, Decentralisation and Communities, Anti-trafficking Unit, 'Assessment of Establishment a referral mechanism for victims of trafficking in Kosovo', http://www.osce.org/documents/mik/2007/10/27677_en.pdf (Dec. 2010).

¹²¹ Under UNSCR 1244

¹²² Under UNSCR 1244

¹²³ Under UNSCR 1244

¹²⁴ Under UNSCR 1244

¹²⁵ Source: US Department of State, Trafficking in Persons Report 2010, Kosovo, <http://www.state.gov/g/tip/rls/tiprpt/2010/index.htm>

¹²⁶ Under UNSCR 1244

¹²⁷ Source: OSCE Mission in Kosovo, Department of Human Rights, Decentralisation and Communities, Anti-trafficking Unit, 'Assessment of Establishment a referral mechanism for victims of trafficking in Kosovo', http://www.osce.org/documents/mik/2007/10/27677_en.pdf (Dec. 2010).

- Germany, signed on 14/04/2010, ratified on 05/07/2010;
- Denmark, signed on 08/06/2010, ratified on 02/09/2010.

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Total	9,546,592	10,531,173

Total number of persons claiming asylum ¹²⁸		
	2008	2009
At the border	0	31
Inland	3	0
Unknown	0	0
Total	3	31

Removed persons and the top 10 nationalities or citizenships removed from Kosovo ¹²⁹ (‘removed persons’ refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Albania	1	1. Moldova	2
2. Slovenia	1	2. Albania	1
		3. Slovenia	1
		4. Ukraine	1
		5. China	1
		6. Cameroon	1
Total of ALL removed persons (of any nationality or country)	2	Total of ALL removed persons (of any nationality or country)	7

¹²⁸ Source: UNHCR Statistical Online Population Database, United Nations High Commissioner for Refugees (UNHCR), data extracted: 22/09/2010, www.unhcr.org/statistics/populationdatabase

¹²⁹ Under UNSCR 1244

Number of voluntary returns from other countries to Kosovo ¹³⁰ in the past two years		
From the following country	Number of successful readmissions of Kosovo ¹³¹ nationals FROM other countries in 2008	Number of successful readmissions of Kosovo ¹³² nationals FROM other countries in 2009
1. Austria	338	628
2. Germany	197	272
3. Hungary	131	250
4. Norway	106	175
5. Belgium	72	79
Other	1,488	2,180
Total	2,382	3,584

Number of forced returns from other countries to Kosovo ¹³³ in the past two years		
From the following country	Number of successful readmissions of Kosovo ¹³⁴ nationals FROM other countries in 2008	Number of successful readmissions of Kosovo ¹³⁵ nationals FROM other countries in 2009
1. Germany	685	539
2. Switzerland	452	554
3. Sweden	311	446
4. Austria	254	672
5. France	202	189
Other	751	872
Total	2,655	3,272

Information provided by: Department of Citizenship, Asylum and Migration, Border Police Department, Kosovo Police

¹³⁰ Under UNSCR 1244

¹³¹ Under UNSCR 1244

¹³² Under UNSCR 1244

¹³³ Under UNSCR 1244

¹³⁴ Under UNSCR 1244

¹³⁵ Under UNSCR 1244

LATVIA



General Information¹³⁶

Location:	Eastern Europe, bordering the Baltic Sea, Lithuania, Belarus, the Russian Federation, and Estonia
Area:	<i>Total: 64,589 sq km – land: 62,249 sq km – water: 2,340 sq km</i>
Land boundaries:	<i>Total: 1,382 km</i> <i>Border countries: Belarus 171 km, Estonia 343, Lithuania 576 km, Russian Federation 292 km</i>
Coastline:	498 km (Baltic Sea)
Population:	2,217,969 (July 2010 est.)

General legislative and institutional developments

Latvian authorities expanded the international cooperation in border management and in combating irregular migration in 2009. In this course, the following international agreements were signed:

- Protocol concerning the implementation of an agreement on readmission between the European Community and the Russian Federation (9 July 2009);

¹³⁶ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/lg.html> (Dec. 2010)

- Agreement on cooperation in combating illegal migration between the State Border Guard of the Republic of Latvia and the Federal Immigration Service of the Russian Federation (9 July 2009)

In 2009, the State Border Guard Service of the Republic of Latvia was reorganised: 133 persons were newly hired (in comparison with 338 persons in 2008) and 476 persons (340 in 2008) retired from the service, transferred to another institution or were dismissed from the service. In 2009, the State Border Guard reduced the number of the staff by 7.8 percent in comparison to 2008; at the same time, the structure of the service was optimised. The reduction of staff was mainly done to optimise the Immigration Service of the State Border Guard Service, i.e. it was not related to those officials of the State Border Guard who were working at the external border of the EU.

Irregular migration flows

During 2009, the impact of irregular migration remained stable; however, there were important changes in the national and social composition of irregular migration flows in Latvia. It also has to be noticed that the financial crisis did not change the activities of organised criminal groups related to irregular migration and human smuggling significantly in comparison with the previous year. As before, smugglers are operating on the Latvian-Russian and Latvian-Belarusian state border sections, and the use of these routes of irregular migration has recently been increasing.

Latvian law-enforcement authorities recorded increased irregular migration flows from African countries (Togo, Nigeria, Congo, Côte d'Ivoire), the Asian region (Syria, Iraq, Pakistan, India, Sri Lanka, Afghanistan), and even from South American countries (Colombia, Peru). Most often, these migrants arrive from the Russian Federation in order to cross Latvia in transit with the purpose to travel further to the European Union; sometimes these migrants also choose Latvia as their destination country. There was an increase of Chinese citizens trying to enter Latvia using forged documents (usually Schengen visas or residence permits), or trying to cross the green border illegally with the help of facilitators.

In connection with the use of forged documents while trying to cross the border in transit from third countries to EU MS, the importance of the border crossing point at Riga international airport increased. The border crossing point at the Riga airport was also very often used by citizens of the Commonwealth of Independent States (such as Georgia, Azerbaijan, Armenia, and Uzbekistan) in order to return to their countries of origin after illegally staying or illegally working (mostly 1 year or even longer) in Latvia. In most detected cases, irregular transit via Latvian territory had been well organised, verifying that organised crime plays and in the nearest future will play an important role within irregular migration flows.

The most affected sections of the border with relation to irregular migration in 2009 were the Latvian-Belarusian (49.1% of all apprehensions were recorded at this border: 2,246 apprehensions) and Latvian-Russian (23.7%, 1,083 apprehensions) state border sections. More migrants were trying to enter rather than exit Latvia irregularly through these border

sections: 67.9 percent of all apprehensions at these border sections were recorded while persons tried to irregularly enter Latvia (2,259 apprehensions). The state border crossing point at Riga international airport was used for both irregular entry to Latvia and exit from Latvia: in 2009, there were 1,118 apprehensions recorded at Riga international airport (513 apprehensions while trying to enter Latvia and 605 apprehensions while trying to exit), which constituted 24.4 percent of the total number of apprehensions in that year. Sea ports were not used so much by migrants: only 2.8 percent of all apprehensions were recorded at sea ports (129 apprehensions).

Modes of illegal border crossings. Human smugglers prefer to use Latvia as transit country to other EU MS because of the convenient flight connections from Riga international airport to all big cities of the Schengen area. This situation also partly explains the fact that neighbouring EU MS (Estonia and Lithuania) have smaller volumes of irregular migration.

In addition to 'traditional' irregular border crossing through the green border of Latvia with Belarus and the Russian Federation, the use of forged Schengen visas, ID cards and residence permits of other EU MS is a new and increasing tendency in both irregular migration and human smuggling.

Smuggling

The main (organisational) characteristics related to human smuggling to and through Latvia are the following:

- Human smuggler groups detected in Latvia were quite small (2 – 5 persons); sometimes, irregular migration was facilitated by a single person;
- The tendency to use the assistance of human smugglers in order to reach member states of the EU is increasing;
- The use of forged documents by human smugglers is increasing.

Groups of smugglers detected in Latvia consisted of citizens of Latvia and other nationals (Russian Federation and Ukraine). Technical facilities of human smuggling include private cars, although sometimes they also use taxi services.

The fees for smuggling depend on the way and method of the operation. Usually, smuggling from Afghanistan to EU MS costs about 3,000 – 5,000 EUR; the costs of falsification of travel and other documents of Schengen states depend on the quality and usually are about 700 – 2,000 EUR. It has to be noticed that smuggling fees have been increasing in the last years.

In 2009, 22 human smugglers were apprehended on the territory of Latvia (20 in 2008): 21 of them were residents of Latvia (citizens and non-citizens), and 1 was a citizen of Ukraine (in 2008: 16 residents of Latvia, 2 citizens of Russia, 1 citizen of Lebanon, and 1 citizen of Germany).

Trafficking

The Republic of Latvia uses the UN definitions of trafficking in human beings. Human smuggling and trafficking in persons are clearly identified by Latvian legislation.

Latvia is mainly a source country for trafficking in human beings. Latvian women are forced into prostitution in Italy, the United Kingdom, Ireland, the Netherlands, Belgium, Denmark, and Germany. Latvian men and women are subjected to conditions of forced labour in the United Kingdom. 34 trafficking investigations were initiated in Latvia in 2009 (17 in 2008); 26 suspected trafficking offenders were persecuted (14 in 2008) and 15 trafficking offenders were convicted (11 in 2008). In 2009, 10 victims of trafficking were identified and provided with government-funded assistance including medical aid, shelter, and rehabilitative care. In total, NGOs and the government identified 34 potential trafficking victims during 2009, compared with 28 potential victims in the previous year.¹³⁷

Return and readmission

Return policy. The Office of Citizenship and Migration Affairs is responsible for the coordination of the state's migration policy, including return policy in Latvia.

The return (and forced expulsion) of illegally staying migrants in Latvia is carried out by the State Border Guard Service. The decision-making procedure on forced expulsion is the responsibility of the State Border Guard Service, the Office of Citizenship and Migration Affairs (OCMA), and the Court. Currently, the Republic of Latvia does not implement state-assisted return programmes to support the return of migrants: assisted repatriation programmes in Latvia are implemented with the support of the International Organization for Migration (IOM).

Due to the requirements of Directive 2008/115/EC by the European Parliament and the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, the return procedure in Latvia will be changed in the following way:

- Preference will be given to the assisted return of foreigners to their country of origin;
- Alternative measures to detention will be established by the Latvian legislation in case aliens cooperate with state authorities within the return procedure;
- In order to monitor the procedure of forced expulsions, the Human Rights Ombudsman will be involved;
- An alien will receive free legal assistance on return issues in cases specified by the law;
- The maximum period of detention prior to expulsion will be reduced.

Latvia faces the following major challenges in relation to forced return:

¹³⁷ Source: US Department of State, Trafficking in Persons Report 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/>

- Identification of aliens in case they refuse to cooperate with the state authorities;
- Issuance of travel documents for aliens when there is no respective embassy in Latvia.

Readmission Agreements. Latvia has signed readmission agreements with the following countries:

European Union:

- Baltic States (signed on 1 July 1995)
- Finland (signed on 2 December 1996)
- Denmark (signed on 18 December 1996)
- Sweden (signed on 09 April 1997)
- Italy (signed on 21 May 1997)
- France (signed on 5 December 1997)
- Slovenia (signed on 5 March 1998)
- Germany (signed on 16 December 1998)
- Greece (signed on 17 March 1999)
- Spain (signed on 30 March 1999)
- Benelux (signed on 9 June 1999)
- Portugal (signed on 18 November 1999)
- Austria (signed on 8 June 2000)
- Hungary (signed on 17 October 2001)
- Bulgaria (signed on 5 July 2002)
- Romania (signed on 5 July 2002)
- Poland (signed on 29 March 2006)

Third countries:

- Iceland (signed on 18 April 1997)
- Norway (signed on 15 March 1997)
- Ukraine (signed on 27 July 1997)
- Liechtenstein (signed on 23 December 1997)
- Switzerland (signed on 23 December 1997)
- Croatia (signed on 21 September 1998)
- Armenia (signed on 26 June 2002)
- Uzbekistan (signed on 7 April 2004)

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	2,224,987	1,988,984
Exit	2,112,653	1,837,470
Total	4,337,640	3,826,454

Total number of persons claiming asylum		
	2008	2009
Total	51	57

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	51	52
Persons whose applications were negative/ rejected	-	-
Persons whose applications were otherwise closed	-	5

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of the Republic of Latvia)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Latvia	1,836	1. Latvia	1,082
2. Lithuania	1,438	2. Russian Federation	998
3. Estonia	1,176	3. Belarus	351
4. Russian Federation	867	4. Lithuania	239
5. Belarus	372	5. Georgia	207
6. Ukraine	364	6. Estonia	184
7. Moldova	189	7. Ukraine	128
8. Georgia	158	8. Uzbekistan	103
9. Armenia	124	9. Kazakhstan	71
10. Kazakhstan	111	10. Armenia	62
Other	-	Other	1,214
Total	6,635	Total	4,639

Total number of migration-related border apprehensions (including foreigners and citizens of the Republic of Latvia)		
	2008	2009
Foreign nationals	5,684	3,557
Citizens of the Republic of Latvia	1,836	1,082
Total	7,520	4,639

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of the Republic of Latvia)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	4,570	2,701
On rail border crossings	1,675	628
On the green (land) border	63	63
At the sea border	178	129
On airports	1,034	1,118
In the country	2,920	1,827
On other places	-	-
Total	10,440	6,466

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of the Republic of Latvia)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Latvia on the border with that country	OUT: Number of apprehensions of people LEAVING Latvia on the border with that country	Total number of apprehensions on the border with that country
1. Russian Federation	-	-	4,435
2. Belarus	-	-	1,873
Total	-	-	6,308

Number of migration-related apprehensions by border section in 2009 (including foreigners and citizens of the Republic of Latvia)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Latvia on the border with that country	OUT: Number of apprehensions of people LEAVING Latvia on the border with that country	Total number of apprehensions on the border with that country
1. Russian Federation	1,628	618	2,246
2. Belarus	631	452	1,083
3. Airports	513	605	1,118
5. Sea border	43	86	129
Total	2,815	1,761	4,576

Number of apprehended persons being smuggled into Latvia

	2008	2009
Total	20	20

Total number of 'human smugglers' apprehended (including foreigners and citizens of Latvia)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	4	1
Residents of the Republic of Latvia	16	21
Citizenship unknown	-	-
Total	20	22

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Latvia)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Latvia	16	1. Latvia	21
2. Russian Federation	2	2. Ukraine	1
3. Lebanon	1		
4. Germany	1		
Total	20	Total	22

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Russian Federation	384	1. Russian Federation	295
2. Belarus	130	2. Belarus	80
3. Ukraine	84	3. Ukraine	32
4. Turkey	35	4. Kazakhstan	30
5. India	33	5. Israel	24
6. Moldova	25	6. Turkey	23
7. Kyrgyzstan	19	7. Kyrgyzstan	18
8. Uzbekistan	14	8. Tajikistan	18
9. China	11	9. Afghanistan	18
10. Columbia	8	10. Moldova	17
Total of ALL rejected persons at the border (of any nationality)	877	Total of ALL rejected persons at the border (of any nationality)	555

Number of 'human traffickers' apprehended (including foreigners and citizens of Latvia)		
	Apprehensions in 2008	Apprehensions in 2009
Non-nationals		-
Citizens of Latvia		2
Citizenship unknown		-
Total	No data available	2

Removed persons and the top 10 nationalities or citizenships removed from Latvia ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Russian Federation	49	1. Russian Federation	31
2. Ukraine	31	2. Moldova	29
3. Moldova	21	3. Ukraine	9
4. Uzbekistan	21	4. Syria	8
5. Georgia	14	5. Afghanistan	7
6. Armenia	11	6. Kyrgyzstan	6
7. Bangladesh	8	7. Azerbaijan	5
8. Pakistan	6	8. Georgia	5
9. China	6	9. Belarus	4
10. Syria	5	10. Ukraine	4
Total of ALL removed persons (of any nationality or country)	209	Total of ALL removed persons (of any nationality or country)	145

Number of illegally staying immigrants who have voluntarily left the Republic of Latvia following an obligation to leave the territory in the past years		
	Number of voluntary returns without assistance	Most important countries to which the persons have returned voluntarily
2009	27	
2008	70	
2007	81	
2006	69	Ukraine, Russia, Armenia
2005	68	Ukraine, Russia, Belarus

Number of forced returns from other countries accepted by the Republic of Latvia in the past 2 years				
From the following country	Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
	Foreign nationals	Nationals of Latvia	Foreign nationals	Nationals of Latvia
Switzerland	-	1	-	1
Estonia	2	-	7	-
France	-	1	-	-
Germany	-	1	-	-
Lithuania	2-	-	4	1
Hungary	-	-	-	1
Netherlands	-	-	1	-
Other	-	-	-	-
Total	4	3	12	3

Information provided by: State Border Guard of the Republic of Latvia

LITHUANIA



General Information¹³⁸

Location:	Eastern Europe, bordering the Baltic Sea, Latvia, Belarus, Poland, and the Russian Federation (Kaliningrad district)
Area:	<i>Total:</i> 65,300 sq km – <i>land:</i> 62,680 sq km – <i>water:</i> 2,620 sq km
Land boundaries:	<i>Total:</i> 1,574 km <i>Border countries:</i> Belarus 680 km, Latvia 576 km, Poland 91 km, Russian Federation (Kaliningrad district) 227 km
Coastline:	90 km (Baltic Sea)
Population:	3,545,319 (July 2010 est.)

General legislative and institutional developments

The following legislative changes were recorded in Lithuania in 2009:

- Amendments of the Law on the Legal Status of Aliens (22 July 2009; No XI-392). The amendments state that the lawful stay and residence of aliens in the Republic of Lithuania shall be controlled by the Migration Department and the State Border Guard Service. The law also established the decentralisation of the replacement of aliens' residents permits (this function was transferred from the Migration Department to the regional migration services);

¹³⁸ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/lh.html> (Dec. 2010)

- Resolution of the Government of the Republic of Lithuania No. 189 'On the Endorsement of the Implementation Actions for the Government's Activity Programme for 2008 – 2012' of 25 February 2009, which foresees the enhancement of illegal migration control and prevention;
- Resolution of the Government of the Republic of Lithuania No. 1104 'On the Endorsement of the Programme for the Prevention and Control of Trafficking in Human Beings for 2008 – 2012' of 9 September 2009, which foresees the enhancement of illegal migration control and prevention;
- Amendment of the rules of the Minister of the Interior of the Republic of Lithuania Order No 1V-445 of 21 December 2005 'On the approval of the Rules of the Issuance of Permits for Permanent Residence in the Republic of Lithuania to Foreigners and Assessment of Fictitious Marriage';
- Regulations on Facilitated Railway Transit Documents (new edition) for the citizens of the Russian Federation were approved by the Minister of Foreign Affairs (transit of the citizens of Russia through the territory of the Republic of Lithuania to the Kaliningrad district).¹³⁹

International (bilateral and multilateral) cooperation on border security issues with EU MS, associated states of the Schengen area and third parties continued to be maintained and expanded; the State Border Guard Service participates in the activities of the FRONTEX Agency and other international events in the area of irregular migration.

The Residence Permits Module of the Aliens Register was installed in the Migration Department and regional migration services on 1 September 2009. Information on certificates issued to EU nationals, confirming their right to reside in the Republic of Lithuania, applications for residence permits in the Republic of Lithuania of family members of EU nationals, who themselves are not EU nationals, is now being processed electronically.

On 4 November 2009, the National Schengen Information System of Lithuania was founded, the respective regulations were approved and the date of launching the system was set by the government of the Republic of Lithuania.

On 16 November 2009, the Migration Policy Department was abolished during the reorganisation of the structure of the Ministry of the Interior; its functions were transferred to the Public Safety Policy Department of the Ministry of the Interior, where the Migration Affairs Division was established. This division is responsible for the coordination of migration policy issues between the competent institutions in Lithuania, while the Migration Department under the Ministry of Interior is the central institution responsible for the implementation of the state policy concerning migration, citizenship, visas, asylum and legal status of aliens in the Republic of Lithuania.¹⁴⁰

¹³⁹ Source: Migration Department under the Ministry of the Interior of the Republic of Lithuania, Migration Yearbook 2009, <http://www.migracija.lt/index.php?-484440258>

¹⁴⁰ ibis

Irregular migration flows

Following the accession of the Republic of Lithuania to the Schengen area on 21 December 2007, new trends of irregular migration emerged in 2008 and became even more noticeable in 2009.

More than 4,700 migration-related apprehensions were recorded in Lithuania in 2009 (3,226 in 2008). 80.7 percent of the apprehensions were recorded in the country (3,801 apprehensions), and only 5.5 percent (262 apprehensions) on the green border. On the other side, the use of forged documents increased at border crossing points: the number of such apprehensions (on road and rail border crossings and at the airports) comprised 12.5 percent of the total number (590 apprehensions). In 2008, the number of migration-related apprehensions within the country was higher, but its share in the total number of apprehensions was smaller: 54.2 percent of apprehensions were recorded within the country. Regarding the apprehensions at the border, the highest number of apprehensions was registered on the green border: 725 apprehensions or 49.1 percent were recorded at the border.

The highest number of migration-related apprehensions at the border (both on the green border and border crossing points) were registered at the Lithuanian-Belarusian border section (514 apprehensions, 52.5% of all apprehensions); 296 apprehensions or 32.6 percent of the total number were registered at the border section with Russia in 2009. In 2008, the highest number of apprehensions was registered at the border with Latvia (529 apprehensions or 33.3% of the total number of apprehensions at the border); in 2009, the number of apprehensions at this border increased to 91 (10% of the total number).

In 2009, citizens of the Republic of Lithuania committed the most of border violations (the same is true for the year 2008): 97 persons in 2008 (46.4%) and 142 persons in 2009 (47.5%). In 2009, the second largest group of violators were citizens of Georgia: 33 persons (11%), while in 2008 only 8 Georgian citizens violated the border of the Republic of Lithuania (3.8%). Other main groups of citizens in 2008 and 2009 included Russian and Belarusian nationals.

In the majority of cases, Lithuania remains a transit country of irregular migration. Migrants enter Lithuania or are being smuggled there across the border with Belarus or the Russian Federation (Kaliningrad district); there are cases of irregular migration through the internal Schengen border with Latvia. Subsequently, the absolute majority of migrants attempt to enter the territory of Poland across the internal EU border.

Modes of illegal border crossings. The modes of irregular migration in Lithuania can be characterised in the following way:

- Illegal crossing of the 'green' border between border crossing points;
- Attempts to illegally enter through border crossing points, by using a visa issued on false grounds or falsified travel documents;
- Attempts to illegally enter through border crossing points, being hidden in vehicles;

- Overstaying a visa/residence permit (the highest number of migration-related apprehensions was recorded in this category in 2008).

The most rapidly increasing tendency in irregular migration are attempts to get a visa on false grounds. In 2008, Lithuanian Consular Representations approached the State Border Guard Service for consultation on visa issuance for 1,530 third-country nationals. This number increased to 11,012 in 2009. In 2008, citizens of Armenia most often attempted to receive a Lithuanian visa on false grounds, and citizens of India in 2009.

Smuggling

Compared with 2008, the number of detected cases of human smuggling increased from 6 to 34 in 2009. In all cases of smuggling detected in 2009, Lithuania was a transit country for migrants. Half of detected human smugglers in 2009 were Lithuanian nationals. They took over migrants from smugglers operating in neighbouring countries, in order to possibly hand them over to smugglers operating in consequent transit countries. Other smugglers detected in 2009 were citizens of Latvia (8 persons), Armenia (3 persons), Estonia (2 persons), Russia (2 persons), and Belarus (1 person); in 1 case citizenship was not determined. In total, 53 persons who were smuggled to Lithuania were detected in 2009 (18 in 2008); seven of them were women and one was a minor.

The results of investigations of Lithuanian law enforcement authorities showed that organised groups of smugglers usually consist of not more than 10 persons. The smugglers use mobile phones with pre-paid SIM cards, and migrants are usually being transported with private minibuses or cars.

Trafficking

The definition of trafficking in human beings is established by Article 147 of the Lithuanian Criminal Code, and it is in line with the UN definitions of trafficking.¹⁴¹ Lithuanian laws clearly distinct between human trafficking and smuggling of persons. Smuggling in persons and responsibility for this crime ('Unlawful Transportation of Persons across the State Border') is defined by Article 292 of the Lithuanian Criminal Code.

Lithuania is a source, transit, and destination country for trafficking in human beings. Almost 50 percent of identified trafficking victims in Lithuania are women and girls

¹⁴¹ Article 147. Trafficking in Human Beings

1. A person who sells, purchases or otherwise conveys or acquires a person, or recruits, transports or holds in captivity a person by using physical violence or threats or by otherwise depriving him of a possibility of resistance or by taking advantage of the victim's dependence or vulnerability or by resorting to deceit or by paying or granting other material benefit to a person who actually has the victim under his control, where the offender is aware of or seeks involvement of the victim in prostitution or gaining profit from this person's prostitution or using him for pornography purposes or forced labour shall be punished by imprisonment for a term of two up to ten years.
2. A person who commits the act provided for in paragraph 1 of this Article in respect of two or more victims or by participating in an organised group or seeking to acquire the victim's organ, tissue or cells shall be punished by imprisonment for a term of four up to twelve years.
3. A legal entity shall also be held liable for the acts provided for in this Article.

subjected to trafficking for the purpose of sexual exploitation within Lithuania. Women from Lithuania are also subjected to forced prostitution in the United Kingdom, Germany, the Netherlands, Greece, Italy, France, and the Czech Republic. A small number of women from Russia and Belarus are transited through Lithuania and are subjected to forced prostitution in Western Europe.¹⁴²

12 traffickers were apprehended in Lithuania during 2009 (19 in 2008); all of them were citizens of Lithuania.

In 2009, law enforcement authorities identified 57 trafficking victims and referred them to NGOs for assistance, compared with 86 victims in 2008. The Ministry of Foreign Affairs referred nine Lithuanian victims identified abroad to local anti-trafficking NGOs for shelter and social support and also provided financial assistance to facilitate their return to Lithuania, compared with 17 victims similarly assisted by the ministry in 2008. The government encouraged victims to assist in trafficking investigations and prosecutions; in 2009, 57 Lithuanian victims assisted in trafficking investigations and prosecutions. Foreign victims who participated in court proceedings are eligible for temporary residency and work permits; however, the government did not identify any foreign victims in 2009.¹⁴³

Return and readmission

Return policy. The Law on the Legal Status of Aliens of the Republic of Lithuania provides grounds for obligation of foreigners to depart from the Republic of Lithuania, for expulsion of foreigners, as well as cases when departure or expulsion shall be suspended or cannot be implemented (principle of non-refoulement, practical obstacles for deportation, etc.). The law provides that decisions on expulsion are not to be taken when an alien may be voluntarily returned to his/her country of origin or to a third country which agrees to admit him/her. According to the law, minors who stay in Lithuania irregularly may be only returned to their country of origin assisted or forced (a deportation decision is not taken in such a case). Unaccompanied minors shall be returned only in case they are duly taken care of, taking into consideration their needs, age, and level of independence.

The decision on the obligation to depart from the Republic of Lithuania can be made by the police or the State Border Guard Service; these institutions are also obliged to supervise the implementation of the decision. Decisions on expulsion from Lithuania may be taken either by the Migration Department under the Ministry of Interior, or, on specific grounds, by the Vilnius Regional Administrative Court (if the alien's stay in Lithuania constitutes a threat to national security or public order). Expulsion decisions are implemented by the police or by the State Border Guard Service. The Migration Department and the State

¹⁴² Source: US Department of State, *Trafficking in Persons Report 2010*, Lithuania, <http://www.state.gov/g/tip/rls/tiprpt/2010/>

¹⁴³ ibis

Border Guard Service are responsible for decisions on return of aliens to their countries of origin.¹⁴⁴

Since 1998, the Vilnius Office of the International Organization for Migration in cooperation with the Ministry of the Interior of the Republic of Lithuania has carried out assisted returns of aliens. Implementing programmes funded by foreign donors in 1998 – 2002, about 500 migrants were returned from the Republic of Lithuania to their countries of origin or third countries. In 2005, the IOM Vilnius Office implemented the Project on Voluntary Return to the country of origin and reintegration of aliens who have not been granted asylum, which was funded by the European Refugee Fund and co-funded by Lithuania. Prior to departure, aliens were provided with information on the return and the programme, and they also received individual counselling. Aliens returning on a voluntary basis received a lump-sum benefit to meet their immediate needs during travel. Throughout the period of project implementation, 35 aliens were returned. Counselling on the opportunities of return to the country of origin (mostly to Russia) or the receipt of personal documents was provided to 46 aliens. Information on assisted return and the programme was disseminated among the Foreigners Registration Centre, the Refugee Reception Centre under the Ministry of Social Security and Labour, the state border crossing points and the regional migration services.

From 1 August to 31 December 2006, the IOM Vilnius Office implemented the project 'A Safe Journey Home: Assistance in Voluntary Return of Persons Who Have Applied for Asylum in Lithuania' which was funded by the European Refugee Fund and co-funded by Lithuania. In course of the project implementation, assistance was provided to 3 persons.

In 2007, return assistance was provided to 12 persons in course of the project by the IOM Vilnius Office.

In 2008, the IOM Vilnius office cooperated with the Foreigners Registration Centre in implementing the project, which lasted until 31 December 2008. The IOM Vilnius Office organised and implemented 15 assisted return of asylum applicants to their country of origin, as well as their reintegration. These persons received a benefit of 300 EUR, and the costs of their return were compensated.

Current projects:

- Return Home, 2009-2010; Donor: European Return Fund and the Government of the Republic of Lithuania;
- Voluntary Return for Vulnerable Persons; Donor: European Return Fund and the Government of the Republic of Lithuania;
- Reintegration - A new Opportunity in your Homeland; Donor: European Return Fund and the Government of the Republic of Lithuania.

¹⁴⁴ Source: Law on the Legal Status of Aliens, 2004, http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=356478

In implementing assisted return, the IOM Vilnius Office actively cooperates with the State Border Guard Service, the Migration Department, the Ministry of Social Security and Labour, the Foreigners Registration Centre and the Refugee Reception Centre, while offices of the International Organization for Migration in other countries help to ensure transfer and provide reintegration services.

Readmission Agreements. Lithuania has readmission agreements with the following EU MS:

- Estonia and Latvia (signed on 30 June 1995);
- Slovenia (signed on 6 May 1996);
- Finland (signed on 18 March 1997);
- Sweden (signed on February 1997);
- Germany (signed on 16 December 1998);
- Italy (signed on 20 May 1997);
- Spain (signed on 18 November 1998);
- Poland (signed on 13 July 1998);
- France (signed on 4 December 1998);
- Austria (signed on 9 December 1998);
- Portugal (signed on 11 February 1999);
- Benelux states (signed on 1 July 1999);
- Greece (signed on 1 July 1999);
- Romania (signed on 19 February 2004).

Additionally, the Republic of Lithuania has readmission agreements with the following countries:

- Iceland (signed on 4 April 1997);
- Switzerland (signed on 26 September 1996);
- Ukraine (signed on 23 September 1996);
- Croatia (signed on 28 May 1998);
- Moldova (signed on 6 December 2001);
- Russia (signed on 21 August 2003);
- Armenia (signed on 15 September 2003).

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	4,168,384	3,836,505
Exit	3,824,245	3,635,677
Total	7,992,629	7,472,182

Total number of persons claiming asylum		
	2008	2009
At the border	109	89
Inland	431	360
Unknown	-	-
Total	540	449

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	364	228
Persons whose applications were negative/ rejected	49	155
Persons whose applications were otherwise closed	52	112

Total number of migration-related border apprehensions (including foreigners and citizens of the Republic of Lithuania)		
	2008	2009
Foreign nationals	3,129	4,567
Citizens of the Republic of Lithuania	97	142
Total	3,226	4,709

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of the Republic of Lithuania)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Lithuania	97	1. Lithuania	142
2. Russian Federation	34	2. Georgia	33
3. Belarus	34	3. Russian Federation	33
4. Armenia	9	4. Belarus	19
5. Georgia	8	5. Sri Lanka	12
6. Vietnam	6	6. Iraq	10
7. Turkey	5	7. Pakistan	10
8. Saudi Arabia	3	8. Afghanistan	8
9. Ukraine	2	9. Armenia	7
10. Belgium	2	10. Vietnam	7
Other	9	Other	18
Total	209	Total	299

Total number of migration-related border apprehensions by gender (including foreigners and citizens of the Republic of Lithuania)		
Gender	2008	2009
Males	2,299	3,465
Females	889	1,244
Unknown	38	-
Total	3,226	4,709

Number of minors apprehended at the border due to border violation (including foreigners and citizens of the Republic of Lithuania)		
Gender	2008	2009
Males	47	51
Females	40	18
Unknown	-	-
Total	87	69

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of the Republic of Lithuania)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	412	399
On rail border crossings	130	149
On the green (land) border	725	262
At the sea border	50	56
On airports	161	42
In the country	1,748	3,801
On other places	-	-
Total	3,226	4,709

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of the Republic of Lithuania)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Lithuania on the border with that country	OUT: Number of apprehensions of people LEAVING Lithuania on the border with that country	Total number of apprehensions on the border with that country
1. Belarus	-	-	485
2. Poland	-	-	106
3. Russian Federation	-	-	226
4. Latvia	-	-	529
5. Sea border	-	-	67
6. Airports	-	-	162
Other	-	-	1,651
Total	n.a.	n.a.	3,226

Number of migration-related apprehensions by border section in 2009 (including foreigners and citizens of the Republic of Lithuania)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Lithuania on the border with that country	OUT: Number of apprehensions of people LEAVING Lithuania on the border with that country	Total number of apprehensions on the border with that country
1. Belarus	-	-	514
2. Poland	-	-	97
3. Russian Federation	-	-	296
4. Latvia	-	-	91
5. Sea border	-	-	56
6. Airports	-	-	42
Other	-	-	3,613
Total	n.a.	n.a.	4,709

Number of apprehended persons being smuggled into Lithuania		
	2008	2009
Total	18	53
Of the total: women	-	7
Of the total: minors	-	1

Total number of 'human smugglers' apprehended (including foreigners and citizens of Lithuania)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	5	16
Citizens of the Republic of Lithuania	1	17
Citizenship unknown	-	1
Total	6	34

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Lithuania)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Poland	3	1. Lithuania	17
2. Lithuania	1	2. Latvia	8
3. Latvia	1	3. Armenia	3
4. Russian Federation	1	4. Estonia	2
		5. Russian Federation	2
		6. Other (Belarus, unknown)	2
Total	6	Total	34

Number of 'human traffickers' apprehended (including foreigners and citizens of Lithuania)		
	Apprehensions in 2008	Apprehensions in 2009
Non-nationals	-	-
Citizens of Lithuania	19	12
Citizenship unknown	-	-
Total	19	12

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Russian Federation	1,048	1. Russian Federation	835
2. Belarus	735	2. Belarus	533
3. Ukraine	120	3. Ukraine	104
4. Kyrgyzstan	55	4. Georgia	74
5. Kazakhstan	54	5. Moldova	41
6. India	33	6. Kazakhstan	30
7. Moldova	30	7. Kyrgyzstan	30
8. Armenia	20	8. Tajikistan	25
9. Georgia	16	9. Armenia	18
10. Uzbekistan	15	10. India	16
Total of ALL rejected persons at the border (of any nationality)	2,214	Total of ALL rejected persons at the border (of any nationality)	1,751

Persons to whom residence was refused and 10 nationalities/citizenships to whom residence was refused			
2008	Number of persons to whom residence was refused in 2008	2009	Number of persons to whom residence was refused in 2009
1. China	48	1. Ukraine	10
2. Ukraine	9	2. Pakistan	10
3. Belarus	4	3. Russian Federation	8
4. Russian Federation	3	4. China	7
5. Moldova	2	5. Belarus	6
6. Turkey	1	6. Georgia	5
7. Nigeria	1	7. India	3
8. Lebanon	1	8. Moldova	3
9. Armenia	1	9. Turkey	2
10. Azerbaijan	1	10. Azerbaijan	2
Total of ALL refused persons	72	Total of ALL refused persons	57

Removed persons and the top 10 nationalities or citizenships removed from Lithuania ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Belarus	34	1. Russian Federation	33
2. Russian Federation	29	2. Belarus	26
3. Ukraine	10	3. Georgia	18
4. Moldova	7	4. Armenia	16
5. Turkey	7	5. Ukraine	10
6. Azerbaijan	4	6. Azerbaijan	7
7. Georgia	4	7. Vietnam	7
8. Armenia	3	8. Tajikistan	5
9. Egypt	3	9. Moldova	3
10. India	3	10. Turkey	3
Total of ALL removed persons (of any nationality or country)	123	Total of ALL removed persons (of any nationality or country)	144

Assisted voluntary returns (number of persons) from Lithuania successfully implemented in the past two years			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Russian Federation	3	-	-
2. Nigeria	2	-	-
3. Georgia	2	-	-
4. Cameroon	1	-	-
5. Azerbaijan	1	-	-
Other	6	-	-
Total of ALL removed persons	15	-	-

Forced returns (number of persons) from Lithuania to other countries were successfully implemented in the past two years		
To the following country	Number of forced returns (number of persons) TO other countries in 2008	Number of forced returns (number of persons) TO other countries in 2009
1. Russian Federation	32	41
2. Belarus	34	28
3. Georgia	5	18
4. Armenia	3	17
5. Ukraine	11	10
Other	48	50
Total	133	164

Number of illegally staying immigrants who have voluntarily left the Republic of Lithuania following an obligation to leave the territory in the past years		
	Number of voluntary returns without assistance	Most important countries to which the persons have returned voluntarily
2009	1035	RUS, BLR, UKR, KAZ
2008	759	RUS, BLR, UKR, KAZ
2007	898	RUS, UKR, BLR, KAZ
2006	1002	RUS, UKR, BLR, KAZ
2005	1024	RUS, BLR, UKR, KAZ

Information provided by: State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA



General Information¹⁴⁵

Location:	South-Eastern Europe, bordering Albania, Kosovo ¹⁴⁶ , Serbia, Bulgaria, and Greece
Area:	<i>Total:</i> 25,713 sq km – <i>land:</i> 25,433 sq km – <i>water:</i> 280 sq km
Land boundaries:	<i>Total:</i> 766 km <i>Border countries:</i> Albania 151 km, Bulgaria 148 km, Greece 246 km, Kosovo ¹⁴⁷ 159 km, Serbia 62 km
Population:	2,072,086 (July 2010 est.)

General legislative and institutional developments

On 27 May 2009, the former Yugoslav Republic of Macedonia ratified the 2005 Council of Europe Convention on Action against Trafficking in Human Beings, which came in force on 1 September 2009.¹⁴⁸

¹⁴⁵ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/mk.html> (Dec. 2010)

¹⁴⁶ Under UNSCR 1244

¹⁴⁷ Under UNSCR 1244

¹⁴⁸ Source: Council of Europe,
<http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=197&CM=8&DF=&CL=ENG>

The following legislative changes related to migration took place in 2009:

- The Law on Social Protection, adopted in 2009, provides a mechanism for social protection of victims of trafficking in human beings;
- Amendments of article 418 a, b, and g of the criminal code established a minimum sentence of eight years of imprisonment for any public official convicted of a trafficking offence committed in the course of duty;
- The Law on Child Protection was amended, providing that all forms of sexual exploitation and sexual abuse of children, including sale and trafficking of children, mental or physical violence, all types of exploitation, commercial exploitation and abuse of children are prohibited.

Law enforcement institutions involved in migration management in the former Yugoslav Republic of Macedonia continue to participate in the OSCE Spillover Monitor Mission to Skopje supported project 'Improvement of Role of Judiciary in Fight against Organized Crime'. The project covers the issues of human smuggling and trafficking in human beings. Additionally, the International Organisation for Migration in cooperation with the Ministry of the Interior implements the IPA project 'Technical Assistance to Improve the Capacities of the Relevant Parties in Fight against Organised Crime', funded by the European Union. The project is specifically focused on trafficking in human beings.

Irregular migration flows

The former Yugoslav Republic of Macedonia primarily is a transit country. Migrants usually arrive through the Albanian-Macedonian border and try to leave the country via the Macedonian-Greek border. There is a noticeable tendency of irregular migration of citizens of Albania to Greece, mainly for the purpose of temporary or seasonal labour migration (between March and October).

In 2009, the Border Police apprehended 200 migrants entering the state illegally, and 845 migrants leaving the state (in 2008, 263 persons were apprehended entering and 766 leaving the state illegally). The majority of migrants were citizens of Albania, the former Yugoslav Republic of Macedonia, Kosovo¹⁴⁹, and Serbia. Additionally, 296 persons were apprehended for migration rules violation within the country in 2009 (360 in 2008), and 1,255 foreigners were forcibly returned to their countries of origin.

Modes of illegal border crossings. Usually, migrants are illegally crossing the green border; this is the most frequent way of illegal entering (on the border with Albania) and leaving (on the border with Greece) the former Yugoslav Republic of Macedonia. Migrants also use forged travel and other documents; sometimes, persons are hidden in vehicles while crossing the border.

¹⁴⁹ Under UNSCR 1244

Smuggling

In 2009, three groups of smugglers were detected in the former Yugoslav Republic of Macedonia (one international organisation and two consisting of Macedonians). In total, 31 cases of smuggling of migrants were discovered in 2009; 53 smugglers were apprehended and 141 persons were smuggled. Both groups of migrants smuggled by Macedonian nationals included citizens of Albania (2 persons in one group, 8 in the other), and were directed through the former Yugoslav Republic of Macedonia. One group was directed to Greece and another to Bosnia and Herzegovina. International smuggler groups which consisted of citizens of the former Yugoslav Republic of Macedonia and foreign nationals transported 35 citizens of China through Russia, Serbia, and the former Yugoslav Republic of Macedonia. This group intended to reach the EU through Greece.¹⁵⁰

In 2008, 173 migrants smuggled to or through the former Yugoslav Republic of Macedonia were apprehended. In this year, two international smuggling channels were detected.

Smugglers usually rely on commonly used communication methods, such as telephones and the internet (e-mail, etc.). Transport (private or public), accommodation and other facilities are organised while being on the road. The results of investigations showed that smuggling by organised international groups may cost up to 1,500 EUR per migrant, depending on the country of destination, smuggling method, availability of travel documents, etc.

Trafficking

The former Yugoslav Republic of Macedonia is a source, transit, and destination country for women and children subjected to forced prostitution and forced labour, including domestic trafficking. Women and girls from Albania, Bulgaria and Kosovo¹⁵¹ were reportedly subjected to forced prostitution or forced labour in the former Yugoslav Republic of Macedonia in 2009. Macedonian victims and victims trafficked through the former Yugoslav Republic of Macedonia are subjected to forced prostitution or forced labour in South Central and Western Europe. A small number of Macedonian men were allegedly subjected to forced labour in Azerbaijan. Traffickers continued to operate in more hidden and private sectors in order to conceal the exploitation of victims from law enforcement.¹⁵²

In 2009, a total of 8 cases involving 15 traffickers and 8 victims were discovered by the Ministry of Internal Affairs. In 2008, 10 trafficking cases which involved 25 traffickers and 11 victims were reported.

¹⁵⁰ Source: First Report of the National Rapporteur on Human Trafficking: 'Trafficking in Human Beings. Smuggling of migrants. Illegal immigration', December 2009, <http://antitrafficking.blog.mk/files/2010/02/NR-Report-EN-final-version.pdf>

¹⁵¹ Under UNSCR 1244

¹⁵² Source: US Department of State: 'Trafficking in Persons Report 2010', Macedonia, <http://www.state.gov/g/tip/rls/tiprpt/2010/index.htm>

Seven out of eight victims identified in 2009 were minors (six Macedonian nationals and one Serbian national). These cases included sexual and labour exploitation.¹⁵³

The situation of trafficking in human beings has drastically changed within the last few years: Different than in previous years, trafficking victims were minors most often, and labour exploitation replaced or complemented sexual exploitation.¹⁵⁴

Return and readmission

Return policy. In 2009, 1,255 persons were forcibly returned from the former Yugoslav Republic of Macedonia to their countries of origin (1,301 in 2008). The majority of migrants were returned to Albania (1,172 persons or 93.4%), Kosovo¹⁵⁵ (58 persons or 4.6%), and Serbia (13 persons or 1%).

Concerning return procedures, the following challenges were identified in the former Yugoslav Republic of Macedonia:

- A long and complicated procedure for obtaining travel documents for returnees. This situation is even more complicated because there are only few embassies and consular departments of foreign countries in the former Yugoslav Republic of Macedonia.
- There are no direct flight connections between the former Yugoslav Republic of Macedonia and some countries of origin. If transit countries do not permit the transit of returnees, the return procedure is either not possible or very expensive.

Readmission Agreements. The former Yugoslav Republic of Macedonia signed 19 readmission agreements, out of which 18 were signed with EU MS, and one with Albania.

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Total	11,658,417	13,740,689

Total number of persons claiming asylum		
	2008	2009
At the border	-	-
Inland	50	88
Total	50	88

¹⁵³ Source: First Report of the National Rapporteur on Human Trafficking: 'Trafficking in Human Beings. Smuggling of migrants. Illegal immigration', December 2009, <http://antitraffickin21g.blog.mk/files/2010/02/NR-Report-EN-final-version.pdf>

¹⁵⁴ *Ibis*

¹⁵⁵ Under UNSCR 1244

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	-	-
Persons whose applications were negative/ rejected	19	1
Persons whose applications were otherwise closed	31	87

Total number of migration-related border apprehensions (including foreigners and citizens of the former Yugoslav Republic of Macedonia)		
	2008	2009
Foreign nationals	1,246	948
Citizens of the former Yugoslav Republic of Macedonia	202	97
Total	1,466	1,045

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of former Yugoslav Republic of Macedonia)			
Citizens of the following countries in 2008	Number of border violators in 2008 ¹⁵⁶	Citizens of the following countries in 2009	Number of border violators in 2009 ¹⁵⁷
1. Albania	1,139	1. Albania	889
2. the former Yugoslav Republic of Macedonia	202	2. the former Yugoslav Republic of Macedonia	97
3. Kosovo ¹⁵⁸	57	3. Kosovo ¹⁵⁹	38
4. Serbia	31	4. Afghanistan	7
5. Greece	12	5. Serbia	4
6. China	10	6. Occ. Palestinian Territory	3
7. Afghanistan	9	6. China	2
8. Iraq	2	7. Russian Federation	1
9. Occ. Palestinian Territory	2	9. Greece	1
10. Bangladesh	2	10. Turkey	1
Other	-	Other	2
Total	1,466	Total	1,045

¹⁵⁶ Source: ICMPD Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe, 2009, p. 161

¹⁵⁷ Source: First Report of the National Rapporteur on Human Trafficking: 'Trafficking in Human Beings. Smuggling of migrants. Illegal immigration', December 2009, <http://antitraffickin21g.blog.mk/files/2010/02/NR-Report-EN-final-version.pdf>

¹⁵⁸ Under UNSCR 1244

¹⁵⁹ Under UNSCR 1244

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of the former Yugoslav Republic of Macedonia)¹⁶⁰

	IN: Number of apprehensions of people ENTERING the former Yugoslav Republic of Macedonia	OUT: Number of apprehensions of people LEAVING the former Yugoslav Republic of Macedonia	Total number of apprehensions on the border with that country
Total	263	766	1,029

Number of migration-related apprehensions by border section in 2009 (including foreigners and citizens of the former Yugoslav Republic of Macedonia)¹⁶¹

Country of origin	IN: Number of apprehensions of people ENTERING Bulgaria on the border with that country	OUT: Number of apprehensions of people LEAVING Bulgaria on the border with that country	Total number of apprehensions on the border with that country
1. Albania	134	755	889
2. Macedonia	38	59	97
3. Kosovo ¹⁶²	19	19	38
4. Serbia	4	-	4
5. Afghanistan	-	7	7
6. Occ. Palestinian Territory	-	3	3
Other	5	2	7
Total	200	845	1,045

Total number of 'human smugglers' apprehended (including foreigners and citizens of the former Yugoslav Republic of Macedonia)

	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	135	38
Citizens of the former Yugoslav Republic of Macedonia	25	32
Citizenship unknown	-	-
Total	160	70

¹⁶⁰ Source: First Report of the National Rapporteur on Human Trafficking: 'Trafficking in Human Beings. Smuggling of migrants. Illegal immigration', December 2009, <http://antitraffickin21g.blog.mk/files/2010/02/NR-Report-EN-final-version.pdf>

¹⁶¹ Ibis

¹⁶² Under UNSCR 1244

Number of apprehended persons being smuggled into the former Yugoslav Republic of Macedonia¹⁶³		
Country of origin	2008	2009
1. the former Yugoslav Republic of Macedonia	12	8
2. China	68	35
3. Albania	61	50
4. Kosovo ¹⁶⁴	7	2
5. Serbia	5	14
6. Turkey	1	1
7. Nigeria	-	2
8. India	9	-
9. Afghanistan	6	29
10. Bangladesh	2	-
Other	2	-
Total	173	141

Number of people being trafficked into the former Yugoslav Republic of Macedonia		
	2008	2009, I half
Total	10	8
Of the total: women		
Of the total: minors	9	7

Number of 'human traffickers' apprehended (including foreigners and citizens of the former Yugoslav Republic of Macedonia)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	n.a.	3
Citizens of the former Yugoslav Republic of Macedonia		14
Citizenship unknown		
Total	25	17

¹⁶³ Source: First Report of the National Rapporteur on Human Trafficking: "Trafficking in Human Beings. Smuggling of migrants. Illegal immigration", December 2009, <http://antitraffickingin21g.blog.mk/files/2010/02/NR-Report-EN-final-version.pdf>

¹⁶⁴ Under UNSCR 1244

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Albania	-	1. Albania	134
2. Kosovo ¹⁶⁵	-	2. the former Yugoslav Republic of Macedonia	38
3. Germany	-	3. Kosovo ¹⁶⁶	19
4. Turkey	-	4. Serbia	4
5. Greece	-	5. China	2
6. Russian Federation	-	6. Russian Federation	1
7. Australia	-	7. Greece	1
8. Serbia	-	8. Turkey	1
9. France	-		
10. Italy	-		
Total of ALL rejected persons at the border (of any nationality)	263	Total of ALL rejected persons at the border (of any nationality)	200

Removed persons and the top 10 nationalities or citizenships removed from the former Yugoslav Republic of Macedonia (removed persons refer to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Albania	1,169	1. Albania	1,172
2. Kosovo ¹⁶⁷	88	2. Kosovo ¹⁶⁸	58
3. Serbia	25	3. Serbia	13
4. Afghanistan	2	4. Greece	3
5. Bangladesh	2	5. China	2
6. Italy	2	6. Turkey	2
7. Bulgaria	2	7. Netherlands	2
8. Montenegro	2	8. Bulgaria	2
9. Ukraine	1	9. USA	1
Total of ALL removed persons	1,301	Total of ALL removed persons	1,255

Information provided by: Ministry of Internal Affairs

¹⁶⁵ Under UNSCR 1244

¹⁶⁶ Under UNSCR 1244

¹⁶⁷ Under UNSCR 1244

¹⁶⁸ Under UNSCR 1244

MONTENEGRO



General Information¹⁶⁹

Location:	South-Eastern Europe, bordering the Adriatic Sea, Croatia, Bosnia and Herzegovina, Serbia, Kosovo ¹⁷⁰ , and Albania
Area:	<i>Total</i> : 13,812 sq km – <i>land</i> : 13,452 sq km – <i>water</i> : 360 sq km
Land boundaries:	<i>Total</i> : 625 km <i>Border countries</i> : Albania 172 km, Bosnia and Herzegovina 225, Croatia 25 km, Kosovo ¹⁷¹ 79 km, Serbia 124 km
Coastline:	293.5 km (Adriatic Sea)
Population:	666,730 (July 2010 est.)

General legislative and institutional developments

In 2009, the following legislation was approved in Montenegro:

- Law on Foreigners;
- Law on Registry of Residence;
- Law on Employment of Foreigners;
- Law on Protection of Personal Data.

¹⁶⁹ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/mj.html> (Dec. 2010)

¹⁷⁰ Under UNSCR 1244

¹⁷¹ Under UNSCR 1244

The strategic documents in the field of migration management were improved in Montenegro. Recently, the following strategic papers were adopted:

- The Strategy on Integrated Management of Migration as well as the Action Plan for its implementation for 2008 – 2013. The strategy aims at creating conditions for further development of a legal, regulatory and institutional framework for effective implementation of policy management and control of migration movements, in accordance with the rules and standards of the EU acquis;
- The Strategy and Action Plan for Combating Trafficking;
- The Strategy and Action Plan for Combating Organised Crime and Corruption.

In order to implement these documents and to improve the management of migration processes, the agreement on cooperation between state agencies and NGOs combating human trafficking by means of prevention, education, criminal prosecution of perpetrators and protection of potential victims of trafficking, especially women and children, was adopted.

The Memorandum of Understanding, regarding the implementation of the project 'Support for Migration Management in Montenegro', was signed by the Ministry of Interior, the Police Department, and the International Organization for Migration (IOM) on 25 September 2009. One of the components of this project (which is provided by IPA for the year 2008) was to set up detention centres for foreigners in Montenegro. According to the schedule, a shelter for foreigners should be completed and put into operation by mid-2011.

Irregular migration flows

Irregular migration in Montenegro is of transit character: migration flows are directed from Kosovo¹⁷² and Albania through Montenegro to Croatia and Bosnia and Herzegovina. The general social, economic and political situation in the region, particularly in Albania and Kosovo¹⁷³, has resulted in significant emigration in order to provide better living conditions. Thus, many are trying to reach the economically prosperous and stable states, and Montenegro in many cases is a transit country on the shortest way to the EU. Diaspora issues, as well as relatives and friends residing in the foreign countries, play an important role in choosing the destination. This migration trend, even if to a lesser extent than in previous years, continued in 2008 and 2009.

A new trend observed during the reporting period is an increased number of migrants from the Republic of Albania, Kosovo¹⁷⁴ and Turkey, using the visa-free regime with Montenegro.

¹⁷² Under UNSCR 1244

¹⁷³ Under UNSCR 1244

¹⁷⁴ Under UNSCR 1244

Another trend is that representatives of private firms are abusing their positions and become a part of criminal organisations because they provide fraudulent invitation letters on behalf of their organisations as well as accommodation during transit.

Analysing illegal migration in relation to the abovementioned issues leads the Montenegrin authorities to the conclusion that the flows of irregular migration will not decrease in the nearest future. Moreover, they will continue until the economic and other conditions in the countries of origin improve. Additionally, the visa regime and the aspirations of human smugglers significantly affect the volume of irregular migration.

The majority of migrants arriving irregularly in Montenegro are from the Republic of Albania and Kosovo¹⁷⁵. Persons from Serbia, Turkey, Montenegro, and the former Yugoslav Republic of Macedonia are also among the apprehended persons, but to a lesser extent than persons from Albania and Kosovo¹⁷⁶.

Modes of illegal border crossings. The following main modes of illegal border crossing were detected and recorded in Montenegro:

- Attempts to cross the border using forged travel or other documents (visas, residents permits, etc);
- Attempts to cross by using travel documents belonging to other people;
- Attempts to cross the border without necessary visas or identification documents;
- Attempts to cross the border using unreliable documents (expired or damaged travel documents, etc.).

Persons apprehended while trying to cross the border outside of border crossing points mainly lack travel documents or visa. Sometimes, foreigners submitted forged documents in order to receive a temporary residence permit in Montenegro.

It is common for persons originating from Kosovo¹⁷⁷ and the Republic of Albania to visit certain areas in Montenegro in order to look for opportunities to cross the border to Croatia. Persons entering Montenegro irregularly usually move in small groups (2 or 3 persons).

Migrants who try to illegally cross the state border for the first time use information from the internet or a map of Montenegro for determining crossing points. Some try to cross the border on foot while others are using taxi services, either to approach the border or to cross it.

The main destination of migrants is the EU (in most cases Italy or Germany, in fewer cases France, Belgium, and Sweden). The most common day time of irregular border crossings is from late afternoon until the morning hours. Most persons migrating irregularly do not try to hide from police or border guards and thus represent the majority of detected cases.

¹⁷⁵ Under UNSCR 1244

¹⁷⁶ Under UNSCR 1244

¹⁷⁷ Under UNSCR 1244

There were a few persons who tried to escape the police; however, persons caught by the police did not resist.

Smuggling

Investigations in Montenegro showed that the most common techniques for human smuggling are the following:

- Smugglers show the way across the land border or cross the border together with migrants;
- Smugglers provide migrants with forged travel documents or travel documents belonging to other persons. These cases do apply to land as well as sea and air border crossings.

Usually, either private vehicles or taxi services are being used for border crossing. Taxi drivers most often are not a part of a criminal group, although they are a direct intermediary of smuggling in such a case. Authorities of Montenegro pay special attention to the taxi drivers who are self-employed because they could be involved in a smuggler organisation. Sometimes, rented vehicles are also used for the illegal transfer of migrants, although the smugglers do not transport smuggled persons across the border. Smuggled persons are left alone in order to cross the border on foot and are picked up afterwards to meet other possible contact persons. Communication between smugglers and migrants is done exclusively by mobile phones. Based on the experience of Montenegro authorities, the organisers of human smuggling are citizens of Albania, Montenegro, Serbia, and Bosnia and Herzegovina.

On the basis of the information obtained fees for smuggling range between 1,500 and 3,000 EUR per migrant.

Trafficking

The crime of trafficking in human beings is defined in the criminal code of Montenegro. Montenegro is also a signatory to the United Nations Protocol against Trafficking in Human Beings.

The definition of human trafficking used by Article 444 of the criminal code is in line with the UN definition.¹⁷⁸ The main documents related to combating the crime of trafficking in human beings are the Strategy of the Government of Montenegro to Combat Trafficking, the Action Plan for Strategy Implementation, and the Agreement on Mutual Cooperation between state authorities and NGOs in combating human smuggling.

¹⁷⁸ Trafficking In Human Beings according to article 444, Criminal Code of the Republic of Montenegro: A person who, by means of use of force or threat, of deception, of abuse of authority or of a position of vulnerability, of confiscation of identity documents, or of the giving or receiving money or other benefits, attempts to achieve the consent of a person having control over another person, who is involved in: recruitment, transport, transfer, selling, buying, mediation in the sale, hiding or holding another person for the purpose of: forced labor, slavery, carrying out criminal activities, prostitution or begging, pornography, removal of organs for transplantation, or service in armed conflict, shall be punished by imprisonment of 1 to 10 years.

The smuggling of persons is also defined by the criminal code of Montenegro and clearly differs from the definition of trafficking.

In 2008, the Division of Criminal Police of Montenegro has registered one case of a potential victim of trafficking illegally crossing the border of Montenegro and Serbia by using forged travel documents who was detected by a police control at the border crossing. However, no criminal procedures were conducted against this person as he was identified as a potential victim of trafficking in the course of criminal investigations.

According to the Trafficking in Persons Report of the US Department of State, trafficking victims are mostly women from Ukraine, Moldova, Serbia, Albania, and Kosovo¹⁷⁹, who migrate or are smuggled through the country and who are subjected to conditions of forced prostitution in Montenegro. According to NGOs and international experts, foreign men and boys are mainly subjected to forced labour in Montenegro's growing construction industry. Montenegrin women and girls are subjected to forced prostitution within the country and in other Balkan countries. Criminal networks operating in Montenegro's expanding tourism industry are reportedly engaged in trafficking for the purpose of forced prostitution. In 2009, 14 trafficking suspects were prosecuted in Montenegro and 11 trafficking offenders were convicted. 13 victims of trafficking were identified in 2009, compared with two in 2008. During 2009, authorities conducted 13,518 inspections of construction sites and found 8,320 violations of labour standards, but no potential victims of forced labour were identified in the course of these inspections.¹⁸⁰

Return and readmission

Return policy. General readmission policy is based on the ratified international agreements on readmission of persons who have no residence permits and on the Aliens Act. In order to create conditions to facilitate further development of the legal, regulatory and institutional framework for effective implementation, the strategy for integrated management of migration in Montenegro for the period 2008 – 2013 was adopted on 11 September 2008. It is in accordance with the rules and standards of the *acquis communautaire*.

The revision of the strategy on migration management is being carried out through the project 2008 EC IPA '*Supporting Migration Management in Montenegro*'. Within the new strategy's framework, the topics of readmission and reintegration are under elaboration. In order to develop the strategy, an expert from the EU has been engaged and following principles for designing a readmission strategy have been determined:

- Forced return in line with EU standards;
- Assisted return in accordance with EU standards;
- Special attention to vulnerable groups (e.g. minors, unaccompanied minors, disabled persons, elderly persons, pregnant women);

¹⁷⁹ Under UNSCR 1244

¹⁸⁰ US Department of State, Trafficking in Persons Report 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/> (Dec. 2011)

- Cooperation with international organisations in the field of readmission and return as well as with specialised NGOs;
- Cooperation with EU countries in information sharing;
- Respect for human rights;
- Intensifying cooperation with countries of origin and transit which have high migration potential (Albania, Bosnia and Herzegovina, Serbia, Kosovo¹⁸¹);
- Appointment of a migration attaché in countries with high migration potential;
- Preparations for participation in the Dublin II Regulation and Eurodac mechanisms.

The Ministry of Internal Affairs and Public Administration and its Department of Immigration, Migration, Visas and Readmission are responsible for procedures related to the return of migrants who were ordered to leave in line with readmission agreements. The Department for Immigration and Combating Illegal Immigration is in charge of returning illegally staying migrants.

Currently, there are no assisted return programmes implemented in Montenegro.

The Ministry of the Interior of Montenegro in cooperation with the IOM signed a Memorandum of Understanding in 2005, which supported the assisted return of foreigners to the country of origin. This memorandum was successfully implemented and 112 persons were returned during the first half of 2006 and 2007 with assistance of the police and the IOM.

Readmission Agreements. Pursuant to the proclamation of the independence of Montenegro, bilateral agreements on readmission, which were concluded by the State Union of Serbia and Montenegro, are currently being applied. Among these agreements on readmission the following agreements are currently being implemented:

- The agreement on return and readmission of persons who do not meet the criteria or are no longer eligible to enter or reside in the territory of another state; between the Federal Republic of Yugoslavia and the government of Denmark (Official Gazette of the FRY -International Treaties, No. 12/2002);
- The agreement on return and readmission of Yugoslav and Swiss nationals required to leave their territories; between the Federal Republic of Yugoslavia and the Swiss Federal Council (Official Gazette of SCG-International Treaties, No. 3 / 2004).

Montenegro, as an independent state, has signed the following agreements on readmission:

- The agreement on readmission of persons without residence permits, signed on 18 September 2007 in Brussels between Montenegro and the European Union;

¹⁸¹ Under UNSCR 1244

- The agreement on return and readmission of persons with illegal entry or residence, signed on 24 September 2008 in Dubrovnik between Montenegro and Croatia;
- The agreement on return and readmission of persons with illegal entry or residence, signed on 1 December 2008 in Sarajevo between Montenegro and Bosnia and Herzegovina;
- The agreement on return and readmission of persons with illegal entry or residence, signed on 16 November 2009 in Podgorica between Montenegro and Albania;
- The agreement on readmission of persons without a residence permit, signed on 16 December 2009 in Podgorica between Montenegro and Norway.

All signed agreements on readmission deal with the following issues: return of nationals, return of third-country nationals and stateless persons, time frames, transit, data security, costs, shared assistance and establishment of the expert commissions. The agreements also refer to the attitude of the signatory parties to the Convention on the Protection of Human Rights and Fundamental Freedoms and the Convention on the Status of Refugees.

An initiative to start negotiations on reconciliation and signing of readmission agreements has been submitted to Serbia, the former Yugoslav Republic of Macedonia, Russia and Turkey. Montenegro has received an initiative to sign a readmission agreement from the Swiss Confederation, the Republic of Moldova and Iceland.

In order to facilitate the implementation of the readmission agreement between Montenegro and the European Union, the Implementation Protocol was signed with the Republic of Slovenia. Montenegro has initiated the conclusion of implementation protocols with: Austria, Bulgaria, Germany, Great Britain, Hungary, Italy, Czech Republic, Estonia, Malta, Netherlands, the Slovak Republic, Spain, Luxembourg, and Belgium.

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	6,102,220	6,023,287
Exit	5,011,566	4,762,212
Total	11,113,786	10,785,499

Total number of persons claiming asylum		
	2008	2009
At the border	2	2
Inland	5	18
Unknown	-	-
Total	7	20

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	3	-
Persons whose applications were negative/ rejected	1	12
Persons whose applications were otherwise closed	3	3

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Montenegro)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Kosovo ¹⁸²	192	1. Albania	277
2. Albania	155	2. Kosovo ¹⁸³	170
3. Serbia	28	3. Serbia	28
4. former Yugoslav Rep. of Macedonia	22	4. Turkey	19
5. Montenegro	11	5. Montenegro	14
6. Turkey	5	6. former Yugoslav Rep. of Macedonia	12
7. Bosnia and Herzegovina	4	7. Afghanistan	11
8. Romania	3	8. Czech Republic	5
9. France	2	9. Croatia	4
10. Iraq	1	10. Bosnia and Herzegovina	4
Other	4	Other	8
Total	427	Total	552

Total number of migration-related border apprehensions (including foreigners and citizens of Montenegro)		
	2008	2009
Foreign nationals	953	1093
Citizens of the Republic of Montenegro	12	24
Total	965	1117

Total number of migration related border apprehensions by gender (including foreigners and citizens of Montenegro)		
Gender	2008	2009
Males	936	1053
Females	29	64
Total	965	1117

¹⁸² Under UNSCR 1244¹⁸³ Under UNSCR 1244

Number of minors apprehended at the border due to border violation (including foreigners and citizens of Montenegro)		
Gender	2008	2009
Males	18	13
Females	-	-
Unknown	-	-
Total	18	13

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Montenegro)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	48	110
On rail border crossings	6	13
On the green (land) border	315	344
At the sea border	-	-
On airports	32	23
In the country	383	389
On other places	-	-
Total	784	879

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of Montenegro)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Montenegro on the border with that country	OUT: Number of apprehensions of people LEAVING Montenegro on the border with that country	Total number of apprehensions on the border with that country
1. Albania	32	35	67
2. Serbia	7	9	16
3. Kosovo ¹⁸⁴	3	0	3
4. Bosnia and Herzegovina	2	39	41
5. Croatia	0	17	17
6. Italy	0	1	1
Total	44	101	145

¹⁸⁴ Under UNSCR 1244

Number of migration-related apprehensions by border section in 2009 (including foreigners and citizens of Montenegro)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Lithuania on the border with that country	OUT: Number of apprehensions of people LEAVING Lithuania on the border with that country	Total number of apprehensions on the border with that country
1. Albania	54	43	97
2. Serbia	30	24	54
3. Bosnia and Herzegovina	2	30	32
4. Kosovo ¹⁸⁵	3	3	6
5. Croatia	3	16	19
6. Montenegro	1	0	1
Total	93	116	209

Total number of 'human smugglers' apprehended (including foreigners and citizens of Montenegro)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	11	11
Citizens of the Republic of Montenegro	9	5
Citizenship unknown	0	0
Total	20	16

Number of apprehended persons being smuggled into Montenegro		
	2008	2009
Total	0	0

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Montenegro)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Montenegro	9	1. Albania	7
2. Serbia	6	2. Montenegro	5
3. Kosovo ¹⁸⁶	3	3. Serbia	3
4. Albania	1	4. Kosovo ¹⁸⁷	1
5. Bosnia and Herzegovina	1		
Total	20	Total	16

¹⁸⁵ Under UNSCR 1244¹⁸⁶ Under UNSCR 1244¹⁸⁷ Under UNSCR 1244

Number of persons being trafficked into Montenegro		
	2008	2009
Total	3	2
Women	2	2
Minors	1	0

Total number of 'human traffickers' apprehended (including foreigners and citizens of Montenegro)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	9	0
Citizens of the Republic of Montenegro	0	4
Total	9	4

Number of 'human traffickers' apprehended and the top 5 nationalities or citizenships with most of 'human traffickers' apprehended (including foreigners and citizens of Montenegro)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Kosovo ¹⁸⁸	7	1. Montenegro	4
2. Serbia	2		
Total	9	Total	4

Assisted voluntary returns from Montenegro successfully implemented in the past two years		
Citizens of the following countries in 2008	Number of removed persons in 2008	Number of removed persons in 2009
1. Iraq	1	-
2. Cameroon	-	2
Total	1	2

¹⁸⁸ Under UNSCR 1244

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Albania	393	1. Bosnia and Herzegovina	362
2. Serbia	374	2. Albania	268
3. Bosnia and Herzegovina	368	3. Kosovo ¹⁸⁹	256
4. Kosovo ¹⁹⁰	213	4. Turkey	142
5. Turkey	164	5. Croatia	27
6. Germany	48	6. Great Britain	16
7. the former Yugoslav Republic of Macedonia	29	7. Sri Lanka	15
8. Croatia	24	8. the former Yugoslav Republic of Macedonia	11
9. Brazil	21	9. Pakistan	9
10. Nigeria	12	10. Afghanistan	8
Total of ALL rejected persons at the border	2,055	Total of ALL rejected persons at the border	2,251
Total number of overstayers	542	Total number of overstayers	952

Removed persons and the top 10 nationalities or citizenships removed from Montenegro ('removed persons' refers to persons who have been forcibly returned to their country of origin)

Citizens of the following countries in 2008	Number of removed persons	Citizens of the following countries in 2009	Number of removed persons
1. Albania	122	1. Albania	199
2. the former Yugoslav Republic of Macedonia	115	2. Kosovo ¹⁹¹	146
3. Turkey	15	3. Serbia	66
4. Bosnia and Herzegovina	10	4. the former Yugoslav Republic of Macedonia	48
5. Ukraine	6	5. Bosnia and Herzegovina	30
6. Romania	4	6. Turkey	30
7. Moldavia	4	7. Ukraine	5
8. Tunisia	3	8. Romania	2
9. Croatia	3	9. Russian Federation	2
10. Kosovo ¹⁹²	2	10. Great Britain	2
Total of ALL removed persons	289	Total of ALL removed persons	541

¹⁸⁹ Under UNSCR 1244

¹⁹⁰ Under UNSCR 1244

¹⁹¹ Under UNSCR 1244

¹⁹² Under UNSCR 1244

Forced returns (number of persons) from Montenegro to other countries were successfully implemented in the past two years		
To the following country	Number of forced returns (number of persons) TO other countries in 2008	Number of forced returns (number of persons) TO other countries in 2009
1. Turkey	-	1
2. Serbia	-	1
3. Bulgaria	-	1
Total	-	3

Number of illegally staying immigrants who have voluntarily left Montenegro following an obligation to leave the territory in the past years		
	Number of voluntary returns (assisted)	Most important countries to which the persons have returned voluntarily
2009	2	Cameroon
2008	1	Iraq
2007	9	Ukraine, Dominican Republic, Armenia
2006	103	Albania, Ukraine, Romania

Number of forced returns from other countries accepted by Montenegro in the past 2 years				
From the following country	Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
	Foreign nationals	Nationals	Foreign nationals	Nationals
1. Germany		107		101
2. Sweden		29		33
3. Luxembourg		21		19
4. Netherlands		20		5
5. Switzerland		12		7
Other		20		17
Total		209		182

Information provided by: Police Directorate, Border Police Sector, Department for Foreigners and Illegal Migration

POLAND



General Information¹⁹³

Location:	Central Europe, bordering the Baltic Sea, the Russian Federation (Kaliningrad district), Lithuania, Belarus, Ukraine, Slovakia, Czech Republic, and Germany
Area:	<i>Total: 312,685 sq km – land: 304,255 sq km – water: 8,430 sq km</i>
Land boundaries:	<i>Total: 3,047 km</i> <i>Border countries:</i> Belarus 605 km, the Czech Republic 615 km, Germany 456 km, Lithuania 91 km, the Russian Federation (Kaliningrad district) 432 km, Slovakia 420 km, Ukraine 428 km
Coastline	440 km (the Baltic Sea)
Population	38,441,588 (July 2011 est.)

General legislative and institutional developments

Some instruments adopted on the European level are directly binding to the member states, including Poland.

¹⁹³ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/pl.html> (Dec. 2010)

In particular, the following legal acts were adopted in 2009:

- European Parliament and Council Regulation (EC) No 810/2009 of 13 July 2009, establishing a Community Code on visas (effectively came into force on 5 April 2010). This is an instrument codifying uniform and comprehensive regulations in all member states targeting the common EU visa policy. It is also a base to prepare for the entry into force of regulations and procedures related to the functioning of the Visa Information System (VIS);
- European Parliament and Council Regulation No 562/2006, establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) with amendments regarding the VIS.

On the national level, the following legal acts were recently adopted:

- Significant changes were made in the Law of 13 June 2003 on granting protection to aliens on Polish territory, including the implementation of Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and Council Directive 2005/85/EC of 1 December 2005 on minimum standards for granting and withdrawing refugee status in member states;
- On 1 January 2009, the complex amendment of the Act on Aliens and other related legal acts came into force (amended in 2008 with regard to modifications made in the abovementioned Protection Act) and the regulations implementing the Aliens Act;
- A new regulation on the issuance of visas for foreign nationals came into force in 2009.

One of the amended documents was the Act on Border Guard, which resulted in the broadening of functions of this institution by adding the control of the legality of the employment of foreigners to its competences. Since then, the Border Guard and the National Labour Inspection are the only authorities authorised to perform such controls in Poland.

Another important change was a reform of the Border Guard's territorial structure, done by amending the Regulation on creating Border Guard Regional Units. That change was done in accordance with a concept of long-term functioning of the Border Guard, approved by the Minister of Internal Affairs. The number of border guard units at the internal border was reduced and adjusted to Schengen area requirements.

The internal structure of the Border Guard Headquarters also was adjusted to the new requirements. The Border Guard Commanding Centre was created within this authority. During the last years, the competences of the Aliens Department and the Intelligence and Investigation Department were strengthened.

Irregular migration flows

The level of irregular migration remained the same in 2008 and 2009. Irregular migration in Poland mainly concerns transit migration from Ukraine and Belarus directed to Germany and the Czech Republic. However, the political and social situation in other countries also stimulates migration towards Poland, which is increasingly perceived not only as a transit area, but as a country of destination as well, by both legally and illegally staying migrants. Since most illegally staying migrants are assisted by organised criminal groups in the crossing of state borders, a structured escalation of the practice of smuggling and trafficking can be observed at the same time.

In general, there is a trend towards the professionalisation of criminal activities in the field of irregular migration. It currently consists of the so-called 'full service': assistance in obtaining necessary documents, characterisation of people (the appearance, hairstyle, and clothing), and developing more efficient transit routes, chosen depending on the level of control at a particular border section.

After the Polish accession to the Schengen area, an increase in the activities of criminal groups targeting swindle of visas was observed. Often, studying at Polish universities, participation in conferences, business meetings, or work on the basis of statements of an intention to work, are a way to obtain a Polish visa, allowing entry into the territory of Poland and subsequently irregular migration to other countries of Western Europe. Fictitious marriages or adoptions are also often used as a method to legalise an illegal stay in Poland.

The main countries of origin of illegally staying migrants apprehended in Poland or at the border are Asian and Eastern European states. To migrants from Eastern European countries which are not members of the EU, Poland is both a transit and destination country. Very often, citizens of Eastern European countries, in particular Ukraine, abuse the legal entry to the Poland by declaring a false reason for entry which is inconsistent with the actual travel aim: work, or to attempt to illegally cross the border to Germany or the Czech Republic after legally entering Polish territory.

One of the larger groups of detained foreigners in 2008 consisted of Russian citizens of Chechen origin, who immediately after arriving in Poland applied for refugee status. Later, after finalisation of the refugee procedures and being placed in centres for foreigners, they attempted to enter Germany, the Czech Republic or Slovakia illegally with the aim to reach Austria.

The main identified routes are:

- Russia – Ukraine – Poland - Germany/Czech Republic/Slovakia – other EU countries;
- Russia – Belarus – Poland – Sweden/Germany/Czech Republic/Slovakia – other EU countries;
- Russia – Baltic states – Poland – other EU countries;
- Ukraine – Belarus – Lithuania – Poland – other EU countries;

- Ukraine – Poland – other EU countries;
- Moldova – Ukraine – Poland – Austria – Italy;
- Turkey – Russia – Ukraine – Poland – Germany – other EU countries;
- Turkey – Greece – Czech Republic – Poland – Germany/the Netherlands/Sweden;
- Air routes (via the largest domestic airport).

The main migration routes usually were a combination of air and land routes. The most frequently used air routes from the countries of origin led via Moscow, Kiev, Odessa, and Istanbul. After reaching the air transit points in third countries, migrants usually travel on to Poland by land, mainly through the territory of Ukraine, Belarus and the Baltic States.

The main identified destination countries of irregular migration in 2008 were Italy, France, Germany, Austria, Belgium, Spain, the Netherlands, the United Kingdom, and Sweden; in 2009: Germany, Belgium, the Netherlands, Austria, Switzerland, France, the United Kingdom, Sweden, Italy, and Spain.

Modes of illegal border crossings. In the past two years there was a noticeable decrease in illegal movements across the border, including illegally crossing the green border while avoiding the border check points, as well as crossing the border hiding in vehicles. In the course of controls performed by the Border Guard in cooperation with the Customs Service in order to search for persons hidden in trucks or other vehicles, no apprehensions were recorded in the last years. The procedures used during border controls (including the use of technical equipment by officers of the SG to detect human beings in confined spaces using Micro Search) and customs controls (x-ray equipment) are constantly used as a part of the standard border control. The mentioned procedures limit the opportunities to illegally cross the state border this way.

The main modes of irregular migration recorded in Poland were the following:

- Unlawful stay in Poland or travel to other Western European countries on the basis of visas obtained on false pretence from Polish consulates (for other purpose than declared);
- Hidden in transport vehicles or on foot across the 'green border', individually or in groups;
- On the basis of false documents or documents belonging to other people (look-a-like);
- Falsifying stamps of border control;
- On the basis of forged visas or visas obtained on the basis of forged documents;
- So-called 'multipersons': people who in order to avoid detention or refusal of a visa have made changes to their personal data in accordance with national law (citizens of Ukraine, and, to a lesser extent, citizens of Russia and Belarus).

Smuggling

The structure of criminal groups involved in irregular migration/smuggling can be described in terms of three levels of authority: the level of leadership, the middle level and the low level. In smaller groups, a system with two levels is used (leadership level and lower level).

The leaders of the group supervise the whole smuggling route, manage the stages of the route, and coordinate the activities of persons responsible for each phase; they are also responsible for money laundering and other financial issues. The leaders usually contact group members located on the secondary level (but not those on the lowest level).

Group members on the middle level are responsible for organising the specific smuggling stages; they deal with accommodation and the recruiting of persons for a smuggling operation (including contacts with other criminal groups). This level mediates between the group's organisers and the executors of the direct orders. This level has a certain freedom in organising the activity; the executors at the lowest level usually do not know the structure of the group and have contact only with the middle level. The division of tasks within the group is usually well defined and corresponds to the position of a group member. The group's members are personally responsible for their tasks. Polish citizens working in the structures of these groups mainly serve the role of drivers and helpers, and are responsible for providing temporary accommodation and food for the persons being smuggled, guides and observers of the smuggling area, i.e. they usually operate at the lowest level, although in some cases they also lead the criminal groups.

The executors at the lowest level are usually recruited to perform a specific task and do not have 'permanent member' status. Observers come from the border area and are hired because of their good knowledge of the area. Drivers are usually people who own a private vehicle, while the assistants are persons who can provide accommodation.

Smuggler groups use all possible means of communication, such as mobile phones with pre-paid cards, walkie-talkies with short-wave frequency scanners and internet connectivity, in order to minimise the risk of being identified by law enforcement authorities.

Smuggling fees depend on the route of smuggling and the used method, and are closely linked to the organisation of irregular migration, the need to provide documents for crossing of the border, etc.

78 human smugglers were apprehended in Poland in 2008; 35 of them were citizens of Poland, 20 of Russia, 8 of Vietnam, and 6 of the Ukraine. In 2009, the law enforcement authorities detected 88 human traffickers, 48 of which were Polish nationals, 22 Ukrainians, 5 Russians, and 3 Vietnamese.

Trafficking

Due to the fact that Poland ratified the international legal instruments in the field of combating trafficking in human beings, in particular the UN Protocol to Prevent, Suppress

and Punish Trafficking in Persons, especially Women and Children, the definitions of trafficking and smuggling are based on existing rules of international law.

The Polish Border Guard reported direct links between smuggling of persons and trafficking in human beings. In most cases, the victims of trafficking are persons who unlawfully crossed the state border, mostly by using forged, falsified or counterfeit travel or identity documents. It has to be noted that there was an increase in trafficking for the purpose of forced labour. Border crossings by victims of trafficking take place in a legal manner and in accordance with relevant documents authorising entry and work in Poland; however, due to the links between the two crimes, victims of trafficking in human beings will not appear in the statistics on human smuggling.

According to the data provided by the Prosecutor's Office of the Republic of Poland, 315 victims of trafficking in human beings were identified in 2008 (611 in 2009). These data also include victims of domestic trafficking, i.e. where there was no border crossing. Out of this number, 18 foreign victims were identified in 2008 (22 in 2009).

Since 1 January 2006, the 'Programme for Support and Protection Victim/Witness of Trafficking in Human Beings' for foreign nationals has been implemented on basis of an agreement concluded between the Minister of Interior and Administration and the La Strada Foundation against Trafficking in Women. This kind of help has been guaranteed within the same procedure by the National Intervention and Consultation Centre for Victims of Trafficking since April 2009.

78 persons were accused as traffickers in human beings in 2008 (71 citizens of Poland, 5 citizens of Bulgaria, and 2 citizens of Germany). In 2009, 79 persons were accused as traffickers. Additionally, the police apprehended 21 suspected traffickers in 2008 (15 Polish nationals and 6 foreigners) and 31 suspected traffickers in 2009 (28 Polish nationals and 3 foreigners).

Return and readmission

Return policy. The Border Guard (BG) is responsible for carrying out returns from the territory of Poland on the basis of two normative documents: The act on aliens of 13 June 2003 (Journal of Laws of 2003, No. 128, item 1175) and the act on granting protection to foreigners within the territory of the Republic of Poland (Journal of Laws of 2003, No. 128, item 1176).

In compliance with the abovementioned legal acts, migrants may obtain the following return orders: either a decision obliging the person to leave the territory of Poland (entry ban for 1 year), or a decision on expulsion (entry ban for 3 to 5 years). The first decision may be issued by the Border Guard Commander or the Police Commandant, the latter by Voivod or the Head of the Office for Foreigners.

Taking into consideration that a great number of foreigners illegally stay in Poland, the BG puts strong emphasis on reinforcing the cooperation with the International Organization for Migration (IOM). Since 2005, the BG is a partner of IOM in the framework of

implementation of the Assisted Voluntary Return programmes. The top priority for the BG is to promote the institution of assisted return among migrants and provide them with sufficient, reliable and credible information on the programme. For the last 5 years, the BG as a partner of IOM has been participating in Assisted Voluntary Return programmes which foresee assistance to aliens without legal status in the territory of Poland. AVR programmes are executed under the agreement between the Minister of Internal Affairs and Administration and the International Organization for Migration (dated 12 July 2005).

According to this agreement, the BG co-finances the return of aliens who:

- applied for refugee status and whose applications have not been examined for formal reasons;
- have been refused refugee status and not been granted permission for tolerated stay;
- have been issued a decision on obligation to leave the territory of Poland (or a decision on expulsion without the order of immediate enforceability).

The costs of return tickets, journey to the airport or railway station, medical care, printing of brochures, assistance in transit, and obtaining a travel document are being covered from the Border Guard's budget.

AVR programmes aim at people who are in a vulnerable situation, including elderly persons, victims of trafficking, families with children, single parent families, people with severe health problems, single women, and unaccompanied children.

The first AVR programme began in 2005 and the figure of returnees is constantly increasing. Each year there is an Action Plan with guidelines on assisted returns, statistics, tasks of IOM, the Border Guard and the Office for Foreigners.

Readmission Agreements. Poland has signed the following readmission agreements:

Year	Country	Content
1991	Schengen countries	Own nationals, third country nationals, stateless persons
1993	Bulgaria	Own nationals, third country nationals, stateless persons
1993	Czech Republic	Own nationals, third country nationals, stateless persons
1993	Romania	Own nationals, third country nationals
1993	Slovakia	Own nationals, third country nationals, stateless persons
1993	Ukraine	Own nationals, third country nationals, stateless persons
1994	Croatia	Own nationals, third country nationals, stateless persons
1994	Greece	Own nationals, third country nationals, stateless persons
1994	Moldova	Own nationals, third country nationals, stateless persons
1994	Hungary	Own nationals, third country nationals, stateless persons
1998	Sweden	Own nationals, third country nationals
2000	Lithuania	Own nationals, third country nationals, stateless persons
2001	Ireland	Own nationals, third country nationals, stateless persons
2002	Austria	Own nationals, third country nationals, stateless persons
2002	Spain	Own nationals, third country nationals, stateless persons

2004	Vietnam	Own nationals
2005	Switzerland	Own nationals, third country nationals, stateless persons
2006	Latvia	Own nationals, third country nationals, stateless persons
2006	The former Yugoslav Republic of Macedonia	Own nationals, third country nationals, stateless persons
2006	Slovenia	Own nationals, third country nationals, stateless persons

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	17,791,058	13,750,079
Exit	18,028,879	13,897,349
Total	35,819,937	27,647,428

Total number of persons claiming asylum		
	2008	2009
At the border	7,087	9,497
Inland	1,415	1,109
Unknown	-	-
Total	8,502	10,606

Total number of persons who were granted (refused) asylum ¹⁹⁴		
	2008	2009
Persons whose applications were positive ¹⁹⁵	2,767	2,513

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Poland)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	2,819	966
On rail border crossings	198	84
On the green (land) border	326	339
At the sea border	12	23
On airports	70	94
In the country	249	171
On other places	2,123	1,904
Total	5,797	3,581

¹⁹⁴ Source: Information provided by the Republic of Poland for the Extended Migration Profile, 2010 (Building Migration Partnership project)

¹⁹⁵ Refugee status, subsidiary protection, and tolerated stay

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Poland)

Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Ukraine	2,872	1. Ukraine	1,528
2. Russian Federation	449	2. Russian Federation	607
3. Slovakia	445	3. Georgia	273
4. Moldova	267	4. Belarus	150
5. Belarus	242	5. Vietnam	137
6. Poland	223	6. Moldova	123
7. Lithuania	221	7. Poland	116
8. Vietnam	188	8. Turkey	76
9. Czech Republic	106	9. China	69
Other	784	Other	502
Total	5,797	Total	3,581

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of Poland)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Poland on the border with that country	OUT: Number of apprehensions of people LEAVING Poland on the border with that country	Total number of apprehensions on the border with that country
1. Republic of Belarus	107	362	469
2. Czech Republic	620	89	709
3. Ukraine	618	2 211	2 829
4. Republic of Lithuania	287	8	295
5. Federal Republic of Germany	269	300	569
6 Russian Federation	32	40	72
7. Slovak Republic	511	12	523
Other	51	31	331
Total	2,495	3,053	5,797

Number of migration-related apprehensions by border in 2009 (including foreigners and citizens of Poland)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Poland on the border with that country	OUT: Number of apprehensions of people LEAVING Poland on the border with that country	Total number of apprehensions on the border with that country
1. Republic of Belarus	96	149	245
2. Czech Republic	558	120	678
3. Ukraine	374	561	935
4. Republic of Lithuania	78	5	83
5. Federal Republic of Germany	237	709	946
6. Russian Federation	60	128	188
7. Slovak Republic	39	103	142
Other	97	96	364
Total	1,539	1,871	3,581

Total number of 'human smugglers' apprehended (including foreigners and citizens of Poland)

	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	41	35
Citizens of Poland	35	48
Citizenship unknown	2	5
Total	78	88

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Poland)

Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Russia	20	1. Ukraine	22
2. Vietnam	8	2. Russia	5
3. Ukraine	6	3. Vietnam	3
4. Slovakia, Sri Lanka	2,2	4. China, Lithuania, Moldova, Germany, Pakistan	1,1,1,1,1
5. China, Czech Rep., Lithuania	1,1,1		
Other	2	Other	5
Total	43	Total	40

Number of people being trafficked into Poland		
	2008	2009
Total	-	21
Of the total: women	-	21
Of the total: minors	-	-

Number of victims of trafficking registered by purpose of trafficking in 2008 - 2009				
2008				
	Prostitution	Illicit (forced) labour	Begging	Sexual exploitation
In total	8	6	3	1
Males – in total	2			
Females – in total				
Minors– in total	2			
2009				
	Prostitution	Illicit (forced) labour	Begging	Sexual exploitation
In total	17	2	1	2
Males – in total	0			
Females – in total	21			
Minors– in total	1			

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Ukraine	9,446	1. Ukraine	12,802
2. Belarus	3,349	2. Georgia	5,686
3. Russian Federation	3,236	3. Belarus	4,203
4. Moldova	177	4. Russian Federation	3,348
5. Kazakhstan	91	5. Armenia	222
6. Turkey	51	6. Moldova	125
7. Uzbekistan	41	7. Kazakhstan	50
8. Georgia	39	8. Nigeria	39
9. China	36	9. Turkey	37
10. Libya	36	10. Mongolia	32
Total of ALL rejected persons at the border (of any nationality)	16,852	Total of ALL rejected persons at the border (of any nationality)	26,889

Removed persons and the top 10 nationalities or citizenships removed from Poland ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Ukraine	3,430	1. Ukraine	705
2. Russian Federation	571	2. Georgia	271
3. Vietnam	439	3. Russian Federation	265
4. Belarus	348	4. Vietnam	245
5. Moldova	293	5. Armenia	93
6. Nigeria	127	6. Nigeria	79
7. Armenia	117	7. China	70
8. China	71	8. Moldova	62
9. Georgia	59	9. Belarus	52
10. Turkey	42	10. Turkey	33
Total of ALL removed persons (of any nationality or country)	5,779	Total of ALL removed persons (of any nationality or country)	2,165

Number of assisted voluntary returns (number of persons) to other countries successfully implemented in the past two years		
To the following country	Number of assisted voluntary returns (number of persons) TO other countries in 2008	Number of assisted voluntary returns (number of persons) TO other countries in 2009
1. Russia	77	334
2. Ukraine	25	42
3. Armenia	12	18
4. Mongolia	8	11
5. Georgia	3	19
Other	12	86
Total	137 – Assisted Voluntary Returns were co-financed by BG	510 – Assisted Voluntary Returns were co-financed by BG

Number of forced returns (number of persons) to other countries successfully implemented in the past two years		
To the following country	Number of forced returns (number of persons) TO other countries in 2008	Number of forced returns (number of persons) TO other countries in 2009
1. Georgia	-	174
2. Vietnam	187	143
3. Armenia	42	54
4. China	46	53
5. Nigeria	-	26
Other	154	127
Total	429 – aliens deported by air	577 – aliens deported by air

Number of illegally staying immigrants who have voluntarily left Poland following an obligation to leave the territory in the past years		
	Number of voluntary returns without assistance	Most important countries to which the persons have returned voluntarily
2009	3,107	Ukraine, Belarus, Russian Federation, Armenia, Albania
2008	2,875	Ukraine, Russian Federation, Belarus, Moldova, Armenia
2007	6,502	Ukraine, Belarus, Romania, Russian Federation, Moldova
2006	6,503	Ukraine, Belarus, Bulgaria, Romania, Armenia

Information provided by: Ministry of the Interior and Administration

ROMANIA



General Information¹⁹⁶

Location:	South-Eastern Europe, bordering the Black Sea, Bulgaria, Serbia, Hungary, Ukraine, and Moldova
Area:	<i>Total:</i> 238,391 sq km – <i>land:</i> 229,981 sq km – <i>water:</i> 8,500 sq km
Land boundaries:	<i>Total:</i> 2,508 km <i>Border countries:</i> Bulgaria 608 km, Hungary 443 km, Moldova 450 km, Serbia 476 km, Ukraine (north) 362 km, Ukraine (east) 169 km
Coastline:	225 km (Black Sea)
Population:	21,959,278 (July 2010 est.)

General legislative and institutional developments

The main legal instrument adopted by Romania in the field of countering irregular migration is the National Strategy on Immigration for the period 2007-2010, approved by the Government in 2007.

For the purpose of coordination of the implementation of the abovementioned National Strategy of Romania, an inter-ministerial work group was set up. The group consists of representatives of all the ministries and institutions dealing with legal and irregular

¹⁹⁶ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/ro.html> (Dec. 2010)

migration in Romania. An Action Plan for 2007 and 2008 has been approved and implemented through a governmental emergency ordinance.

General legal framework:

- Government Emergency Ordinance no. 194/2002 on the regime of aliens in Romania is the main legal act that regulates both legal migration and the prevention and combating of illegal immigration. The abovementioned legal act is to be modified and completed according to the latest EU acquis. Thus, a draft law was elaborated and is subject of inter-institutional consultation. Among other issues, the draft law will transpose two EU legal instruments into national legislation: Directive 2008/115/EC of the European Parliament and of the Council on common standards and procedures in member states for returning illegally staying third-country nationals, and Directive 2009/52/EC of the European Parliament and of the Council providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals;
- Law no. 39/ 2003 on preventing and countering organised crime;
- Government Emergency Ordinance no. 105/2001 on the state border, approved by Law no. 243 / 29 of April 2002;
- Government Emergency Ordinance no. 102/2005, on the free movement of EU and EEA citizens on Romanian territory.

Concerning institutional developments, an insignificant reduction of personnel of the Romanian Border Police took place in 2009. However, the number of personnel increased again in 2010.

Irregular migration flows

During the last few years, the prevailing method of irregular migration in Romania consists of a legal entry to Romania and the subsequent attempt to illegally exit to other EU MS.

Moreover, between 2007 and 2009, an increasing number of migrants who entered legally on the basis of short term study, business or tourism visas, but would travel onward illegally, has been recorded. Such irregular migration methods were in particular used by citizens of Moldova, Turkey, and China, who after entering legally attempted to exit the country by illegally crossing the border either through border crossing points (BCPs) with forged passports, identity cards and/or visas, hidden in vehicles, or over the green border avoiding the BCPs, guided either by co-nationals or by Romanian smugglers.

On the other side, a higher number of migrants from India, Afghanistan, and Pakistan, after their illegal arrival to Greece crossed Bulgarian and Romanian territory hidden in trucks or pick-up vans, and tried to get out of Romania through BCPs situated on the border with Hungary hidden in cargo transport vehicles or using forged travel documents between 2009 and 2010. The facilitators of such smuggling operations are usually Romanian nationals (the largest share) or citizens of other EU MS (Slovakia, Hungary, and Bulgaria).

The main routes of irregular migration leading through Romania are:

- The East-West route is often used by nationals from Asian countries, Russia, Ukraine, Moldova and a few hundreds of citizens of African countries (on this axis, migration networks from the country of origin, the Russian Federation, Ukraine, and Moldova are operating);
- The South-North-West route is used by nationals from Asian and African countries (on this axis, migration networks from the country of origin, Turkey, Afghanistan, and Pakistan are operating);
- Another route leads from the Eastern part of Romania to the South-West and then to Serbia, with destination to Greece and Italy (on this axis, migration networks from the country of origin, Ukraine, and Moldova are operating);
- The usual route of Moldovan citizens: after legal entry through border crossing points on the eastern border of Romania, they use forged/falsified Romanian or Lithuanian identity cards or passports, passports belonging to other persons or falsified Italian residence permits to get to other EU states. Discovered routes of Moldovan citizens:
 - Romania–Hungary – Slovakia – Czech Republic – Germany
 - Romania– Hungary – Austria – Germany
- The usual route of Indian and Pakistan citizens: these citizens were usually detected while attempting to illegally cross the northern state border with Ukraine, with the intention to get to other EU MS. Another way those nationals use is a legal entry with a short-stay visa through Henri - Coanda International Airport or an illegal entry over the northern green border, followed by asylum applications. They are often detected inside Romanian territory or at the Romanian – Hungarian border, after they illegally entered from Bulgaria, hidden in trucks and pick-up vans, trying to get out of Romania through BCPs situated on the border with Hungary, hidden in cargo transport or by using forged travel documents. Discovered routes of citizens of India and Pakistan:
 - Romania – Hungary – Austria – Germany
 - New route: India – Afghanistan – Pakistan – Turkey – Greece – Bulgaria – Romania – Hungary – different EU/Schengen MS
- Routes of Vietnamese citizens became frequently used. Vietnamese migrants, coming from the Russian Federation (Moscow Airport) and intending to get to other EU states, use a legal entry with a short-stay visa through Henri - Coanda International Airport.
- Routes of Turkish citizens: after entering Romania legally, they use falsified Romanian or Bulgarian identity cards or passports in order to cross the Romanian – Hungarian border. They also try to enter Romania illegally on the basis of forged Schengen visas or with forged Bulgarian identity cards, in order to get to the Schengen Area (Germany). Discovered routes of Turkish nationals:

- Romania – Hungary – Austria – Germany
- Romania – Serbia – Bosnia – Croatia – Italy/Germany

Modes of illegal border crossings. In the last months of 2009 and in the beginning of 2010, there was a significant increase of persons who tried to get to Romania illegally, hidden in cargo transport, through BCPs situated on the border with Bulgaria, and to get out of Romania via BCPs, hidden in cargo transport or using forged travel documents.

As mentioned, the most common way to reach EU MS through the territory of Romania is a legal entry (with a short-term visa) and the subsequent attempt to cross the border of Romania illegally, hidden in transport vehicles or by using forged documents (Romanian, Lithuanian, or Bulgarian identity cards, passports, and visas, as well as Italian residence permits).

Smuggling

The main method used by human smugglers is to transport migrants hidden in trucks and pick-up vans which are, from time to time, accompanied by a passenger car. After arrival in Romania, smuggled migrants are accommodated in different locations (hotels, asylum centres, or houses belonging to the smugglers), afterwards being reorganised and hidden in other trucks in order to illegally cross the border between Romania and Hungary. Another way to leave Romanian territory is to place migrants in cars and transport them to the border region, where they cross the land border between Romania and Hungary. Their destination countries are western EU MS.

Members of the criminal groups involved use mobile phones and the internet to guide and control the migrant's journey to the destination country.

Although the law enforcement authorities do not have strong evidence on the fees of smuggling, the following fees are applied according to the available information:

Region /country of origin, smuggling operation route	Amount paid by the migrant in the respect of the origin country
ASIA (India, Pakistan, Afghanistan, etc.) – Russian Federation – Ukraine – Romania	1,500 – 4,500 EUR
Middle East – Turkey – Romania	1,000 – 3,000 EUR
East Africa, West Africa – Turkey – Romania	About 3,000 EUR
Georgia – Ukraine – Romania; Ukraine – Romania; Moldova – Romania; Turkey – Bulgaria – Romania	500 – 1,500 EUR

Trafficking

Romania is a source, transit, and destination country for trafficking in human beings. Romanian men, women, and children are subjected to conditions of forced labour, including forced begging, in Spain, Italy, the Czech Republic, Greece, Finland, Germany, the

United Kingdom, Cyprus, Australia, France, and the United States. Women and children from Romania are victims of forced prostitution in Italy, Spain, the Netherlands, the United Kingdom, Greece, Germany, Cyprus, Austria, and France. In 2009, the majority of identified trafficking victims were also victims of forced labour. Romania is a destination country for a small number of women from Moldova, Colombia, and France who are forced into prostitution. In 2009, Romania authorities investigated 759 cases, including some investigations which started in 2008, compared with 494 new cases in 2008. The government prosecuted 303 individuals for trafficking in 2009, compared with 329 individuals prosecuted in 2008. In 2009, Romania convicted 183 trafficking offenders (125 individuals were convicted in 2008). In 2009, the government of Romania identified 780 victims, including at least 416 identified victims of forced labour and at least 320 identified victims of forced prostitution, a significant decrease from 1,240 victims identified in 2008. Of the victims identified in 2009, 176 were children, trafficked for both forced labour and prostitution.¹⁹⁷

Return and readmission

Return policy. The Romanian Immigration Office is the authority responsible for the return of foreigners in Romania. The first programme for assisted return was carried out on the basis of the Memorandum of Understanding on cooperation in the field of assisted humanitarian voluntary repatriation between the Romanian Government and the International Organization for Migration (IOM), signed in 2002 and ratified by Romania by Law 374/2003. This project became operational in January 2005. During the first year, the main activity was to inform migrants about the programme, and the practical implementation of return started in 2006. The programme has been promoted through posters and booklets at migration offices, police stations, border crossing points, trade register offices and other local authorities, Red Cross offices, airports and train stations.

The government disbursed authorised expenses incurred during implementation of the programme, within the agreed annual allocations. The removal costs, including travel expenses for the returnees, were supported by the government itself or through the IOM, based on the agreements with transport companies concluded by the organisation. The IOM provided allowances for returnees, as well as transportation and related services to ensure safe return, and assisted in their reintegration.

In 2009, the programme 'Improvement of the Mechanisms and the Harmonization of the Standards in the Field of Voluntary Return of Illegal Immigrants from South-European Member States' was implemented. The project was initiated by the IOM with 6 partner states (Poland, Hungary, Romania, Bulgaria, the Czech Republic, and Slovakia).

Assisted as well as forced return is a part of the annual programmes during the whole period of the European Return Fund implementation. The Romanian Immigration Office (RIO) is the authority responsible for implementation of this fund in Romania.

The actions within the Annual Programme 2008 (European Return Fund) concern:

¹⁹⁷ Source: US Department of State, Trafficking in Persons Report 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/>

- Increasing the efficiency of assisted humanitarian voluntary repatriation measures;
- Elaboration and effective implementation of the assisted humanitarian voluntary repatriation programmes;
- Increasing the operational capacity of RIO in order to implement forced return measures;
- Elaboration and effective implementation of the forced return programmes;
- Effective implementation of joint flights;
- Development of a consultation mechanism with the diplomatic missions of third countries;
- Effective implementation of protocols and agreements concluded by RIO in the field of combating illegal migration and preparation of return measures.

Readmission Agreements. Romania has readmission agreements with the following EU MS:

- Poland (1993)
- Slovakia (1994)
- France (1994)
- Greece (1994)
- Czech Republic (1994)
- Benelux (1995)
- Spain (1996)
- Italy (1997)
- Germany (1998)
- Denmark (1999)
- Finland (1999)
- Slovenia (2000)
- Bulgaria (2000)
- Ireland (2000)
- Sweden (2001)
- Austria (2001)
- Hungary (2001)
- Latvia (2002)
- Portugal (2002)
- United Kingdom (2003)
- Lithuania (2004)

A readmission agreement with Estonia was signed in 2003; however, it did not come into force.

Additionally, there are readmission agreements with the following third countries:

- India (1995)
- Switzerland (1996)

- Croatia (2000)
- Moldova (2001)
- Albania (2002)
- Norway (2002)
- Lebanon (2002)
- The former Yugoslav Republic of Macedonia (2003)
- Turkey (2004)

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	21,223,676	18,557,661
Exit	21,894,307	19,290,291
Total	43,117,983	37,847,952

Total number of persons claiming asylum		
	2008	2009
At the border	229	263
Inland	1,170	800
Total	1,399	1,063

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	138	94
Persons whose applications were negative/ rejected	862	649
Persons whose applications were otherwise closed	69	143

Total number of migration-related border apprehensions (including foreigners and citizens of Romania)		
	2008	2009
Foreign nationals	1,888	1,734
Citizens of the Republic of Romania	427	277
Total	2,315	2,011

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Romania) ¹⁹⁸			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Romania	23,126	1. Romania	20,472
2. Moldova	2,606	2. Moldova	1,590
3. Turkey	685	3. Ukraine	732
4. Ukraine	574	4. Serbia	402
5. Serbia	431	5. Turkey	318
6. Bulgaria	337	6. Bulgaria	312
7. India	232	7. Georgia	53
8. Pakistan	206	8. Pakistan	50
9. Georgia	95	9. Afghanistan	48
10. China	85	10. Albania	48
Other	1,546	Other	1,064
Total	29,923	Total	25,087

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Romania)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	1,213	1,023
On rail border crossings ¹⁹⁹	-	-
On the green (land) border	761	807
At the sea border	25	28
On airports	316	153
In the country	4,875	5,046
On other places (river borders)	-	-
Total	7,190	7,057

¹⁹⁸ All types of border violations are included

¹⁹⁹ Included in road border crossing

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of Romania)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Romania on the border with that country	OUT: Number of apprehensions of people LEAVING Romania on the border with that country	Total number of apprehensions on the border with that country
1. Hungary	108	1,037	1,145
2. Ukraine	315	26	341
3. Moldova	273	51	324
4. Bulgaria	51	21	72
5. Serbia	27	16	43
6. at the airports	241	75	316
7. at the sea ports	12	13	25
other	15	34	49
Total	1,042	1,273	2,315

Number of migration-related apprehensions by border in 2009 (including foreigners and citizens of Romania)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Romania on the border with that country	OUT: Number of apprehensions of people LEAVING Romania on the border with that country	Total number of apprehensions on the border with that country
1. Hungary	48	887	935
2. Ukraine	187	14	201
3. Moldova	260	67	327
4. Bulgaria	120	30	150
5. Serbia	27	36	63
6. at the airports	113	40	153
7. at the sea ports	20	8	28
other	65	89	154
Total	840	1,171	2,011

Number of apprehended persons being smuggled into Romania		
	2008	2009
Total	252	68
Of the total: women	n/a	n/a
Of the total: minors	n/a	n/a

Total number of 'human smugglers' apprehended (including foreigners and citizens of Romania)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	92	112
Citizens of the Republic of Romania	86	97
Citizenship unknown	-	-
Total	178	209

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Romania)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Romania	86	1. Romania	97
2. Moldova	23	2. Turkey	28
3. Turkey	16	3. Bulgaria	26
4. Bulgaria	15	4. Moldova	14
5. Slovakia	10	5. Greece	9
Other	28	Other	35
Total	178	Total	209

Number of people being trafficked into Romania		
	2008	2009
Total	157	145
Of the total: women	39	39
Of the total: minors	93	98

Number of 'human traffickers' apprehended (including foreigners and citizens of Romania)		
	Apprehensions in 2008	Apprehensions in 2009
Non-nationals	1	5
Citizens of Romania	328	257
Citizenship unknown	-	-
Total	329	262

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Moldova	4,875	1. Moldova	1,371
2. Ukraine	1,184	2. Ukraine	932
3. Turkey	863	3. Turkey	651
4. Serbia	390	4. Serbia	255
5. Russian Federation	225	5. Russian Federation	136
6. China	154	6. China	106
7. India	127	7. Nigeria	58
8. Albania	84	8. Senegal	55
9. Nigeria	77	9. India	51
10. Syria	43	10. Pakistan	46
Total of ALL rejected persons at the border (of any nationality)	9,174	Total of ALL rejected persons at the border (of any nationality)	4,427

Persons to whom residence was refused and 10 nationalities/citizenships to whom residence was refused			
2008	Number of persons to whom residence was refused in 2008	2009	Number of persons to whom residence was refused in 2009
1. China	161	1. Turkey	97
2. Turkey	72	2. China	79
3. Moldova	64	3. Moldova	39
4. Egypt	14	4. Syria	10
5. Iran	11	5. Iraq	10
6. India	8	6. Israel	10
7. Bangladesh	7	7. Bangladesh	6
8. Syria	7	8. Lebanon	6
9. Ukraine	5	9. Egypt	3
10. Lebanon	4	10. Nigeria	3
Total of ALL refused persons of any nationality	389	Total of ALL refused persons of any nationality	300
Of the total: number of overstayers	2,897	Of the total: number of overstayers	3,241

Removed persons and the top 10 nationalities or citizenships removed from Romania ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Moldova	156	1. Moldova	90
2. Turkey	80	2. Turkey	84
3. China	39	3. China	61
4. Egypt	17	4. Georgia	19
5. Ukraine	16	5. Iraq	16
6. Georgia	9	6. Egypt	13
7. Serbia	9	7. Ukraine	13
8. Lebanon	8	8. Vietnam	11
9. Pakistan	8	9. Serbia	9
10. Iraq	6	10. Bangladesh	7
Total of ALL removed persons (of any nationality or country)	395	Total of ALL removed persons (of any nationality or country)	392

Number of forced returns from other countries accepted by Romania in the past 2 years		
From the following country	Number of successful readmissions FROM other countries (returns) of citizens of Romania in 2008	Number of successful readmissions FROM other countries (returns) of citizens of Romania in 2009
1. France	804	854
2. Belgium	543	664
3. Italy	515	596
4. Germany	144	160
5. Denmark	118	259
Other	935	976
Total	3,059	3,509

Information provided by: General Inspectorate of the Romanian Border Police

SERBIA



General Information²⁰⁰

Location:	South-Eastern Europe, bordering Bosnia and Herzegovina, Croatia, Hungary, Romania, Bulgaria, the former Yugoslav Republic of Macedonia, Kosovo ²⁰¹ , and Montenegro
Area:	<i>Total:</i> 77,474 sq km
Land boundaries:	<i>Total:</i> 2,026 km <i>Border countries:</i> Bosnia and Herzegovina 302 km, Bulgaria 318 km, Croatia 241 km, Hungary 151 km, Kosovo ²⁰² 352 km, the former Yugoslav Republic of Macedonia 62 km, Montenegro 124 km, Romania 476 km
Population:	7,344,847 (July 2010 est.)

General legislative and institutional developments

In 2009, the following legal acts related to migration management and combating crimes related to irregular migration came into force in Serbia:

- Law on Foreigners (new wording), came into force on 1 April 2009;

²⁰⁰ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/ri.html> (Dec. 2010)

²⁰¹ Under UNSCR 1244

²⁰² Under UNSCR 1244

- Law on Personal Data Protection (new wording), came into force on 1 January 2009;
- Law on Seizure and Confiscation of the Proceeds from Crime (new wording), came into force on 1 March 2009.

Additionally, the following legislative changes were implemented in 2009:

- The new Law on Agency for Combat Against Corruption was adopted and came into force in Serbia on 1 January 2010;
- Amendments to the criminal code of the Republic of Serbia were introduced in August 2009. These amendments were related to the definition of human smuggling;
- On 6 February 2009, the Integrated Border Management Strategy was signed;
- The Strategy of Confronting Illegal Migration in the Republic of Serbia for the period 2009-2014 was adopted;
- The Strategy to Combat Trafficking in Human Beings together with the National Action Plan for Combating Trafficking in Human Beings were adopted by the government on 30 April 2009;
- The mandatory instruction on treatment of smuggled persons was adopted. The instruction represents the special manual for police officers, approved by the decision of minister, who are dealing with smuggled persons and irregular migrants. One of the parts of the instruction is inter alia dealing with identification of victims and cases of trafficking in human beings;
- The Ethic Anticorruption Code for the Border Police and the Ethic Anticorruption Code for visas and travel documents issuance procedures were approved.

Serbia also improved international cooperation in the field of migration management, in particular in the area of combating irregular migration and related crimes, by signing the following international agreements:

- Agreement on strategic cooperation with EUROPOL;
- Trilateral Protocol with Romania and Bulgaria;
- Memorandum of Understanding between Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, and Montenegro on establishing the system for exchange of statistical data on illegal migration and participation in the regional early warning system (EWS);
- Working arrangement on establishing operational cooperation with FRONTEX;
- New implementation protocols (Montenegro and Bosnia and Herzegovina).

In 2009, the decision on appointment of a national coordinator for suppression of irregular migration was made by the government. This responsibility is taken over by the head of the Department for Foreigners. The deputy head of the Department of Border Police is appointed as a national coordinator for Integrated Border Management.

The request for a new organisational structure for the Border Police Department was done and reorganisation of the department is in process. The structural changes are related to

the requirements of the new legislation as well as to adjustment of functions according to the results of the risks analysis. New organisational units will be established within the Border Police Department:

- Department for logistics;
- Asylum office (in the Asylum Centre in Banja Koviljaca);
- Risk analysis unit (institutionalisation of working activities).

Irregular migration flows

In 2009, an increase in migration-related border apprehensions in Serbia was registered: in 2008, 1,514 apprehensions, including Serbian citizens, were registered (compared with 3,218 apprehensions in 2009). The majority of border and migration rules violations were detected on the green border of Serbia: more than 59 percent of apprehensions were registered there in 2009 (1,905 apprehensions).

Irregular migration flows in Serbia in the last few years were characterised by a significant increase of irregular transiting of migrants originating from African and Asian countries through Serbia on their way to the EU. For example, 1,265 border violations committed by citizens of Afghanistan (60.2% of the total number of border violations committed by foreigners in 2009) were detected in 2009, while in 2008 and 2007 citizens of this country were not included in top 10 nationalities with most border violations (i.e. less than 20 violations were committed by these citizens in 2007 – 2008²⁰³). This change in irregular migration flows is caused by the actual situation in the countries of origin, as well as by the lack of effective instruments and measures against irregular migration on the EU and regional level.

The migrants from Asian and African countries usually enter Serbia from the former Yugoslav Republic of Macedonia; they usually travel through the following cities (villages) or border crossing points on their way:

- Kumanovo – Lojane (MKD) – Miratovac – Presevo – Bujanovac – Vranje;
- Kumanovo – Tabanovce (MKD) – village Cukarka – Vranje – Nis;
- Kumanovo – Sopot (MKD) – Presevo (road M1) – Vranje;
- Strezovce – Vranje;
- Kumanovo – Pelince (MKD) – Ljanik – Bujanovac – Vranje;

Further these migrants move to Hungary, usually by using this way: Vranje – Belgrade – Subotica – Hungarian border.

The recorded increase of arrivals of Turkish citizens could be explained with the non-visa regime between Turkey and the neighbouring states of Serbia: Montenegro and the former Yugoslav Republic of Macedonia. Citizens of Turkey use these two countries as transit

²⁰³ Source: ICMPD Yearbook on Illegal Migration, Human Smuggling and trafficking in Central and Eastern Europe, 2008

countries on their way to Serbia and further to the EU. In 2008, 51 border violations committed by these nationals were registered, in 2009 there were 102. Irregular migration of Turkish citizens is often supported by facilitators.

The main routes of Turkish nationals through Serbia are the following:

- Istanbul – Pristina (by plane) – Rozaje (Montenegro, by regular bus connection) – Novi Pazar (Serbia, by foot or car) – Belgrade – Subotica – Hungarian border;
- Istanbul – Skopje – Kosovo²⁰⁴ – Rozaje (Montenegro, by regular bus connection) – Novi Pazar (Serbia, by foot or car) – Belgrade – Subotica – Hungarian border;
- Istanbul – Podgorica (Montenegro) – Rozaje (Montenegro, by regular bus connection) – Novi Pazar (Serbia, by foot or car) – Belgrade – Subotica – Hungarian border;
- Istanbul – Sarajevo – Belgrade – Subotica – Hungarian border.

The change of irregular migration routes of migrants from Albania caused by the non-visa regime between Albania and Montenegro resulted in a decrease in the number of detected cases of citizens of Albania in Serbia. The migration situation requires the cooperation of all neighbouring countries by establishing common strategies and conducting joint activities with countries of destination and transit as well as with countries of origin.

Modes of illegal border crossings. The modes of illegal border crossing usually depend on the composition of the migrant groups. Thus, citizens of Afghanistan and other Asian countries, as well as citizens of African countries, usually travel in groups composed mainly by males aged 18 – 30. There are some cases of unaccompanied minors arriving to Serbia among them. They mainly travel on foot or use public transportation and they always move near 'Corridor 10'. When travel is organised by smugglers, taxi services are sometimes used. Facilitators of migration in such case are usually citizens of Serbia or the former Yugoslav Republic of Macedonia. The migrants are well informed about travel circumstances and conditions (they have detailed maps and instructions); sometimes they also have comparatively large amounts of money hidden in their clothes. Often they do not have travel or identity documents, but false documents (in 5% – 10% of cases), which complicate their identification. There are cases of abuse of the asylum system among these persons. Additionally, according to the Serbian intelligence services, they sometimes represent a serious threat to security of the state.

Citizens of Turkey often use smugglers in order to reach the EU. They travel in small groups, and whenever possible, they try to use legal ways of migration (non-visa regime, etc.). These groups often use forged documents or documents belonging to other persons in order to cross the border.

Smuggling

In 2009, 318 persons who were smuggled into Serbia (242 persons in 2008) were identified; out of this number 37 were women and 68 were minors. The law enforcement

²⁰⁴ Under UNSCR 1244

authorities of Serbia detected 156 smugglers in 2009: 141 citizens of Serbia, 5 citizens of Bosnia and Herzegovina, 5 citizens of China, and 4 citizens of other countries, including Romania and Slovakia.

Organised criminal groups dealing with smuggling most often consist of 5 to 15 members, provided that some of them perform smuggling only periodically. In some cases, an organised group will only cover the transit through the Republic of Serbia, while in some cases it operates together with criminal groups from neighbouring countries, the country of origin, or the destination country.

The tasks of members of organised groups are divided: the leaders are responsible for the logistical organisation of the group, communication with the group members via telephone, selection of persons involved in transportation, dealing with payment and distribution of profits. Organised criminal groups dealing with human smuggling are generally organised in the same way. Their structure is usually dynamic and adaptable to the actual situation. In a few months period, in which they are subjected to operational analysis, they smuggle between 30 and 100 persons.

Migrants are usually being transported in motor vehicles of different type and age, with 5 or more seats. In some cases, they use public transportation (taxi, bus or train) for parts of the smuggling routes. Communication between facilitators and smuggled persons is usually done by telephone, although in the previous period there were cases of communication via Skype or other software, using the internet as a channel.

The rates for human smuggling depend on the smuggling routes and other circumstances, starting from 2,000 EUR.

Trafficking

Starting in 2006, the definition of trafficking in human beings and human smuggling were separated by the Serbian legislation. Both crimes are defined by the Serbian criminal code. The criminal code of the Republic of Serbia came into force on 1 January 2006. It was amended in August 2009 (coming into force in September 2009), providing a wider definition of human smuggling which also includes smuggling of Serbian citizens across the border (Article 350).

It is important to note that most of the victims of trafficking in human beings in the Republic of Serbia are Serbian nationals; thus, in most cases there is no violation of border rules (no border crossings) because recruitment and exploitation in such cases took place in Serbia.

85 persons were being trafficked into Serbia in 2009 (55 in 2008). The majority of human traffickers are citizens of Serbia: in 2009, they composed 96.8 percent of all apprehended human traffickers (91 persons). Additionally, 2 citizens of the former Yugoslav Republic of Macedonia, and 1 citizen of Turkey were apprehended. In 2008, of 81 apprehended traffickers, 78 were Serbian nationals and 3 were citizens of Bosnia and Herzegovina.

Serbia is a source, transit, and destination country for trafficking in human beings. Foreign victims found in Serbia primarily originate from Eastern Europe and Central Asia, although there also were two victims from the Dominican Republic during 2009.²⁰⁵

Return and readmission

Return policy. Through signing and implementing several bilateral and one multilateral readmission agreement, the Republic of Serbia has expressed its openness towards reaching the main goal of suppression and prevention of irregular migration and related crimes. In line with the implementation of the readmission agreement with the EC, the Serbian government adopted the Strategy for Reintegration of Returnees. The Council for Integration of Returnees was established in Serbia, a team for the implementation of the strategy was formed and a national action plan for the strategy's implementation was developed.

According to the Strategy on the Reintegration of Returnees, the Commissariat for Refugees is in charge of coordination and organisation of the primary admittance and the cooperation with the admitting communities, and is responsible for the operational execution of the planned activities in the field, as well as to work on the prevention of human trafficking and the promotion of the principle of positive discrimination. With the reassignment of parts of the collective centres and their adaptation for urgent readmission, the obligation given by the Road Map were fulfilled, in order to provide for the basic living conditions for returnees in urgent care.

The agreement on the readmission of persons between the Republic of Serbia and the European Union came into force on 1 January 2008. The signatories have regulated the procedure for the return of persons. The prevention of irregular migration and the admission and integration of returnees on the basis of the readmission agreements are the prerequisites for the placement of the Republic of Serbia onto the White Schengen List.

Readmission Agreements.

Multilateral agreements: With the European Community, signed on 18 September 2007 in Brussels, ratified on 7 November 2007, came into force on 1 January 2008

Bilateral agreements:

- Between the Federal Republic of Yugoslavia's Federal Government and Denmark, ratified on 16 December 2002, came into force on 08 March 2004;
- With Switzerland, signed on 30 June 2009, ratified on 23 March 2010, into force on 1 May 2010;
- With Norway, signed on 30 November 2009, ratified on 23 March 2010, into force on 1 June 2010;
- With Montenegro and Bosnia and Herzegovina, ratified on 22 December 2004;

²⁰⁵ Source: US Department of State, Trafficking in Persons Report 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/>

- With Croatia, signed on 25 May 2009, ratified on 23 March 2010, into force on 1 May 2010;
- With Canada, signed on 16 March 2006, came into force on 06 June 2009.

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	24,878,369	24,059,611
Exit	23,796,480	22,893,644
Total	48,674,849	46,953,255

Total number of persons claiming asylum		
	2008	2009
Total	77	275

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	4	-
Persons whose applications were negative/ rejected	24	3
Persons whose applications were otherwise closed	49	272

Total number of migration-related border apprehensions (including foreigners and citizens of the Republic of Serbia)		
	2008	2009
Foreign nationals	753	2,101
Citizens of the Republic of Serbia	761	1,117
Total	1,514	3,218

Total number of migration-related border apprehensions by gender (excluding citizens of Serbia)		
Gender	2008	2009
Males	638	1,974
Females	115	127
Total	753	2,101

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (excluding citizens of Serbia)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Albania	159	1. Afghanistan	1,265
2. the former Yugoslav Republic of Macedonia	142	2. the former Yugoslav Republic of Macedonia	164
3. Hungary	62	3. Albania	114
4. Romania	56	4. Turkey	102
5. Turkey	51	5. Montenegro	62
6. Montenegro	45	6. Iran	48
7. Bosnia and Herzegovina	41	7. Bulgaria	46
8. Bulgaria	31	8. Romania	43
9. Ivory Coast	19	9. Bosnia and Herzegovina	39
10. China	18	10. Occ. Palestinian Territory	25
Other	129	Other	255
Total	753	Total	2,101

Number of minors apprehended at the border due to border violation (excluding citizens of Serbia)		
Gender	2008	2009
Males	-	202
Females	-	15
Total	89	217

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of the Republic of Serbia)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	329	388
On rail border crossings	-	-
On the green (land) border	804	1,905
On airports	49	17
In the country	-	908
On other places (river borders)	-	-
Total	1,182	3,218

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of the Republic of Serbia)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Serbia on the border with that country	OUT: Number of apprehensions of people LEAVING Serbia on the border with that country	Total number of apprehensions on the border with that country
1. Hungary	n.a.	n.a.	631
2. Romania			103
3. the former Yugoslav Republic of Macedonia			96
4. Bosnia and Herzegovina			91
5. Montenegro			86
6. Bulgaria			48
7. Croatia			28
8. Belgrade airport			49
Total			1,132

Number of migration-related apprehensions by border in 2009 (including foreigners and citizens of the Republic of Serbia)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Serbia on the border with that country	OUT: Number of apprehensions of people LEAVING Serbia on the border with that country	Total number of apprehensions on the border with that country
1. Hungary	n.a.	n.a.	1,287
2. Romania			105
3. the former Yugoslav Republic of Macedonia			578
4. Bosnia and Herzegovina			101
5. Montenegro			140
6. Bulgaria			52
7. Croatia			39
8. Belgrade airport			17
Total			2,310

Number of apprehended persons being smuggled into Serbia

	2008	2009
Total	242	318
Of the total: women	34	37
Of the total: minors	55	68

Total number of 'human smugglers' apprehended (including foreigners and citizens of Serbia)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	25	15
Citizens of the Republic of Serbia	94	141
Citizenship unknown	-	-
Total	119	156

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Serbia)

Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Serbia	94	1. Serbia	141
2. China	7	2. Bosnia and Herzegovina	5
3. the former Yugoslav Republic of Macedonia	3	3. China	5
4. Romania	2	4. Romania	1
5. Turkey	2	5. Slovakia	1
Other	11	Other	3
Total	119	Total	156

Number of people being trafficked into Serbia

	2008	2009
Total	55	85
Of the total: women	46	66
Of the total: minors	27	48

Number of 'human traffickers' apprehended (including foreigners and citizens of Serbia)

	Apprehensions in 2008	Apprehensions in 2009
Non-nationals	3	3
Citizens of Serbia	78	91
Total	81	94

Number of 'human traffickers' apprehended and the top 5 nationalities or citizenships with most of 'human traffickers' apprehended (including foreigners and citizens of Serbia)

Citizens of the following countries in 2008	Number of 'traffickers in humans' apprehended in 2008	Citizens of the following countries in 2009	Number of 'traffickers in humans' apprehended in 2009
1. Serbia	78	1. Serbia	91
2. Bosnia and Herzegovina	3	2. the former Yugoslav Rep. of Macedonia	2
		3. Turkey	1
Total	81	Total	94

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Romania	2,873	1. Germany	3,507
2. Bosnia and Herzegovina	2,226	2. Romania	3,035
3. Bulgaria	1,545	3. Bosnia and Herzegovina	2,001
4. Turkey	1,254	4. Turkey	1,674
5. Montenegro	1,100	5. Bulgaria	1,483
6. Unknown	1,099	6. France	996
7. Germany	854	7. Montenegro	898
8. Croatia	619	8. Italy	887
9. Italy	542	9. Czech Republic	513
10. the former Yugoslav Republic of Macedonia	463	10. the former Yugoslav Republic of Macedonia	390
Total of ALL rejected persons at the border	16,026	Total of ALL rejected persons at the border	21,735

Persons to whom residence was refused and 10 nationalities/citizenships to whom residence was refused			
2008	Number of persons to whom residence was refused in 2008	2009	Number of persons to whom residence was refused in 2009
1. the former Yugoslav Republic of Macedonia	17	1. China	8
2. China	9	2. the former Yugoslav Republic of Macedonia	3
3. Romania	4	3. Ukraine	3
4. Ukraine	1	4. Nigeria	2
5. Russian Federation	1	5. Russian Federation	2
6. Armenia	1	6. Moldova	2
7. Turkey	1	7. Greece	2
8. Spain	1	8. Turkey	1
9. Ivory Coast	1	9. Iran	1
		10. Romania	1
Total of ALL refused persons of any nationality	36	Total of ALL refused persons of any nationality	30

Removed persons and the top 10 nationalities or citizenships removed from Serbia ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Albania	88	1. Afghanistan	130
2. the former Yugoslav Republic of Macedonia	21	2. Iran	11
3. Ivory Coast	20	3. Turkey	11
4. Georgia	16	4. Albania	6
5. China	8	5. the former Yugoslav Republic of Macedonia	6
6. Romania	7	6. Bosnia and Herzegovina	4
7. Iraq	6	7. Iraq	3
8. Turkey	5	8. Romania	3
9. Nigeria	4	9. Moldova	3
10. Pakistan	4	10. Guinea	3
Total of ALL removed persons (of any nationality or country)	179	Total of ALL removed persons (of any nationality or country)	180

Number of forced returns from other countries accepted by Serbia in the past 2 years			
Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
Foreign nationals	Nationals of Serbia	Foreign nationals	Nationals of Serbia
103	3,572	197	4,377

Information provided by: Ministry of the Interior, Border Police Directorate

SLOVAKIA



General Information²⁰⁶

Location:	Central Europe, bordering Austria, the Czech Republic, Poland, Ukraine, and Hungary
Area:	<i>Total:</i> 49,035 sq km – <i>land:</i> 48,105 sq km – <i>water:</i> 930 sq km
Land boundaries:	<i>Total:</i> 1,474 km <i>Border countries:</i> Austria 91 km, the Czech Republic 197 km, Hungary 679 km, Poland 420 km, Ukraine 90 km
Population:	5,470,306 (July 2010 est.)

General legislative and institutional developments

The legislation of the Republic of Slovakia in the field of migration is created in accordance with the EU *acquis* as well as in accordance with national requirements related to protection of the state, citizens, and the Schengen Area from possible negative impacts of irregular migration.

The main developments which took place in 2009 are the following:

- Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in member states for returning illegally staying third-country nationals was incorporated into national legislation (particularly in the Act No. 48/2002 Coll. on the Stay of Aliens);

²⁰⁶ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/sk.html> (Dec. 2010)

- The agreement on readmission of illegally staying persons between Slovakia and Croatia was signed on 23 June 2008 in Bratislava and came into force on 13 October 2009.

No institutional changes or developments related to the Bureau of Border and Alien Police of the Ministry of Interior and its subordinated units took place in 2009.

Irregular migration flows

Irregular migration flows in Slovakia can be divided into two categories: illegal border crossing and illegal stay.

Generally, there was a decreasing tendency in irregular migration: the most significant decrease occurred in 2008 which also was the first year of membership in the Schengen area. This decrease seems to be caused by the application of complex measures resulting from the accession process. The decrease in the category of illegal crossings of the external state borders was influenced by strengthening security and personnel at the external border. The decrease in illegal crossings of the internal borders is a consequence of the abolition of controls at internal borders.

Factors significantly influencing the development of illegal stay in Slovakia are, e.g., the implementation of safety measures by the Alien Police, tightening of external land borders as well as acceleration of the transit of illegally staying migrants due to the abolition of controls at the internal borders.

Overview on irregular migration in 2005 - 2009

Year	Total	Thereof:					
		Illegal border crossing			Illegal stay		
		Total	Thereof:		Total	Thereof detected:	
			from SR (exit)	to SR (entry)		inland	on BCP exiting the SR
2005	8,049	5,178	2,239	2,939	2,871	-	-
2006	7,620	4,129	1,583	2,546	3,491	-	-
2007	6,761	3,405	1,576	1,829	3,356	-	-
2008	2,355	1,034	12	1,022	1,321	1,031	290
2009	1,785	611	39	572	1,174	1,007	167

When comparing the data on irregular migration before and after the accession of Slovakia to the Schengen area (2008 and 2009), it can be noted that a significant decrease in the number of persons who were apprehended after crossing the border illegally and in the number of illegally staying persons was recorded.

Due to the stronger decrease in the number of illegal border crossings, a change in the ratio of illegal border crossings and illegal stays was noticed. While illegal border crossing prevailed before the accession to the Schengen area, apprehensions for illegal residence were higher than apprehensions for illegal border crossing.

In 2008 and 2009, irregular migration has decreased by 24.2 percent. This was caused particularly by a decrease in the category of illegal border crossing (decrease by 40.9%) and a decrease in the category of illegal stay (decrease by 11.1%).

In 2008, illegal border crossings made up 43.9 percent of irregular migration and for 34.2 percent in 2009. Considering illegal border crossing separately, apprehensions at the external land border equal 94.6 percent of all recorded illegal border crossings in 2008 and in 2009. Consequently, illegal crossing of the internal border and at airports come to only 5.4 percent (no major difference in 2008 and 2009).

Overview on illegal migration in the Slovak Republic in 2008 and 2009

2008					2009				
Nationality	Total		Thereof :			Total		Thereof :	
	total	%	Illegal border cross.	Ill. stay		total	%	Illegal border cross.	Ill. stay
Ukraine	608	25,8	34	574	Ukraine	426	23,9	65	361
Moldova	476	20,2	353	123	Moldova	275	15,4	181	94
Georgia	231	9,8	203	28	Pakistan	207	11,6	47	160
Pakistan	189	8,0	105	84	Vietnam	144	8,1	0	144
Russia	164	7,0	90	74	Georgia	134	7,5	99	35
Afghan.	137	5,8	73	64	Afghan.	117	6,5	62	55
India	122	5,2	42	80	Russia	81	4,5	44	37
Bangladesh	74	3,1	41	33	India	54	3,0	12	42
China	69	2,9	38	31	China	46	2,6	1	45
Korea	55	2,3	0	55	Serbia	30	1,7	0	30
other	230	9,8	55	175	other	271	15,2	100	171
Total	2355	100	1034	1321	Total	1785	100	611	1174

The table above includes the most important nationalities of migrants in 2008 and 2009. In 2009, most apprehended persons were Ukrainians, and although their number decreased by 182 compared to 2008, their share in total illegal migration has remained roughly the same.

The most significant decrease (by 201 persons) was related to Moldovans. This is a decrease by 42.2 percent. A significant decrease was also noticed in the numbers of citizens of Bangladesh (by 79.9%), Korea (by 61.8%), India (55.7%) and Russia (50.6%). On the other hand, the most important increase was noticed in the case of citizens of Vietnam. In 2008, 43 Vietnamese nationals were apprehended, and in 2009 their number increased by 101 persons (an increase of 234.9%). These persons were apprehended for illegal stay in Slovakia; the same is true for citizens of Serbia, whose number increased by 14 persons in 2009; i.e. by 87.5 percent. In addition, an increase of Pakistan citizens (by 9.5%) was noticed.

After joining the Schengen area, Slovakia became a destination country for various migrants. Changes in the mode of irregular migration, i.e. abusing of legal entries, have also

been noticed. Traditionally there is dominant position of Ukrainian and Vietnamese nationals. Favourable conditions for migration of Vietnamese citizens are created by the settled Vietnamese migrants or those who have already gained the Slovak citizenship. These migrants enter Slovakia on the basis of visas, residence permits, bilateral agreements or within the local border traffic and do not follow the time limit or purpose of the residence permit. Their entry and stay is economically motivated, mainly by higher wages compared to their countries of origin. These migrants usually reside in prosperous regions and conurbations, and they pose a security threat because after their residence permit expires, they cannot work legally and might have to resort to illegal work or crimes. Transit migrants do not create a threat to the Slovak Republic because they only attempt to cross the territory and reach the final destination. Significant assistance is provided by facilitators who are internationally connected and well organised. The largest groups consist of citizens of Moldova, Pakistan, Georgia and Afghanistan; Russians, Armenians, Indians and Ukrainians are also important groups. Abuse of asylum is typical for transit migrants. Most of them, after applying for asylum and being accommodated in asylum facilities, leave and continue their journey. Unfortunately, they can easily be contacted by facilitators in the asylum facilities. Approximately a tenth of transit migrants are unaccompanied minors. These are also leaving the foster home for unaccompanied minors and continue travelling to the destination country with the assistance of facilitators.

Regarding the use of false and falsified documents in 2009, it almost reached the same level as in the previous year. In most cases, Romanian ID cards were abused by citizens of Moldova and Latvian travel passports by citizens of Ukraine. In 2009, a significant increase in using false and falsified border stamps by Ukrainian citizens was noticed at the external state border on entry to Slovakia.

Modes of illegal border crossings. The majority of migrants are coming to Slovakia across the external state border; this route is a part of the West-European migration route. The main migration route has remained unchanged for a long time: Ukraine – Slovakia – Austria.

It is typical to cross the border outside the border crossing points (through the so-called 'green border') on foot and without any identity documents (in groups from 2 to 5 persons with assistance of facilitators). Facilitators detected in the SR are connected to international smuggling networks.

In 2008 and 2009, migrants crossed the external land border primarily through the mountains in the northern part. In this area the smugglers and migrants can rely on the limited possibilities of using technical means for border protection. They also used the areas monitored on foot or by mobile patrols. Migrants tried to avoid the southern part of the state border since this part is being monitored by a special video camera system.

Smuggling

According to the information collected on organised smuggling, the groups of smugglers are structured in two or three levels; i.e. there is one or a few persons managing the

organisation at the top. The middle level consists of more members, who organise the work at the lower level: hiring people for conducting the partial activities, and giving instructions to the lower level. Most of the members are working at the lowest level: they are carrying out instructions, providing services such as transport, accommodation and meals for migrants. These persons do not have any knowledge on connections between separate actions; they only know members on the same level and their direct superior.

Slovak citizens involved in criminal networks are usually situated at the lower or at the middle level. They are usually providing services such as accommodation. Since they have excellent local knowledge, they are ensuring the transport through Slovak territory.

Organisers are most often coming from the countries of origin of the smuggled persons, such as Vietnam, India, Ukraine, Russia, and Moldova. They usually organise the smuggling of fellow citizens, particularly because they speak the same language. For purposes of transport of foreigners through Slovakia, particularly taxi services, buses, trucks and railway transport are being used. Moreover, special (modified) vehicles are being used, e.g. personal vehicles, vans, storage tanks as well as vessels (inflatable motor boats) to cross the rivers along the border. Smuggler groups use wireless stations and mobile phones with various cards that are changed very often, or they use networks of foreign mobile operators. Likewise, bars and coffee stores with access to the internet are being used for communication.

False documents often serve as a facilitating factor; while the original documents are taken from migrants in their home or in the transit country. Due to the progress in printing techniques used in falsifying documents, the counterfeit is of higher quality which causes difficulties in detecting them. In case the production or modification of the document is less profitable, the appearance of the genuine document holder is misused (so called 'look-a-like documents').

Migrants are crossing the state border with Ukraine on foot or hidden in vehicles. They are being transported through Slovak territory towards the Austrian or Czech state border, which they also cross on foot or hidden in vehicles. A part of the state border with Austria is at the Morava River, which is being crossed by boat.

The route used by smugglers and/or migrants is frequently changed due to a dense road network that helps to cross the country. These changes depend on the actual situation. If the escorting vehicle is announcing the locations of police patrols along the route, the smuggler groups are able to react relatively flexible and change their route to avoid the police control.

The size of the charged fee depends on the smuggler group and on the individual case (nationality of migrants, their solvency, whether it is a fee for the entire travel from the home country to the destination country, etc.). Based on documented cases on smuggling, it can be stated that the travel from Slovakia to Italy costs from 1,000 to 2,500 EUR, depending on the group. Transport through the Slovak Republic costs from 450 to 500 EUR. Smugglers in Slovakia received about 350 to 500 EUR for taking one person from Slovakia to Austria. Investigations showed that fees are collected via the bank services of Western

Union and various other senders from the country of origin or from the destination countries.

The Slovak Republic is considered to be a transit country also for human smuggling activities. This is one of the reasons why most of the suspected and accused smugglers are Slovakian citizens (45%). As mentioned above, they are providing services such as accommodation and, due to excellent local knowledge, also the transport through the Slovak territory in order to hand over the migrants to smugglers in a neighbouring country who ensure their further transport to the destination country. New trends that have appeared in the course of the last two years are related to the entry of the Slovak Republic to the Schengen area (December 2007), when the Slovak-Ukrainian state border became the external Schengen border. The first indicator of changes related to human smuggling is a long-term decrease of suspected smugglers holding the Slovak citizenship and an increase in the number of foreigners committing these criminal activities in Slovakia.

In 2008, suspected Slovak smugglers made up 53 percent of the total number and 45 percent in the first half of 2010. The remaining 55 percent include nationals of Ukraine, India, Pakistan, Afghanistan, Moldova, China, Russia, Poland, etc. A decrease in the proportion of Slovak citizens among detected smugglers is observed since 2003, when 89 percent of suspected smugglers were Slovak citizens.

The abovementioned trend is related to the abolishment of controls at the internal borders; since then it is possible to cross Slovakia in 8 hours, without any stops or need to use accommodation or search for shelter. Groups of smugglers abroad using this method do not require contact with criminal groups of smugglers in Slovakia or eventually only with individuals to ensure smooth transport. This mode is financially preferable for organised groups abroad (Ukraine, Russia etc.). This caused more Russian-speaking persons to participate in human smuggling on Slovak territory and to specialise in smuggling Chechens who attempt to reach Austria.

Slovakia is a destination country mainly for migrants from Russian-speaking countries, particularly from Ukraine. Some groups, particularly from Ukraine, have started criminal activities related to illegal employment of foreigners in Slovakia. Hidden behind fictitious agencies, these groups provide entry to the Slovak Republic. Subsequently, they are distributing persons among various entrepreneurial firms in the field of services, construction or the food industry without work permissions or by misusing work permits issued to other foreigners (linked to a different working place).

The Slovak authorities observe the trend to abuse the asylum procedure by legalising the stay in Slovakia through applying for asylum, subsequently leaving the asylum facility and continue to travel towards the destination country. Some of the migrants continue with the assistance of smugglers who contacted them in the asylum facility.

Among the crimes related to human smuggling is the fabrication and the use of false or falsified identity documents. Some groups are specialised in providing such documents or they are buying genuine documents from Slovak citizens.

Trafficking

Article 3 of the Palermo Protocol, i.e. the UN definition of human trafficking, is incorporated in Slovak legislation. Although the legislation and practice provide different definitions for trafficking in human beings and human smuggling, it is possible that statistics on smuggled persons also include victims of trafficking.

In 2009, 6 suspected trafficking offenders were investigated in Slovakia (12 in 2008): all of them were citizens of Slovakia (11 citizens of Slovakia and 1 person whose citizenship was unknown in 2008). Nine victims of trafficking were identified in 2009 (13 in 2008), seven of them women and one a minor.

Return and readmission

Return policy. Slovakia performs its return policy through assisted and forced returns. The Agreement on Cooperation between the Government of the Slovak Republic and the International Organization for Migration (Geneva, 17 May 1996) created the legal frame for assisted returns. This agreement defines IOM's competences in the field of migration programmes and activities of the Slovak Republic in various fields. Article 2 par. c) of the agreement regulates the support of assisted returns of unsuccessful asylum seekers and others migrants. The practical realisation of assisted returns started with the signature of the agreement between the Ministry of Interior of the Slovak Republic and the International Organization for Migration on assistance in returning unsuccessful asylum seekers and illegal migrants to the country of origin (Bratislava, 20 August 1998). Based on this agreement, the Bureau of the Border and Alien Police of the Slovak Republic became responsible and competent for carrying out assisted returns. Currently, the IOM is the only organisation providing assisted returns in Slovakia. Funding of assisted returns is fully covered by the budget of the Ministry of Interior.

In addition to the mentioned agreements, the legal frame provided by Act No. 48/2002 Coll. on Stay of Aliens as amended and Act No. 480/2002 Coll. on asylum and implementation of assisted returns is also regulated by internal acts issued by the Bureau of the Border and Alien Police. According to the Act on Stay of Aliens, assisted return means 'return of the alien to the country of origin or former residence or any other country to which the alien decided to return and which will accept him [or her].' The Act on Asylum complements the cooperation between the Ministry of Interior and the IOM while ensuring the travel of aliens who decided to return to the country of origin or to travel to a third country.

Target groups of assisted returns according to the agreement with the IOM are:

- unsuccessful asylum seekers (persons who were not granted asylum or subsidiary protection according to the national legislation);
- illegally staying migrants.

The IOM carries out assisted returns through individual projects that are co-funded by the EU programme on Solidarity and Management of Migration Flows for the period 2007-2013.

The time limit for assisted departure from Slovakia was determined in the decision on administrative expulsion of aliens who should be considered for a special form of assisted return. In this case, an alien is obliged to leave Slovakia within a time limit and without the assistance of police authorities. When the person does not depart within the time limit, a police unit will secure enforcement of this decision (forced return/deportation).

The legal frame of forced returns (administrative expulsion) of aliens is created by the Act on Stay of Aliens, particularly by §§ 56 – 61. Furthermore, it is regulated by international acts, particularly by the Convention for the Protection of Human Rights and Fundamental Freedoms, the Convention on the Rights of the Child, EU legislation (Council Decision of 29 April 2004 on the organisation of joint flights for removals from the territory of two or more Member States of third-country nationals who are subjects of individual removal orders (2004/573/EC)). On the national level following acts are also important: Act No. 171/1993 Coll. on Police Force as amended and Act No. 71/1967 Coll. on Administrative Procedure as well as the other internal acts.

Expulsion is defined as the involuntary removal of a person from the territory of the Slovak Republic. The Slovak legislation differentiates between judicial expulsion and administrative expulsion.

According to the national legislation, the competent authority for the return policy is the Ministry of Interior, within which the Bureau of the Border and Alien Police is responsible for managing returns, alien policy, international and cross-border cooperation and the prevention of illegal migration. Individual cases of returns may require cooperation with various state authorities e.g. Ministry of Foreign Affairs, Ministry of Employment, Social Affairs and Family, Ministry of Education, Ministry of Health, Ministry of Economy, Ministry of Transport, Posts and Telecommunication and local government authorities. The Bureau of the Border and Alien Police also cooperates with international and non-governmental organisations dealing with migration such as the IOM, UNHCR, European Committee for Migration, People of Good Will, the Slovak Humanitarian Council, etc.

Following authorities are subordinated to the Bureau of Border and Alien Police:

- two Directorates of Border and Alien Police (Bratislava, Prešov);
- two Directorates of Alien Police (Nitra and Banská Bystrica);
- Directorate of Border Police Sobrance;
- two Police detention units for aliens (Medveďov, Sečovce).

These directorates perform control duties in the field of entry conditions, residence and stay of aliens; they are responsible for issuing residence permits and for the area of migration and visas, they are also cooperating in criminal procedures, ensuring escort and the readmission of persons.

Police detention units for aliens are responsible for keeping persons apprehended according to the Act on Stay of Aliens. The decision on apprehension is issued by the police authority, restraining the free movement of aliens for the time necessarily needed (180 days at the longest). These detention units are keeping aliens apprehended for the purpose of administrative expulsion or execution of expulsions (judicial expulsion), execution of transport according to the Dublin Regulation or for the purpose of return according to a readmission agreement or if the alien entered the territory illegally or is illegally staying.

The following assisted voluntary return programmes were implemented by the Slovak Republic:

- 10/2004 – 08/2005: Capacity Building and Implementation of Assisted Voluntary Return Programme in Slovakia.

The project assisted asylum seekers who wished to return to their country of origin or to the country where they had a permit to stay, and provided information on the Assisted Voluntary Return programme (AVR) to the target group. The project consisted of three components: raising awareness and dissemination of information to promote the AVR programme; training and information sessions for partners and social workers assisting asylum seekers; and providing assistance to those wishing to return home.

- 05/2006 – 11/2006: Capacity Building and Implementation of Assisted Voluntary Return Programme II.

The overall objective of this project was to strengthen the mechanism for return assistance in Slovakia through improved counselling and information dissemination, capacity building and enhanced co-operation with relevant national authorities.

- 10/2006 – 03/2008: Enhancing Mechanisms and Harmonising Standards in Central European Member States in the field of AVR.

This programme responded to the need for an enhanced framework of integrated return assistance in the Central European region. The programme provided the technical and financial support mechanisms to enhance and promote AVR programmes in those countries, based on common regional standards, thus contributing to harmonisation of procedures in line with EU policies and principles on return, and using the IOM's expertise, as well as identified best practices worldwide.

- 11/2007 – 10/2008: Phase II: Enhancing Mechanisms and Harmonising Standards in the Field of Voluntary Return of Irregular Migrants in EU Central European Member States.

This project was a follow-up of the preceding project implemented in 2006 – 2008. The specific purposes of this programme were:

- Promoting, facilitating and strengthening existing national AVR mechanisms capable of addressing the needs of the specific caseloads in each host country.
- Building the capacities and the know-how of practitioners within the national AVR Programmes as regards integrated return management.

- Providing means for reintegration through provision of financial assistance as well as accurate, reliable, up-to-date information on countries of return.
- 01/2008 – 12/2008: Development of a comprehensive system of information dissemination on the programme of assisted voluntary returns and its implementation with a focus on needs of migrants.

The project developed and implemented a comprehensive system of information dissemination and counselling for migrants potentially interested in assisted voluntary return and the comprehensive system of returns, including counselling, housing and necessary medical care.

- 01/2009 – 12/2009 Strengthening identification of victims of trafficking among asylum seekers in the Slovak Republic and comprehensive system of information dissemination on programme of assisted voluntary returns with a focus on needs of migrants.

The main aim of the project was to enable early identification of victims of human trafficking among asylum seekers, provide necessary technical assistance through the national reference framework and appropriate pre-return preparation in case the victim decided to use the AVR programme to return home, and to provide information on the AVR programme in view of the migrant's needs.

- 08/2008 – 01/2010: Phase III: Enhancing Mechanisms and Harmonising Standards in the Field of Voluntary Return of Irregular Migrants in EU Central European Member States.

The overall objective of this programme was to contribute to the enhancement, promotion and harmonisation of assisted voluntary return practices in Hungary, Slovakia, the Czech Republic, Poland, Romania and Bulgaria, maximising the opportunity for successful return of irregular migrants to their home countries. The specific purposes of this programme were:

- Promoting, facilitating and strengthening existing national AVR mechanisms capable of addressing the needs of the specific caseloads in each host country.
- Building the capacities and the know-how of practitioners within the national AVR programmes as regards integrated return management.
- Providing means for reintegration through provision of financial assistance as well as accurate, reliable, up-to-date information on countries of return.
- 04/2009 – 04/2010: Return and reintegration assistance to unsuccessful asylum seekers and irregular migrants from Slovakia to countries of origin.

This nine months project was a follow-up of several projects implemented since 2004 and financed by the European Fund for Refugees aimed on promotion and implementation of Assisted Voluntary Returns. The project aimed to inform about Assisted Voluntary Returns and to develop mechanisms of effective provision of reintegration. The project developed the system of individual reintegration support to the target group after return to the country of origin and thus extended basic AVR programmes in Slovakia.

Present activities in the area of assisted return and future plans:

- 04/2010 – 02/2011: Return and reintegration assistance to unsuccessful asylum seekers and irregular migrants from Slovakia to countries of origin, Phase II.

This 12 months project is a follow-up of the first phase of the project. The project contributes to the European Union's common effort to support the sustainability of returns through an integrated approach. Based on experience in this area on the national and regional level, the project assists the target group with return to the country of origin as well as with individual reintegration after return.

- 03/2011 – 12/2012: Return and reintegration assistance to unsuccessful asylum seekers and irregular migrants from Slovakia to countries of origin, Phase III.

This 22 months project will be a follow-up to the second phase of the project. The project proposal will contribute to the common effort of the European Union to support the sustainability of returns of unsuccessful asylum seekers and irregular migrants through an integrated approach of help to the target group.

Readmission Agreements. Slovakia has signed the following bilateral agreements on readmission:

Readmission with	agreement	Signed on	Into force
Poland		8 July 1993	12 November 1993
Romania		30 June 2005	4 October 2005
Slovenia		14 September 1994	24 May 1995
Bulgaria		22 May 2006	13 July 2007
France		20 March 1997	2 August 1997
Croatia		23 June 2008	13 October 2009
Italy		30 July 1998	1 January 1999
Spain		3 March 1999	11 December 1999
Austria		20 June 2002	1 October 2002
Germany		19 February 2003	20 May 2003
Hungary		12 September 2002	15 November 2003
Czech Republic		2 July 2002	1 January 2004
Sweden		13 July 2004	5 April 2005
Benelux		21 May 2002	1 May 2004
Norway		15 February 2005	1 June 2005
Vietnam		17 October 2005	20 January 2006
Switzerland		12 October 2006	1 January 2007

All readmission agreements except the one with Vietnam are in line with the EU recommendations regarding readmission agreements and bilateral protocols. The agreement with Vietnam does not include readmission of third country nationals.

Some bilateral agreements on readmission were replaced by readmission agreements between the EC and third countries. Among these are the agreements with Ukraine, Macedonia and Bosnia and Herzegovina.

The Slovak Republic signed bilateral protocols on implementation of readmission agreements which were signed at the EC level with the following third countries:

- Albania, came into force on 22 February 2010;
- Russian Federation, came into force on 1 June 2010;
- Moldova, came into force on 23 June 2010.

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	2,865,729	2,199,907
Exit	2,811,563	2,103,499
Total	5,677,292	4,303,406

Total number of persons claiming asylum		
	2008	2009
At the border	137	28
Inland	772	794
Total	909	822

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	88	112
Persons whose applications were negative/ rejected	416	330
Persons whose applications were otherwise closed	457	460

Total number of migration-related border apprehensions (including foreigners and citizens of Slovakia)		
	2008	2009
Foreign nationals	1,034	610
Citizens of the Republic of Slovakia	-	1
Total	1,034	611

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Slovakia)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Moldova	353	1. Moldova	181
2. Georgia	203	2. Georgia	99
3. Pakistan	105	3. Ukraine	65
4. Russia	90	4. Afghanistan	62
5. Afghanistan	73	5. Pakistan	47
6. India	42	6. Russia	44
7. Bangladesh	41	7. Armenia	24
8. China	38	8. Somalia	15
9. Ukraine	34	9. India	12
10. Armenia	17	10. Sri Lanka	11
Others	38	Others	51
Total	1,034	Total	611

Total number of migration-related border apprehensions by gender (including foreigners and citizens of Slovakia)		
Gender	2008	2009
Males	934	533
Females	100	78
Total	1,034	611

Number of minors apprehended at the border due to border violation (including foreigners and citizens of Slovakia)		
Gender	2008	2009
Males	169	67
Females	18	12
Unknown	-	-
Total	187	79

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Slovakia)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	21	30
On rail border crossings	5	3
On the green (land) border	952	545
On airports	16	16
In the country	1,321	1,174
On other places (river borders)	40	17
Total	2,355	1,785

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of Slovakia)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Slovakia on the border with that country	OUT: Number of apprehensions of people LEAVING Slovakia on the border with that country	Total number of apprehensions on the border with that country
1. Ukraine	978	0	978
2. Austria	0	5	5
3. Hungary	0	0	0
4. Czech Republic	2	0	2
5. Poland	33	0	33
6. Airport	9	7	16
Total	1 022	12	1 034

Number of migration-related apprehensions by border in 2009 (including foreigners and citizens of Slovakia)

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Slovakia on the border with that country	OUT: Number of apprehensions of people LEAVING Slovakia on the border with that country	Total number of apprehensions on the border with that country
1. Ukraine	563	15	578
2. Austria	0	15	15
3. Hungary	2	0	2
4. Czech Republic	0	0	0
5. Poland	0	0	0
6. Airport	7	9	16
Total	572	39	611

Number of apprehended persons being smuggled into Slovakia

	2008	2009
Total	388	267

Total number of 'human smugglers' apprehended (including foreigners and citizens of Slovakia)

	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	54	53
Citizens of Slovakia	75	65
Citizenship unknown	13	32
Total	142	150

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Slovakia)

Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Slovakia	75	1. Slovakia	65
2. Ukraine	11	2. India	15
3. Russia	6	3. Ukraine	9
4. Afghanistan	6	4. Russia	6
5. Pakistan	6	5. Pakistan	5
Other	38	Other	50
Total	142	Total	150

Number of people being trafficked into Slovakia

	2008	2009
Total	13	9
Of the total: women	11	7
Of the total: minors	-	1

Number of 'human traffickers' apprehended (including foreigners and citizens of Slovakia)

	Apprehensions in 2008	Apprehensions in 2009
Non-nationals	-	-
Citizens of Slovakia	11	6
Citizenship unknown	1	-
Total	12	6

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border

Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Ukraine	1,506	1. Ukraine	782
2. Russia	37	2. Moldova	32
3. Moldova	30	3. India	24
4. India	12	4. Russia	24
5. Iran	4	5. Georgia	5
6. Ecuador	3	6. Belarus	3
7. Belarus	3	7. Turkey	3
8. Cuba	2	8. Stateless	3
9. South Africa	2	9. Albania	1
10. Armenia	1	10. Gambia	1
Total of ALL rejected persons at the border	1,611	Total of ALL rejected persons at the border	888

Persons to whom residence was refused and 10 nationalities/citizenships to whom residence was refused			
2008	Number of persons to whom residence was refused in 2008	2009	Number of persons to whom residence was refused in 2009
1. Ukraine	574	1. Ukraine	361
2. Moldova	123	2. Pakistan	160
3. Pakistan	84	3. Vietnam	144
4. India	80	4. Moldova	94
5. Russia	74	5. Afghanistan	55
6. Afghanistan	64	6. China	45
7. Korea	55	7. India	42
8. Vietnam	43	8. Russia	37
9. Bangladesh	33	9. Georgia	35
10. China	31	10. Serbia	30
Total of ALL refused persons of any nationality	1,321	Total of ALL refused persons of any nationality	1,174
Of the total: number of overstayers	699	Of the total: number of overstayers	546

Removed persons and the top 10 nationalities or citizenships removed from Slovakia ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Ukraine	489	1. Ukraine	341
2. Moldova	330	2. Moldova	182
3. Georgia	136	3. Georgia	82
4. Pakistan	79	4. Vietnam	63
5. India	70	5. Russia	52
6. Afghanistan	66	6. Afghanistan	47
7. Russia	42	7. Pakistan	35
8. Bangladesh	36	8. Armenia	21
9. China	32	9. China	12
10. Armenia	10	10. India	10
Total of ALL removed persons (of any nationality or country)	1,332	Total of ALL removed persons (of any nationality or country)	953

Number of assisted voluntary returns (number of persons) to other countries successfully implemented in the past two years		
To the following country	Number of assisted voluntary returns (number of persons) TO other countries in 2008	Number of assisted voluntary returns (number of persons) TO other countries in 2009
Georgia	1	11
Iraq	17	-
Kosovo ²⁰⁷	7	4
Moldova	45	16
Vietnam	1	66
Other	25	42
Total	96	139

Number of forced returns (number of persons) to other countries successfully implemented in the past two years		
To the following country	Number of forced returns (number of persons) TO other countries in 2008	Number of forced returns (number of persons) TO other countries in 2009
1. Ukraine	489	338
2. Moldova	315	173
3. Georgia	136	72
4. Pakistan	79	35
5. Afghanistan	66	47
Other	222	225
Total	1,307	890

Number of forced returns from other countries accepted by Slovakia in the past 2 years				
From the following country	Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
	Foreign nationals	Nationals of Croatia	Foreign nationals	Nationals of Croatia
1. Ukraine	5	2	13	5
2. Austria	31	0	2	0
3. Hungary	2	0	6	0
4. Czech Republic	2	0	17	0
5. Poland	0	0	0	0
Other	-	-	-	-
Total	40	2	38	5

Information provided by: Ministry of the Interior, Bureau of Border and Alien Police

²⁰⁷ Under UNSCR 1244

SLOVENIA



General Information²⁰⁸

Location:	Central Europe, bordering the Adriatic Sea, Italy, Austria, Hungary, and Croatia
Area:	<i>Total:</i> 20,273 sq km – <i>land:</i> 20,151sq km – <i>water:</i> 122 sq km
Land boundaries:	<i>Total:</i> 1,086 km <i>Border countries:</i> Austria 330 km, Croatia 455 km, Hungary 102 km, Italy 199 km
Coastline:	46.6 km (Adriatic sea)
Population:	2,003,136 (July 2010 est.)

General legislative and institutional developments

During 2009, the following changes of legal acts in the area of migration management were done in Slovenia:

- The new aliens act was adopted on 15 July 2009;
- Act regarding issuing, validity and form of residence permits for citizens of Switzerland and their family members was approved on 12 June 2009;
- The International Protection Act was amended on 15 July 2009;

²⁰⁸ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/si.html> (Dec. 2010)

- The regulation regarding the form of passports for foreigners was amended on 28 June 2009;
- The government regulation regarding limitations of employment and work of third-country nationals was adopted on 11 June 2009;
- Following the requirements of the law on foreigners' integration, the regulation regarding integration programmes was adopted on 31 March 2009.

The following important international instruments were ratified by the Republic of Slovenia in 2009:

- the Council of Europe Convention on Action Against Trafficking in Human Beings (23 July 2009);
- the Convention on cross-border cooperation, particularly in combating terrorism, cross-border crime and illegal migration (Prüm Convention);
- Protocol regarding readmission agreement among EU Member States and Serbia (10 September 2009);
- Protocol regarding readmission agreement among EU Member States and Montenegro (2 February 2009).

A group of 99 new border guards finished their education and training in 2009 and became operational at the external border. Special trainings for 30 shift leaders at border crossing points were conducted. The training in the field of detection of abuse of travel documents and detection of stolen cars were conducted as well. Three portable thermo-vision devices and one mobile thermo-vision device, 100 special magnifier glasses for document abuse detection and 300 border stamps were supplied in order to improve the border protection.

Irregular migration flows

Statistical data indicates a decreasing trend of irregular migration in Slovenia. In 2007, 2,479 migration-related border apprehensions²⁰⁹ were recorded, compared to 1,189 in 2008 and 824 in 2009. The main reason for the decrease is the re-routing of irregular migration from Turkey via Greece, the former Yugoslav Republic of Macedonia and Serbia to Hungary and further to Central Europe.

The main nationalities of irregular migration flows have changed considerably. The most apparent change is a decrease in irregular migration of citizens of Serbia, the former Yugoslav Republic of Macedonia, and Montenegro as a result of the visa liberalisation in the Western Balkan in the end of 2009. Parts of changes in irregular migration are resulting in social and economic deprivation of Roma ethnic minorities in third countries of the Western Balkans, especially Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia.

²⁰⁹ Source: ICMPD Yearbook on Illegal Migration, Human Smuggling and trafficking in Central and Eastern Europe, 2009

The analysis of irregular migration routes leading through Slovenia shows that Slovenia became a destination country in many cases, followed by Italy and countries of Central and Northern Europe. The most important routes are the following:

- from Turkey via Greece, the former Yugoslav Republic of Macedonia, Serbia, Hungary to Austria and other Central European countries;
- through Croatia in all directions, depending on the destination country. Many cases of irregular migration are the result of legal entry by plane or at land border crossing points, followed by illegally crossing the Croatian-Slovenian land border.

Facilitated irregular migration in Slovenia slightly increased. Smuggling of citizens of Bosnia and Herzegovina is increasing strongest.

The most noticeable development in 2009 was a constant change of points of illegal border crossing. The law enforcement authorities in Slovenia believe that irregularly staying migrants and facilitators were 'testing' different parts of the external land border in order to establish new migration routes.

After a few successful border protection operations in the beginning of 2009, the main migration routes have changed: the route which included Slovenia as a transit country (especially for Turkish and Albanian nationals) has changed to the Northern Balkan, in the direction of Hungary. It must be noticed that each successful international operation leads to a temporary decrease in irregular migration flows.

Modes of illegal border crossings. Most of illegal border crossings took place at local road connections or in the vicinity of border crossing points. In particular, an increase in using cars and vans was observed at road connections. Some facilitated illegal border crossings took place at border crossing points, while migrants were hidden in cargo vans or trailers.

Smuggling

The results of investigations on human smuggling in Slovenia showed that groups operating in the country are rather small; however, they have links with criminals or criminal groups in the countries of origin. The responsibilities of the group members are strictly divided. In several investigated cases it was found out that the usual size of the groups is 3 to 10 persons.

The main method used for the facilitation of irregular arrival and stay is to provide employment documents which are necessary to obtain residence permits.

According to the characteristics of smuggling organisations in Slovenia, the following facts can be indicated:

- In a few cases, organised criminal groups appear as smaller groups or limited networks of facilitators;

- In most cases, criminal groups are larger networks of different organisations. Only in a few cases, they are organised hierarchically. There is usually a leader who is responsible for all contacts with group members.

If the smuggling operation includes several transit countries, it usually involves small groups of facilitators of the same nationality. These smugglers cooperate the whole way from the country of origin to the destination country, whereas each of them is responsible for a part of the operation: single border crossing, accommodation in a safe house, gathering of the group near the border, etc. The geographical region of activities of these groups mainly is the Middle East and the Western Balkans.

Smuggler organisations usually use cellular phones for their communication. Some better organised groups use the means of eavesdropping to monitor the radio communication of the police. As regards transportation means, own cars and lorries are mainly used to transport across the border. Persons are hidden in the trailers of trucks among the cargo or in specially designed compartments of trucks, mobile homes and vans. They also use forged and counterfeit documents for organising smuggling.

Payment can be made sequentially, i.e. every time the migrants enter a new country on the route. When payment is done all at once, the bank transfer to the members acting along the route is made through Western Union. It is rarely delivered by couriers.

Human smuggling fees slightly increased in 2009. The usual fee for citizens of Kosovo²¹⁰ for smuggling to the EU is about 2,500 EUR, for citizens of Bosnia and Herzegovina 1,500 EUR, citizens of the former Yugoslav Republic of Macedonia 3,500 EUR, citizens of Serbia 1,400 EUR, and for citizens of Turkey up to 8,000 EUR. The fee for citizens of Bosnia and Herzegovina decreased because of financial crisis and economic deprivation. The highest fees were paid for facilitated illegal border crossings, in range between 4,000 and 8,000 EUR. The most common fee for crossing the Croatian-Slovenian border was between 800 and 1,500 EUR.

Trafficking

Slovenian legislation clearly defines trafficking in human beings and human smuggling crimes; however, for statistical reasons the victims of trafficking could be listed among the smuggled persons. The definition of trafficking is in line with the UN trafficking definitions.

Slovenia is a transit and destination country and, to a lesser extent, a source country for trafficking in human beings. Women and children from Ukraine, Moldova, Bulgaria, Romania, Slovakia, the Czech Republic, Hungary, the Dominican Republic, Thailand, and Iran are subjected to forced prostitution in Slovenia and are being transited though Slovenia to Western Europe – primarily to Italy and Germany – for the same purpose. Men, women, and children from Ukraine, the Dominican Republic, and Romania are subjected to

²¹⁰ Under UNSCR 1244

conditions of forced labour in Slovenia, Italy, and Germany after migrating through Slovenia.²¹¹

All forms of trafficking in persons are prohibited in Slovenia through Article 113 of the criminal code. In 2009, 11 human traffickers were apprehended in Slovenia (25 in 2008): 6 citizens of Slovenia, 3 citizens of Kosovo²¹², 1 citizen of Slovakia and 1 citizen of Serbia. 13 victims of trafficking we identified in Slovenia in 2009 (25 in 2008); out of them 11 were women and 1 a minor.

Return and readmission

Return policy. The provisions regarding the entry, stay and residence of foreigners are established by the Aliens Act. Foreigners are obliged to leave the country in case of illegal stay according to provisions of the Aliens Act. A person who does not leave the country following an order to leave will be removed from the country. Removal may be forced or assisted.

The deportation or return of an irregularly staying migrant to a country in which his/her life or freedom would be endangered on the basis of race, religion, nationality, membership of a special social group or political opinion, or to a country in which the alien would be exposed to torture or to inhumane and humiliating treatment or punishment, is prohibited.

A person who fails to leave the country by the specified deadline and who for specific reasons cannot be removed immediately shall be ordered by the police, by the time of his or her removal from the country, to stay in the Aliens Centre, but no longer than for six months.

Procedures aiming to ease the removal take place at the Aliens Centre. They include psychological and medical assistance. Most of the removals are conducted without force.

The main strategies regarding removal are as follows:

- Removal, based on voluntary decision of alien to return home;
- Inclusion of legal assistance in return procedures;
- Providing minors with a guardian and safe reception in the country of return;
- Full respect of the non-refoulement principle;
- Proper psychological and social assistance in return procedures;
- Inclusion of non-governmental organisations in providing assistance and assurance of human rights and legal interests;
- Assistance in cases where suspicion of trafficking in human beings arises;
- Provision of proper health care.

The police cooperate with the following institutions:

²¹¹ Source: US Department of State, Trafficking in Persons Report 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/>

²¹² Under UNSCR 1244

- Social care centres;
- IOM;
- Relevant non-governmental organisations;
- Healthcare institutions;
- UNHCR;
- Ombudsman.

The police cooperate with the IOM in the field of removal of illegally staying migrants, especially in the past two years. In such cases, aliens are being provided with relevant information regarding the Assisted Voluntary Return programmes implemented by the IOM. The state authorities of Slovenia contact IOM representatives in all the cases related to assisted removal. IOM representatives usually visit the Aliens Centre in order to provide assistance.

Similar cooperation with other relevant NGOs takes place depending on their field of work. Enhancing this cooperation is one of the goals of the law enforcement institutions.

Readmission Agreements. Slovenia signed bilateral readmission agreements with the following countries:

- Austria (1993)
- Belgium, Netherlands and Luxembourg (1993)
- Bosnia and Herzegovina (2007)
- Czech Republic (1999)
- Denmark (1997)
- Estonia (1997)
- France (1993)
- Greece (1995)
- Croatia (2006)
- Italy (1997)
- Canada (1996)
- Latvia (1998)
- Lithuania (1997)
- Hungary (1999)
- The former Yugoslav Republic of Macedonia (1998)
- Poland (1997)
- Romania (2001)
- Slovakia (1995)
- Switzerland (2005).

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	29,455,376	24,414,397
Exit	28,375,455	23,514,102
Total	57,830,831	47,928,499

Total number of persons claiming asylum		
	2008	2009
Total	260	202

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	4	20
Persons whose applications were negative/ rejected	145	89
Persons whose applications were otherwise closed	176	119

Total number of migration related border apprehensions including foreigners and citizens of the Republic of Slovenia		
	2008	2009
Foreign nationals	1,141	764
Citizens of the Republic of Slovenia	48	60
Total	1,189	824

Total number of migration related border apprehensions by gender (including foreigners and citizens of Slovenia)		
Gender	2008	2009
Males	1,000	649
Females	176	151
Unknown	13	24
Total	1,189	824

Number of minors apprehended at the border due to border violation (including foreigners and citizens of Slovenia)		
Gender	2008	2009
Males	103	98
Females	42	47
Unknown	-	-
Total	145	145

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Slovenia)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Bosnia and Herzegovina	128	1. Bosnia and Herzegovina	206
2. Croatia	162	2. Croatia	109
3. Kosovo ²¹³	151	3. Kosovo ²¹⁴	93
4. Serbia	214	4. Serbia	86
5. Slovenia	48	5. Slovenia	60
6. the former Yugoslav Republic of Macedonia	71	6. the former Yugoslav Republic of Macedonia	47
7. Albania	65	7. Albania	46
8. Turkey	156	8. Turkey	36
9. Russian Federation	15	9. Russian Federation	17
10. Ukraine	16	10. Ukraine	3
Other	163	Other	121
Total	1,189	Total	824

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Slovenia)

Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings	302	43
On rail border crossings	23	6
On the green (land) border	555	397
At the sea border	15	0
On airports	8	0
In the country	259	378
On other places	26	0
Total	1,189	824

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of Slovenia)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Slovenia on the border with that country	OUT: Number of apprehensions of people LEAVING Slovenia on the border with that country	Total number of apprehensions on the border with that country
1. Croatia	1,159	30	1,189
Total	1,159	30	1,189

²¹³ Under UNSCR 1244

²¹⁴ Under UNSCR 1244

Number of migration-related apprehensions by border in 2009 (including foreigners and citizens of Slovenia)

Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Slovenia on the border with that country	OUT: Number of apprehensions of people LEAVING Slovenia on the border with that country	Total number of apprehensions on the border with that country
1. Croatia	793	31	824
Total	793	31	824

Number of apprehended persons being smuggled into Slovenia

	2008	2009
Total	255	214
Of the total: women	-	-
Of the total: minors	-	-

Total number of 'human smugglers' apprehended (including foreigners and citizens of Slovenia)

	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	164	98
Citizens of the Republic of Slovenia	458	106
Citizenship unknown	-	-
Total	622	204

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Slovenia)

Citizens of the following countries in 2008	Number of smugglers apprehend ed in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Slovenia	458	1. Slovenia	106
2. Croatia	70	2. Croatia	68
3. Serbia	39	3. Serbia	4
4. Bosnia and Herzegovina	26	4. Bosnia and Herzegovina	6
5. Austria	5	5. Romania	7
Other	24	Other	13
Total	622	Total	204

Number of people being trafficked into Slovenia		
	2008	2009
Total	25	13
Of the total: women	22	11
Of the total: minors	3	1

Number of 'human traffickers' apprehended (including foreigners and citizens of Slovenia)		
	Apprehensions in 2008	Apprehensions in 2009
Non-nationals	6	5
Citizens of Slovenia	19	6
Total	25	11

Number of 'human traffickers' apprehended and the top 5 nationalities or citizenships with most of 'human traffickers' apprehended (including foreigners and citizens of Slovenia)			
Citizens of the following countries in 2008	Number of traffickers in humans apprehended in 2008	Citizens of the following countries in 2009	Number of traffickers in humans apprehended in 2009
1. Slovenia	19	1. Slovenia	6
2. Ukraine	6	2. Kosovo ²¹⁵	3
		3. Slovakia	1
		4. Serbia	1
Total	25	Total	11

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons	Citizens of the following countries in 2009	Number of rejected persons
1. Croatia	4,989	1. Croatia	1,053
2. Bosnia and Herzegovina	947	2. Bosnia and Herzegovina	1,049
3. the former Yugoslav Republic of Macedonia	436	3. the former Yugoslav Republic of Macedonia	841
4. Serbia	628	4. Serbia	265
5. Russian Federation	125	5. Russian Federation	247
6. Albania	22	6. Albania	202
7. Ukraine	19	7. Ukraine	189
8. Turkey	320	8. Turkey	162
9. Kosovo ²¹⁶	54	9. Kosovo ²¹⁷	45
10. Montenegro	36	10. Montenegro	38
Total of ALL rejected persons at the border	7,848	Total of ALL rejected persons at the border	8,147

²¹⁵ Under UNSCR 1244

²¹⁶ Under UNSCR 1244

²¹⁷ Under UNSCR 1244

Persons to whom residence was refused and 10 nationalities/citizenships to whom residence was refused			
2008	Number of persons to whom residence was refused in 2008	2009	Number of persons to whom residence was refused in 2009
1. Serbia	356	1. Kosovo ²¹⁸	805
2. BiH	319	2. BiH	706
3. the former Yugoslav Republic of Macedonia	152	3. Serbia	496
4. Bulgaria	74	4. the former Yugoslav Republic of Macedonia	416
5. Kosovo ²¹⁹	60	5. Bulgaria	105
6. Croatia	46	6. Croatia	76
7. Slovakia	28	7. China	59
8. Czech Republic	15	8. Slovakia	49
9. China	14	9. Ukraine	25
10. France	12	10. USA	25
Total of ALL refused persons	1,215	Total of ALL refused persons	3,005

Removed persons and the top 10 nationalities or citizenships removed from Slovenia ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Bosnia and Herzegovina	192	1. Bosnia and Herzegovina	269
2. Croatia	145	2. Croatia	229
3. the former Yugoslav Republic of Macedonia	100	3. the former Yugoslav Republic of Macedonia	201
4. Kosovo ²²⁰	122	4. Kosovo ²²¹	185
5. Serbia	196	5. Serbia	179
6. Ukraine	180	6. Ukraine	125
7. Moldova	83	7. Moldova	116
8. China	83	8. China	97
9. Albania	46	9. Albania	67
10 Turkey	87	10 Turkey	28
Total of ALL removed persons	1,485	Total of ALL removed persons	1,794

²¹⁸ Under UNSCR 1244²¹⁹ Under UNSCR 1244²²⁰ Under UNSCR 1244²²¹ Under UNSCR 1244

Number of assisted voluntary returns (number of persons) to other countries successfully implemented in the past two years

To the following country	Number of assisted voluntary returns (number of persons) TO other countries in 2008	Number of assisted voluntary returns (number of persons) TO other countries in 2009
1. Kosovo ²²²	75	75
2. Serbia	53	19
3. Bosnia and Herzegovina	51	39
4. Turkey	44	9
5. Albania	24	17
Other	141	104
Total	388	263

Number of forced returns (number of persons) to other countries successfully implemented in the past two years

To the following country	Number of forced returns (number of persons) TO other countries in 2008	Number of forced returns (number of persons) TO other countries in 2009
1. Croatia	740	733
2. BiH	141	230
3. the former Yugoslav Republic of Macedonia	100	201
4. Serbia	143	160
5. Ukraine	180	125
Other	141	427
Total	1,445	1,876

Number of forced returns from other countries accepted by Slovenia in the past 2 years

From the following country	Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
	Foreign nationals	Nationals of Slovenia	Foreign nationals	Nationals of Slovenia
1. Italy	55	4	78	
2. Austria	26	9	35	3
3. Croatia	22	17	24	22
4. Hungary	4		13	
Other	8	18	28	21
Total	115	48	178	46

Information provided by: General Police Directorate, Uniformed Police Directorate, Border Police Division

²²² Under UNSCR 1244

TURKEY



General Information²²³

Location:	South Eastern Europe and South Western Asia, bordering the Black Sea, between Bulgaria and Georgia, and bordering the Aegean Sea and the Mediterranean Sea, between Greece and Syria
Area:	<i>Total:</i> 783,562 sq km – <i>land:</i> 769,632 sq km – <i>water:</i> 13,930 sq km
Land boundaries:	<i>Total:</i> 2,648 km <i>Border countries:</i> Armenia 268 km, Azerbaijan 9 km, Bulgaria 240 km, Georgia 252 km, Greece 206 km, Iran 499 km, Iraq 352 km, Syria 822 km
Coastline:	7,200 km
Population:	78,785,548 (July 2011 est.)

General legislative and institutional developments

There were no changes in the legislation concerning irregular migration in the year 2009.

In 2009, a high-level coordination group was established, in order to ensure permanent coordination between the law enforcement bodies and other institutions involved, with the aim to actively fight irregular migration. The first meeting was held on 5 October 2009 and the second meeting was held on 6 December 2009. A draft roadmap was prepared by the External Borders Task Force (established within the Ministry of Interior) for the implementation of the National Action Plan on Turkey's Integrated Border Management Strategy, which was approved in 2006. Currently, the roadmap is about to be finalised. In addition, 29 sub-projects under this project are going to be finalised by 2014. An important

²²³ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/up.html> (March 2011)

part of this project is to establish a Border Security Organisation under the Ministry of Interior.

Irregular migration flows

Due to its geographical location, Turkey remains an important transit country of irregular migration to Europe. In line with the global development of decreasing irregular migration flows, the number of apprehensions in Turkey has considerably decreased by almost 50 percent from 2008 to 2009. Despite the general decrease, the composition of countries of origin in 2009 has remained similar compared to the previous years.

The numbers of Turkish nationals irregularly migrating to European countries or applying for asylum in European countries decreased as well, which is explained by the drastic measures taken against irregular migration in Europe as well as the low recognition rates of asylum applications from Turkey.

Turkey has recently become a destination country for irregular migration flows, however, the main purpose of migrants arriving illegally in Turkey is to work (illegally) and save money for going to Europe.

Modes of illegal border crossings. The majority of migrants found to be illegally entering or staying in Turkey are from Afghanistan, Iraq, the Occupied Palestinian Territory and Somalia. It has been observed that persons from Afghanistan, Pakistan or Iraq enter via Iran at the mountainous green border to Turkey in the east. Palestinians and Somalis usually enter Turkey via Syria on land or sea routes. The exit route from Turkey is mostly the same for all persons who travel without authorisation. The main exit routes are via the Aegean Sea or by road via Edirne. According to the experiences with border controls on the sea by Turkish authorities, irregular migration flows to Italy are rarely done via Turkey.

Smuggling

The number of human smugglers apprehended has decreased by 21 percent from 2008 to 2009. The smugglers are mainly Turkish citizens (more than 90 percent in both years).

Criminal organisations involved in human smuggling are composed of three to a maximum of 15 persons and are active in larger cities as well as in cities located at border regions and in the coastal area. The Turkish authorities found that these organisations are internationally connected and use codes when speaking on the phone. Transport of smuggled person on the road is usually done in closed vehicles such as vans or trucks. The costs for smuggling via land and sea routes are from 3,000 to 8,000 USD and smuggling via air routes costs from 10,000 to 15,000 USD. Generally, no changes in the routes and methods of human smuggling have been observed in the past two years.

Trafficking

The number of victims of trafficking found in Turkey has decreased by 15 percent from 2008 to 2009. Of the 102 victims found in 2009, 99 were women. The number of traffickers

in human beings was almost three times as high as the number of victims of trafficking. In 2009, 301 traffickers (mainly Turkish citizens) were apprehended (253 in 2008).

There is no relation between human smuggling and human trafficking in Turkey, mainly due to the fact that the different routes are used. While persons who irregularly enter Turkey use the south and south-eastern borders, victims of trafficking are mainly transported via air and the north-east land border gates. Furthermore, victims of trafficking usually come to Turkey legally. Forgery in passports or visas is rare.

Return and readmission

Return policy. The Department of Foreigners, Borders and Asylum of the Turkish National Police under the Ministry of Interior is responsible for returns of illegally staying persons in Turkey. Persons found to be illegally present by the law enforcement bodies are handed over to Removal Centres under the TNP Department of Foreigners, Borders and Asylum after the judicial process. The return and removal process is being executed in these centres. All basic needs of the persons detained in the centres are met until the returns are performed.

As mentioned above, the majority of the illegally staying persons in Turkey are Afghans, Pakistanis, Iraqis, Somalis and Palestinians. There are major problems in returning Pakistan and Afghan citizens. The relevant bodies try to return them immediately by air after the travel documents are issued and return costs are met. Unauthorised migrants from Iraq are usually returned to the neighbouring country. Syrians can also be returned due to the readmission agreement with Syria. However, it is impossible to return Somali and Palestinian citizens as there are no diplomatic missions of these countries in Turkey, and therefore travel documents cannot be issued.

A project titled 'Supporting the Voluntary Return of the Irregular Migrants in Turkey' was carried out in order to ensure the safe return of migrants to their countries of origin. Within this framework, the project activities were started by the Ministry of Interior (Turkish National Police) in coordination with the UK Home Office and the International Organization for Migration in October 2009 and are still ongoing.

Readmission Agreements. Turkey signed readmission agreements with Syria, Greece, Kyrgyzstan, Romania and Ukraine. Since 2007, two new readmission agreements have been signed: Turkey signed a readmission agreement with Pakistan in late 2010 and with Russia in early 2011. However, they have not come into force yet. A readmission agreement was proposed to Afghanistan in 2008 and the proposal for a readmission agreement with Iraq was renewed in 2009. Furthermore, negotiations with Azerbaijan, Bosnia and Herzegovina, Hungary, Bangladesh, Georgia, Lebanon, Uzbekistan, Sri Lanka, the former Yugoslav Republic of Macedonia, Moldova, Serbia, and Libya are continuing.

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	25,002,493	25,529,375
Exit	25,096,601	25,799,309
Total	50,099,094	51,328,684

Total number of persons claiming asylum		
	2008	2009
Total	11,950	6,745

Total number of persons who were granted (refused) asylum		
	2008	2009
Persons whose applications were positive	5,360	5,775
Persons whose applications were negative/ rejected	n.a.	n.a.
Persons whose applications were otherwise closed	n.a.	n.a.

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Turkey)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1.Afghanistan	10,839	1.Occ. Palestinian Territory	5,393
2.Pakistan	9,186	2.Myanmar	4,087
3.Occ. Palestinian Territory	6,941	3.Afghanistan	3,917
4.Myanmar	4,831	4.Pakistan	2,774
5.Iraq	4,818	5.Somalia	2,284
6.Somalia	3,348	6.Georgia	1,769
7.Georgia	2,702	7.Azerbaijan	1,234
8.Turkmenistan	1,741	8.Iraq	1,128
9.Azerbaijan	1,681	9.Iran	819
10.Iran	1,288	10.Ukraine	803
Other	18,362	Other	10,137
Total	65,737	Total	34,345

Total number of 'human smugglers' apprehended (including foreigners and citizens of Turkey)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	70	57
Citizens of Turkey	1,235	970
Total	1,305	1,027

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Turkey)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1.Turkey	1,235	1.Turkey	970
2.Iraq	13	2.Afghanistan	11
3.Iran	12	3.Iran	10
4.Afghanistan	6	4.Occ. Palestinian Territory	7
5.Syria	6	5.Iraq	6
Other	33	Other	23
Total	1,305	Total	1,027

Number of people being trafficked into Turkey		
	2008	2009
Total	120	102
Of the total: women	108	99
Of the total: minors	12	1

Number of 'human traffickers' apprehended (including foreigners and citizens of Turkey)		
	Apprehensions in 2008	Apprehensions in 2009
Non-nationals	41	42
Citizens of Turkey	212	259
Citizenship unknown	-	-
Total	253	301

Number of 'human traffickers' apprehended and the top 5 nationalities or citizenships with most of 'human traffickers' apprehended (including foreigners and citizens of Turkey)			
Citizens of the following countries in 2008	Number of 'traffickers in humans' apprehended in 2008	Citizens of the following countries in 2009	Number of 'traffickers in humans' apprehended in 2009
1.Turkey	212	1.Turkey	259
2.Uzbekistan	12	2.Uzbekistan	8
3.Ukraine	6	3.Georgia	6
4.Georgia	5	4.Ukraine	6
5.Kyrgyzstan	4	5.Kyrgyzstan	5
Other	14	Other	17
Total	253	Total	301

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1.Georgia	2,915	1.Georgia	1,911
2.Moldova	1,222	2.Moldova	1,297
3.Russia	743	3.Iraq	965
4.Turkmenistan	662	4.Russia	845
5.Iraq	633	5.Ukraine	809
6.Ukraine	569	6.Uzbekistan	792
7.Azerbaijan	539	7.Turkmenistan	758
8.Syria	396	8.Azerbaijan	620
9.Uzbekistan	323	9.Kyrgyzstan	571
10.Iran	319	10.Iran	506
Total of ALL rejected persons at the border (of any nationality)	11,046	Total of ALL rejected persons at the border (of any nationality)	12,804

Removed persons and the top 10 nationalities or citizenships removed from Turkey ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1.Afghanistan	10,839	1.Occ. Palestinian Territory	5,393
2.Pakistan	9,186	2.Myanmar	4,087
3.Occ. Palestinian Territory	6,941	3.Afghanistan	3,917
4.Myanmar	4,831	4.Pakistan	2,774
5.Iraq	4,818	5.Somalia	2,284
6.Somalia	3,348	6.Georgia	1,769
7.Georgia	2,702	7.Azerbaijan	1,234
8.Turkmenistan	1,741	8.Iraq	1,128
9.Azerbaijan	1,681	9.Iran	819
10.Iran	1,288	10.Ukraine	803
Total	65,737	Total	34,345

Information provided by: Migration Department, Deputy Directorate General of Migration, Asylum and Visa, Directorate General of Consular Affairs, Ministry of Foreign Affairs, Turkey

UKRAINE



General Information²²⁴

Location:	Eastern Europe, bordering the Black Sea, Romania, Moldova, Hungary, Slovakia, Poland, Belarus, and the Russian Federation
Area:	<i>Total:</i> 603,550 sq km – <i>land:</i> 579,330 sq km – <i>water:</i> 24,220 sq km
Land boundaries:	<i>Total:</i> 4,566 km <i>Border countries:</i> Belarus 891 km, Hungary 103 km, Moldova 940 km, Poland 428 km, Romania (South) 176 km, Romania (South-West 362 km), Russian Federation 1,576 km, Slovakia 90 km
Coastline:	2,782 km (Black Sea)
Population:	45,415,596 (July 2010 est.)

General legislative and institutional developments

Ukraine has developed a legislative framework in the field of migration management, which is based on the constitution of Ukraine and respective international agreements. For the implementation of the requirements of these legal instruments, laws and bylaws were adopted in all areas related to migration issues.

In order to improve the efficiency of combating irregular migration and related crimes, the reorganisation of the State Border Service was carried out in 2008. The new units

²²⁴ Source(s): CIA World Fact Book online, <https://www.cia.gov/library/publications/the-world-factbook/geos/up.html> (Dec. 2010)

responsible for the implementation of measures directed to combating irregular migration were created: the board for cross-border crimes, the unit on combating irregular migration and trafficking in human beings, the board on analysis, risk assessment and statistics, board on criminal analysis, etc.

Irregular migration flows

Irregular migration flows in Ukraine usually involve legal entry of migrants to the Russian Federation and subsequent illegal transit through Ukraine. These migration flows are mainly directed towards EU Member States.

The numbers of citizens of Asian countries has not changed significantly during the last few years. However, irregular migration is often facilitated by organised smuggler groups. This tendency is most obvious in cases of transit of citizens of the Russian Federation (of Chechen origin), as well as citizens of Moldova, Armenia, and Georgia.

Modes of illegal border crossings. The majority of migrants cross the state border of Ukraine with Russia on foot, usually being accompanied by smugglers. The whole operation of illegal transit of migrants through Ukraine is usually well organised. The operations are planned in the country of origin, where migrants meet the smugglers (usually citizens of the same countries as the migrants themselves). After being accommodated in Ukraine, persons try to illegally cross the borders to the EU: Slovakia (925 apprehensions on this border section in 2009, while trying to leave Ukraine), Poland (374 apprehensions), Hungary (348 apprehensions), and Romania (156 apprehensions).

Another way of irregular entry to Ukraine used by migrants is a legal arrival by plane and further illegal border crossing to EU MS. The use of forged identity and travel documents is increasing.

The abuse of the asylum system in Ukraine has organised character as well: migrants are informed about the possibility to apply for asylum and then disappear from the territory of Ukraine or try to migrate to the EU illegally.

In many cases, persons initially having arrived legally in Ukraine, e.g. as students, tourists or entrepreneurs, turned out to be irregularly staying migrants. According to the available data, about 50 percent of foreign students in Ukraine do not attend the educational institutions and later try to cross the Ukrainian border illegally.

Smuggling

The smuggling of migrants to Ukraine is increasing among general irregular migration movements. Smuggling operations are usually well organised. The following features of smuggling operations were observed and recorded in Ukraine in the last few years:

- Smuggling operations are organised from the country of origin to the destination country, but in each transit country, or even for each step of the operation, the smugglers are different;

- The smugglers and the migrants are usually citizens of the same country, or at least they speak the same language;
- The smugglers take personal and travel documents (if available) from the migrants. Sometimes, migrants receive forged travel documents instead;
- After completion of each step of the operations, smugglers take the SIM cards from migrants. Recently, there were cases when migrants had contact only with the members of the group which had contacted them in the country of origin or in some other foreign country, and only this person contacted the smugglers in Ukraine;
- In 2009, there were several cases of migrants crossing Ukraine without any accommodation and without participation of local smugglers.

The technical and other equipment of smuggling operations is quite modern and adjustable. The guides are usually residents of western Ukrainian regions who are specially prepared for this task. They often use modern GPS devices. Migrants usually do not see the smuggler's faces. Mobile phones are the most used communication device; however, the smugglers use some special code while talking on the phone which makes it impossible to use these conversations as evidence in smuggling cases even if they would be legalised by mobile network operators.

The fees for smuggling depend on the specific smuggling operation: length of travel, transportation type, possibility to get documents, way of border crossing, etc. On average migrants pay from 7,000 to 12,000 USD for smuggling from South-Eastern Asian countries, Near East or African countries to Russia, Ukraine and Western European countries. About 1,500 to 2,000 USD of the total sum are paid only for illegally crossing the Ukrainian-Slovakian or Ukrainian-Hungarian border. It was discovered that citizens of China, India, and Sri Lanka have to pay the highest price because their travel usually includes flight, while citizens of Afghanistan often travel by train and thus pay less for being smuggled.

84 traffickers were apprehended in Ukraine in 2009 (78 in 2008): 55 were citizens of Ukraine, 8 citizens of the Russian Federation, 3 citizens of Moldova, 2 citizens of Algeria, and 2 citizens of Turkey.

Trafficking

Ukraine is a source, transit and, increasingly, a destination country for trafficking in human beings. Ukrainian victims are being trafficked to Russia, Poland, Turkey, Italy, Austria, Spain, Germany, Portugal, the Czech Republic, United Arab Emirates, United Kingdom, Israel, Greece, Lebanon, Benin, Tunisia, Cyprus, Bosnia and Herzegovina, Hungary, Slovakia, Syria, Switzerland, the United States, Canada, and Belarus. The majority of Ukrainian male labour trafficking victims were subjected to forced labour in Russia but also in other countries, primarily as construction workers, factory and agricultural workers, or sailors. The IOM reports that four percent of the reported trafficking victims in Ukraine are children: they were most often forced into prostitution or forced to beg.

Ukraine prohibits all forms of trafficking through Article 149 of the criminal code. 80 trafficking cases were prosecuted in Ukraine under Article 149 in 2009 (the same number as in 2008). The government reported that it convicted 110 trafficking offenders in 2009, compared with 99 the previous year.

In 2009, 335 new victims of trafficking were identified, including 42 children (including domestic trafficking). Ukrainian consulates reported providing assistance to 66 Ukrainian victims abroad during 2009.²²⁵

Return and readmission

Return policy. According to Article 32 of the Law on the Legal Status of Aliens there are two possibilities of return: voluntary return and forced return.

In case of assisted return, an alien is obliged to leave the territory of Ukraine within a time limit specified by the decision of the State Border Service of Ukraine. This period cannot be longer than 30 days from the moment of taking decision. If a foreigner does not leave Ukraine or if there are serious reasons to believe that this foreigner will not leave, the person may be deported from Ukraine. In Ukraine, the courts are responsible for deportation decisions; these decisions are implemented by the Ministry of the Interior, the Border Service and the State Security Service.

Ukraine does not have assisted return programmes. The only projects related to assisted repatriation from Ukraine were implemented by the International Organization for Migration in cooperation with state institutions.

Readmission Agreements. Ukraine has readmission agreements with the following countries:

- Hungary (came into force on 4 June 1994)
- Poland (came into force on 10 April 1994)
- Slovakia (came into force on 28 March 1994)
- Lithuania (came into force on 23 January 1996)
- Moldova (came into force on 23 December 1998)
- Latvia (came into force on 10 February 1998)
- Uzbekistan (came into force on 20 August 2002)
- Turkmenistan (came into force on 30 March 2002)
- Bulgaria (came into force on 7 March 2002)
- Switzerland and Liechtenstein (came into force on 1 October 2004)
- Georgia (came into force on 26 May 2004)
- Denmark (came into force on 21 May 2008)
- Turkey (came into force on 19 November 2008)
- Russian Federation²²⁶ (came into force on 21 November 2008)
- Norway (signed in 2008)

²²⁵ Source: US Department of State, Trafficking in Persons Report 2010, <http://www.state.gov/g/tip/rls/tiprpt/2010/>

²²⁶ Not in force with regard to 3rd country nationals

- Vietnam (came into force on 10 April 2009)
- EU (came into force on 1 January 2010)

Statistical tables

Total number of persons legally crossing the border		
	2008	2009
Entry	89,076,351	79,096,321
Exit	44,596,852	39,549,113
Total	44,479,499	39,547,208

Total number of persons claiming asylum ²²⁷		
	2008	2009
Total	2,310	1,683

Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations (including foreigners and citizens of Ukraine)			
Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1. Ukraine	3,786	1. Ukraine	3,778
2. Moldova	2,106	2. Moldova	1,802
3. Russian Federation	881	3. Russian Federation	864
4. Georgia	543	4. Georgia	425
5. Pakistan	535	5. Afghanistan	313
6. Belarus	275	6. Belarus	212
7. Afghanistan	219	7. Pakistan	113
8. Somalia	185	8. Tajikistan	111
9. India	155	9. Turkey	81
10. Tajikistan	143	10. Armenia	77
Other	1,094	Other	793
Total	9,922	Total	8,569

Total number of migration related border apprehensions (including foreigners and citizens of Ukraine)		
	2008	2009
Foreign nationals	6,136	4,791
Citizens of the Republic of Ukraine	3,786	3,778
Total	9,922	8,569

²²⁷ Source: UNHCR Statistical Online Population Database, United Nations High Commissioner for Refugees (UNHCR), Data extracted: 01/10/2010, www.unhcr.org/statistics/populationdatabase

Total number of migration-related border apprehensions by gender (including foreigners and citizens of Ukraine)		
Gender	2008	2009
Males	8,089	6,782
Females	1,833	1,787
Unknown	-	-
Total	9,922	8,569

Number of minors apprehended at the border due to border violation (including foreigners and citizens of Ukraine)		
Gender	2008	2009
Males	69	93
Females	21	22
Unknown	-	-
Total	90	115

Number of migration-related apprehensions by place of apprehension (including foreigners and citizens of Ukraine)		
Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
At the border	9,849	8,380
In the country	73	189
Total	9,922	8,569

Number of migration-related apprehensions by border in 2008 (including foreigners and citizens of Ukraine)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Ukraine on the border with that country	OUT: Number of apprehensions of people LEAVING Ukraine on the border with that country	Total number of apprehensions on the border with that country
1. Poland	1	395	396
2. Slovakia	12	1,378	1,390
3. Hungary	2	816	818
4. Romania	4	244	248
5. Moldova	23	11	34
6. Russian Federation	325	34	359
7. Belarus	29	7	36
8. Other	20	63	83
Total	416	2,948	3,364

Number of migration-related apprehensions by border in 2009 (including foreigners and citizens of Ukraine)			
Border Section: Name of neighbouring country on the border where the apprehension took place	IN: Number of apprehensions of people ENTERING Ukraine on the border with that country	OUT: Number of apprehensions of people LEAVING Ukraine on the border with that country	Total number of apprehensions on the border with that country
1. Poland	3	374	377
2. Slovakia	9	925	934
3. Hungary	4	348	352
4. Romania	3	156	159
5. Moldova	109	55	164
6. Russian Federation	257	21	288
7. Belarus	26	4	30
8. Other	28	61	79
Total	439	1,944	2,383

Total number of 'human smugglers' apprehended (including foreigners and citizens of Ukraine)		
	Apprehensions in 2008	Apprehensions in 2009
Foreign nationals	9	29
Citizens of the Republic of Ukraine	69	55
Citizenship unknown	-	-
Total	78	84

Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended (including foreigners and citizens of Ukraine)			
Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1. Ukraine	69	1. Ukraine	55
2. Russian Federation	5	2. Russian Federation	8
3. Moldova	1	3. Moldova	3
4. Sri Lanka	1	4. Algeria	2
5. Belarus	1	5. Turkey	2
Other	1	Other	14
Total	78	Total	84

Persons rejected at the border and the top 10 nationalities/ citizenships rejected at the border			
Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1. Moldova	13,989	1. Moldova	10,756
2. Uzbekistan	6,145	2. Uzbekistan	5,709
3. Tajikistan	2,745	3. Tajikistan	2,109
4. Azerbaijan	2,275	4. Azerbaijan	1,813
5. Armenia	1,720	5. Armenia	1,604
6. Turkey	1,240	6. Poland	1,034
7. Poland	1,186	7. Russian Federation	829
8. Russian Federation	1,050	8. Burma	786
9. Kyrgyzstan	907	9. Kyrgyzstan	711
10. Georgia	835	10. Georgia	702
Total of ALL rejected persons at the border (of any nationality)	38,205	Total of ALL rejected persons at the border (of any nationality)	31,369

Removed persons and the top 10 nationalities or citizenships removed from Ukraine ('removed persons' refers to persons who have been forcibly returned to their country of origin)			
Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1. Moldova	2,029	1. Moldova	1,518
2. Georgia	476	2. Georgia	377
3. Pakistan	279	3. Pakistan	129
4. Russian Federation	189	4. Russian Federation	184
5. India	122	5. India	19
6. Turkey	111	6. Turkey	69
7. China	85	7. China	18
8. Afghanistan	81	8. Afghanistan	134
9. Vietnam	79	9. Vietnam	38
10. Uzbekistan	65	10. Uzbekistan	26
Total of ALL removed persons (of any nationality or country)	3,738	Total of ALL removed persons (of any nationality or country)	2,885

Number of voluntary returns (number of persons) to other countries successfully implemented in the past two years		
To the following country	Number of assisted voluntary returns (number of persons) TO other countries in 2008	Number of assisted voluntary returns (number of persons) TO other countries in 2009
1. Moldova	2,027	1,502
2. Georgia	422	318
3. Russian Federation	186	157
4. Turkey	109	54
5. Afghanistan	59	41
Other	500	238
Total	3,303	2,310

Number of forced returns (number of persons) to other countries successfully implemented in the past two years		
To the following country	Number of forced returns (number of persons) TO other countries in 2008	Number of forced returns (number of persons) TO other countries in 2009
1. Pakistan	182	126
2. India	93	15
3. Georgia	54	59
4. China	35	16
5. Afghanistan	22	96
Other	49	266
Total	435	575

Number of illegally staying immigrants who have voluntarily left Ukraine following an obligation to leave the territory in the past years		
	Number of voluntary returns without assistance	Most important countries to which the persons have returned voluntarily
2009	2,310	Moldova, Georgia, China, the Russian Federation, Pakistan, Turkey, Afghanistan
2008	3,303	Moldova, Georgia, China, the Russian Federation, Pakistan, Turkey, Afghanistan
2007	4,369	Moldova, Georgia, China, the Russian Federation, Vietnam, India
2006	5,217	Moldova, Georgia, China, the Russian Federation, Vietnam, India
2005	6,720	Moldova, Georgia, China, the Russian Federation, Vietnam, Afghanistan

Number of forced returns from other countries accepted by Ukraine in the past 2 years				
From the following country	Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
	Foreign nationals	Nationals of Ukraine	Foreign nationals	Nationals of Ukraine
1. Poland	174	38	102	31
2. Slovakia	757	18	407	33
3. Hungary	212	9	106	14
4. Romania	107	36	56	52
5. Moldova	5	73	2	22
6. Russia	3	60	2	13
7. Belarus	-	84	2	71
Total	1,258	318	677	236

Information provided by: Administration of the State Border Service of Ukraine

Questionnaire

Qualitative Questions

The following questions are open questions where you can use as much space as you need for your answers. Your input presents the basis for the preparation of the country chapters of ICMPD's Yearbook. You also may attach publications, articles, yearly reports etc. describing the aims, activities, and important events of your organisation and your evaluation regarding migration trends and policies in your country.

Question 1. *Flows of illegal migration.* According to your experience what were the **main events, trends, tendencies of illegal migration** in your country in 2008 and 2009? Please try to explain the developments by focusing on the causes for the increase or decrease of the extent of illegal migration.

Question 2. *Legislation.* What developments took place in 2009 regarding the **legislation** on illegal migration? What are the laws, decrees, and international agreements of 2009 important to illegal migration in your country?

Question 3. *Institutional development.* What developments took place in 2009 regarding the **development of law enforcement institutions** combating illegal migration (e.g. border guards)? Please include the main events regarding resource development, organisational development and other related events which might have an impact on enforcing laws on illegal migration.

Question 4. *Organisational setup of human smuggling.* What are the main **characteristics of the organisations involved in human smuggling** in your country? Please consider the following characteristics: size of the organisation, regions of activity of the organisations, structural organisation and estimated extent of persons smuggled by the different organisations as well as differences between organisations.

Question 5. *Technical facilities of human smuggling.* What are the typical **technical facilities** and resources of smuggling organisations? Please give examples on how they perform their transport and communication activities.

Question 6. *Smuggling fees.* Are there evidences on the **fees** of smuggling services? If yes, please describe the amount of fee and the related cases.

Question 7. *Changes and developments.* According to your experience, please describe **important developments** which were observable in the past two years? (e.g. new methods, new routes or organisational structures, etc.)

Question 8. *Modes of illegal border crossings.* Please describe recent trends in the modes and ways of illegal border crossings in the past two years. Please point out anything you consider as important.

Quantitative questions

The quantitative questions ask for the numbers of certain events or persons which are important indicators for illegal migration. If you do not know the exact numbers please provide estimates. If you make estimates please provide the method and considerations behind the estimate. Please refer always to the full calendar year, i.e. from 1 January to 31 December. Please remark if nationals are included in the numbers or if only non-nationals are counted.

Question 9. Please insert the total number of persons legally crossing the border in your country

	2008	2009
Entry		
Exit		
Total		

Question 10. Please insert the total number of persons claiming asylum in your country

	2008	2009
At the border		
Inland		
Unknown		
Total		

Question 11. Please insert the total number of persons who were granted (refused) asylum

	2008	2009
Persons whose applications were positive		
Persons whose applications were negative/ rejected		
Persons whose applications were otherwise closed		

Question 12. Number of border violators, and the top 10 nationalities/ citizenships with most of the border violations including foreigners and citizens of your own country

Citizens of the following countries in 2008	Number of border violators in 2008	Citizens of the following countries in 2009	Number of border violators in 2009
1.		1.	
2.		2.	
3.		3.	
4.		4.	
5.		5.	
6.		6.	
7.		7.	
8.		8.	
9.		9.	
10.		10.	
Other		Other	
Total		Total	

Question 13. Total number of migration related border apprehensions including foreigners and citizens of your own country.

	2008	2009
Foreign nationals		
Citizens of your country		
Total		

Question 14. Total number of migration related border apprehensions including foreigners and citizens of your own country, by gender

Gender	2008	2009
Males		
Females		
Unknown		
Total		

Question 15. Number of minors apprehended at the border due to border violation including foreigners and citizens of your own country*

Gender	2008	2009
Males		
Females		
Unknown		
Total		

*The age of a minor is to be determined by local legislation in force in the reporting country.

Question 16. Number of migration related apprehensions by place of apprehension including foreigners and citizens of your own country

Place of apprehension	Number of apprehensions in 2008	Number of apprehensions in 2009
On road border crossings		
On rail border crossings		
On the green (land) border		
At the sea border		
On airports		
In the country		
On other places		
Total		

*Question 17. Number of migration related apprehensions by border including foreigners and citizens of your own country in **2008***

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING your country on the border with that country 2008	OUT: Number of apprehensions of people LEAVING your country on the border with that country 2008	Total number of apprehensions on the border with that country 2008
1.			
2.			
3.			
4.			
5.			
6.			
7.			
Other			
Total			

*Question 18. Number of migration related apprehensions by border section including foreigners and citizens of your own country **2009***

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING your country on the border with that country 2009	OUT: Number of apprehensions of people LEAVING your country on the border with that country 2009	Total number of apprehensions on the border with that country 2009
1.			
2.			
3.			
4.			
5.			
6.			
7.			
Other			
Total			

Question 19. Number of apprehended persons being **smuggled** into your country

	2008	2009
Total		
Of the total: women		
Of the total: minors*		

*The age of a minor is to be determined by local legislation in force in the reporting country.

Question 20. Total number of 'human smugglers' apprehended including foreigners and citizens of your own country

	Apprehensions in 2008	Apprehensions in 2009
Non-nationals		
Citizens of your country		
Citizenship unknown		
Total		

Question 21. Number of 'human smugglers' apprehended and the top 5 nationalities or citizenships with most of 'human smugglers' apprehended including foreigners and citizens of your own country

Citizens of the following countries in 2008	Number of smugglers apprehended in 2008	Citizens of the following countries in 2009	Number of smugglers apprehended in 2009
1.		1.	
2.		2.	
3.		3.	
4.		4.	
5.		5.	
Other		Other	
Total		Total	

Question 22. Number of people being **trafficked** into your country

	2008	2009
Total		
Of the total: women		
Of the total: minors*		

*The age of a minor is to be determined by local legislation in force in the reporting country.

Question 23. Number of 'human traffickers' apprehended including foreigners and citizens of your own country

	Apprehensions in 2008	Apprehensions in 2009
Non-nationals		
Citizens of your country		
Citizenship unknown		
Total		

Question 24. Number of 'human traffickers' apprehended and the top 5 nationalities or citizenships with most of 'human traffickers' apprehended including foreigners and citizens of your own country

Citizens of the following countries in 2008	Number of 'traffickers in humans' apprehended in 2008	Citizens of the following countries in 2009	Number of 'traffickers in humans' apprehended in 2009
1.		1.	
2.		2.	
3.		3.	
4.		4.	
5.		5.	
Other		Other	
Total		Total	

Question 25. Persons rejected at the border and the the top 10 nationalities/ citizenships rejected at the border

Citizens of the following countries in 2008	Number of rejected persons in 2008	Citizens of the following countries in 2009	Number of rejected persons in 2009
1.		1.	
2.		2.	
3.		3.	
4.		4.	
5.		5.	
6.		6.	
7.		7.	
8.		8.	
9.		9.	
10		10.	
Total of ALL rejected persons at the border (of any nationality)		Total of ALL rejected persons at the border (of any nationality)	

Question 26. Persons to whom residence was refused and the top 10 nationalities/citizenships to whom residence was refused

Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008	Citizens of the following countries in 2009	Number of persons to whom residence was refused in 2009
1.		1.	
2.		2.	
3.		3.	
4.		4.	
5.		5.	
6.		6.	
7.		7.	
8.		8.	
9.		9.	
10.		10.	
Total of ALL refused persons of any nationality		Total of ALL refused persons of any nationality	
Of the total: number of overstayers*		Of the total: number of overstayers*	

*Overstayers are persons who remain in the country after the deadline of their visas or residence permits had expired.

Question 27. Removed persons and the top 10 nationalities or citizenships removed from your country (removed persons refer to persons who have been forcibly returned to their country of origin)

Citizens of the following countries in 2008	Number of removed persons in 2008	Citizens of the following countries in 2009	Number of removed persons in 2009
1.		1.	
2.		2.	
3.		3.	
4.		4.	
5.		5.	
6.		6.	
7.		7.	
8.		8.	
9.		9.	
10.		10.	
Total of ALL removed persons (of any nationality or country)		Total of ALL removed persons (of any nationality or country)	

Question 28. Does your organisation use the UN definitions of human smuggling and trafficking? (see UN definitions in the Annex of the questionnaire)

If not, please describe the definitions used:

Question 29. Is there a relationship between smuggled and trafficked persons? Is it possible that a person appears in the table of smuggled persons AND in the table of trafficked persons?

Special Module on return and readmission of irregular migrants

This year ICMPD's Yearbook investigates the policies and practices regarding return and readmission of irregular immigrants in Central and Eastern Europe. In addition, the extent of the phenomenon in the region will be assessed. We kindly ask you to answer the following questions based on the data you have collected and experience you have. If you want to add any information which you consider as important to the topic or make any additional comments, please do so at the end of the questionnaire or attach any information to the questionnaire.

Definition of re-admission agreement by the EU: An agreement between the EU and/or Member State with a third country, on the basis of reciprocity, establishing rapid and effective procedures for the identification and safe and orderly return of persons who do not, or no longer, fulfil the conditions for entry to, presence in, or residence on the territories of the third country or one of the Member States of the European Union, and to facilitate the transit of such persons in a spirit of cooperation.

Special Question 1. Please describe the general return policy in your country. What are the main strategies concerning the return of illegally staying immigrants in your country and which authorities are responsible for the area?

Special Question 2. Are there any (assisted) return programmes implemented in your country? Please describe all programmes since 2000 as well as any future plans on return programmes in your country.

Special Question 3. Has your country signed any readmission agreements with other countries? Please provide information on the year, country and content of each readmission agreement.

*Special Question 4. How many assisted **voluntary returns** (number of persons) to other countries were successfully implemented in the past two years?*

To the following country	Number of assisted voluntary returns (number of persons) TO other countries in 2008	Number of assisted voluntary returns (number of persons) TO other countries in 2009
1.		
2.		
3.		
4.		
5.		
Other		
Total		

*Special Question 5. How many forced **returns** (number of persons) to other countries were successfully implemented in the past two years?*

To the following country	Number of forced returns (number of persons) TO other countries in 2008	Number of forced returns (number of persons) TO other countries in 2009
1.		
2.		
3.		
4.		
5.		
Other		
Total		

*Special Question 6. How many illegally staying immigrants have voluntarily **left your country following an obligation to leave the territory** in the past years?*

	Number of voluntary returns without assistance	Most important countries to which the persons have returned voluntarily
2009		
2008		
2007		
2006		
2005		

*Special Question 7. How many **voluntary returns** from other countries has your country accepted in the past 2 years?*

From the following country	Number of successful readmissions FROM other countries (number of persons) in 2008		Number of successful readmissions FROM other countries (number of persons) in 2009	
	Foreign nationals	Nationals of your country	Foreign nationals	Nationals of your country
1.				
2.				
3.				
4.				
5.				
Other				
Total				

*Special Question 8. How many **forced returns** from other countries has your country accepted in the past 2 years?*

From the following country	Number of successful readmissions FROM other countries (returns) in 2008		Number of successful readmissions FROM other countries (returns) in 2009	
	Foreign nationals	Nationals of your country	Foreign nationals	Nationals of your country
1.				
2.				
3.				
4.				
5.				
Other				
Total				

Special Question 9. According to your experience, please describe the main problems concerning the (voluntary or forced) return of illegally staying immigrants.

Special Question 10. Please add any relevant information or comments you consider as important concerning return of illegally staying immigrants.