

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

International Centre for Migration Policy Development, 2010

Based on the contributions of the border services of 22 Central and Eastern European states, this Yearbook again provides a unique compilation and overview of irregular migration trends in the region. This year's edition comprehensively covers the region and features major improvements in the quality and analysis of the compiled data. Like its predecessors, this book will be an indispensable source for all scholars and practitioners interested in irregular migration.

Yearbook on Illegal Migration in CEE in 2008

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 2008

Including: Special Survey on the 2007 enlargement of the Schengen Area

Peter Futo (ed.)

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Note of the editor

This publication has been prepared with the help of the border and migration services of the States covered. The names of the co-operating authorities are listed at the end of each country chapter. We are very grateful for their co-operation and commitment in answering a long and detailed questionnaire.

The concept of the Special Survey was prepared by the research team of ICMPD.

Data collection and survey management was carried out by Mixolid Statistical Consultancy, Budapest.

This edition of the Yearbook relies on the analytical approach and on the findings of previous editions.

The responsibility for any remaining errors rests solely with the Editor.

International Centre for Migration Policy Development (ICMPD)
Gonzagagasse 1
A-1010 Vienna
Austria
www.icmpd.org

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Introduction

This is the 12th edition of the Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe (CEE), published annually by ICMPD. The series aims to comprehensively document and analyse irregular migration trends in the CEE region.

The main sources of information of the Yearbook are questionnaire-based surveys among border management and migration management authorities of the region. These organisations possess authentic information about the actual changes that take place in cross-border flows of irregular migration, about the illegal activities of migrant smugglers and traffickers in human beings, moreover, about the policies implemented to combat these phenomena.

The enlargement of the EU and, in particular, the extension of the Schengen Area of free movement of persons has affected the strategies of border guards and migration management authorities. In this regard, this year's yearbook contains a Special Survey on how this extension has affected 1) the organisation of border management, 2) the figures on illegal migration and 3) the methods of border violation.

While the last decade saw decreasing apprehension figures in the CEE region, in 2008, numbers on *migration related border apprehensions* have in general stagnated. This is especially true for the new Schengen countries which can be explained by the abolishment of the internal EU border controls. A different tendency was observed regarding *removed migrants*: while a significant increase was observed in the new Schengen countries, the overall number of migrants removed from the CEE region has stagnated.

The Yearbook forms part of ICMPD's services to Member States and to the border- and migration management community by facilitating information exchange and by offering reliable, indicator-based analyses.

I would like to express my sincere thanks to the participating national administrations for their excellent co-operation and the quality contributions, without which the Yearbook could not have been produced. I would also like to thank the editors, collaborators and ICMPD staff members for their dedicated work.

Peter Widemann
Director General, ICMPD

Irregular¹ migration in Central and Eastern Europe with special respect to the 2007 extension of the Schengen Area

Aims and methods of the analysis

The aim of this summary chapter of the "Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe in 2008" is to give a fact-based overview about the extent and structure of irregular migration in the region and about the measures that the states of the region have taken against this phenomenon.

The geographical scope of the analysis covers the whole region of Central and Eastern Europe. Special attention was paid to those 22 countries whose migration and border services have contributed to the Yearbook by sending statistical, legal and organisational information: Albania, Armenia, Belarus, Bosnia-Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, Georgia, Greece, Hungary, Latvia, Lithuania, the former Yugoslav Republic of Macedonia, Montenegro, Poland, Romania, Serbia, Slovakia, Slovenia, Turkey and Ukraine.

Extension of the Schengen Area. In December 2007 9 new countries joined the Schengen Area: the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia. The extension of the Schengen Area implied that the previous Schengen land and sea borders with the new Schengen countries were abolished. At the new internal EU border sections border controls were discontinued. Moreover, in March 2008 also the control of passengers travelling by air between Schengen countries was abolished. At the same time, the border checks on the then new Schengen external border sections were reinforced and the visa regimes were adopted accordingly.

The year 2008 was the first year when the extension of the Schengen Area could be studied. This development has thoroughly reformed the control procedures on the borders of every new member state of the Schengen Area.

2007 enlargement of the EU. In 2007 another important development, the accession of Bulgaria and Romania into the EU, introduced mobility rights to Bulgarian and Romanian citizens across the European Union and a number of EU Member States removed labour market restrictions for citizens of these two new member states that joined the EU on 1 January 2007

¹ The term *irregular* is used because it describes the phenomenon more precisely. The fact that these migration movements contravene migration regimes does not imply that they are conducted in a completely "illegal" or fully undocumented manner. The characterisation as "legal" or "illegal" refers rather to specific phases of a migration process than to the process as a whole. In order to describe the phenomenon more precisely, it has been suggested to use the term "illegal migration" with regard to illegal border crossings, and to use the alternative term "irregular migration" to refer to a broader class of phenomena.

The following analysis aims to study these far reaching political developments on the processes of illegal migration in terms of (a) statistical indices (e.g. apprehension and removal figures), (b) legal and organisational reforms of border management, and (c) new types of border violations committed by migrants and human smugglers.

Empirical basis of the analysis. As in the previous years, the present overview is based on a yearly survey covering the activities of migration and border services of Central and Eastern European countries with regard to illegal migration, human smuggling and trafficking. The Survey was conducted between April and July 2009. The primary data of the Yearbook originate from the contributions of border services and migration authorities of 22 countries.

Each of the individual national contributions consists of the following parts:

- *Qualitative part.* The responding authorities have sent their qualitative reports on the national legal and institutional development of migration policy, border management and its political context and on their observations on the main characteristics of human smugglers' networks of facilitators, and finally of facilitated and trafficked persons.
- *Quantitative part.* All responding authorities have sent statistical tables with special emphasis on indicators of illegal border crossings and illegal stay, covering the years 2007 and 2008.
- *The 2007 Extension of the Schengen Area.* In the survey, the majority of respondents completed a Special Questionnaire on the 2007 Extension of the Schengen Area and on the 2007 Enlargement of the EU.

For comparative purposes, data of previous ICMPD Yearbooks on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe have been used.

Interpretation of numbers of border apprehensions. Statistics on border apprehensions are composite indicators which depend on (a) the volume of illegal border crossing attempts (b) the effectiveness of border control measures and (c) changes of the legal framework. Consequently, an increase or decrease of apprehensions in a particular country can be attributed to various factors:

- A decrease in apprehensions can result from declining migration pressure. This can be the consequence of the amelioration of "push factors" in the countries of origin, of the decreasing attractiveness of the target countries or of changed migration routes.
- A decrease in apprehensions may result from legal changes such as the lifting of travel restrictions (e.g. Freedom of Movement for EU citizens), or the simplification or abolishment of border controls (e.g. at internal Schengen borders).
- Improved effectiveness of border management may increase the number of apprehensions, but at a later stage may lead to a decreasing number of apprehensions due to changed routes of irregular migration.

Migration related border apprehensions in 2007 and 2008

The overall number of border apprehensions in Central and Eastern Europe has been continuously decreasing from a peak in the year 2000 to the present level. Altogether 19 border services of Central and Eastern European countries reported the number of persons apprehended in 2008 for migration related border violations.

Number of migration related border apprehensions*
Selected 21 countries of Central and Eastern Europe, 2007-2008

	Reporting country	Persons in 2007	Persons in 2008	Change % 2007 to 2008	Major countries of origin** of apprehended persons in 2008 *
New Schengen Countries	Czech Republic	3 384	168	-95	Moldova, Syria, Iraq
	Estonia	50	59	18	Russian Federation and other CIS countries
	Hungary	8 939	10 215	14	Ukraine, Serbia, Moldova
	Latvia	6 540	7 520	15	Latvia , Lithuania, Estonia
	Lithuania	1 493	3 226	116	Lithuania, Russian Federation, Belarus
	Poland***	3 222	5 797	80	Ukraine, Russian Federation, Slovakia
	Slovakia	3 405	1 321	-61	Moldova, Georgia, Pakistan
	Slovenia	2 479	1 173	-53	Serbia, Croatia, Turkey
Old Schengen Country	Greece	112 364	146 337	30	Albania, Afghanistan, Iraq
Non-Schengen Countries	Albania	12 704	16 032	26	n.a.
	Belarus	1 038	4 438	328	Lithuania, Ukraine, Poland
	Bosnia-Herzegovina	851	543	-36	Bosnia-Herzegovina, Serbia, Croatia
	Bulgaria	2 475	2 062	-17	Bulgaria, Turkey, Iraq
	Croatia	4 325	2 366	-45	Serbia, Bosnia-Herzegovina, Croatia
	Georgia	439	350	-20	Georgia, Armenia, Russian Federation
	The former Yugoslav Republic of Macedonia	1 919	1 080	-44	Albania, The former Yugoslav Republic of Macedonia, Kosovo ²
	Montenegro	544	672	24	The former Yugoslav Republic of Macedonia, Albania, Bosnia-Herzegovina
	Romania	1 478	2 150	45	Moldova, Turkey, India
	Serbia	1 189	1 514	27	Serbia, Albania, The former Yugoslav Republic of Macedonia
	Turkey	64 290	65 737	2	Afghanistan, Pakistan, Occupied Palestinian Territory
Ukraine	10 993	9 922	-10	Ukraine, Moldova, Russian Federation	
Total	244 121	282 682	16	-	
Of the total: New Schengen Countries	29 512	29 479	0	-	
Of the total: Greece	112 364	146 337	30	-	
Of the total: Non-Schengen Countries	102 245	106 866	5	-	

* Data are of the above table are based on the reports received from the co-operating border services during the survey held in 2009. Citizens of the reporting countries included ** Countries of origin are listed by decreasing number of apprehensions. *** Poland: only third-country citizens.

The above table can be interpreted in the following way.

In 2008 altogether 282 thousand persons were apprehended for border violation or for its attempt in the 21 reporting countries of Central and Eastern Europe. Comparing New Schengen Countries with other states, apprehension trends have shown substantial differences.

- *New Schengen Countries:* Compared to the previous year, in 2008 the overall number of apprehensions in the New Schengen Countries has stagnated. However, the stagnation in 2008 can partly be explained by the fact that this year the new member countries of the Schengen Area abolished the border control at the internal borders. This led to a substantial decrease of migration related apprehensions in some of these countries. For example, the Czech Republic and Slovakia recorded an extreme decrease in apprehensions, which can be explained by the fact that since 2008 these countries are mainly surrounded by internal borders. By contrast, in new Schengen countries with long external Schengen border sections – such as Lithuania and Poland - the numbers increased considerably.
- *Greece as an Old Schengen Country:* By far, most persons were apprehended in Greece, which is the only 'old' Schengen country included in the analysis. The numbers of persons apprehended increased by 30 percent from some 112,000 in 2007 to roughly 146,000 in 2008.
- *Non-Schengen countries:* The remaining reporting countries were not members of the Schengen Area in 2008. In these countries the overall number of apprehensions has increased by 5 percent. More than 60 percent of all apprehensions in these countries were reported from Turkey. Turkey still faces a high level of irregular migration from Asian and partly from African countries. At the same time, apprehensions in most successor states of the former Yugoslavia have decreased. This can partly be explained by the continuing gradual political and economic stabilisation of these countries and partly by the relocation of migration routes.

Source countries of irregular migration in 2007 and 2008

The border services contributing to the survey reported on the top 10 most important countries of origin of apprehended migrants. Thus, it is possible to create some robust indicators on the source countries of irregular migration flows.

² Under UNSCR 1244

**Number of migration related apprehensions in 2007 and 2008*
by main countries of origin of apprehended persons**

The 25 most important countries of origin
in decreasing order of 2008 apprehensions

Calculated from apprehensions reported by 19 countries of Central and Eastern Europe

Country of origin	Number of persons from this country apprehended in the 17 reporting countries		Change from 2007 to 2008 in %	Most important reporting countries in 2008
	2007	2008		
Albania	70 024	74 260	6	Greece, Montenegro
Afghanistan	18 322	36 798	101	Greece, Turkey
Iraq	23 021	21 069	-8	Greece, Turkey
Pakistan	10 840	15 834	46	Turkey, Greece
Occupied Palestinian Territory	13 583	11 574	-15	Turkey, Greece
Somalia	7 848	10 456	33	Greece, Turkey
Ukraine	6 982	9 925	42	Ukraine, Poland, Hungary
Georgia	5 113	6 887	35	Greece, Turkey
Moldova	5 621	5 138	-9	Ukraine, Hungary, Romania
Turkey	3 859	4 366	13	Turkey, Hungary
Serbia	4 304	4 126	-4	Hungary, Serbia
Russian Federation	3 054	3 927	29	Turkey, Latvia, Ukraine
Bosnia-Herzegovina	4 031	3 878	-4	Bosnia-Herzegovina, Croatia
Lithuania	842	2 477	194	Latvia, Belarus
Latvia	1 789	2 002	12	Latvia, Belarus
Turkmenistan	-	1 741	-	Turkey
Bangladesh	808	1 696	110	Greece, Slovakia
Azerbaijan	71	1 686	2 275	Turkey
Myanmar	1 502	1 611	7	Greece
Eritrea	-	1 566	-	Greece
Estonia	592	1 176	99	Latvia
The former Yugoslav Republic of Macedonia	1 197	1 158	-3	Montenegro, The former Yugoslav Republic of Macedonia, Hungary
Kosovo ³	272	998	267	Hungary, Montenegro
Croatia	610	851	40	Croatia, Hungary
Romania	133	797	499	Serbia, Bulgaria

* Note: Based on the apprehension reports of the following 19 Central and Eastern European countries: Belarus, Bosnia-Herzegovina, Bulgaria, Croatia, Czech Republic, Georgia, Greece, Hungary, Latvia, Lithuania, the former Yugoslav Republic of Macedonia, Montenegro, Poland, Romania, Serbia, Slovakia, Slovenia, Turkey and Ukraine. The above table was computed on the basis of the statistical tables entitled "Number of border violators, by main countries of origin, including foreigners and citizens of the reporting country". Citizens of reporting countries are included, with the exception of Poland.

³ Under UNSCR 1244

The above table can be interpreted in the following way.

In 2008, the main regions of origin of migrants apprehended for illegal border crossing were as follows:

- *Middle East and the rest of Asia:* In 2008, *Iraq, Afghanistan and Pakistan* have remained major countries of origin in the CEE region. While the numbers of Iraqis apprehended dropped slightly by 8 percent, the number of apprehended Afghan citizens doubled and the apprehensions of Pakistanis increased by 46 percent. Also the number of Palestinians apprehended for border violations dropped by 15% compared to 2007. Concerning the apprehensions of citizens of *India and China*, in 2008 the decreasing tendency observed after 2003 continued to such an extent that these countries are not represented on the list of 25 major countries of origin any more.
- *Former Soviet Union countries:* Also in 2008, the share of apprehended citizens of the countries of the former Soviet Union remained comparatively high and follows an increasing trend. In 2008, Ukrainian, Georgian and Moldovan citizens represented the biggest share of apprehended migrants from this region. Although the number of apprehended nationals of the *Russian Federation* followed a clear decreasing trend in the previous five years, in 2008 this trend has not been continued and the numbers increased by 29 percent.
- *Balkan countries and Turkey:* The third region in the ranking of migrants apprehended for border violation is the Balkan Peninsula and Turkey. Considering this region, Albania remains the major country of origin: in 2008 more than 74,000 Albanian migrants were apprehended at the borders of the 19 reporting CEE countries (increasing tendency). Much lower in its extent but also continuing the increasing trend are the apprehensions of migrants originating from *Kosovo⁴ and Turkey*.
- As in previous years *the share of immigrants from African countries* was generally not significant among migrants apprehended when arriving in CEE. However, for the third consecutive year apprehensions of citizens from war-torn *Somalia* have shown an increasing trend.
- *Citizen of EU Member States* appear relatively infrequently as apprehended migrants in CEE. In this case the most frequent cause of apprehension is unintentional border violation of local population or tourists, or attempted entry despite the fact that some of these persons were denied entry for some previously committed offence.

Directions of irregular migration flows in 2007

The survey has produced detailed data on border apprehensions by border sections, including the direction of movement of the apprehended migrants (i.e. entry to, or exit from the reporting country). The summary of these tables gives an overview about the border sections, which were identified as being under the biggest pressure in regard to illegal border crossings.

⁴ Under UNSCR 1244

**List of the top 25 border sections
where most migration related apprehensions took place in 2008
in 15 reporting countries***

Legal status of border section in the reporting country	Reporting country	Border section with:	Direction of the attempted border violation		Total
			Into the reporting country	Out of the reporting country	
Old external Schengen Border	Greece	Albania	n. a.		39 267
	Greece	Sea Borders and Crete	n. a.		33 010
	Greece	Turkey	n. a.		14 461
	Greece	The former Yugoslav Republic of Macedonia	n. a.		3 459
	Greece	Bulgaria	n. a.		1 795
New external Schengen Border	Latvia	Russian Federation	n. a.		4 435
	Poland	Ukraine	596	2 203	2 799
	Hungary	Serbia	1 470	512	1 982
	Latvia	Belarus	n. a.		1 873
	Hungary	Romania	1 006	665	1 671
	Hungary	Ukraine	756	906	1 662
	Slovenia	Croatia	1 173		1 173
	Slovakia	Ukraine	978		978
Reporting country is not a member of the Schengen Area.	Romania	Hungary	126	3 148	3 274
	Ukraine	Russian Federation	n. a.		2 714
	Ukraine	Moldova	n. a.		1 985
	Romania	Moldova	1 910		1 910
	Romania	Ukraine	1 788		1 788
	Romania	Bulgaria	1 651		1 651
	Croatia	Slovenia	87	1 075	1 162
	Bulgaria	Turkey	854	55	909
	Romania	Serbia	882		882
	Croatia	Bosnia-Herzegovina	594	33	627
	Serbia	Hungary	n. a.		594
	Bulgaria	Greece	220	341	561

* Note: The reporting country is the country where the apprehension took place. The following 16 countries have reported their apprehension numbers by border section: Belarus, Bosnia-Herzegovina, Bulgaria, Croatia, Estonia, Greece, Hungary, Latvia, Lithuania, Montenegro, Poland, Romania, Serbia, Slovakia, Slovenia and Ukraine.

In order to interpret the table - similarly to the previous tables - it has to be taken into consideration that the New Schengen Countries have abolished border control at the internal borders, which has led to an extremely strong decrease in the number of apprehended persons on these border sections.

The above figures can be explained in the following way:

In 2008, the main direction of irregular migration flows was still from Eastern and South-Eastern Europe to Western and Southern Europe. The differences in apprehension figures show that border sections located along the traditional migration routes have been violated with the highest frequency. One the one side countries in the region can be considered transit countries, while at the same time labour migration movements show that especially Slovakia and Poland remain target countries for Ukrainian, Russian and Belarusian migrants searching for temporary work possibilities.

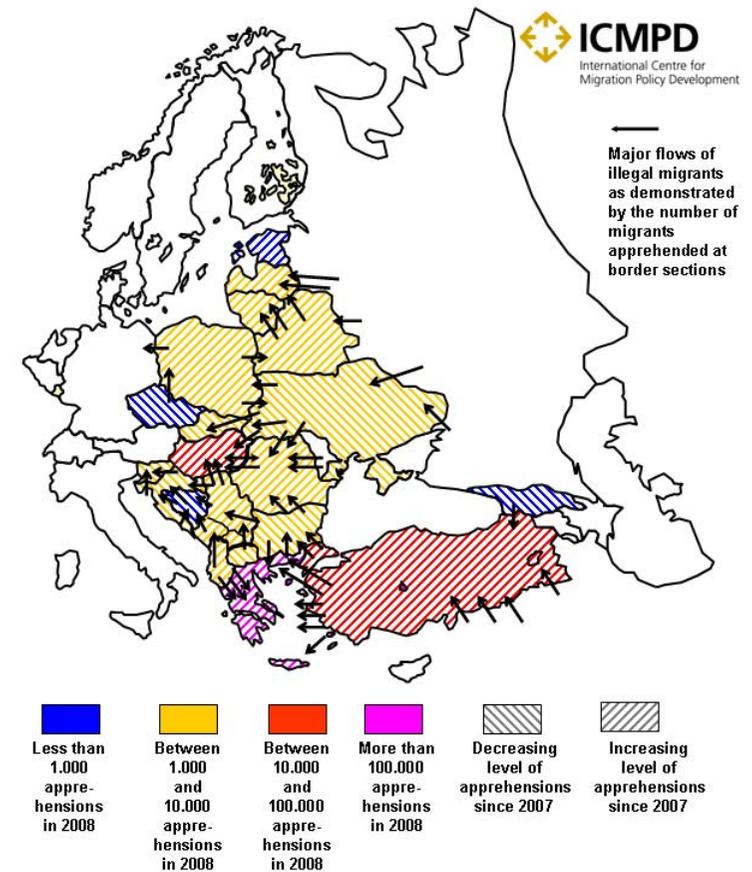
The following analysis looks at the above apprehension numbers by taking into consideration the legal status of the border sections.

- *Old external borders of the Schengen Area:* In Central and Eastern Europe the old external borders of the Schengen Area have witnessed the highest number of apprehensions, with special respect to the borders of Greece with Albania and Turkey and its sea border. On these border sections the yearly number of apprehended persons can be measured in tens of thousands. Compared with 2007, the pressure on these sections of the old external borders of the Schengen Area has shown an increasing tendency. Most apprehensions occur while the migrants attempt to enter the Schengen Area.
- *New external borders of the Schengen Area:* The apprehension figures along the new external borders of the Schengen Area show a lower level of migratory pressure than those on the border sections along the old external Schengen Border. However, on the Western border sections of Latvia and Poland and on the Eastern and Southern border sections of Hungary the yearly apprehension numbers can be measured in thousands, and there's still an increasing tendency since 2007. It is also true for these border sections that most apprehensions occur while the migrants attempt to enter the Schengen Area, but illegal border crossing by returning migrants has also been registered.
- *Border sections managed by non-Schengen countries:* On these border sections the yearly apprehension numbers are somewhat lower than in the previous category. Special attention must be paid to the Eastern and Western border sections of Romania, as well as to the borders of Ukraine with the Russian Federation and with Moldova, where apprehension numbers are relatively high.

The following map illustrates the available statistical information about the direction of irregular migration flows in the CEE region, based on apprehension and removal numbers.

- The colours of the following map are based on the level of apprehensions in 2008.
- The directions of the coloured stripes illustrate the change in the number of apprehensions compared to 2007.
- The arrows signify irregular migration flows. The direction of these arrows is based on the previous tables. The intensity of such flows in various directions is computed by summarising information about (a) apprehensions of migrants by countries of origin, (b) apprehensions of migrants by border sections, and (c) removals of migrants to countries of origins.

Main directions of irregular migration flows in Central and Eastern Europe in 2008



Gender ratio: Most migrants apprehended were male individuals who were travelling alone. In 2008 the share of women ranged from 4% in Montenegro to 34% reported from Czech Republic.

Number of migration related border apprehensions of women

Including foreigners and citizens of the reporting country
Selected 15 reporting countries of Central and Eastern Europe
2007 - 2008

Reporting country	Number of women, 2007	Number of women, 2008	Total number of border violators in 2008 for whom gender was registered	Share of women within total number of border violators in 2008 for whom gender was registered (%)
Bulgaria	484	430	2 062	21
Croatia	286	192	2 013	10
Czech Republic	1 116	54	158	34
Estonia	8	13	57	23
Hungary	2 053	2 395	10 215	23
Lithuania	271	889	3 188	28
The former Yugoslav Republic of Macedonia	108	59	1 202	5
Montenegro	21	27	672	4
Poland*	279	751	4 686	16
Serbia	77	115	753	15
Slovakia	800	100	1 034	10
Slovenia	136	176	1 173	15
Ukraine	2 198	1 833	9 922	18
Total of 13 countries	7 837	7 034	37 135	19
Greece	n.a.	7 545	106 716	7
Turkey	11 408	n.a.	n.a.	n.a.

* Note: Poland: only third-country citizens

In 2008, the proportion of apprehended female migrants was around one-fifth of the total of apprehended migrants in the investigated countries. The number of apprehended women varies considerably across countries. Since 2005 the share of apprehended female migrants has gradually increased.

Minors: Following the trend, also in 2008 the number of children apprehended for border violation has significantly decreased in the investigated countries. The number of apprehended minors varies strongly across countries.

Number of minors apprehended at the border due to border violation Selected 13 countries of Central and Eastern Europe 2007 - 2008

Country	Number of minors, 2007	Number of minors, 2008	Change from 2007 to 2008 in %
Bulgaria	299	251	-16
Croatia	612	166	-73
Czech Republic	290	15	-95
Estonia	0	5	-
Hungary	22	82	273
Lithuania	51	87	71
Montenegro	57	38	-33
Poland*	109	71	-35
Serbia	195	89	-54
Slovakia	122	187	53
Slovenia	185	148	-20
Ukraine	130	90	-31
Total of 12 countries	2 072	1 229	-41
Greece	n.a.	13 119	n.a.

* Note: Poland: only third-country citizens

Removals, rejections at the border and refusals of residence permits

The number of removals may serve as another indicator for developments in irregular migration dynamics. Persons may be deported for having committed either the offence of physically violating the state border (or the attempt thereof), or alternatively, for having entered the country in a legal way but having offended against the residence rules ("overstayers"). In most cases the removal of migrants who are not, or no longer, authorised to remain in the country is implemented under readmission agreements.⁵ Most states in CEE also have special agreements with neighbouring countries on returns according to simplified procedures in place.

⁵ Country A signing such an agreement with country B obliges itself to take back (readmit) its own citizens or any citizen of a third country or any person without citizenship who has illegally entered the territory of B from the territory of country A.

Number of removed persons*
Selected 16 countries in Central and Eastern Europe
2007 - 2008

	Reporting country	In 2007	In 2008	Change from 2007 to 2008 in %	Major countries of origin of removed persons in 2008 *
New Schengen Countries	Czech Republic	669	704	5	Ukraine, Vietnam
	Estonia	62	56	-10	Russian Federation, Azerbaijan
	Hungary	481	473	-2	Serbia, Moldova
	Latvia	155	210	35	Russian Federation, Ukraine
	Lithuania	147	123	-16	Belarus, Russian Federation
	Poland	3 030	5 779	91	Ukraine, Belarus
	Slovakia	2 398	1 328	-45	Ukraine, Moldova
	Slovenia	854	2 312	171	Serbia, Bosnia-Herzegovina
Non-Schengen Countries	Albania	36	136	278	China, Afghanistan, Turkey
	Bulgaria	1 770	1 429	-19	Iraq, Turkey
	Croatia	810	677	-16	Bosnia-Herzegovina, Serbia
	The former Yugoslav Republic of Macedonia	2 222	1 301	-41	Albania, Kosovo ⁶ , Serbia
	Montenegro	819	61	-93	Albania, Kosovo ⁷ , Turkey
	Serbia	993	1 358	37	Romania, Bulgaria
Old Schengen Countries	Ukraine	4 464	3 738	-16	Moldova, Georgia
	Greece	68 191	68 807	1	Albania, the former Yugoslav Republic of Macedonia
Total of 16 countries		87 101	88 492	2	-
Of the total: New Schengen Countries		7 796	10 985	41	-
Of the total: Non Schengen Countries		11 114	8 700	-22	-
Of the total: Old Schengen Country (Greece)		68 191	68 807	1	-

* Note: The number of removed persons includes the number of effectively deported persons in that year. Data are of the above table are based on the reports received from the co-operating border services during the survey held in 2009.

⁶ Under UNSCR 1244

⁷ Under UNSCR 1244

The above table can be interpreted in the following way.

In 2008, the total number of persons removed from the 15 states that provided related data exceeded 88,000. Comparing the New Schengen Countries with other states, the numbers of removals show substantial differences.

- *New Schengen Countries:* In 2008, the overall number of removals in the New Schengen Countries was substantially lower than the overall number recorded in other CEE countries. However, compared to the previous year, in 2008 the overall number of removals in the New Schengen Countries has increased by more than 40 percent. In particular, Poland and Slovenia have removed substantially more persons from their territories. The majority of persons removed from the Northern group of New Schengen Countries were citizens of the successor states of the former Soviet Union, while the majority of persons removed from the southern group of New Schengen Countries were citizens of the successor states of the former Yugoslavia.
- *Non-Schengen Countries:* The overall number of apprehensions has decreased by 22 percent. In 2008 the highest numbers of removals among non-Schengen countries were reported by Ukraine with roughly 3,700 removals and by Bulgaria and by Serbia which both reported 1,400 removals.
- In Greece as the only 'old Schengen-country' included in the analysis, the number of removals reported in 2008 was more than five times higher than the removals of all other countries together.

Rejection at the border: In many cases persons attempting to cross the respective border are not apprehended, but entrance is simply rejected. Therefore, besides apprehension and removal figures also the number of rejections is considered an important indicator for illegal migration.

As it was observed in previous years, also in 2008 the majority of persons rejected at the border are citizens of a country bordering the rejecting country.

**Number of persons rejected at the border of the reporting country
Selected 17 countries of Central and Eastern Europe
2007 - 2008**

	Reporting country	In 2007	In 2008	Change from 2007 to 2008 in %	Major countries of origin* of rejected persons in 2008 *
New Schengen countries	Czech Republic	1 180	257	-78	Russian Federation, Ukraine
	Estonia	3 091	2 326	-25	India, Philippines
	Hungary	10 669	5 581	-48	Ukraine, Serbia
	Latvia	1 229	877	-29	Russian Federation, Belarus
	Lithuania	3 052	2 214	-27	Russian Federation, Belarus
	Poland	32 204	16 852	-48	Ukraine, Belarus
	Slovakia	1 855	1 611	-13	Ukraine, Russian Federation
	Slovenia	11 770	7 835	-33	Croatia, Bosnia-Herzegovina
Non-Schengen countries	Albania	522	407	-22	Turkey, Russian Federation, Serbia
	Bosnia-Herzegovina	6 618	3 102	-53	Croatia, Serbia
	Bulgaria	8 528	5 473	-36	Turkey, The former Yugoslav Republic of Macedonia
	Croatia	26 446	25 461	-4	Bosnia-Herzegovina, Serbia
	The former Yugoslav Republic of Macedonia	6 565	3 923	-40	Albania, Kosovo ⁸
	Montenegro	1 363	2 055	51	Albania, Serbia
	Serbia	15 329	16 026	5	Romania, Bosnia-Herzegovina
	Turkey	14 265	n.a.	n.a.	n.a.
	Ukraine	36 612	38 205	4	Moldova, Uzbekistan
	Total of 17 countries	181 298	132 205	-27	-
Of the total: New Schengen Countries	65 050	37 553	-42	-	
Of the total: Non-Schengen Countries	116 248	94 652	-19	-	

* Countries of origin by decreasing order of the number of rejected persons

In 2008, the number of rejections in the reporting countries of the CEE region has reached 132,000. The countries with the highest numbers of rejections are Ukraine, Croatia, Poland and Serbia. However, figures on rejection have significantly decreased in almost every reporting country, and in particular in the New Schengen Countries. This may be interpreted as a consequence of the abolishment of border control but also as a consequence of improved effectiveness of visa procedures.

Refusals of residence. A residence document may be refused when an applicant violated residence regulations, but also in cases where the grounds on which the residence document had been issued (work, study, etc.) ceased to exist or where the applicant committed an offence (e.g. tax offence). Thus, statistics on the "number of persons to whom residence was refused" is only of limited use as an indicator of illegal migration.

⁸ Under UNSCR 1244

**Persons to whom residence was refused
Selected 12 countries in Central and Eastern Europe
2007 - 2008**

	Reporting country	In 2007	In 2008	Change from 2007 to 2008 in %	Major countries of origin* persons to whom residence was refused in 2008 *
New Schengen countries	Czech Republic	6 238	4 438	-29	Ukraine, Slovakia
	Estonia	235	100	-57	Russian Federation, Ukraine
	Hungary	n.a.	944	n.a.	China, Ukraine
	Lithuania	10	n.a.	n.a.	n.a.
	Poland	1 636	1 777	9	Ukraine, Vietnam
	Slovakia	3 296	895	-73	Ukraine, Korea
	Slovenia	577	1 196	107	Serbia, Bosnia-Herzegovina
	Non-Schengen countries	Bulgaria	1 172	1 051	-10
Croatia		1 487	1 253	-16	Bosnia-Herzegovina, Serbia
The former Yugoslav Republic of Macedonia		0	1	-	Turkey
Serbia		32	37	16	The former Yugoslav Republic of Macedonia, China
Ukraine		4 464	3 738	-16	Moldova, Georgia
Total of 12 countries		19 147	15 430	-19	-
Of the total: New Schengen Countries	11 992	9 350	-22	-	
Of the total: Non-Schengen Countries	7 155	6 080	-15	-	

* Countries of origin by decreasing order of the number of persons to whom residence was refused.

Altogether 12 countries reported the number of persons who had been refused a residence permit. The above table shows that in 2008 the overall number of persons refused a residence permit has decreased by one-fifth compared to 2007. Czech authorities reported the largest number of refusals of residence particularly for Ukrainian citizens.

Modes of illegal border crossing

At the *internal Schengen borders*, the abolition of border control triggered significant changes particularly in the methods of human smuggling. Illegal border crossing on foot through the green border was only rarely registered. In particular, crossing in big groups through the green border accompanied by a smuggler became less frequent. Instead, illegal border crossing shifted to main roads and to railway. Moreover, travelling on Schengen visa obtained by fraud has gained in importance. Many migrants who had entered the Schengen area illegally aimed at moving further on into the „old“ Schengen countries. Migrants who travel by train would either travel alone or accompanied by a smuggler. Those persons who had illegally crossed state borders by car were frequently accompanied by compatriots already living in an EU Member State.

At the *external borders of the new Schengen countries and in countries which are not member of the Schengen Area*, the modi operandi of illegal border crossings have not changed much since the previous period. Those persons apprehended by attempting to illegally crossing the border at official Border Crossing Points either hid in vehicles or used counterfeit documents, mainly falsified Schengen visas or residence permits of other European Union countries which were stamped into national passports. In addition, a number of persons were apprehended who were travelling on another citizenship than their own. Examples mentioned were Chinese citizens travelling with Taiwanese or Japanese passports; Iraqi citizens who had used passports of a country of the Middle East, Cuban citizens using Portuguese passports, Sri Lankan citizens with Indian documents or Moldovan and Ukrainian citizens using passports of Lithuania.

Compared to the previous period, *at the external Schengen borders* a significant change has been observed in cases of smuggling groups of migrants. For the purpose of border crossing, smugglers would deal with much smaller groups than before. This is interpreted as a reaction to the significant improvements in the level of border protection and as a strategy to avoid substantial financial losses for human smugglers in case a large number of migrants is detected at a time.

Relocation of migration routes: In 2008, some migration routes have lost in importance compared to the previous years.

- *Bulgaria:* The migration route from Turkey to Bulgaria had traditionally led through Greece, and by following the Maritsa River into Bulgaria. In 2008, instead of the above-mentioned route via Greece, more frequently migrants entered Bulgaria from Turkish territory directly. This change may be explained by the fact that, on the one hand, human smugglers prefer to avoid crossing serious water obstacles, and on the other hand, as it was reported, an increasing number of facilitators of Turkish origin have been involved in smuggling who are not familiar with the conditions at the Greek-Bulgarian border section.
- *Croatia:* The coastal route along the shore of the Adriatic Sea from Rijeka (Croatia) through Koper (Slovenia) to Italy was less frequently used than in previous years.

Border access modalities: As provided in the table below, border violations vary strongly across countries depending on the strategy of border management and on the geographical features of the border region.

Number of migration related apprehensions in 2008 by location of border violation attempt

including foreigners and citizens of the reporting country
Selected 15 countries of Central and Eastern Europe

		Location of attempted border violation					Total	Green border access in % of total migration related apprehensions, %
	Reporting country	Sea border	In the country	On airports	On rail and road border crossings	On the green (land) border		
		a	b	c	d	e	f	e/f*100
New Schengen Countries	Czech Republic	-	3 661	168	n.a.	n.a.	3 829	n.a.
	Estonia	0	17	1	34	5	57	9
	Hungary	-	1 284	434	6 790	3 425	10 215	34
	Latvia	178	2 920	1 034	6 245	63	10 440	1
	Lithuania	50	1 748	161	542	725	3 226	22
	Poland*	6	207	58	2 996	1 419	4 686	30
	Slovakia	-	1 321	16	26	952	2 355	40
	Slovenia	15	259	8	325	540	1 173	46
Non-Schengen countries	Bulgaria	1	n.a.	68	1 424	569	2 062	28
	Croatia	42	247	22	495	1 791	2 366	76
	The former Yugoslav Republic of Macedonia	-	368	368	95	1 080	1 543	70
	Montenegro	111	246	27	n.a.	100	672	15
	Serbia	-	n.a.	49	n.a.	804	1 182	68
	Ukraine	50	n.a.	234	n.a.	n.a.	9 922	n.a.
Greece		15 314	46 475	7 083	n.a.	58 968	n.a.	n.a.

* Note: Poland: only third-country citizens

The following tendencies can be depicted from the table above.

Attempts at the green border: In the *Southern part* of Central and Eastern Europe, e.g. in Croatia, the former Yugoslav Republic of Macedonia or Serbia, the vast majority of apprehensions took place at the green border. However, compared to the previous years, the absolute number of apprehensions at the green border in these countries has decreased in 2008. In the Northern countries of the CEE region (i.e. the Baltic countries) the share of apprehensions at the green border is rather low compared to the other CEE countries in 2008, ranging from 1% in Latvia to 22% in Lithuania.

Attempts by air routes: In most reporting countries - with the exception of Greece and Latvia - the number of migration related apprehensions at airports amounts to a few hundreds or even only to a few dozens. With the exception of Greece, Latvia and Lithuania the proportion of migrants attempting to illegally enter the target countries by air routes has further decreased in 2008. This trend may partly be attributed to the increasing efficiency of airlines to prevent the transport of undocumented migrants. In addition, increasingly migrants are refused entrance at airports and thus appear in the rejection statistics, instead of apprehension statistics.

Organisational set-up of human smuggling

Size of criminal groups: In their 2008 reports about smuggling organisations, border services of CEE countries have reported on activities of large, medium and small groups of smugglers as well as individual human smugglers.

- *Large groups* involved in the smuggling of human beings are internationally acting, highly structured organisations which operate on basis of a clear division of labour. Certain persons are responsible for recruiting, others for transporting and/or facilitating illegal border crossing of migrants at certain stages of the migration process. As a rule, local human smugglers provide logistic support to immigrants crossing borders illegally.
- *Small and medium sized groups:* most reports have pointed out that also smaller size human smugglers networks consisting of a few persons only operate on the territory. For example in Slovenia facilitation is primarily conducted by small informal networks of human smugglers operating on the basis of their specific local knowledge.
- *Individual human smugglers:* in other cases human smugglers work on their individual account.

Group coherence in human smuggling: The ethnic composition of migrants and human smugglers was reported to be generally mixed. Although in cases when facilitators smuggle groups of migrants, groups may be composed of persons with the same ethnic background. As a rule, human smugglers however do not necessarily belong to the same ethnic group as the migrants.

Increasing professionalism: As in the previous years, human smugglers have improved their professionalism, flexibility and tactics. Their services offered to migrants ranged from planning the route and its segmentation into stages to supplying migrants with necessary documents and elaborating several successful methods of transfer. These methods were chosen according to practical possibilities, depending on the intensification – or alternatively, simplification - of border control on particular sectors of the border as well as on the available financial resources. In 2008 it was also reported that smuggling networks increasingly involve staff of government agencies in their activities, in particular by bribing law enforcement agencies but also companies. While some groups specialise on the facilitation of illegal border crossing, others focus on falsification of documents organising marriages of convenience etc.

Transport: As in previous years, in regard to *means of transport*, human smugglers used all available vehicles, including private vehicles owned by themselves, closed trucks, high speed boats and means of public transport such as trains, buses and ferries.

Communication: As in previous years, a preferred mode of communication among human smugglers and between human smugglers and migrants was the use of the Internet (MSN and Skype services) or cell phones of third parties in order to avoid identification through the phone number. Human smugglers regularly used pre-paid phone cards, which are not suitable for wire-tapping and identification of the user. They would use GPS devices for using alternative roads and radar detection devices in order to avoid undesirable checks by the traffic police or eavesdropping to monitor police radio communication.

Arms: The only report about armed human smugglers came from Croatia. In one occasion authorities found and seized unregistered weapons on human smugglers.

Smuggling fees: The fee of smuggling services depends on the distance, the types of guarantees the smuggler is able to offer, the level of convenience of the transfer and on the solvency of the migrant. Most countries have reported that the smuggling fees have not changed significantly between 2007 and 2008. Those migrants who are ready to pay higher prices may travel individually and be accompanied and assisted by the smuggler at the border crossing points. Other migrants choose cheaper smuggling services and must join a group of migrants heading for the same destination and consequently face higher risks of apprehension. Most payments are made in cash or by money transfer.

Illustrative examples of smuggling fees in 2008

Reporting country	Illegal service	Fee
Bulgaria	Migrant smuggling from Turkey to Bulgaria on foot through the green border.	1,500 to 2,000 EUR
Bulgaria	Migrant smuggling from Turkey to Bulgaria by hiding in a vehicle.	3,000 to 4,000, EUR
Croatia	Organiser's fee for illegal entry to Croatia	1,200 EUR
Croatia	Driver's fee for illegal crossing of the Croatian territory	1,200 EUR
Czech Republic	Smuggling of Vietnamese citizens from Vietnam, including the illegal access to a Schengen visa.	8,000 USD
Czech Republic	Migrant smuggling: Vietnamese and Mongolian citizens from the Czech Republic to Germany.	300 USD
Latvia	Migrant smuggling of citizens of China and Syria from the Russian Federation (Moscow) to Latvia illegally by crossing the state border	3,000 USD
Serbia	Smuggling of Chinese citizens from China to Serbia	4,000 to 5,000 EUR
Serbia	Smuggling of Chinese citizens from China to EU countries	Up to 10,000 EUR
Serbia	Smuggling of Albanian citizens from Albania to the EU	1,500 to 3,000 EUR
Serbia	Smuggling of Turkish citizens from Turkey to the EU	1,500 EUR
Slovakia	Smuggling of a group of Chechens from the Russian Federation.	550 EUR
Slovakia	Smuggling of Ukrainian and Moldovan citizens from their home countries to Slovakia	800 EUR
Slovakia	Smuggling of persons who have claimed for asylum in Slovakia: from Slovakia to Italy	3,000 to 5,000 EUR
Slovakia	Smuggling from Pakistan, Bangladesh and India through the Russian Federation and Ukraine to Slovakia.	3,000 to 5,000 USD,
Slovenia	Migrant smuggling from Kosovo ⁹ to the EU	Up to 4,000 EUR
Slovenia	Migrant smuggling from Bosnia and Herzegovina to the EU	Up to 2,200 EUR
Slovenia	Migrant smuggling from the former Yugoslav Republic of Macedonia to the EU	Up to 3,000 EUR
Slovenia	Migrant smuggling from Serbia to the EU	Up to 4,200 EUR
Slovenia	Migrant smuggling from Turkey to the EU	Up to 8,000 EUR

Migrants travelling to a neighbouring country by violating the border of their own home country usually do not use the services of human smugglers. This is particularly true for relatively new borders on the territories of the former Yugoslavia and the former Soviet Union. On the other hand, operative data of border services have shown that migrants entering on a longer trip, e.g. intercontinental irregular migration, more often need the services of human smugglers, particularly in those cases when well-protected borders are to be crossed.

⁹ Under UNSCR 1244

Apprehensions of human smugglers: In 2008 the number of apprehended facilitators has increased in the CEE region. By far the most human smugglers were apprehended in Greece, followed by Turkey and Slovenia.

Number of human smugglers apprehended
including foreigners and citizens of the reporting country
Selected 18 reporting countries of Central and Eastern Europe

Reporting country	Apprehensions in 2007	Apprehensions in 2008	Change from 2007 to 2008 in %	Major countries of origin* of apprehended human smugglers in 2008 *
Belarus	18	9	-50	Russian Federation, Belarus, Ukraine
Bosnia-Herzegovina	122	93	-24	Bosnia-Herzegovina, Serbia, Croatia
Bulgaria	275	354	29	Turkey, Bulgaria
Croatia	169	448	165	Croatia, Bosnia-Herzegovina, Serbia
Czech Republic	269	77	-71	Czech Republic, Russian Federation, Turkey
Estonia	9	2	-78	India
Greece	1 421	2 211	56	Albania, Greece, Turkey
Hungary	524	176	-66	Hungary, Romania, Serbia
Latvia	0	1	-	n.a.
Lithuania	12	6	-50	Poland, Lithuania, Latvia
The former Yugoslav Republic of Macedonia	91	160	76	The former Yugoslav Republic of Macedonia, Albania, Turkey
Montenegro	24	20	-17	Montenegro, Serbia, Kosovo ¹⁰
Poland	204	119	-42	Slovakia, Poland, Russian Federation
Serbia	186	119	-36	Serbia, China, the former Yugoslav Republic of Macedonia
Slovakia	278	142	-49	Slovakia, Ukraine, Russian Federation
Slovenia	405	622	54	Slovenia, Croatia, Serbia
Turkey	1 242	1 305	5	Turkey, Iraq, Iran
Ukraine	41	78	90	Ukraine, Russian Federation
Total of 18 countries	5 290	5 942	12	-

* Countries of origin by decreasing order of the number of apprehended human smugglers

¹⁰ Under UNSCR 1244

Trafficking in Human Beings

According to the definitions of the United Nations, trafficking in human beings involves the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat, use of force or other forms of coercion, abduction, fraud, deception, or misuse of the position of vulnerability for the purpose of exploitation. Between the years 2000 and 2006 most countries of Central and Eastern Europe have signed and ratified the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. In most countries of the CEE region the UN definitions of human smuggling and trafficking have been introduced into the penal codes and are applied in the work of border management authorities.

In the recent period most countries of the CEE region were active in

- the further development of their legal regulations pertaining to human trafficking,
- the formulation and implementation of strategies against human trafficking
- the establishing of high level bodies in order to implement these strategies with the participation of non-governmental organisations and international organisations.

Some illustrative examples of the above measures that have been reported in 2008 are as follows:

- *The authorities of Bosnia-Herzegovina* introduced a Rulebook on Protection of Aliens who have become Victims of Human Trafficking.
- *The Government of Montenegro* elaborated an Action Plan for 2009 in order to implement the previously adopted "Strategy for fighting human trafficking". This Action Plan co-ordinates the anti-trafficking efforts the "Office of national coordinator for human trafficking prevention" with other governmental bodies such as the Police Directorate, State Prosecution, Jurisdiction, Ministry of Health, Labour and Social Welfare, Ministry of Education and Science, non governmental organisations and international organisations such as IOM and OSCE.
- *The Data Collection and Information Management (DCIM) Phase II project* (from September 2008 to May 2010), an anti-trafficking programme is being implemented in the countries of the West Balkan under the name "Enhancement of Anti-trafficking Responses in South Eastern Europe – Data Collection and Information Management (DCIM Phase II). Beneficiaries are Croatia, Bosnia and Herzegovina, Serbia, Kosovo (under United Nations Security Council Resolution 1244), Montenegro, the former Yugoslav Republic of Macedonia and Albania. The Lead Agency of the programme is the International Centre for Migration Policy Development (ICMPD). The project is funded by the Royal Norwegian Ministry of Foreign Affairs. It aims to extend continued technical support to 12 dedicated participating institutions of the region in the field of maintaining, exchanging and analysing information on THB (Trafficking in Human beings) contained in databases. The project will strengthen co-operation between the relevant national repositories and other relevant actors working in the field of THB data collection, including governmental and non-governmental actors.

Number of persons being trafficked into the reporting country
Selected 13 countries in Central and Eastern Europe
2007 and 2008

Reporting country	Total of trafficked persons		Of the total: minors		Of the total: women	
	2007	2008	2007	2008	2007	2008
Bulgaria	n.a.	24	n.a.	4	n.a.	18
Croatia	3	1	1	0	2	1
Czech Republic	33	n.a.	4	n.a.	24	n.a.
Greece	99	78	4	7	64	63
Hungary	0	0	0	0	0	0
Lithuania	0	0	0	0	0	0
The former Yugoslav Republic of Macedonia	6	12	3	12	3	0
Montenegro	4	3	0	1	4	2
Poland	15	6	n.a.	0	n.a.	6
Serbia	96	55	35	27	34	46
Slovakia	15	13	1	0	15	11
Slovenia	1	9	1	0	1	7
Turkey	148	120	8	12	135	108
Total of 13 countries	420	321	57	63	282	262

Number of traffickers in human beings apprehended
including foreigners and citizens of the reporting country
Selected 15 countries in Central and Eastern Europe
2007 2008

Reporting country	In 2007	In 2008	Major countries of origin* of apprehended traffickers in human beings in 2008 *
Belarus	11	3	Russian Federation
Bosnia-Herzegovina	3	0	-
Bulgaria	21	42	Bulgaria
Croatia	20	15	Croatia, Bosnia-Herzegovina, the former Yugoslav Republic of Macedonia
Czech Republic	15	n.a.	n.a.
Greece	117	162	Greece, Romania, Albania
Hungary	0	0	-
Latvia	0	20	Latvia, Russian Federation, Lebanon
Lithuania	31	19	Lithuania
The former Yugoslav Republic of Macedonia	4	25	The former Yugoslav Republic of Macedonia, Serbia
Montenegro	3	9	Kosovo ¹¹ , Montenegro, Serbia
Serbia	74	81	Serbia, Bosnia-Herzegovina,
Slovakia	9	12	n.a.
Slovenia	3	6	Slovenia
Turkey	308	253	Turkey, Uzbekistan, Ukraine
Total 15 countries	619	647	-

* Countries of origin by decreasing order of the number of apprehended traffickers in human beings

The above tables on trafficked persons identified and on apprehensions of traffickers show the following trends:

- Turkey, Greece and Serbia are the countries where criminal statistics show both a high prevalence of human trafficking and intensive action against this trans-national crime.
- Most traffickers are apprehended in their home countries.
- The number of traffickers apprehended is approximately twice as much as the number of trafficked persons. It has to be noted, however, that this picture is partly resulting from different reporting mechanisms, depending on the institutional set-up of penal procedure.

The overwhelming majority of identified victims of trafficking are female and the most frequently reported aim of trafficking is sexual exploitation. Cases with other purposes of trafficking occur with lower frequency, such as street begging or forced labour.

¹¹ Under UNSCR 1244

Asylum

Asylum legislation in CEE countries corresponds to international humanitarian standards. The main relevant laws and institutions are in place. Legal changes that have been made in 2008 in some reporting countries have served the aim of international legal harmonisation. Notable examples are:

- *In Bosnia-Herzegovina* the “Law on Movement and Stay of Aliens and Asylum” and the “Rulebook on International Protection (Asylum) in Bosnia-Herzegovina” which came into force in 2008.
- *In Serbia* the Law on Asylum which entered into force on 1 April 2008.

Asylum procedures of EU Member States in the region have been fully harmonised. This includes the introduction of the Dublin II regulation, which determines the State responsible for processing the asylum application.

Number of persons claiming asylum
Selected 16 countries of Central and Eastern Europe

Reporting country	Persons in 2007	Persons in 2008	Change from 2007 to 2008 in %
Armenia	291	205	-30
Belarus	5	19	280
Bulgaria	975	746	-23
Croatia	198	154	-22
Czech Republic	1 878	1 656	-12
Estonia	14	14	0
Hungary	4 177	4 590	10
Latvia	34	51	50
Lithuania	480	540	13
The former Yugoslav Republic of Macedonia	10	50	400
Montenegro	3	7	133
Poland	10 027	8 509	-15
Serbia	66	52	-21
Slovakia	2 643	909	-66
Slovenia	343	260	-24
Turkey	5 787	11 512	99
Total 16 countries	26 931	29 274	9

In 2008, border guard and migration authorities of 16 reporting countries registered a total of more than 29,000 persons applying for asylum, which shows a stagnating tendency. Among these countries Poland, Hungary and Slovakia recorded the highest number of applications.

**Number of persons whose asylum claim was accepted*
Selected 13 countries of Central and Eastern Europe**

Reporting country	Persons in 2007	Persons in 2008	Change from 2007 to 2008 in %
Armenia	274	74	-73
Bulgaria	335	294	-12
Croatia	2	1	-50
Czech Republic	191	157	-18
Estonia	2	4	100
Hungary	169	160	-5
Lithuania	480	540	13
The former Yugoslav Republic of Macedonia	1	0	-100
Montenegro	1	0	-100
Poland	180	188	4
Serbia	32	0	-100
Slovakia	14	22	57
Slovenia	9	9	0
Turkey	2 658	3 560	34
Total 13 countries	4 348	5 009	15

* Only granted claims for asylum status, not including persons obtaining subsidiary protection

In 2008 border guard and migration authorities of 13 reporting countries registered 5,009 accepted asylum claims, showing an increasing tendency. Among these countries Turkey and Lithuania recorded the highest number of accepted asylum claims.

Legislative changes in the new Schengen countries in 2008

In the new Schengen countries, the major legislative changes and adaptations of migration policy were taken during the preceding years, as a preparation of their entry to the Schengen Area. Gradually these countries have adopted the full body of the regulations included in the Schengen Acquis. Consequently the legislation dealing with migration, border management, asylum and trafficking were completely harmonised with that of the European Union. Examples of legislative measures taken in the new Schengen countries in 2008 are as follows:

- *In Estonia* the amendment to the Code of Criminal Procedure entered into force, which widened the competences of the Border Guard regarding criminal procedures. With this amendment the legislator added to the existing competences the competence of launching a criminal procedure in cases of misuse of identity documents. Furthermore, the regulations for residence and employment were simplified and made more transparent.
- *Latvia* amended the "Law on the Legal Status of Aliens".
- *In Poland* the Law on Aliens (2003) and the Law on Border Guard (1990) were amended in October 2008. With this latter amendment, among other provisions, the Border Guard may conduct investigations on aliens also in their neighbourhood community, and may cancel a visa. Furthermore, the competence to escorting aliens to the borders (for expulsion purposes) was shifted from the Police to the Border Guard.

- *In Slovakia*, the Law on Stay of Aliens (2002) was amended in order to implement the (a) Council Directive No. 2003/86/EC on the right to family reunification, (b) Directive No. 2003/109/EC concerning the status of third country nationals who are long term residents.
- *In Slovenia* the Law on Aliens was adopted. The Penal Code of Slovenia as amended in 2008 explicitly incriminates the gathering of migrants, the provision of documents, transportation and shelter to migrants for subsequent illegal border crossing, or any other ways of supporting illegal migration.

Institutional development of border management in the new Schengen countries in 2008

The entry into the Schengen Area has contributed to an overall change in the role and function of border management in the new Schengen countries. Border control on the internal borders is regulated by the so-called Schengen Border Control Code (Regulation 562/2006/EC) and by the provisions of the "Convention Implementing the Schengen Agreement". These documents provide for the abolition of border control and for the free movement of persons within the Schengen territory, for the strengthening of controlling illegal migration within the territory of the country and for the temporary reintroduction of border control at internal Schengen borders in the event of a serious threat to public policy or internal security.

In some new Schengen countries, due to the abolition of border controls at the internal borders in the end of 2007 the number of border guard officers has decreased significantly. For example, in the Czech Republic the staff of the Border Guard was reduced from 7,500 to 4,200 posts.

The tasks of border management agencies were restructured and geographically relocated.

**Number of persons who were registered as crossing the borders legally
Selected 17 countries of Central and Eastern Europe
Entry and exit together
In case of Schengen countries: Only external Schengen border sections**

	Reporting country	Persons in 2007	Persons in 2008	Change from 2007 to 2008 in %
New Schengen Countries	Czech Republic	269 045 292	14 244 526	-95
	Estonia	18 160 770	5 710 170	-69
	Latvia	16 955 823	4 337 640	-74
	Lithuania	19 849 330	7 992 629	-60
	Poland	51 954 235	35 819 937	-31
	Slovakia	112 233 266	5 677 292	-95
	Slovenia	159 637 325	57 830 831	-64
Non-Schengen countries	Armenia	2 590 341	2 817 397	9
	Belarus	10 625 952	10 603 465	0
	Bosnia-Herzegovina	53 741 950	55 445 570	3
	Bulgaria	13 932 180	17 009 244	22
	Croatia	147 459 620	149 810 005	2
	Georgia	5 007 537	6 274 379	25
	The former Yugoslav Republic of Macedonia	11 655 306	11 658 417	0
	Montenegro	10 655 879	11 113 986	4
	Romania	66 036 268	81 252 822	23
	Serbia	42 929 171	48 674 849	13
	Turkey	61 972 745	69 679 099	12
Ukraine	86 777 240	89 076 351	3	
Total 19 countries	1 161 220 230	685 028 609	-41	
Of the total: New Schengen Countries	647 836 041	131 613 025	-80	
Of the total: Non-Schengen Countries	513 384 189	553 415 584	8	

In 2007 the number of legal border crossings has reached approximately 1.16 billion in the investigated 19 countries. In 2008, due to the omission of border controls at the internal borders of the new Schengen countries, the number of persons registered by crossing the border legally in those countries has decreased by 80 percent. The significant decrease of cross-border traffic of aliens on the external borders (in Poland: 50%) can be explained by the new, stricter visa issue regulations of the new Schengen countries, and in some countries (e.g. Poland) by the increase of visa fees.

Reform of operations at the internal border and inland. According to the principles of the Schengen Agreement, border control activities were removed to inland areas. Moreover, the co-operation of border management and other law enforcement agencies was enhanced. Major indicative examples are:

- *In the Czech Republic* the co-operation of border management organisations with public authorities was strengthened, and includes local authorities such as labour authorities, business license offices, and customs authorities.

- *In Estonia*, co-operation between mobile units of the Border Guards and the police was started at the end of 2007. The main task of these mobile units is to control the residence of aliens in the country, especially on inland roads, in the activity area of the Border Guard.
- *The Hungarian* Border Guard was integrated into the National Police, according to Act XC of 2007 on the amendment of the Act on the Police. From the beginning of 2008, the National Police of the Republic of Hungary operates as the legal successor of the Hungarian Border Guard, and the function of border management are performed by the National Police.
- *In Latvia* in 2008 the Border Guard has concluded inter-institutional agreements with the State Labour Inspectorate and with the Police Department.
- *In Poland* the Border Guard became the only service responsible for centres for aliens, for arrests and for expulsions. Moreover, the Border Guard took the task of escorting aliens to the borders for expulsion purposes; previously this was under the responsibility of the Police. The Polish Border Guard has introduced the so-called liaison officer institution in order to improve inter-agency co-operation with other government agencies and regional administration offices dealing with aliens on a daily basis.
- *In Slovakia*, on the internal borders on the 1st of August 2008, the border police units of the Police Force were fully integrated into the existing organisational structures of the regional directorates of the Police Forces.
- *In Slovenia*, at the national level, the Compensatory Measures Division has been established within the Border Police Section in the year 2007. At local level, the police units responsible for compensatory measures were established at the end of the year 2007.

Organisational measures on the external border. The border management in each new Schengen country was reinforced by organisational measures, with special respect to the enhanced control of the external Schengen borders. Major indicative examples of this tendency are as follows:

- *In Estonia* since December 2007, the border guard has formed a service for coordination and co-operation regarding the external EU border. Moreover, a structural unit was formed for rapidly responding to border incidents, and standby units were established. The Border Guard has been reinforced with a planning and analysis group, a contact point and mobile units. Certain units of the border guard were redeployed from the internal border, in order to perform service at the Estonian-Russian border.
- *In Hungary*, in counties with territories adjacent to the borders, so-called Public Order Protection Units, Border Policing Units and Deployment Services were established within the Police Headquarters. These units are responsible for border management at the county level. Their tasks, competences and resources depend on whether these units are performing service on the internal or the external border.
- *In Latvia* in 2008 the border guard has established special units at the Central Headquarters and the regional sub-units for controlling and preventing illegal border crossing.

- *In Poland*, according to the plans of the Border Guard the regional units will be decreased, some border posts will be closed down and others will be established according to the needs arising at specific border sections. The merging of Border Guard units and the closing down of certain posts at internal borders was initiated in 2008. Special importance was attached to the protection of international transportation routes.
- *In Slovenia*, in order to meet the Schengen requirements of external border control, authorities have implemented a significant enhancement of personnel. At the same time, significant technical resources have been allocated to the external border.

Visa co-operation. The new Schengen countries have continued to harmonise their international co-operation in the issues of visa issuance as for example:

- *Estonia* concluded the first Representation Agreements with other Schengen member states in 2008. Pursuant to the Schengen Acquis, one Member State of the Schengen Agreement can represent the other Member State in cases of visa issuance, if the other Member State does not have representation in the specific third country.

International co-operation of border management was further developed in 2008, both on bilateral and on multilateral level. Bilateral agreements on joint control activities on the shared internal border area between all neighbouring Schengen countries are in place. There is a well-established network of joint Border Guard working groups. Joint patrols are being conducted in co-operation with other national law enforcement authorities. The border services of the new Schengen countries regularly participate in the activities of FRONTEX Agency and in other international events. Examples are:

- *In Latvia* the common contact points of border guards on the Latvian – Lithuanian and the Latvian – Estonian state border sections continued their work. Latvia has also delegated liaison officers to third countries with high immigration potential to provide all necessary information about possible threats of illegal entry. The country has signed a Memorandum of Understanding in 2008 with the border guard services of Lithuania and Estonia on activities of liaison offices established in Belarus and Georgia.
- *In Poland* the Border Guard has enhanced the co-operation with border services of neighbouring states including the intensification of joint patrols, information exchange through the Schengen Information System, the previously established contact points at the borders, the liaison officers and other solutions. In April 2008 the co-operation between Polish Border Guard and German Federal Police on common Schengen area was conceptualised. The positive experiences of the Polish-German co-operation were used in developing new forms of co-operation with border services of Lithuania, Czech Republic and Slovakia.
- *In Slovakia* the Border Police Service regularly participates in international projects of border management. One example is the “Project for capacity building and co-operation in the field of false and forged documents in Ukraine” in 2008 which was implemented in co-operation with the International Centre for Migration Policy Development (ICMPD).

Infrastructural and human resources. In 2008 the new Schengen countries have further developed the infrastructural and human resources of border management. Examples are as follows:

- *In every new Schengen country* the IT environment of border management authorities has been developed for future use of joint European databases such as the next version of the SIS database (Schengen Information System II) and the Visa Information System (VIS) system.
- *In Estonia* the border control was enhanced by the use of national and European information systems (Schengen Information System, SIS and Visa Information System, VIS). An effective exchange of information between the Border Guards and other Government agencies has been developed.
- *Slovakia* has established a system of technical protection on the Northern section of its state border with Ukraine. The pilot project “virtual fence” has been implemented.
- *In Slovenia* the construction of three new Border Crossing Points (BCPs) was started in 2008 and will be finalised in 2009.

Developments in CEE countries outside the Schengen Area

In 2008 the countries of Central and Eastern Europe outside the Schengen Area have continued to reinforce their migration and border management policies. Examples are as follows:

- *In Albania* the Law on State Police (2007), the Law on Foreigners (2008) and the Law on state border control and surveillance (2008) were adopted.
- *In Bosnia and Herzegovina* the Law on Movement and Stay of Aliens and Asylum came into force in May 2008.
- *In Croatia* the new Aliens Act entered into force on 1 January 2008 and implemented further adjustment with the EU Acquis.
- *In Serbia* the Law on Protection of the State Border, The Law on Aliens, the Law on Asylum and the Law on Travel Documents were adopted or entered into force in 2008.

To a great extent legal changes were influenced by those agreements concluded with the European Union:

- *Albania* signed a Stabilisation and Association Agreement (SAA) with the European Union in June 2006. The SAA Agreement covers asylum and migration, combating unlawful immigration, organised crime, terrorism, illegal drugs as well as border control measures and border management. A readmission agreement with the European Community came into force in 2006.
- *Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia* concluded Visa Facilitation Agreements with the European Community in 2007. These agreements came into force on 1 January 2008. The parties are committed to work towards a visa free travel regime in the future.

The previously existing network of readmission agreements has been extended to further countries such as:

- *Bosnia and Herzegovina*, which has signed readmission agreements with the former Yugoslav Republic of Macedonia, Montenegro and Albania in 2008; and
- *Croatia*, which has signed readmission agreements with the Slovak Republic, Serbia, and Montenegro.

Co-operation in regard to border management has been further developed and reinforced between the states within the region as well as with the respective institutions of the European Union notably:

- *Bosnia and Herzegovina*: the Border Police has participated in several international operational actions with the aim of preventing human smuggling to the Member States of the European Union.
- *Croatian* authorities have developed intensive co-operation with FRONTEX based on an agreement signed by both parties. The participation of Croatia in several joint actions co-ordinated by FRONTEX Actions was directed at decreasing illegal border crossings by intensified border control at the border of Croatia with Slovenia.
- *The Serbian* border police signed bilateral protocols in 2008 with the Montenegrin border police and with the border police of the former Yugoslav Republic of Macedonia.

Impact of the entry of Romania and Bulgaria into the EU

Before 2007, Bulgarian and Romanian citizens were exempted from visa requirement in the new Schengen countries and could remain in the countries for up to 90 days for tourist or other non-profit reasons. For example:

- *Estonia and Romania* had concluded an agreement on a visa free regime granting Romanian citizens a stay of 90 days in 6 months in Estonia already on March 25, 2004.
- *Poland* had regulated the free entry and stay of citizens of Bulgaria and Romania until the 1 January 2007 by corresponding agreements and in line with the EC Regulation No 539/2001 of 15 March 2001 determining "those third countries whose nationals are subject to the visa requirement, and those whose nationals are exempt from it".

Following the accession of Bulgaria and Romania to the EU in 2007, Bulgarian and Romanian citizens enjoy full mobility rights within the Schengen Area. For example:

- *In Estonia*, from 2007, the Citizen of the European Union Act was applied to citizens of Romania and Bulgaria and their family members. Accordingly, they may stay in Estonia on the basis of the right of stay for up to three months as of the day of entry into Estonia on the basis of a valid travel document or identification document.
- *In Hungary* the entry and stay of Bulgarian and Romanian citizens is regulated by the Aliens Act of 2007. Romanian and Bulgarian citizens enjoy the right of free movement and stay as any other citizen of any other EU Member State.
- *In Poland*, since Bulgaria and Romania entered the EU on 1st of January 2007, their citizens enjoyed right of free movement. The conditions of entry and residence for Bulgarian and Romanian citizens are included in the respective EU regulations which were implemented into Polish legal system in the Law of 14 July 2006 on entrance residence and exit of European Union member states' citizens and their families on the territory of the Polish Republic".

Apprehensions of Bulgarian citizens in the years 2005-2008. The following table demonstrates that between 2005 and 2008 the number of Bulgarian migrants apprehended for migration related reasons in most countries of CEE was very low.

Number of migration related apprehensions of Bulgarian citizens, 2005 - 2008

Reporting country	Year	Border violators	Overstayers*	Total
Bosnia-Herzegovina	2005	5	n.a.	n.a.
	2006	16	n.a.	n.a.
	2007	1	n.a.	n.a.
	2008	0	0	0
Croatia	2005	36	4	40
	2006	15	5	20
	2007	3	5	8
	2008	4	9	13
Czech Republic	2005	216	29	245
	2006	72	41	113
	2007	7	0	7
	2008	1	2	3
Estonia	2005	0	0	0
	2006	0	0	0
	2007	0	0	0
	2008	0	0	0
Hungary	2005	22	10	32
	2006	26	10	36
	2007	3	2	5
	2008	2	4	6
Lithuania	2005	3	2	5
	2006	0	0	0
	2007	0	0	0
	2008	1	1	1
Poland	2005	17	n.a.	n.a.
	2006	22	n.a.	n.a.
	2007	1	0	1
	2008	2	0	2
Slovakia	2005	4	2	6
	2006	1	0	1
	2007	0	0	0
	2008	0	0	0
Slovenia	2005	22	12	34
	2006	56	22	78
	2007	9	10	19
	2008	8	45	53
Total		575	215	790
Of the total: 2005		325	59	384
Of the total: 2006		208	78	286
Of the total: 2007		24	17	41
Of the total: 2008		18	61	79

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

Migration related apprehensions of Romanian citizens in the years 2005-2008. The following table demonstrates that between 2005 and 2008 the number of migration related apprehensions of Romanian migrants in most countries of CEE was low. The only exception was Hungary: before 2007 authorities had apprehended thousands of citizens of the neighbouring Romania every year. Most of these persons were circular migrants who spent certain periods illegally working in the Hungarian agricultural, construction or domestic sector. In every reporting country the number of apprehensions of Romanian citizens decreased between 2005 and 2008. During the period under investigation, the number of overstayers was consistently lower than the number of border violators.

Number of migration related apprehensions of Romanian citizens, 2005 - 2008

Reporting country	Year	Border violators	Overstayers*	Total
Bosnia-Herzegovina	2005	13	n.a.	n.a.
	2006	32	n.a.	n.a.
	2007	2	n.a.	n.a.
	2008	3	n.a.	n.a.
Croatia	2005	142	51	193
	2006	79	52	131
	2007	8	36	46
	2008	8	54	62
Czech Republic	2005	127	103	230
	2006	96	76	162
	2007	10	3	13
	2008	0	1	1
Estonia	2005	0	1	1
	2006	1	0	1
	2007	0	0	0
	2008	0	0	0
Hungary	2005	334	7 463	7 797
	2006	382	7 464	7 846
	2007	80	139	219
	2008	54	95	149
Lithuania	2005	1	0	1
	2006	0	0	0
	2007	8	0	8
	2008	0	5	5
Poland	2005	19	n.a.	n.a.
	2006	15	n.a.	n.a.
	2007	3	0	3
	2008	5	0	5
Slovakia	2005	11	19	30
	2006	24	26	50
	2007	2	0	2
	2008	0	0	0
Slovenia	2005	59	0	59
	2006	16	15	31
	2007	13	0	13
	2008	8	5	13
Total		1 555	15 608	17 163
Of the total: 2005		706	7 637	8 343
Of the total: 2006		645	7 633	8 278
Of the total: 2007		126	178	304
Of the total: 2008		78	160	238

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

Access of Bulgarian and Romanian citizens to the labour market. In some EU Member States access to the labour market for Bulgarian and Romanian citizens was kept restricted while in other countries restriction was lifted for citizens of the new EU Member States Bulgaria and Romania. While in previous years Bulgarian and Romanian citizens needed work permits to be employed, after 2007 in some countries they were entitled to work without limits just as any EU citizen. For example:

- *In Estonia* all EU citizens resident in the country enjoy free access to the Estonian labour market.
- *In Slovakia*, until 2007, Bulgarian and Romanian citizens needed either a work permit or a temporal permit for working reason in order to access the labour market. From 1 January 2007 citizens of both countries enjoy free entrance to the labour market of Slovakia, and as employees are treated as equal to citizens of Slovakia.
- *In Slovenia* up to 2007 access for Bulgarian and Romanian citizens to the labour market was subject to a work permit. Following the EU accession of their countries, free access to labour market had been introduced to Bulgarian and Romanian citizens in accordance with the Directive 38/2004/EC, which entered into force on 1 January 2007 and was adopted into national legislation in the same year. Slovenia has become a popular destination country for Bulgarian and Romanian labour migrants after their EU accession.

Country Chapters

Albania



Location:	South-eastern Europe, bordering the Adriatic Sea and the Ionian Sea, Greece, Montenegro and Kosovo ¹² .
Area:	Total: 28,748 sq km – water: 1,350 sq km – land: 27,398 sq km
Land boundaries:	Total: 717 km. Border countries: Greece 282 km, the former Yugoslav Republic of Macedonia 151 km, Montenegro 172 km, Kosovo ¹³ 112 km
Coastline:	362 km
Population:	3,639,453 (July 2009 est.)

Emigration from Albania

The main tendency of irregular migration in Albania is the outward migration of Albanian citizens to the countries of the European Union motivated by economic reasons. Since 1990, almost a quarter of the Albanian population has left the country. There are roughly one million Albanians living abroad, including 430,000 in Greece, 340,000 in Italy, 110,000 in the USA, 50,000 in the UK, 14,000 in Canada and 11,000 in Germany. Only between 1997 and 1998 Greece has regularized the status of 240,000 Albanians. The primary destination countries for Albanian migrants are neighbouring Greece and Italy.

¹² Under UNSCR 1244

¹³ Under UNSCR 1244

Since 2000 the political situation in the country has stabilised but outward migration has continued. At the same time the return flow to Albania is considerably high due to the fact that migration to the neighbouring countries is of temporary and circular character.

The massive emigration of Albanians affects a considerable part of the economically active population, as three-quarters of the emigrant population are young men of working-age. The remittances of Albanian emigrants sent back to their home country account for 10% of the GDP of Albania.¹⁴

Irregular migration flows

Due to strict immigration and visa regimes, many citizens of Albania choose illegal ways of entering their target countries. The main migration routes in this regard are as follows:

- Albania – the former Yugoslav Republic of Macedonia – Greece and further on to other Western European countries
- Albania – Montenegro – Serbia – Slovenia – Italy
- Albania – Kosovo¹⁵ – Croatia - Slovenia and further on to other Western European countries
- Albania – Greece – Italy

In the years 2003 to 2005 the annual number of Albanian nationals apprehended for migration related offences within the 25 EU Member States has varied between 35,000 and 52,000 persons. The annual number of Albanian citizens, readmitted from other countries to Albania reached its peak in 2005 with 56,000 persons.

In recent years, foreign citizens apprehended at the Albanian borders are mostly citizens of Afghanistan, Turkey, China and Pakistan. In 2008 Albanian authorities have noticed a new tendency; Afghan nationals coming from Greece have attempted to illegally transit Albania supposedly aiming at EU countries, either by using the Border Crossing Points or by passing through other points of the land border.

In 2008 there has been an increase of apprehensions of migrants attempting to illegally cross the border, as well as of people that assist illegal border crossings. The increase of illegal crossings through the land border has been accompanied by a considerable decrease of cases of migrants travelling illegally by air. Moreover, in 2008 no cases of illegal crossings have been recorded from Albania across the Adriatic Sea, in contrast to a few years ago, when such movements were considered a very widespread phenomenon.

In 2008 the State Police of Albania has reported an increase in border apprehensions from 12,704 persons in 2007 to 16,032 persons in 2008.

¹⁴ Migration and Development Brief. Published by the Migration and Remittances Team of The World Bank. Washington, 11 November 2008

¹⁵ Under UNSCR 1244

Number of persons detained by the State Police of Albania for attempting illegal border crossing

2005	6 720
2006	8 893
2007	12 704
2008	16 032

Moreover, in 2008 the Albanian State Police has filed

- 227 charges for criminal offences of “unlawful usage of passports”, with altogether 238 perpetrators
- 131 charges for criminal offences of “forging of seals/stamps”, with altogether 146 perpetrators
- 188 charges for criminal offences of “illegal border crossing”, with altogether 197 perpetrators
- 92 charges for criminal offences of “assistance for illegal border crossing”, with altogether 111 perpetrators

Furthermore, in 2008 the Albanian State Police seized 1,501 passports.

Albania introduced EU standardised procedures of issuing visas at its consulates and at the borders in 2008. This has contributed to a decrease of refused visa applications at the border and generally, to a decrease in the number of entry refusals into Albania.

Legislation and international agreements

The Stabilisation and Association Agreement (SAA) between the European Union (EU) and Albania was signed in June 2006. The Agreement covers the area of freedom, justice and security, including a framework of rules related to the joint policies of asylum and migration, those related to combating unlawful immigration, organised crime, terrorism, illegal drugs and border control measures. The SAA also provides a framework for co-operation in matters of asylum, immigration and border management including training of personnel, drafting of legislation, and increasing the effectiveness of institutions and border management.

Readmission agreements are in place with the European Community (signed in 2005, entered into force on 1 May 2006), with the United Kingdom (2005), Croatia (2005), Bulgaria, Germany, Hungary, Italy, the former Yugoslav Republic of Macedonia, Romania (2002) and Switzerland. The Readmission Agreement with the European Community replaces previously signed bilateral agreements with individual EU Member States. Albania is the first country in Europe to have negotiated and signed a readmission agreement with the European Community. In this document Albania has obliged itself to take back its citizens and any citizen of a third country or one without citizenship who has entered the territory of an EU Member State through Albania. (Council Decision 2005/371/EC of 3 March 2005 on the signing of the Agreement between the European Community and the Republic of Albania on the readmission of persons residing without authorisation).

EU visa agreements. The European Community has concluded in 2007 Visa Facilitation Agreements with Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia. These agreements are in force since 1 January 2008. The preamble of the visa facilitation agreements includes a clear reference to the commitment of the parties to work towards a visa free travel regime in the future.

In 2008 and 2009 the following laws and decrees concerning movement of foreigners have been adopted in Albania:

- The Law on Foreigners (No. 9959, 17.07.2008), which came into force on 1 December 2008.
- The Decision of the Council of Ministers (No.362, 1 April 2009) “On the definition of the criteria, procedures and documentation for the entry, stay and treatment of foreigners in the republic of Albania”.
- The Decision of Council of Ministers (No. 431, 27.04.2009) is an amendment to the previous Decree. “An addition to the Decision of the Council of Ministers no. 362, dated 1.4.2009 “On the definition of the criteria, procedures and documentation for the entry, stay and treatment of foreigners in the Republic of Albania”. This amendment regulates the entrance into Albania for Schengen residents, and Schengen visa holders who may enter Albania without visa.
- The Decision of Council of Ministers (No.603, 10.06.2009), “An addition to the Decision of the Council of Ministers no. 362, dated 1.4.2009 “On the definition of the criteria, procedures and documentation for the entry, stay and treatment of foreigners in the Republic of Albania”. This amendment allows citizens of Serbia, Ukraine and of the Russian Federation to enter Albania without visa from the 1 May to 31October.

Albanian law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol.

Migration management

Migration management in Albania is directed by the National Strategy on Migration and the corresponding National Action Plan, developed in 2004-2005 with assistance of the European Commission and the International Organisation for Migration (IOM).

The Ministry of Labour, Social Affairs and Equal Opportunities is the authority in charge of coordinating and monitoring the implementation of the National Strategy on Migration and its corresponding Action Plan. This Ministry includes a Directorate for Migration.

The Ministry of Foreign Affairs maintains the National Institute of Diaspora, which is the government entity in charge of the policies related to Albanian Diaspora.

The National Strategy for Combating Trafficking in Human Beings 2005-2007 was adopted in July 2005. It includes (a) the National Strategy for the Fight against Child Trafficking and the Protection of Child Victims of Trafficking and (b) the Co-operation Agreement to establish a National Referral Mechanism for the Enhanced Identification of and Assistance to Victims of Human Trafficking. The relevant authorities and services:

- The National Coordinator for the Combat of Human Trafficking
- The Anti-trafficking Unit in the Ministry of Interior
- The Sector for the Combat of Illegitimate Trafficking in the Directorate for Border and Migration Police
- The National Reception Centre for Victims of Human Trafficking
- Regional Anti-trafficking Committees (established in 2006 by the Order of the Prime Minister, No. 139. in all 12 regions of Albania).

Border management

The legal base of the procedures for entry and stay are as follows:

- Law on State Police (2007)
- The Law on foreigners (No. 9959, 17.07.2008) which came into force on 1 December 2008.
- The Law on state border control and surveillance (No.9861, dated 24.01.2008)"
- The Decision of the Council of Ministers (No.362, 1 April 2009) "On the definition of the criteria, procedures and documentation for the entry, stay and treatment of foreigners in the republic of Albania"
- In 2007, the Ministry of Interior in co-operation with other government and non-government actors developed the National Strategy on Integrated Border Management and its corresponding Action Plan.

The Ministry of Interior (MOI) includes the Department for Border Police and Migration. This Directorate was established under the Law on the State Police (Law No.9749 2007) and was given responsibility for the command and control of the borders, for the management of border police personnel and logistics. The Department for Border Police and Migration is also in charge of the aliens police within the framework of preventing, detecting and fighting illegal cross-border activities. In addition, the Department for Border Police and Migration implements international documents and bilateral and multilateral agreements on border issues that have been accepted by the Albanian Government.

The organisational structure of the Department of Border Police and Migration is as follows:

- Directorate of Operational Services
 - Blue Border Services Sector
 - Green Border Services Sector
 - Judicial Police Officers Sector
- Directorate of Migration & Readmission
 - Migration Sector
 - Readmissions & Deportations Sector
 - Foreigner Reception Centres
- Directorate of Administration
- Risk Analysis Sector
- Crime Investigation Sector
- Territorial Mobile Unit of Border & Migration (Delta Force)
 - Eight Regional Directorates for Border and Migration, which operate countrywide in Albania.

Statistical tables

**Number of persons rejected at the border
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Turkey	n.a.	1. Turkey	64
2. Russian Federation	n.a.	2. Russian Federation	38
3. Ukraine	n.a.	3. Serbia	29
4. The former Yugoslav Republic of Macedonia	n.a.	4. The former Yugoslav Republic of Macedonia	19
5. Nigeria	n.a.	5. Ukraine	16
		6. Bosnia-Herzegovina	11
		7. Nigeria	7
		8. China	6
		9. Moldova	5
		10. Romania	5
Total of ALL rejected persons at the border (of any nationality)	522		407

**Number of persons removed from Albania
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Kosovo ¹⁶	13	1. China	74
2. Turkey	9	2. Afghanistan	29
3. Brazil	4	3. Turkey	19
4. Pakistan	3	4. Kosovo ¹⁷	8
5. Bulgaria	1	5. Egypt	6
6. Ukraine	1		
7. The former Yugoslav Republic of Macedonia	1		
8. Afghanistan	1		
9. Tunisia	1		
10. Greece	1		
Total of ALL removed persons (of any nationality)	36		136

With the contribution of

State Police of Albania

Further information sources: "The Republic of Albania - migration profile". Report prepared by the International Organisation for Migration (IOM). Publisher: Ministry of the Interior of the Republic of Slovenia. Ljubljana, September 2007

¹⁶ Under UNSCR 1244

¹⁷ Under UNSCR 1244

Armenia



Location:	South-Western Asia, East of Turkey
Area:	Total: 29,800 sq km - water: 1,300 sq km - land: 28,400 sq km
Land boundaries:	Total: 1,254 km. Border countries: Azerbaijan-proper 566 km, Azerbaijan-Naxcivan exclave 221 km, Georgia 164 km, Iran 35 km, Turkey 268 km
Coastline:	0 km (landlocked)
Population:	2,967,004 (July 2009 est.)

Migration flows

Armenia has traditionally been a country of emigration. The large Armenian diaspora is present in several of the developed countries. Most Armenian emigrants leave the country due to the lack of labour opportunities in Armenia, especially in the rural areas. The conflict with Azerbaijan in 1989-1990 has also contributed to emigration. Emigration for economic reasons has caused significant brain and skill drain in the last decade, but it has also brought benefits in the form of remittances.

Legal migration: Armenia has a liberal and open policy on immigration and a very liberal visa regime. There is no specific work permit system for foreigners in place, and consequently there are no limits to the employment of aliens. Aliens may obtain residence permits simply on presentation of employment contracts.

Illegal entry and stay is facilitated by smugglers and by some bogus travel agencies operating on the territory of Armenia. Armenian facilitators regularly co-operate with smugglers in transit countries and in the countries of destination in order to arrange for immigrants' jobs and documents. Apart from exit controls there is no system in place that would alert Armenian migration authorities of overstayers, i.e. persons who remain in the country their visa or residence permit has expired. In Armenia the punishment of "overstaying" is much more lenient than the punishment of border violation. Legislation against border violation offences is part of the criminal law, enforced by the Police and the Prosecutor's Office. International organisations have recommended applying administrative law for migration-related offences.

Institutional development

The Migration Agency (formerly the Department for Migration and Refugees) was established in 2005 and placed under the Ministry of Territorial Administration based on Governmental Decision No. 633-N of 19 May 2005. The main structural subdivisions of the Agency are the Refugees Department, the Asylum Seekers Department and the Department of Migration Programs. The Migration Agency is responsible for disseminating the information on rules and conditions of entry, employment and residence in foreign countries, for the reintegration or returnees, and for creating mechanisms for legal labour migration.

The Armenian Border Guards and its Border Control division are in charge of border management and control. Since 1991 the Russian Federal Border Guards secures Armenia's borders with Turkey and Iran. This is based on the "Treaty on Friendship, Co-operation and Mutual Assistance" and on the "Declaration on the Collaboration towards the 21st Century" of 29 December 1991.

The Armenian Police has two divisions responsible for international migration issues. The Division for Combating Illegal Migration and for International Collaboration was established in 2003 and investigates cases of illegal state border crossing; swindling; and forgery, sale or use of forged documents, stamps, seals, letterheads, and vehicle license plates. The Department of Passports and Visas is responsible for visa issuance at the borders, visa extensions, registration of foreigners on the territory, issuance of exit stamps (passport validation) for Armenian citizens, and operates the passport database of the citizens of the Republic of Armenia.

International agreements

In 2008 Armenia has signed a readmission agreement with Sweden. Five other agreements exist with Denmark, Switzerland, Lithuania, Germany and Bulgaria.

Trafficking in Humans

The Inter-agency Commission for Anti-Trafficking Issues was established by the Armenian government in October 2002. Armenia prohibits trafficking in persons for both labour and sexual exploitation through Article 132 of its penal code, which prescribes penalties of three to 15 years' imprisonment. In 2007 the government approved its second National Plan of Action on Trafficking for 2007-2009.

In 2007 the government investigated 14 cases of trafficking for sexual and labour exploitation, resulting in the conviction of 11 trafficking offenders. The sentences ranged from one to eight years' imprisonment and fines.

The lack of diplomatic relations between Armenia and Turkey is an obstacle to investigating trafficking of Armenian nationals to Turkey.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Armenia

	2007	2008
Entry	1 293 559	1 397 169
Exit	1 296 782	1 420 228
Total	2 590 341	2 817 397

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	-	-
Inland	291	205
Total	291	205

Number of persons whose asylum claim was accepted

Claims accepted in 2007	Claims accepted in 2008
274	74 claims and an additional number of 131 claims are pending.

Passenger flows across the borders of Armenia, 2000-2008

Thousands of persons

Years	Arrived	Left	Balance	Total number of passengers' entries / exits	Increase / decrease of passengers' flows compare with previous year, by %
2000	399.7	457.2	-57.5	856.8	-
2001	508.2	568.6	-60.4	1 076.8	125.7
2002	590.7	593.4	-2.7	1 184.0	110.0
2003	618.3	628.5	-10.2	1 246.9	105.3
2004	739.9	737.8	2.1	1 477.7	118.5
2005	845.8	833.3	12.5	1 679.2	113.6
2006	983.7	962.0	21.8	1 945.7	115.9
2007	1 293.6	1 296.8	-3.2	2 590.3	133.1
2008	1 397.2	1 420.2	-23.1	2 817.4	108.8

Passenger flows across the borders of Armenia by transport means 2007-2008 Number of persons

	2007 arrived	2007 left	2007 balance	2008 arrived	2008 left	2008 balance
Airway	695 907	710 020	-14 113	739 325	767 654	-28 329
Railways	22 186	22 703	-517	15 815	17 490	-1 675
Highway	575 466	564 059	11 407	642 029	635 084	6 945
Total	1 293 559	1 296 782	-3 223	1 397 169	1 420 228	-23 059

With the contribution of

Migration Agency under the Ministry of Territorial Administration
Republic of Armenia

Further information sources used:

- Review of Migration Management in the Republic of Armenia. Assessment Mission Report. The Assessment was conducted at the Request of the Government of the Republic of Armenia within the framework of IOM "Capacity Building in Migration Management Programme: Armenia Assessment" Project funded by the Swedish Migration Board. Yerevan, March 2008.
- Migration in Armenia: A Country Profile 2008. Report prepared by the International Organisation for Migration (IOM). Geneva, 2008.
- Trafficking in Persons Report 2008 – Armenia. United States Department of State, 4 June 2008.

Belarus



Location:	Eastern Europe, East of Poland
Area:	Total: 207,600 sq km - <i>water</i> : 0 sq km - <i>land</i> : 207,600 sq km
Land boundaries:	Total: 3,306 km. Border countries: Latvia 171 km, Lithuania 680 km, Poland 605 km, Russia 959 km, Ukraine 891 km
Coastline:	0 km (landlocked)
Population:	9,648,533 (July 2009 est.)

Irregular migration flows

The Republic of Belarus is typically a country of transit migration in the direction of Western Europe. The major countries of origin are located in Asia and Africa, such as Nigeria, Ghana, Congo, Sierra Leone, Egypt, Afghanistan, Pakistan, Vietnam, China and the CIS countries. Many migrants arrive from countries characterized by armed conflicts, deep poverty and religious tensions. Migrants are typically able to rely on well-established diasporas of their respective ethnic groups located in the Member States of the European Union and CIS countries.

Most attempts to illegally cross the border are recorded at the border between Belarus and the Russian Federation and are carried out by car or train.

Records on illegal migration mostly consist of persons found either violating the borders or persons having overstayed their student or business visa. Some persons use study or business as a pretext in order to enter the country for other purposes. There are several indications that a substantial number of foreigners arriving for the stated purpose of studying never enrol at the relevant education institution.

It has been frequently observed, that citizens of the Russian Federation of Chechen ethnicity attempt to illegally cross the border from Belarus to Lithuania. The frequent use of this route is most probably the aim to reach the asylum centre in Pabrade (Lithuania) and from there to continue towards Scandinavia or other Western European countries.

Belarus still is a transit country also for migrants trying to reach their destination by air. Such migrants typically arrive from Kiev, Moscow, Istanbul, Tbilisi and Yerevan. Investigations have shown that their immediate aim was to reach Warsaw, Vienna, Frankfurt or Stockholm by air. An increasing trend of using air routes transiting Belarus has been noted involving citizens of CIS countries such as, Moldova, Ukraine or Kazakhstan as well as Georgia. Evidence suggests that most of these migrants are aiming for the Baltic countries with the purpose of taking up employment. Quite frequently migrants were found using falsified Lithuanian passports, which were produced in Lithuania and contain several stamps indicating previous border crossings in Western European countries such as Austria, Czech Republic and Belgium.

There are also cases, where citizens of CIS countries travel to Latvia legally with genuine documents and tourist visas but overstay their visa engage in illegal work. Upon returning to their home countries these individuals avoid official border control points and consequently violate the borders of Belarus.

Human trafficking across the borders of the country is not significant. In 2007 altogether 12 traffickers in human beings were apprehended and brought to justice (5 criminal cases involving the smuggling of 12 persons). In 2008 a total of three traffickers in human beings were brought to justice.

Organisational set-up of illegal migration

Illegally resident migrants in Belarus have different strategies to legalise their stay: entering into marriage with a citizen of Belarus, attempting to obtain a residence permit through having an employment contract, or through applying for asylum. However, others do not aim at staying in Belarus and frequently attempt to continue their journey to Western destinations, amongst others using falsified documents that can be purchased on the black market. There are also criminal organisations that have specialised in falsifying passports from the EU Member States and other countries.

Available evidence indicates that persons using falsified documents typically attempt to obtain documents of countries where citizens have a similar physical appearance to their own: for example, Chinese citizens would use passports of Taiwan and Japan; Iraqi citizens have been found with passports of countries of the Middle East as well as Cuba or Portugal; Sri Lankan citizens have been found with passports from India; and citizens of Moldova and Ukraine with passports of Lithuania.

In addition, investigators often encounter cases where tourism is used only as a pretext for entering Belarus. In several such cases persons simply disappear upon entering the country as tourists.

Certain groups have specialised in organising marriages of convenience with citizens of the Republic of Belarus. Criminal groups also try to involve employees and staff of government agencies, especially law enforcement agencies, in their activities.

The tourist sector is especially vulnerable to criminal activities related to the facilitation of illegal migration. Investigators often encounter cases where tourism is used only as a pretext for entering Belarus. In several such cases persons simply disappear upon entering the country.

Risk assessment

The Border Guard Committee of Belarus regularly prepares analyses and prognoses on the tendencies and routes of illegal migration into and through the country. These analyses indicate that in the coming years irregular migration can be expected to significantly increase. However, rather than illegal entry, it can be expected that migrants enter legally under the pretext of studies, labour or transit and subsequently overstay.

Supposedly, the main motivation of transit migrants will be to reach neighbouring Poland, which has become a member of Schengen Agreement in 2007. It is expected that the following routes will become increasingly important for irregular migration flows:

- Russian Federation – Belarus – the Baltic countries
- Russian Federation – Belarus – Poland
- Russian Federation – Belarus – Ukraine – Slovakia

Moreover, an increase of return migration to countries of origin is also expected from Belarus, Russia, Ukraine, Slovakia and Poland as a result of enforcement measures taken in Ukraine, Poland and the Baltic countries. In fact, recently an increase of return migration through Belarus towards the Russian Federation and Ukraine of citizens of Southwest Asia has already been observed.

It is expected that the use of false and falsified documents as well as the misuse of genuine documents issued for studying, visiting or business will continue.

Institutional development of border management

On 25 September 2007, the President of the Republic of Belarus issued Decree no. 448 "On some issues of the border guard services of the country". In accordance with the above-mentioned decree, the State Border Guard Committee of Belarus has initiated a reform of the border guard services, meaning the implementation of a gradual transition from the present military organisation, with most staff members being drafted, to a civilian structure, with employees being contracted specialists.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Belarus

	2007	2008
Entry	5 293 361	5 271 310
Exit	5 332 591	5 332 155

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	5	19
Inland	-	-
Total	5	19

Number of border violators by top nationalities / citizenships including foreigners and citizens of Belarus

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Ukraine	380	1. Lithuania	721
2. Russian Federation	240	2. Ukraine	580
3. Moldova	72	3. Poland	519
4. Azerbaijan	56	4. Russian Federation	310
5. Kazakhstan	35	5. Latvia	166

Number of migration related border apprehensions including foreigners and citizens of Belarus

2007	2008
1 038	4 438

**Number of migration related apprehensions by border section
including foreigners and citizens of Belarus
2007**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Belarus on the border with that country 2007	OUT: Number of apprehensions of people LEAVING Belarus on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Latvia	15	21	36
2. Lithuania	59	102	161
3. Poland	6	151	157
4. Ukraine	208	246	454
5. Airports	11	17	28
Total	299	537	836

**Number of migration related apprehensions by border section
including foreigners and citizens of Belarus
2008**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Belarus on the border with that country 2008	OUT: Number of apprehensions of people LEAVING Belarus on the border with that country 2008	Total number of apprehensions on the border with that country 2008
1. Latvia	3	5	8
2. Lithuania	44	143	187
3. Poland	4	91	95
4. Ukraine	177	153	330
5. Airports	2	22	24
Total	230	414	644

**Number of "smugglers of migrants" apprehended
including foreigners and citizens of Belarus**

Apprehensions in 2007	Apprehensions in 2008
18	9

**Number of "smugglers of migrants" apprehended
by top nationalities / citizenships
including foreigners and citizens of Belarus**

Citizens of the following countries in 2007	Number of smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of smugglers apprehended in 2008
1. Belarus	15	1. Belarus	2
2. Ukraine	2	2. Ukraine	2
3. Moldova	1	3. Russian Federation	7

**Number of "traffickers in human beings" apprehended
including foreigners and citizens of Belarus**

2007	2008
11	3

**Number of "traffickers in human beings" apprehended
by top nationalities / citizenships
including foreigners and citizens of Belarus**

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1. Belarus	6	1. Russian Federation	3
2. Poland	2	-	-
3. Russian Federation	2	-	-
4. Lithuania	1	-	-

With the contribution of

State Border Guard Committee of the Republic of Belarus

Bosnia and Herzegovina



Location:	South-Eastern Europe, bordering the Adriatic Sea and Croatia
Area:	Total: 51,209 sq km – water: 12 sq km – land: 51,197 sq km
Land boundaries:	Total: 1,538 km Border countries: Croatia 932 km, Montenegro 249 km, Serbia 357 km
Coastline:	20 km
Population:	4,613,414 (July 2009 est.)

Irregular migration flows

Since the establishment of Bosnia and Herzegovina as an independent country in 1991, its territory was important for transit migration from the Kosovo¹⁸, the former Yugoslav Republic of Macedonia and Albania heading for the EU countries. However, during the recent years the number of apprehended foreign border violators has decreased. The majority of persons apprehended on the borders of the country for migration related offences are local citizens.

Compared to the previous year, in 2008 the number of violations of the border of Bosnia-Herzegovina has decreased to 543. The majority of border violators and persons rejected at the borders were either citizens of Bosnia-Herzegovina or citizens of the immediately neighbouring countries. Similarly to the previous years, most border violations occurred on the border section with Croatia.

¹⁸ Under UNSCR 1244

Compared to the previous year, the number of persons rejected at the borders has decreased by more than 50 percent to 3,102 persons. Most rejected persons were either citizens of the immediately neighbouring countries or of Turkey.

Legislation

In 2008, the following laws, bylaws and other regulations in the field of migration were adopted.

Regarding the movement and residence of persons:

- Law on Movement and Stay of Aliens and Asylum came into force on 14 May 2008 (BiH Official Gazette no. 36/08).
- Rulebook on Conditions and Procedures of Entry and Residence of Aliens. This Rulebook was adopted by the Ministry of Security under no. 01-02-258/08 on 23 September 2008 (BiH Official Gazette no. 81/08).
- Rulebook on Surveillance and Removal of Aliens from Bosnia and Herzegovina adopted by the Ministry of Security under no. 01-02-255/08 on 22 September 2008 (BiH Official Gazette no. 81/08).
- Rulebook on Protection of Aliens who are Victims of Human Trafficking adopted by the Ministry of Security under no. 01-02-282/08 on 20. October 2008 (BiH Official Gazette no. 90/08).
- Rulebook on Standards, Functions and other Significant Issues for the Immigration Centre adopted by the BiH Council of Ministers under no. VM 218/08 on 3. December 2008 (BiH Official Gazette no. 105/08).
- Rulebook concerning the Costs of Returning and Placing Aliens under Surveillance adopted by the BiH Council of Ministers under no. VM 215/08 on 3 February 2008 (BiH Official Gazette no. 2/09).
- Rulebook on Obligations of the Transport Carriers, Tourist Organizers, and Similar Travels adopted by the BiH Council of Ministers under no. VM 11/09 on 5 February 2009 (BiH Official Gazette no. 17/09).
- Decision on the least Amount of Means of Subsistence required for the Alien during their Stay in BiH adopted by the BiH Council of Ministers under no. VM 10/09 on 29 January 2009 (BiH Official Gazette no. 17/09).
- Rulebook for the Central Data-Base on Aliens adopted by the Ministry of Security under no. 08-50-524/09 on 16 March 2009 (BiH Official Gazette no. 25/09).

Regarding Asylum:

- Rulebook on International Protection (Asylum) in BiH. (BiH Official Gazette no. 37/09).

Regarding the competences of the Ministry of Foreign Affairs:

- Decision on Visas (BiH Official Gazette, no. 100/08).
- Rulebook on Issuance of Visas for Long-term Stay (VIZA D) and Procedures of Visa Issuance (BiH Official Gazette, no. 104/08).
- Rulebook on Procedures for Visa Issuance in BiH Diplomatic Offices and Technical Issues and Requirements for Issuance of Airport Transit Visas (VISA A) and Transit Visas (VISA B) (BiH Official Gazette, no. 26/09).

Other documents related to migration:

- Strategy adopted in the field of immigration and asylum and Action Plan for the years 2008 – 2011 adopted on 13 November 2008 at the 66th session of the BiH Council of Ministers, in co-operation with the Service for Foreigners' Affairs.
- Decision on Amendments of the Fees for Administrative Taxes (BiH Official Gazette, no. 3/08).
- Decision on Amendments of the Fees for Administrative Taxes (BiH Official Gazette, no. 42/08). This Decision determines the collection mechanism and amount of the administrative taxes, as well as the categories of aliens who are exempt from paying administrative taxes.
- Adopted Decision on the Appointment of the Coordinator of Bosnia and Herzegovina for co-operation and coordination with the Migration, Asylum and Refugees Regional Initiative (MARRI) Regional Centre (BiH Official Gazette, no. 16/08).
- Decision on Appointment of the Coordination Body for follow up of the strategy implementation in the field of immigration and asylum and the Action Plan for the year 2008 – 2011 adopted by the BiH Council of Ministers on the 80th session held on 19 March 2009 under no. VM 49/09 (BiH Official Gazette no. 32/09).

The following international agreements have been negotiated, adopted and signed in the year 2008:

Readmission Agreements with the following countries, as listed;

- With the former Yugoslav Republic of Macedonia, signed in Ohrid on 21 March 2008, ratified in BiH on 1 March 2009 (BiH Official Gazette no. 8/08). The Agreement as well as the Protocol came into force on the first day of the following month after the last publication.
- With Montenegro, signed in Sarajevo on 1 December 2008, ratified by BiH on 8 May 2009 (BiH Official Gazette no. 4/09). The Agreement came into force the day of signature).
- With Albania, signed in Sarajevo on 24 March 2009. The Agreement is currently in the ratification phase in the Parliamentary Assembly of BiH, however temporarily applicable since the day of signature.

Institutional development of border management

The Border Police of Bosnia and Herzegovina has participated in several international operational actions with the aim of preventing human smuggling to the European Union Member States. The most known actions in which the Border Police has participated are: "OA Grof", "OA Put", "OA Split", "OA Plitvice", "OA Danube" and "OA Tara".

Impacts of the 2007 enlargement of the EU

The joining of Romania and Bulgaria to the EU had no significant impact on irregular migration into Bosnia-Herzegovina, because the number of border violators from these countries was already previously very low.

Number of migration related apprehensions of Bulgarian citizens in Bosnia-Herzegovina

	Border violators
2005	5
2006	16
2007	1

Number of migration related apprehensions of Romanian citizens in Bosnia-Herzegovina

	Border violators
2005	13
2006	32
2007	2
2008	3

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Bosnia-Herzegovina

	2007	2008
Entry	27 282 841	28 232 764
Exit	26 459 109	27 212 806
Total	53 741 950	55 445 570

Number of persons claiming asylum

Claimed in 2007	Claimed in 2008
4	6

Number of border violators by top nationalities / citizenships including foreigners and citizens of Bosnia-Herzegovina

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Bosnia-Herzegovina	3 174	1. Bosnia-Herzegovina	3 060
2. Serbia	278	2. Serbia	279
3. Croatia	122	3. Croatia	148
4. Turkey	30	4. Albania	66
5. Slovenia	28	5. Turkey	44
6. China	26	6. The former Yugoslav Republic of Macedonia	29
7. Montenegro	26	7. Slovenia	26
8. The former Yugoslav Republic of Macedonia	24	8. China	23
9. Germany	17	9. Germany	17
10. Albania	11	10. Montenegro	16

**Number of migration related border apprehensions
including foreigners and citizens of Bosnia-Herzegovina**

	2007	2008
Foreign nationals	461	373
Citizens of Bosnia-Herzegovina	390	170
Total	851	543

**Number of migration related apprehensions by
place of apprehension
including foreigners and citizens of Bosnia-Herzegovina**

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	371	185
On rail border crossings	-	-
On the green (land) border	480	358
At the sea border	-	-
On airports	-	-
In the country	-	-
On other places	-	-
Total	851	543

**Number of migration related apprehensions by border section
including foreigners and citizens of Bosnia-Herzegovina
2007**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Bosnia- Herzegovina on the border with that country 2007	OUT: Number of apprehensions of people LEAVING Bosnia-Herzegovina on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Croatia	238	280	518
2. Montenegro	182	7	189
3. Serbia	61	41	102
4. Airport section	16	26	42

**Number of migration related apprehensions by border section
including foreigners and citizens of Bosnia-Herzegovina
2008**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Bosnia-Herzegovina on the border with that country 2008	OUT: Number of apprehensions of people LEAVING Bosnia-Herzegovina on the border with that country 2008	Total number of apprehensions on the border with that country 2008
1. Croatia	180	151	331
2. Montenegro	119	9	128
3. Serbia	61	8	69
4. Airport section	8	7	15

**Number of "smugglers in humans" apprehended
including foreigners and citizens of Bosnia-Herzegovina**

Apprehensions in 2007	Apprehensions in 2008
122	93

**Number of "smugglers in humans" apprehended
by top nationalities / citizenships
including foreigners and citizens of Bosnia-Herzegovina**

Citizens of the following countries in 2007	Number of smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of smugglers apprehended in 2008
1. Bosnia-Herzegovina	90	1. Bosnia-Herzegovina	69
2. Serbia	8	2. Serbia	9
3. Turkey	8	3. Croatia	3
4. Slovenia	5	4. The former Yugoslav Republic of Macedonia	2
5. Croatia	3	5. Turkey	1

**Number of "traffickers in human beings" apprehended
including foreigners and citizens of Bosnia-Herzegovina**

2007	2008
3	-

**Number of "traffickers in human beings" apprehended
by top nationalities / citizenships
including foreigners and citizens of Bosnia-Herzegovina**

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1. Serbia	3	-	0

**Persons rejected at the border
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Croatia	1 479	1. Croatia	732
2. Serbia	1 350	2. Serbia	713
3. Slovenia	467	3. Montenegro	291
4. Switzerland	440	4. Turkey	411
5. Montenegro	365	5. Switzerland	186
6. Bulgaria	275	6. Albania	83
7. Turkey	267	7. The former Yugoslav Republic of Macedonia	73
8. Romania	241	8. Brazil	64
9. The former Yugoslav Republic of Macedonia	176	9. Ukraine	59
10. Slovakia	152	10. Italy	44
Total of ALL rejected persons at the border (of any nationality)	6 618		3 102

With the contribution of

Bosnia and Herzegovina
Ministry of Security
Border Police

Bulgaria



Location:	South-Eastern Europe, bordering the Black Sea, Romania, Turkey, Greece, Serbia and the former Yugoslav Republic of Macedonia.
Area:	Total: 110,910 sq km – water: 360 sq km – land: 110,550 sq km
Land boundaries:	Total: 1,808 km. Border countries: Greece 494 km, The former Yugoslav Republic of Macedonia 148 km, Romania 608 km, Serbia 318 km, Turkey 240 km
Coastline:	354 km
Population:	7,204,687 (July 2009 est.)

Irregular migration flows

In 2008 the Bulgarian-Turkish border continued to be the main entry point for illegal flows to Bulgaria. The level of migration pressure from Turkey remained.

The main method used for illegal entry remained crossing the green border illegally, and crossing at border crossing points hidden in vehicles such as trucks, buses of Turkish transport companies as well as private vehicles. Another characteristic feature during the last year has been the usage of falsified identity documents, usually of EU countries.

As in previous years, most migrants leaving Bulgaria illegally use the border with Greece. In 2008 the two most common methods on this border section were to illegally cross the green border, leaving the country through border crossing points with false or falsified documents or using original documents issued for persons having resemblance to the migrants. The main difference to 2007 was that in 2008 there were almost no cases of using Romanian identity cards and passports.

In 2008 most migrants apprehended for border related issues arrived from the Middle East. The top country of origin was Iraq. Following detention, many of the concerned persons apply for asylum.

Modes of illegal border crossing

In most cases border violations take place at the green border. Alternatively, many migrants attempt to cross the borders illegally through Border Crossing Points (BCPs) either by hiding in "Transport International de Route" (TIR) trucks or other vehicles or by using falsified/forged identity documents. Attempts to exit the country via the air border illegally have decreased significantly, due to enhanced border controls. At the sea border, no such attempts were registered.

Most falsified documents found are identity documents from Bulgaria or other EU Member States. In most of these cases the falsified papers had been given to the migrants outside the territory of the country, upon their arrival in Greece or other EU Member States. Fully forged documents were almost never found, probably as these usually are of low quality. Stolen, lost or sold identity documents, with changed picture and personal data, were used most frequently.

Since mid-2008 a new characteristic feature has been detected, mainly regarding citizens of Arab countries who have been found using either travel document of a refugee or the travel document of a Subsidiary Protection Beneficiary, issued by the Republic of Bulgaria.

Technical facilities of migrant smuggling: The main communication channel between the organisers was still mainly mobile telephones. The Internet has also been increasingly used for communication.

Innovations and changes in migrant smuggling: Compared to the previous reporting period, Bulgarian authorities have registered the following changes in methods of illegal migration:

- There have been shifts between migration routes regarding the frequency of their use. The traditional migration route leads through Turkey and Greece, and by following the Maritsa River subsequently leads to Bulgaria. In 2008, instead of the above-mentioned route many migrants have chosen the road leading directly from Turkish territory to Bulgaria, i.e. crossing the Turkish-Bulgarian border. This change might be explained by the fact that smugglers prefer to avoid crossing a river. Moreover, in recent years an increasing number of migrant smugglers of Turkish origin have been involved in smuggling, most of them being unaware of the conditions at the Greek-Bulgarian border section.

- Another change observed in 2008 was that the size of the groups being smuggled across the green border has become smaller. Typically such groups now consist of 3 to 5 persons.

Smuggling fees: There is no official evidence regarding the level of fees of smuggling services. However, indications of an increase in the fees on the different routes were observed in 2008. Normally, the increase in the fees for migrant smuggling can be a result of stronger measures that have been applied against illegal migration. The level of the fee for smuggling illegal immigrants into Bulgaria from Turkey depends on the safety and comfort features offered by the smugglers. In case the persons crossed the green border on foot, the price was about EUR 1,500-2,000. In case the persons crossed the border hiding in a vehicle the price was between EUR 3,000 and 4,000.

Organisational set-up of migrant smuggling

On the territory of the Republic of Bulgaria bigger networks of organised crime groups are the most frequently detected organisational framework for migrant smuggling. Actors in the network are specialised in facilitating entry and exit of illegal migrants on particular border sections. The organisers are typically of the same nationality as the migrants facilitated which allows for easier communication between them.

Similarly to the pattern observed in previous years, organised crime groups on Bulgarian territory are usually an element of bigger multinational organised crime structures acting on the territories of several countries along the routes of migrant smuggling. Bulgarian authorities have investigated cases where the activities of organised human smuggling groups were directed from Iraq.

Institutional development of border management

Following the amendments to the Law on the Ministry of Interior adopted in August 2008, the Chief Directorate of Border Police was defined as one of the main structures of the Ministry of Interior subordinated only to the Minister of Interior and the Commissioner General.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Bulgaria

	2007	2008
Entry	6 838 224	7 825 096
Exit	7 093 956	9 184 148
Total	13 932 180	17 009 244

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
Total	975	746

Bulgaria

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
335	294

Number of border violators by top nationalities / citizenships including foreigners and citizens of Bulgaria

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Iraq	565	1. Bulgaria	513
2. Bulgaria	554	2. Turkey	472
2. Turkey	413	3. Iraq	251
3. Moldova	271	4. France	55
5. Occupied Palestinian Territory	135	5. Afghanistan	60
6. Afghanistan	40	6. Germany	44
7. Romania	40	7. Occupied Palestinian Territory	40
8. Germany	39	8. Moldova	39
9. France	37	9. Netherlands	39
10. Netherlands	28	10. Romania	33

Number of migration related border apprehensions including foreigners and citizens of Bulgaria

2007	2008
2 475	2 062

Number of migration related border apprehensions including foreigners and citizens of Bulgaria, by gender

Gender	2007	2008
Male	1 991	1 632
Female	484	430
Total	2 475	2 062

Number of minors apprehended at the border due to border violation including foreigners and citizens of Bulgaria

Gender	2007	2008
Male	215	184
Female	84	67
Total	299	251

Number of migration related apprehensions by place of apprehension including foreigners and citizens of Bulgaria

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	1 270	1 355
On rail border crossings	35	69
On the green (land) border	1 033	569
At the sea border	7	1
On airports	130	68
In the country	-	-
On other places	-	-
Total	2 475	2 062

Number of migration related apprehensions by border section including foreigners and citizens of Bulgaria 2007

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 2007	OUT: Number of apprehensions of people LEAVING Bulgaria on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Romania	129	124	253
2. Serbia	37	71	108
3. The former Yugoslav Republic of Macedonia	21	14	35
4. Greece	279	450	729
5. Turkey	1 187	22	1 209
6. At the sea border	6	5	11
7. On airports	75	55	130

Number of migration related apprehensions by border section including foreigners and citizens of Bulgaria 2008

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 2008	OUT: Number of apprehensions of people LEAVING Bulgaria on the border with that country 2008	Total number of apprehensions on the border with that country 2008
1. Romania	53	325	378
2. Serbia	20	95	115
3. The former Yugoslav Republic of Macedonia	19	12	31
4. Greece	220	341	561
5. Turkey	854	55	909
6. At the sea border	-	1	1
7. On airports	23	44	67

Bulgaria

Number of people being smuggled into Bulgaria

	2007	2008
Total	754	307
Of the total: women	48	47
Of the total: minors	100	19

Number of migrant smugglers apprehended including foreigners and citizens of Bulgaria

Apprehensions in 2007	Apprehensions in 2008
275	354

Number of migrant smugglers apprehended by top nationalities / citizenships including foreigners and citizens of Bulgaria

Citizens of the following countries in 2007	Number of smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of smugglers apprehended in 2008
1. Turkey	185	1. Turkey	172
2. Bulgaria	54	2. Bulgaria	118
3. Iraq	10	3. Unidentified national	14
4. France	5	4. France	13
5. Greece	5	5. Germany	8

Number of people being trafficked into Bulgaria

	2008
Total	24
Of the total: women	18
Of the total: minors	4

Number of "traffickers in human beings" apprehended including foreigners and citizens of Bulgaria

2007	2008
21	42

Number of "traffickers in human beings" apprehended by top nationalities / citizenships including foreigners and citizens of Bulgaria

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1. Bulgaria	21	1. Bulgaria	35
-	-	2. Other	7

Persons rejected at the border by top nationalities / citizenships

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Turkey	3 829	1. Turkey	2 202
2. The former Yugoslav Republic of Macedonia	667	2. The former Yugoslav Republic of Macedonia	386
3. Serbia	661	3. Serbia	331
4. Greece	503	4. Russian Federation	267
5. Albania	339	5. Ukraine	240
6. Moldova	320	6. Greece	186
7. Ukraine	275	7. Moldova	185
8. Russian Federation	215	8. Bosnia	137
9. Romania	153	9. Albania	128
10. Bosnia	129	10. China	93
Other	1 437	Other	1 318
Total of ALL rejected persons at the border (of any nationality)	8 528		5 473

Persons to whom residence was refused by top nationalities / citizenships

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007	Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
1. Turkey	386	1. Turkey	403
2. Russian Federation	288	2. Russian Federation	253
3. Ukraine	103	3. The former Yugoslav Republic of Macedonia	42
4. The former Yugoslav Republic of Macedonia	45	4. Moldova	41
5. Moldova	39	5. Lebanon	25
6. Others	311	6. Others	287
Total of ALL refused persons of any nationality	1 172		1 051

Bulgaria

**Removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Iraq	457	1. Iraq	430
2. Moldova	249	2. Turkey	285
3. Turkey	229	3. Afghanistan	63
4. Occupied Palestinian Territory	114	4. Moldova	62
5. Armenia	96	5. Iran	49
Others	625	6. Others	540
Total of ALL removed persons (of any nationality)	1 770		1 429

With the contribution of

Chief Directorate of Border Police
Ministry of Interior of the Republic of Bulgaria

Croatia



Location:	South-Eastern Europe, bordering the Adriatic Sea, between Bosnia and Herzegovina and Slovenia
Area:	Total: 56,542 sq km – water: 128 sq km – land: 56,414 sq km
Land boundaries:	Total: 1,982 km Border countries: Bosnia and Herzegovina 932 km, Hungary 329 km, Serbia 241 km, Montenegro 25 km, Slovenia 670 km
Coastline:	5,835 km (mainland 1,777 km, islands 4,058 km)
Population:	4,489,409 (July 2009 est.)

Irregular migration flows

The number of illegal crossings of the state border of Croatia has been decreasing for the last several years. In 2008 this trend has continued. In 2008, there has been a 50 percent decrease in the number of smuggled persons compared to the previous year.

This trend can be explained partly by the stabilisation process in the Balkan countries, by the accession of Romania and Bulgaria to the EU and by the promulgation and recognition of the independence of Kosovo¹⁹. These processes have created new geopolitical relations in the South-Eastern European region and have contributed to relocating the main smuggling routes outside the territory of Croatia.

¹⁹ Under UNSCR 1244

Additionally, the increased engagement of Croatian border management authorities of the General Police Directorate has also contributed to this development. The fight against illegal migration is supported by a higher number of engaged officers, by better equipment for the control of the state border as well as by the involvement of the Criminal Police Department.

In Croatia almost 90 percent of migrants apprehended for border violation are nationals of South-Eastern Europe who need a visa for entering the EU and transit Croatian territory on their way to the countries of Western Europe. Since 2003 most migrants apprehended in Croatia have arrived from Albania, Serbia and the former Yugoslav Republic of Macedonia (mainly ethnic Albanians). While in 2008 these nationals were still under the highest numbers of apprehensions, Croatian authorities have recorded a major reduction since 2007: Albanian citizens by 83 percent, Serbian citizens by 59 percent and citizens of the former Yugoslav Republic of Macedonia by 35 percent.

In particular, in 2007 out of the total 4,000 cases of illegal state border crossings, 3,684 persons were South-Eastern European nationals and in 2008, out of 2,013 cases, 1,770 persons arrived from these countries. The above numbers clearly show a decrease of almost 50 percent in the volume of detected cases of border violation, whereby the high proportion of citizens of South-Eastern European countries has been stagnating.

Number of border violators apprehended in Croatia by border sections

Border sections	Name of neighbouring country	2005	2006	2007	2008
Land borders with					
Slovenia		3 567	3 525	2 365	1 161
Hungary		22	26	35	40
Serbia		748	708	241	111
Bosnia-Herzegovina		73	155	131	137
Montenegro		341	586	688	628
Sea border		82	114	25	21
Airports		-	35	42	21
Apprehensions in the internal territory of the country		573	815	825	247
Total		5 406	5 964	4 352	2 366

Over the last four years Croatian authorities have observed a visible decrease in the number of migrants apprehend for violating the borders with Slovenia and Serbia, whereas a slight increase in the number of migrants was noted at the borders with Bosnia and Herzegovina, Hungary and Montenegro.

Illegal residence: While illegal border crossing in Croatia is mainly of transit nature, there are some indicators that a few migrants remain in Croatia, at least on a temporary basis. These are mainly citizens of Bosnia-Herzegovina and Serbia who come to Croatia to work. As opposed to illegal crossing over the state border, there is a slight increase regarding illegal stay. This points to the fact that Croatia is gradually developing from a transit country to a country of destination.

Organisational set-up of migrant smuggling

Modes of illegal border crossings: According to the prevailing modus operandi, except for crossing of the state border outside the official Border Crossing Points, a large number of aliens used forged documents or documents belonging to someone else. Zagreb is the main point for transit where migrants stay for a short period to make contacts with facilitators if the complete transit has been organised in advance. About 25 percent of migrants are being assisted when they are crossing the border illegally. Migrants arriving at airports (e.g. from African and Asian countries) regularly swap travel documents in course of transiting.

Regarding group smuggling Croatian authorities have observed that the size of the smuggled groups is recently decreasing: at the time being, smaller groups of only 2 or 3 persons are being smuggled.

Technical facilities of migrant smuggling: Criminal groups involved in migrant smuggling mainly communicate via mobile phones, frequently changing the prepaid cards. It has also been noticed that some persons communicate via Internet by using the Skype online phone service in order to prepare and finalise smuggling arrangements. Persons are transported primarily by cars and cargo vehicles. It also happened that Croatian authorities found illegal weapons with smugglers.

Smuggling fees: The financial compensation requested by migrant smugglers depends on the stage in which the facilitators got involved, their role in the chain of facilitators, as well as the final destination of smuggled persons. Croatian authorities have collected reliable information from criminal investigations that a smuggled person pays 1,200 EUR for crossing the Croatian territory illegally, a driver gets 100 EUR, a guide gets 25 EUR and those providing night accommodation get 20 EUR. For the last few years, the prices have not changed substantially. Smugglers are charging in cash or receive their fee transferred through Western Union.

Legislation

The previous Aliens Act (Official Gazette, No. 109/03) was in force from 1 January 2004 until 31 December 2007. The Act aimed at the adjustment of the Croatian legislation with the EU Acquis and it regulated the conditions of entry, movement, stay and work of aliens in the Republic of Croatia. The new Aliens Act (Official Gazette, No. 79/07) entered into force on 1 January 2008. It provides for further adjustment with the EU Acquis and regulates the conditions of entry, movement and stay, as well as of work of aliens in the Republic of Croatia.

The Act on Amendments to the Aliens Act (Official Gazette, No. 36/09) entered into force on 31 March 2009 and it further develops the regulation of entry, stay and work of aliens in the Republic of Croatia. It introduces changes to the granting of temporary stay for the purpose of family reunification and provides for a wider category of aliens who can apply for family reunification in Croatia, regardless of the condition that the relevant family member in the country must have his or her stay granted for a period of at least two years. Moreover, the Act widened the categories of aliens who can apply for first temporary stay in the Republic of Croatia to include aliens who seek temporary residence for the purpose of family reunification or employment. The conditions for granting permanent stay to foreign nationals have also been changed and the categories of aliens who can work without work or business permit have been widened.

Besides these new Acts, in April 2008 some new ordinances entered into force, the most significant among them being the following:

- The Ordinance on the Status and Work of Aliens in the Republic of Croatia, and
- The Ordinance on Travel Documents for Aliens, Visas and on Treatment of Aliens.

The following agreements were signed:

- In June 2008, the Agreement between the Government of the Republic of Croatia and the Government of the Slovak Republic on Readmission of Illegally Staying Aliens was signed.
- In September 2008, the Agreement between the Government of the Republic of Croatia and the Government of Montenegro on Readmission of Persons whose Entry or Stay is Illegal was signed, together with the accompanying Protocol.
- In June 2009, the Agreement between the Government of the Republic of Croatia and the Government of the Republic of Serbia on Readmission of Persons whose Entry or Stay is Illegal, together with the accompanying Protocol, was signed.

Furthermore, in 2009 negotiations will start between Croatia and Bosnia and Herzegovina about the conclusion of a new readmission agreement between the two countries. The aim of the negotiations is to harmonize the existing readmission agreement with the standards of the EU.

Organisational development of border management

Croatian authorities have actively participated in the TARA operative action, which has been conducted together in April 2009 with the police agencies of Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Slovenia and Austria. The operative action was assisted by the Southeast European Co-operative Initiative (SECI) Centre which is located in Bucharest.²⁰ In the course of the TARA operation 52 persons were detained in 4 countries.

²⁰ The Southeast European Co-operative Initiative (SECI) is an operative co-operation of 13 states bringing together police and customs authorities from 13 member countries in Southeast Europe in order to combat transborder crimes. Its member states are: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, the Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Romania, Serbia, Slovenia and Turkey.

The TARA operation has once again proven that migrant smugglers are well organised, operate with extreme cautiousness on ground, use developed technical equipment and work with experienced guides for illegal state border crossings and transit through Croatian territory. At the same time, the TARA operative action has proven good co-operation of the police services with the neighbouring countries of Croatia and with other police and border management authorities of the region.

Croatia is an EU candidate country and participates in this capacity in international projects and activities related to fighting illegal migration at the external EU borders. In this context, the following co-operation activities are relevant:

- Co-operation with FRONTEX (European Agency for the Management of Operational Co-operation at the External Borders)²¹
- Implementation of the project entitled "Development of the Communication Systems and Information Exchange System on Illegal Migration in the Western Balkans". The aim of the project was to assist the five Stabilisation and Association Partner countries in the West Balkans region in their efforts to develop a system for exchanging communication and information on illegal migration. The project was implemented between January 2007 and June 2008. Implementing Partners were the Ministry of the Interior of the Republic of Hungary, the Office of EU Co-ordination and ICMPD. This was a project under the AENEAS 2005 programme financed by the European Union.²²

FRONTEX

The co-operation of Croatian authorities with FRONTEX developed intensively after signing of the "Working Agreement for Establishing Operational Co-operation between the European Agency for the Management of Operational Co-operation at the External Borders of the EU member countries (FRONTEX) and the Ministry of the Interior of the Republic of Croatia" This Agreement was signed on 15 April 2008.

Subsequently, at end of August 2008 the Republic of Croatia participated in a joint action called "DRIVE IN 2008", which was co-ordinated by FRONTEX. This action was directed at decreasing illegal migration and included intensified border control at the border of Croatia with the Republic of Slovenia.

²¹ FRONTEX is the European border control agency established on 1. May 2005 with the following tasks: co-ordination and assistance to EU Member States in (a) carrying out risk analysis, (b) improving the technical and operational conditions of managing external borders, (c) training of national border guards, (d) following the research on the control and surveillance of external borders (e) organising joint repatriation operations.

²² The AENEAS Programme was launched in 2004 as a financial and technical assistance provided by the EU to third countries in the field of migration and asylum. The aims of the programme are: (a) developing legal migration (b) developing migration related legislation and national practices in third countries (c) establishing in third countries effective and preventive policies in the fight against illegal migration, including the fight against trafficking in human beings and smuggling of migrants, and the development of relevant legislation (d) facilitating readmission and reintegration, into the third country concerned of persons who have illegally entered or remained on the territory of Member States.

Based on this action, the action KRAS 2008, in which the Republic of Croatia also participated, was implemented at the end of September 2008. The emphasis of this action was the protection of the green border between Croatia and Slovenia, especially in the areas of the Primorsko Goranska Police Administration and the Istarska County Police Administration.

Furthermore, in May 2009 a document containing targeted risk analysis on the subject: "Illegal migration and the involvement of organised crime in illegal migration into and through the Republic of Croatia into the EU" was presented. This document was prepared by the Working Group TASK FORCE, which has the aim of suppressing organised crime and illegal migration and of strengthening border management. The purpose of this document was to establish the routes of illegal migration from Croatia to the EU countries, as well as to reveal the influence of illegal migration on the respective countries.

In May 2009 the representatives of the Border Police of the Republic of Croatia under the Ministry of Interior have participated in the second of altogether five stages of the joint operation "NEPTUNE 2009". This operation included an intensified border control between the Republic of Croatia and the Republic of Slovenia with the purpose of detecting persons hidden in vehicles at the external EU border. The operation focused on illegal work, overstaying, forged documents and stolen vehicles, in order to decrease illegal migration towards the EU along the so-called "Balkan route".

AENEAS Project

Within the scope of the Project AENEAS 2005 "Development of the Communication Systems and Information Exchange System on Illegal Migration in the Western Balkans", a Memorandum of Understanding was signed in mid-November 2008 between Border Police services of Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro and Serbia. The MOU has laid the basis for (a) establishing a system of statistical information exchange on illegal migration and (b) for the creation of a regional early warning system. The implementation of this co-operation is currently underway meaning that the countries in the region exchange statistical information and the data is also delivered to FRONTEX for further analysis.

Impact of the entry of Romania and Bulgaria into the EU

Already during the period between the years 2005-2008, Croatia did not have a visa regime for the nationals of Bulgaria and Romania.

Between 2005 and 31 December 2007 the entry and stay of Bulgarian and Romanian citizens was regulated by the previous the Aliens Act (Official Gazette, No. 109/03). In 2007 Romanian nationals were treated as EU citizens of any other EU Member State regarding the regulation of their entry and stay.

The new Aliens Act which has been in force since 1 January 2008 (Official Gazette, No. 79/07), contains a Title related to the entry, stay and work of nationals of the European Economic Area member countries and their family members, and a Title related to the stay and work of third country nationals who have granted temporary stay in another member country of the European Economic Area and their family members. Both these Titles shall enter into force on the day the Republic of Croatia joins the European Union.

Number of migration related apprehensions of Bulgarian citizens in Croatia

	Border violators	Overstayers*	Total
2005	36	4	40
2006	15	5	20
2007	3	5	8
2008	4	9	13

Number of migration related apprehensions of Romanian citizens in Croatia

	Border violators	Overstayers*	Total
2005	142	51	193
2006	79	52	131
2007	8	36	46
2008	8	54	62

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

Border violation and overstaying of Bulgarian and Romanian nationals. One of the most important impacts of the accession of Romania and Bulgaria to the EU in 2007 was a significant decline in the number of Bulgarian and Romanian nationals apprehended for illegal entry or stay in the Republic of Croatia.

Number of Bulgarian and Romanian citizens apprehended for working illegally in Croatia

	Citizens of Bulgaria	Citizens of Romania	Total
2005	8	57	65
2006	6	26	32
2007	1	60	61
2008	7	30	37

Work and business of Bulgarian and Romanian citizens in Croatia. The provisions of the Aliens Act (Official Gazette, No. 79/97 and 36/09) are applied towards Bulgarian and Romanian nationals, as well as towards other EU nationals. This Act provides for the regulation of business permits under more favourable conditions for the EU nationals as opposed to the nationals of other countries. In this context, it should be mentioned that for their business permits, the EU nationals do not require a prior consent of the Croatian Chamber of Economy.

Statistical tables

Number of persons legally crossing the border
including foreigners and citizens of Croatia

	2007	2008
Entry	75 375 504	75 485 368
Exit	72 084 116	74 324 637
Total	3233	149 810 005

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	35	11
Inland	163	143
Total	198	154

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
2	1 asylum + 4 subsidiary protection

Number of border violators
by top nationalities / citizenships
including foreigners and citizens of Croatia

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Serbia	1 600	1. Serbia	643
2. Albania	1 016	2. Albania	171
3. Bosnia-Herzegovina	519	3. Bosnia-Herzegovina	457
4. Croatia	352	4. Croatia	353
5. The former Yugoslav Republic of Macedonia	280	5. The former Yugoslav Republic of Macedonia	182
6. Turkey	205	6. Turkey	265
7. Slovenia	77	7. Slovenia	26
8. Montenegro	34	8. Montenegro	25
9. Italy	26	9. Italy	40
10. Moldova	19	10. Moldova	15
		11. Kosovo ²³	60

Number of migration related border apprehensions
including foreigners and citizens of Croatia

	2007	2008
Foreign nationals	4 000	353
Citizens of Croatia	325	2 013
Total	4 325	2 366

Number of migration related border apprehensions
including foreigners and citizens of Croatia, by gender

Gender*	2007	2008
Males	3 714	1 821
Females	286	192
Total	4 000	2 013

Number of minors apprehended at the border due to border violation
including foreigners and citizens of Croatia

2007	2008
612	166

Number of migration related apprehensions by
place of apprehension
including foreigners and citizens of Croatia

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	153	455
On rail border crossings	47	40
On the green (land) border	3 527	1 791
At the sea border	21	42
On airports	46	22
In the country	558	247
On other places	0	16 (river)
Total	4 352	2 366

Number of migration related apprehensions by border section
including foreigners and citizens of Croatia
2007

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Croatia on the border with that country 2007	OUT: Number of apprehensions of people LEAVING Croatia on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Slovenia	152	2 213	2 365
2. Bosnia-Herzegovina	605	83	688
3. Serbia	239	2	241
4. Montenegro	128	3	131
5. Hungary	10	25	35
6. Maritime Traffic	37	30	67

²³ Under UNSCR 1244

**Number of migration related apprehensions by border section
including foreigners and citizens of Croatia
2008**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Croatia on the border with that country 2008	OUT: Number of apprehensions of people LEAVING Croatia on the border with that country 2008	Total number of apprehensions on the border with that country 2008
1.Slovenia	87	1 075	1 162
2.Bosnia-Herzegovina	594	33	627
3.Serbia	107	4	111
4.Montenegro	137	0	137
5.Hungary	16	24	40
6.Maritime Traffic	23	19	42

Number of apprehended persons being smuggled into Croatia

	2007	2008
Total	15	7
Of the total: women	12	4
Of the total: minors	1	-

**Number of "smugglers in humans" apprehended
including foreigners and citizens of Croatia**

Apprehensions in 2007	Apprehensions in 2008
169	448

**Number of "smugglers in humans" apprehended
by top nationalities / citizenships
including foreigners and citizens of Croatia**

Citizens of the following countries in 2007	Number of smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of smugglers apprehended in 2008
1. Croatia	134	1. Croatia	298
2. Bosnia-Herzegovina	18	2. Bosnia-Herzegovina	69
3. Serbia	6	3. Serbia	31
4. Slovenia	6	4. Slovenia	24
5. Greece	2	5. Iran	14

Number of people being trafficked into Croatia

	2007	2008
Total	3	1
Of the total: women	2	1
Of the total: minors	1	-

**Number of "traffickers in human beings" apprehended
including foreigners and citizens of Croatia**

2007	2008
20	15

**Number of "traffickers in human beings" apprehended
by top nationalities / citizenships
including foreigners and citizens of Croatia**

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1. Croatia	16	1. Croatia	9
2. Bosnia-Herzegovina	3	2. Italy	1
3. Stateless	1	3. Bosnia-Herzegovina	2
4.		4. Serbia	1
5.		5. The former Yugoslav Republic of Macedonia	2

**Number of persons rejected at the border of Croatia
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Bosnia-Herzegovina	13 535	1. Bosnia-Herzegovina	10 209
2. Serbia	4 673	2. Serbia	3 026
3. The former Yugoslav Republic of Macedonia	1 261	3. Russian Federation	1 600
4. Russian Federation	1 355	4. Ukraine	1 534
5. Ukraine	828	5. Slovenia	705
6. Slovenia	746	6. The former Yugoslav Republic of Macedonia	694
7. Turkey	392	7. Turkey	644
8. Moldova	349	8. Albania	503
9. Romania	336	9. Montenegro	139
10. Bulgaria	77		
Total of ALL rejected persons at the border (of any nationality)	26 446		25 461

**Number of persons to whom residence was refused
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007	Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
1. Bosnia-Herzegovina	720	1. Bosnia-Herzegovina	604
2. Serbia	182	2. Serbia	147
3. The former Yugoslav Republic of Macedonia	98	3. The former Yugoslav Republic of Macedonia	102
4. Germany	81	4. Germany	64
5. Slovenia	47	5. Russian Federation	58
6. Austria	42	6. Slovenia	46
7. Italy	25	7. Austria and Italy	19
8. Russian Federation	22	8. China	17
9. USA	21	9. Romania	14
10. Czech Republic	19	10. USA	11
Total of ALL refused persons of any nationality	1 487		1 253

**Number of persons removed from Croatia
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Serbia	272	1. Bosnia-Herzegovina	201
2. Bosnia-Herzegovina	208	2. Serbia	199
3. Albania	162	3. Albania	87
4. The former Yugoslav Republic of Macedonia	43	4. Turkey	80
5. Turkey	37	5. The former Yugoslav Republic of Macedonia	39
6. Slovenia	17	6. Slovenia	11
7. Iraq	10	7. Romania	4
8. Moldova	7	8. Montenegro	3
9. Hungary	4	9. Moldova	2
Total of ALL removed persons (of any nationality)	810		677

With the contribution of

Ministry of Interior of the Republic of Croatia
General Police Directorate - Border Police Directorate
Neighbouring Countries Department
Analytics Section

Czech Republic



Location:	Central Europe, between Germany, Poland, Slovakia and Austria
Area:	Total: 78,866 sq km – water: 1,590 sq km – land: 77,276 sq km
Land boundaries:	Total: 1,989 km. Border countries: Austria 362 km, Germany 646 km, Poland 658 km, Slovakia 215 km
Coastline:	0 km (landlocked)
Population:	10,211,904 (July 2009 est.)

Irregular migration flows

Due to the geographical position of The Czech Republic, surrounded by other Schengen Countries, a decreasing trend in the field of illegal migration can be observed compared to 2 or 3 years ago. Connected to the gradual stabilisation of the situation in the countries of Western Balkans, for several years there was a constant decrease in the number of illegally resident or entering migrants detected from these countries. This Moreover, the decreasing effect is related to the enlargement of the EU and the fact that an increasing number of visa applicants obtained visas according to bilateral agreements. At the same time, the Czech Republic increasingly became a country of destination for irregular migrants.

Czech Republic differentiates between: (a) illegal crossing of the external Schengen border (international airports) and (b) illegal stay.

- a) Illegal crossing of the external Schengen border (international airports). This category covers detected cases of illegal crossing of the external Schengen border of the Czech Republic or its attempts. The cases are recorded by units of the Police of the Czech Republic on the international airports. (Such cases cover = foreigners and citizens of the Czech Republic.)
- b) Illegal stay. This category covers detected cases of illegal stay inland, including in the transit area of international airports and it concerns violation of conditions under which foreigners should stay in the territory. The cases are recorded by units of the Police of the Czech Republic and police authorities of other states. (Such cases only concern foreigners.)

In 2008, as in the previous years, a continuous decrease was recorded in the apprehension of migrants illegally staying or violating the border. Altogether there were 3,829 migrants apprehended on the territory of the Czech Republic (change compared to 2007: -4,267 persons, i.e. -50.7 percent). Out of the above number:

- 168 persons were detected when illegally crossing the external Schengen border of the Czech Republic (change compared to 2007: - 3,216 persons, i.e. a decrease by 95 percent) and
- 3,661 persons were apprehended in connection with illegal stay (change compared to 2007: -1,051 persons, i.e. - 22.3 percent).

Of the total number of the detected 3,829 persons in 2008, 101 persons (i.e. 2.6 percent of the total) used assistance of other persons when crossing the external Schengen border illegally. In comparison to 2007, the number of persons using assistance has decreased by 457 persons (81.9 %). Mainly citizens of Vietnam, Sri Lanka, Russia and Iraq used assistance of other persons.

Illegal crossing of the external Schengen border

In the Czech Republic the external Schengen border consists only of the air borders, because all neighbouring countries are members of the Schengen Area. Altogether 168 persons were apprehended when illegally crossing the air borders of the Czech Republic. The ongoing decrease of apprehended migrants has continued in 2008: the decrease compared to 2007 on air borders was by 278 persons. The breakdown of this number by directions was as follows:

- *Entry.* In direction to the Czech Republic 130 persons (-178 persons, i.e. a decrease by 57.8 percent) were detected
- *Exit.* In direction from the Czech Republic 38 persons (-100 persons, i.e. a decrease by 72.4 percent) were detected.

Border violators by citizenship: In this category only foreigners were apprehended (-278 persons, i.e. a decrease by 62.3 percent). Major groups by citizenship:

- Citizens of Moldova were most often apprehended: 30 persons, i.e. 17.9 percent;
- Citizens of Syria: 28 persons, i.e. 16.7 percent;
- Citizens of Iraq: 14 persons, i.e. 8.3 percent.

Use of false and falsified documents. In 2008 a significant decrease was recorded in the apprehension of migrants using false or falsified travel documents to cross the external Schengen border illegally. Altogether 127 persons were apprehended for using such documents (change compared to 2007 on air borders: -152 persons; i.e. a decrease by 54.5 percent). The top nationalities of migrants using such travel documents were citizens of Moldova with 25 persons (-8 persons; i.e. a decrease by 24.2 percent). The group of Syrian citizens followed with 19 persons (-5 persons; i.e. a decrease by 20.8 percent).

Types of false and falsified documents used for border violation. Most often travel documents of Romania, Lithuania and Bulgaria were used for falsifications. In these cases photographs were substituted, the data page was changed or the document was totally counterfeited. Some apprehended persons used the travel documents belonging to other persons. The detection of false and falsified travel documents is increasingly difficult as the quality of counterfeited travel documents is getting more refined. Police officers need special training and specific experience in order to detect such cases.

Illegal stay

In comparison to 2007 the number of foreigners apprehended for illegal stay – i.e. for the violation of residence rules – decreased in 2008. Altogether 3,661 foreigners were detected in 2008 (change compared to 2007: -1,051, i.e. a decrease by 22.3 percent).

The main nationalities involved in violation of residence rules were as follows:

- *Ukraine.* Citizens of Ukraine remain dominant in this category. In 2008 there were 1,547 Ukrainians apprehended (change compared to 2007: -1,357 persons, i.e. a decrease by 46.7 percent). The share of Ukrainian nationals of the total number of persons apprehended for illegal residence is 42.3 percent. This represents an important decrease compared to the 61.6 percent share in 2007. As in previous years, most apprehended Ukrainians entered the Czech Republic legally but remained after expiration of their visas.
- *Vietnam and Mongolia:* The second biggest group consisted of citizens of Vietnam (316 persons, i.e. a share of 8.6 percent; compared to 2007: -29 persons, i.e. a decrease by 8.4 percent), followed by citizens of Mongolia, (269 persons, i.e. a share of 7.3 percent; change compared to 2007: + 27 persons, i.e. an increase by 11.2 percent).

Since the accession of the Czech Republic to the Schengen Area a new phenomenon of illegal migration has been observed on the air border. Foreigners who have entered the Schengen Area and arrive by internal Schengen flights often become overstayers.

Use of false documents. In this sub-category 89 foreigners were apprehended after using false or falsified travel documents (+17 persons, i.e. a decrease by 23.6 percent). The top country of origin of migrants using such documents in 2008 was Ukraine (19 persons, i.e. a share of 21.3 percent; -25 persons, i.e. a decrease by 56.8 percent). In most cases travel documents were presented in which false border crossing stamps were detected.

Travel documents of Romania, Bulgaria, Slovakia, Lithuania and Vietnam were among those most often misused for illegal stay.

In 2008 there were some cases of bogus marriages involving nationals of Nigeria and Tunisia. Some cases of fraudulent declaration of paternity, mostly involving citizens of Vietnam and China were also detected.

Legislation

There were no considerable changes in the legislation regarding illegal migration in 2008.

The Czech Republic signed the UN Palermo protocols on human smuggling and trafficking but not yet the 2005 Council of Europe Convention on action against THB. In the Czech Republic

- human smuggling as a criminal act is defined by section 171a of the Penal Code on unlawful crossing of the border;
- trafficking in human beings as a criminal act is defined by section 232a of the Penal Code and by Act No. 140/1961 Coll. subsequently amended.

Institutional development

Due to the abolition of border controls at the internal land border in the end of 2007, the number of border guard officers has been decreased significantly from 7,500 to 4,200. The structure of the Alien Police is divided into one Directorate and seven Regional Directorates, seven Specialized Activities Departments, 43 Alien Police Service (APS) Inspectorates, five Alien Police Service (APS) Inspectorates at International Airports, one Air Marshal Department and two detention centres.

Inland, the main activities are concentrated on the Inspectorates of Alien Police (IAP). Their tasks are as follows: authorisation of entry and residence, termination of residence, residence control, detection of false, falsified and misused documents as well as public documents and stamps.

Further the Alien Police has departments for specialised activities such as investigation units, dog handling units and documentation groups dealing with prevention and crime detection in the field of illegal migration, cross-border crime, smuggling and trafficking in human beings.

Organisational set-up of human smuggling

With the abolition of border control the methods of migrant smuggling have changed. Illegal migration no longer takes place on foot, using transit vans or organised in big groups with smugglers. Illegal migration takes place along main road routes and railways. In this scenario migrants typically pay a fee for organisers to obtain a Czech entry visa valid for 14 days. This approach has been used by numerous citizens of Ukraine, Moldova, Mongolia and also Yemen, Iraq etc. Following their arrival in the Czech Republic, most migrants however continue their way to the "old" Schengen countries. They typically travel by train either alone or accompanied by a facilitator. It is frequently observed that such facilitators are relatives of the migrants. Persons illegally crossing by car are usually accompanied by compatriots already living in an EU Member State. Vietnamese organisers often rent taxis to cross the border to Germany. In many cases the destination for such migrants is Berlin in Germany.

The forms and methods of smuggling remain the same as in 2007. The most active smugglers are citizens of Vietnam and Mongolia whose services are being used mainly by their own compatriots. Nationals of Chechnya living in Austria are smuggling their compatriots by cars from Poland through Slovakia and the Czech Republic to Austria.

At the end of 2008 a new trend appeared regarding nationals of Syria who presented falsified travel documents and visas (including incomplete ones) during the passport controls and subsequently claimed international protection. Later on however, some of these persons attempted to travel to Western Europe, were apprehended by the police authorities of the neighbouring countries and were subsequently returned according to international agreements.

Smuggling fees. According to testimonies of Vietnamese citizens, organisers are paid 8,000 USD for a visa and 300 USD for a transport from the Czech Republic to Germany. Mongolian smugglers organise the further transport of Mongolian citizens, after staying in the Czech Republic, to France, Denmark and Sweden (300 EUR per person).

The impact of joining the Schengen Area

The Czech Republic joined the Schengen Area on 21 December 2007 and became a landlocked country within the Schengen Area with external Schengen borders only at the international airports. This fact has noticeably influenced the number of migrants apprehended for illegally crossing the state borders of the Czech Republic, as well as the numbers of migrants apprehended for illegal stay.

According to the principles of the Schengen Agreement, border control activities take place inside the country. The Inspectorates of the Alien Police control residence conditions inland. The co-operation between border management authorities and other public authorities has improved. This includes labour authorities, business license offices and customs authorities. The border control activities at the 5 international airports remained the same as in 2007.

Number of border violators apprehended in the Czech Republic by border sections

Border sections / Name of neighbour country	2005	2006	2007	2008
Land borders with:				
Poland	1 965	1 385	1 042	-
Austria	1 618	1 111	702	-
Germany	1 233	1 047	1 015	-
Slovakia	243	284	179	-
Airports	630	544	446	168
Total	5 689	4 371	3 384	168

Number of foreigners apprehended for illegal residence

	2005	2006	2007	2008
Illegal residence - illegal entry	728	350	399	790

The authorities of the Czech Republic have noticed a decrease in the number of border violators in 2008. As mentioned above, the main reason for this development is the accession of the Czech Republic to the Schengen area and the fact that external borders remain only at the international airports. The decrease of migrants detected at international airports can be explained by various factors: (a) migrants have found safer migration routes outside the Czech Republic (b) migrants enter the Schengen Area by successfully applying for a visa and afterwards legalise an extended residence.

The "modus operandi" of border violators has not changed following the entry of the country into the Schengen Area. Falsified travel documents or the use of documents belonging to another person with similar appearance are still common. "Overstayers" are usually detected during residence controls.

Migration routes have changed as entry controls are now only carried out at the international airports. Most migrants attempting to enter illegally are detected at the Prague-Ruzyně Airport.

The national visa, type "D" was misused for further travelling through Schengen countries. In these cases migrants claimed not to be aware of the conditions for lawful continued travel in the Schengen area. Consequently, persons are frequently detected in other countries holding Czech national visas and, likewise, on the territory of the Czech Republic with national visas of other Schengen countries.

Organisational development of border management

The Government of the Czech Republic approved the following programmes dealing with illegal migration, which contain measures concerning the EU internal borders.

- Action plan for combating illegal migration (approved 2004),
- National plan for management of the state borders of the Czech Republic (approved 2008).

The tasks determined by these documents are evaluated and updated every year.

The Alien Police did not participate in special international projects designed to combat illegal migration through the internal borders of the EU. However, some PHARE and TAIEX projects for improving border control and border organisation have been implemented.

Impact of the EU accession of Bulgaria and Romania

Between 2005 and 2007 Bulgarian and Romanian nationals could enter the territory of the Czech Republic without visa and stay for up to 90 days for the purpose of tourism and non-profit reasons. Since 2008 the entry and stay of Bulgarian and Romanian nationals is regulated through the EU regime.

Number of migration related apprehensions of Bulgarian nationals in the Czech Republic

	Border violators	Overstayers*	Total
2005	216	29	245
2006	72	41	113
2007	7	0	7
2008	1	2	3

Number of migration related apprehensions of Romanian nationals in the Czech Republic

	Border violators	Overstayers*	Total
2005	127	103	230
2006	96	76	162
2007	10	3	13
2008	0	1	1

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

Since the entry of Bulgaria and Romania to the EU, their citizens enjoy the same rights and obligations as other EU citizens, i.e. freedom of movement and the right to enter and stay in the territory temporarily without a visa. The numbers above reflect this significant change.

Romanian travel documents were the most frequently misused travel documents in 2008.

Labour regulations for Bulgarian and Romanian citizens have also changed. Before accession nationals of Bulgaria and Romania needed work permits while after accession they are entitled to work according to the same conditions as other EU citizens without any special limitations.

Statistical tables

Number of persons legally crossing the border
including foreigners and citizens of the Czech Republic

	2007	2008
Entry	134 664 153	7 139 178
Exit	134 381 139	7 105 348
Total	269 045 292	14 244 526

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	453	266
Inland	1 425	1 390
Total	1 878	1 656

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
191	157

Number of border violators
by top nationalities / citizenships
including foreigners and citizens of the Czech Republic

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Czech Republic	547	1. Moldova	30
2. Vietnam	418	2. Syria	28
3. Germany	345	3. Iraq	14
4. Ukraine	336	4. Unknown	11
5. Poland	276	5. Ukraine	10
6. Moldova	179	6. Nigeria	9
7. Turkey	139	7. Stateless	9
8. China	138	8. Sri Lanka	7
9. Unknown	110	9. Turkey	5
10. Iraq	90	10. Vietnam	5

Number of migration related border apprehensions
including foreigners and citizens of the Czech Republic

	2007	2008
Foreign nationals	2 837	168
Citizens of the Czech Republic	547	-
Total	3 384	168

Number of migration related border apprehensions
including foreigners and citizens of the Czech Republic, by gender

Gender	2007	2008
Males	2 007	104
Females	1 116	54
Children	156	9
Not stated	105	1
Total	3 384	168

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

Gender	2007	2008
Males (16-18 years)	92	3
Females (16-18 years)	41	3
Children (up to 15 years)	156	9
Not stated	1	-
Total	290	15

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

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	692	-
On rail border crossings	-	-
On the green (land) border	2 246	-
At the sea border	-	-
On airports	446	168
In the country	4 712	3 661
On other places	-	-
Total	8 096	3 829

Number of migration related apprehensions by border section
including foreigners and citizens of the Czech Republic
2007

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING the Czech Republic on the border with that country 2007	OUT: Number of apprehensions of people LEAVING the Czech Republic on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Germany	102	913	1 015
2. Austria	226	476	702
3. Poland	582	460	1 042
4. Slovakia	158	21	179

Czech Republic

Number of "migrant smugglers" apprehended including foreigners and citizens of the Czech Republic

Apprehensions in 2007	Apprehensions in 2008
269	77

Number of "migrant smugglers" apprehended by top nationalities / citizenships including foreigners and citizens of the Czech Republic

Citizens of the following countries in 2007	Number of smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of smugglers apprehended in 2008
1.Czech Republic	160	1.Czech Republic	5
2.Vietnam	22	2.Russian Federation	3
3.Poland	14	3.Turkey	2
4.Slovakia	10	4.Vietnam	2
5.Mongolia	7	5.Mongolia	1

Number of people being trafficked into the Czech Republic

	2007
Total	33
Of the total: women	24
Of the total: minors	4

Number of "traffickers in human beings" apprehended including foreigners and citizens of the Czech Republic

2007
15

Number of "traffickers in human beings" apprehended by top nationalities / citizenships including foreigners and citizens of the Czech Republic

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007
1.Czech Republic	5
2.Vietnam	4
3.Ukraine	2
4.Austria	2
5.Russian Federation	1

Persons rejected at the border by top nationalities / citizenships

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1.Turkey	227	1.Russian Federation	70
2.Ukraine	196	2.Ukraine	29
3.Russian Federation	99	3.Turkey	20
4.Vietnam	66	4.Egypt	19
5.China	63	5.Armenia	8
6. Serbia	46	6.China	6
7. The former Yugoslav Republic of Macedonia	44	7.Moldova	7
8. Bosnia and Herzegovina	30	8.Chile	6
9. Iraq	22	9.Indonesia	6
10.Slovakia	22	10.United Arab Emirates	5
Total of ALL rejected persons at the border (of any nationality)	1 180		257

Persons to whom residence was refused by top nationalities / citizenships

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007	Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
1.Ukraine	3 121	1.Ukraine	1 835
2.Vietnam	522	2.Slovakia	367
3.Slovakia	343	3.Vietnam	351
4.Moldova	280	4.Mongolia	234
5.China	240	5.Russian Federation	179
6.Mongolia	188	6.Moldova	146
7.Russian Federation	166	7.China	121
8.Belarus	145	8.Belarus	120
9.Iraq	116	9.Georgia	112
10.Turkey	109	10. Poland	108
Total of ALL refused persons of any nationality	6 238		4 438
Of the total: number of overstayers*	3 946		2 634

*Overstayers are persons who remain in the country after their visas or residence permits have expired.

Czech Republic

**Removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1.Ukraine	248	1.Ukraina	296
2.Slovakia	89	2.Vietnam	101
3.Vietnam	57	3.Slovakia	69
4.Moldova	38	4.Mongolia	45
5.Belarus	29	5.Moldova	26
6.Russian Federation	24	6.Russian Federation	21
7.Mongolia	21	7.Belarus	17
8.Georgia	21	8.Romania	15
9.Romania	18	9.Poland	14
10.China	17	10.China	14
Total of ALL removed persons (of any nationality)	669		704

With the contribution of

Directorate of Alien Police Service
Czech Republic

Estonia



Location:	Eastern Europe, bordering the Baltic Sea and the Gulf of Finland, between Latvia and the Russian Federation
Area:	Total: 45,226 sq km – water: 2,015 sq km – land: 43,211 sq km Note: includes 1,520 islands in the Baltic Sea
Land boundaries:	Total: 633 km. Border countries: Latvia 343 km, Russian Federation 290 km
Coastline:	3,794 km
Population:	1,299,371 (July 2009 est.)

Irregular migration flows

The general situation regarding illegal migration and migrant smuggling has been stable in the Republic of Estonia in recent years. Compared to other countries of the Central and Eastern European region, for the last decade, the level of illegal migration in Estonia was low.

After joining the Schengen Area, the migration pressure on the Schengen external border between the Republic of Estonia and Russian Federation has increased.

In 2008, there were 40 detected cases of illegal immigration and 57 illegal immigrants were apprehended. In 2007, in comparison, there were 35 cases of illegal immigration detected, and the border guard apprehended 41 illegal immigrants. This means that compared to 2007, the number of illegal immigration cases detected increased by 13 percent in 2008. The number of illegal immigrants apprehended in 2008 increased by 28 percent in comparison to 2007.

Number of border violators apprehended in Estonia by border sections

Border sections	Name of neighbouring country	2005	2006	2007	2008
Land borders with					
Russian Federation		102	82	115	93
Latvia		-	-	42	-
Sea border		-	17	-	-
Airports		-	-	-	-
Apprehensions inland		-	-	-	-
Total		102	99	157	93

As in previous years, most migrants apprehended were citizens of the Russian Federation and other countries of the CIS. In 2008, the attractiveness of Estonia for migrants has somewhat increased due to the unstable economic and political situation in source countries. The factors attracting migrants to Estonia are: better economic situation and the demand for cheap labour, which was partially caused by the outflow of Estonian labour force to other Member States of the European Union. The presence of ethnic communities in Estonia is a further pull factor for citizens of the above-mentioned source countries.

In 2008 some new source countries of irregular migration have emerged such as the Republic of Columbia, the Republic of Peru, the Dominican Republic, the Hashemite Kingdom of Jordan and the Republic of India. In most cases Estonia was used as a transit country with southern European countries such as Italy or Spain as final destination.

In 2008 two cases of facilitated illegal immigration were discovered. In both cases the smuggled person was a citizen of India and was smuggled by a citizen of India. In the first case, the Indian citizen and the facilitator were detained at the Estonian border at the Narva Border Crossing Point. In the other case, the two Indian citizens passed through the Republic of Estonia and were detained in the Republic of Latvia at the Riga Bus Station on the basis of the information provided by Estonian authorities.

Many border incidents are the result of unintentional crossing of the temporary border line between the Republic of Estonia and the Russian Federation, either on the land border or on water due to navigational errors. This is mainly due to the lack of signs on the temporary border line between the Republic of Estonia and the Russian Federation as well as on the water.

Modes of border violation

The following trends can be noted for 2008.

Migrants arrive at international border crossing points by bus or train and attempt to use false and falsified documents, or try to cross the border outside official border crossing points. The traditional form of migrant smuggling - i.e. groups of persons being smuggled secretly across the border - has occurred on very rare occasions only.

The false or falsified documents used were mainly Schengen visas or residence permits of other European Union countries, which were entered into national passports. Findings from identified cases and criminal proceedings show that false and falsified documents used for illegal migration have been obtained through organised crime groups in countries of origin or transit.

Smuggling fees. The fee of smuggling varies considerably depending on the services used by the migrants. In 2008, the information gathered during legal proceedings has shown that smuggling fees range from 300 to 16,000 EUR per person during the journey, including the provision of false and falsified documents and other assistance. In 2007, the respective sums varied between 600 to 4,500 EUR.

Legislative measures in 2008

The work of the Department of Migration Surveillance of the Citizenship and Migration Board is mainly governed by the following laws: "Obligation to Leave and Prohibition on Entry Act", the "Code of Misdemeanour Procedure" and the "Administrative Procedure Act". No essential amendments have been made to the aforementioned legislation during 2008.

In 2008 the amendment to the Code of Criminal Procedure entered into force, which has widened the competences of the Border Guards regarding criminal procedures. Previously the Border Guards were entitled to launch criminal procedures in cases of illegal crossing of the state border or temporary border line, illegal transportation of persons across the state border or the temporary border line, falsification or abuse of important identity documents, if the offence was discovered by a border guard official. With the above amendment the legislator added the competence to launch criminal procedures in cases of misuse of other important identity documents such as foreign travel documents proving personal identity, as defined in Section 350 of the Penal Code.

The border guards deal only with cases of illegal migration that do not involve trafficking. Migrant trafficking falls within the competence of the Estonian police. If the border guards discover cases indicating trafficking in human beings, these cases will be referred to police for investigation.

Institutional development of border management

On 11 October 2007, the Director General of the Border Guard Administration signed a Directive approving the activity plan „Implementation of compensation measures after joining the Schengen Visa Area“. According to this document, a service for coordination and co-operation on the external EU border was formed in the South-Eastern Border Guard Region of Estonia on 21 December 2007. A planning and analysis group, a contact point and three mobile units were established in order to strengthen this structural unit. A further mobile unit was formed in the Pärnu cordon of the Western Border Guard Region. Each mobile unit consists of 3 teams; each team has three members and is equipped with a small van designed especially for mobile control of vehicles and persons. The mobile units are also able to efficiently transfer information gathered by the border guards to other institutions with responsibilities for internal security as well as to receive information from such public authorities.

Action against illegal immigration became more effective by creating an interface between (a) the SIS II (Schengen Information System) (b) the information system of the Estonian Police and (c) the common visa system of the European Union. The exchange of information between these IT systems started in 2008.

The history of harmonising Estonian legislation with that of the Schengen Acquis

The following measures were taken in 2004 and 2005.

- As of 1 May 2004, Estonia started to issue visas in the uniform format of the European Union that were provided with a photograph of the visa holder after 2 May 2005.
- In May 2005, pursuant to Council Regulation (EC) No 334/2002 of 18 February 2002, the development of the visa register in the Citizenship and Migration Board was completed and the photograph could consequently be printed on the visa stickers after 2 May 2005.
- On 1 March 2005, an amendment to the Aliens Act entered into force, pursuant to which the Citizenship and Migration Board started to accept visa invitations submitted by legal persons governed by private law. From this date onwards, companies and other legal entities could invite citizens of countries who need a visa for entry into and stay in Estonia. Before this date, invitations could only be made by natural persons.

Measures taken in 2006:

- On 1 June 2006, Estonia put into practice the Council Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents. Consequently, Estonia started to issue long-term residence permits for third-country nationals.
- On 1 August 2006, the Citizen of European Union Act entered into force, whereby the European Parliament and Council Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, was implemented into national law. As a result of this amendment, citizens of the European Union and their family members enjoy the right of stay, including both temporary right of residence and permanent right of residence. Previously, residence permits were issued to citizens of the Member States of the European Union and to their family members. A family member of a citizen of the European Union, who is the citizen of third country or a person without established citizenship, must submit an application to the Citizenship and Migration Board in order to obtain temporary or permanent right of residence. A family member, with temporary or permanent right of residence in Estonia, does not need a work permit in order to work.

Measures taken in 2007:

- On 19 January 2007 a visa free regime entered into force for persons without citizenship residing in the European Union and for refugees. This measure was taken according to Council Regulation (EC) No 1932/2006, 21 December 2006.
- On 1 April 2007 the visa requirement for the citizens of Bolivia was restored in the European Union, according to Council Regulation (EC) No 1932/2006, 21 December 2006.
- On 13 April 2007 a visa free regime was introduced for diplomatic passports and special passports of Peru, according to the Decision of the Republic of Estonia No. 207, 12 April 2007.
- On 1 June 2007 the Agreement on Facilitation of Issuance of Visas between the European Union and the Russian Federation entered into force.
- On 21 December 2007 Estonia joined the Schengen Area and in relation to this the following legislation was amended: Section 51 of the Aliens Act (regulating entry and stay in Estonia). Section 11 of the State Borders Act (regulating border control upon entry into the country).
- On 21 December 2007, Estonia started to issue common Schengen visas that are valid for entry and stay in all Schengen Member States. With joining the Schengen Area a regulation of the Aliens Act entered into force, providing that if for a person a prohibition on entry into the Schengen Area has been entered into the Schengen Information System, the residence permit and visa shall not be extended. This measure implements the Schengen Convention and is applied by all states issuing the common visa. As an exception to the above rule, an alien may be granted a temporary residence permit or the permit may be extended, if his/her entry to Estonia is necessary for humanitarian grounds or due to international interests.
- On 1 February 2007, some amendments to the Aliens Act entered into force, according to Council Directive 2004/81/EC of 29 April 2004. This Directive regulates the issuance of residence permits to third-country nationals who are victims of trafficking in human beings or who have been the subject to an action facilitating illegal immigration and who co-operate with the competent authorities.

- On 1 June 2007, the Agreement on Facilitation of Issuance of Visas between the European Union and the Russian Federation entered into force, aiming at simplifying the mutual issue of short-term visas. The visas issued on the basis of this Agreement entitle their holders stay in another country for a maximum of 90 days within a period of 180 days.
- On 1 December 2007, the amendments to the Aliens Act entered into force, following Council Directive 2004/114/EC on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service. Moreover, Council Directive 2005/71/EC on a specific procedure for admitting third-country nationals for the purposes of scientific research was hereby implemented into national law. The amendment includes that a temporary residence permit to study in an Estonian higher education institution will be issued only on the condition that the applicant has proven sufficient relevant language proficiency. Furthermore, a training agreement between the alien and the authority conducting the training must be concluded, if the alien is applying for a temporary residence permit in order to participate in the training. The alien who is applying for temporary residence permit for employment, research or exploratory research, must add to the application for residence permit a hosting agreement concluded with research or exploratory research institution.

Measures taken in 2008:

- On 1 January 2008, the Visa Facilitation and Readmission Agreements of the European Union with Moldova, Ukraine, Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia entered into force.
- On 12 July 2008, a visa free regime for holders of Turkish service special passports entered into force. The external agreement between the Ministries of Foreign Affairs of the Republic of Estonia and the Republic of Turkey entered into force upon exchange of diplomatic notes.
- Also amendments aiming at simplifying the regulations for residence and employment in Estonia of the citizens of third countries, and making them more transparent, entered into force. The time limit for processing the application for residence permit was reduced to two months in comparison with the previous three to six months time limit. Furthermore a salary criterion was added for registered short-term employment with temporary residence permit in Estonia. Accordingly, the employer has to undertake to pay to the alien a salary, the amount of which must be at least 1.24 times the average annual salary in Estonia as published recently by the Statistical Office. In addition, the annual immigration quota was set to 0.1 percent of the permanent population of Estonia.

- The procedure for registration of short-term employment in Estonia was amended, pursuant to which only the employer, for whom the alien will work, is entitled to file an application. The requirement for confirmation of the sponsor was abolished.
- In 2008 Estonia concluded the first Representation Agreements with other Schengen member states. Pursuant to the Schengen Acquis, one Member State of the Schengen Agreement can represent the other Member State in cases of visa issuance, if the other Member State does not have representation in a particular third country.

Adapting border management to challenges of the extended Schengen Area

Relocation of resources. The external border control has been improved by relocating border guards previously working on the internal border to the Estonian-Russian border (external border).

Enhancing operative controls. At the end of 2007, mobile units of Border Guards started to work in co-operation with the police. The main task of the mobile units is to control the residence of aliens in the country on inland roads.

In order to detect wanted persons, the border control information system (PKIS) is used at the border, with the purpose of maintaining records of persons and vehicles crossing the external border and to perform controls both at the border as well as internally. Information from the databases of the European Union (SIS and VIS) as well as from national databases is used to perform the inspection (wanted persons and vehicles, prohibition on entry, invalid documents, visa register). An effective exchange of information between the Border Guards and other Government agencies has been developed.

In addition to the inspection of cars and the aliens travelling in these cars, more attention is paid to the persons travelling with international bus lines. Catering establishments providing accommodation in rural municipalities close to the border are regularly checked. The aim of these controls is to verify that the requirements of the Tourism Act are met. This act provides that the users of accommodation service must be registered in the establishment providing accommodation.

To provide rapid response at border incidents a structural unit was formed in the South-Eastern Border Guard Region analogous to the standby unit operating in the North-Eastern Border Guard Region (at the Estonian-Russian border). The aim of the standby units is to enhance the capacity for operational response to border incidents but also to provide training to staff. Experiences gained during trainings are instantly applied in service in border stations and at the green border.

International co-operation. In addition to the Border Guard working groups, joint patrols are being conducted in co-operation with other national law enforcement authorities and the working groups of the Latvian Border Guard. Joint patrols have been formed with the police according to an agreement between the Border Guard Administration and Police Board in order to implement relevant compensatory measures upon joining the Schengen judicial area. The agreements were signed in December 2007 and joint operations are being conducted within the framework of this agreement.

In co-operation with the Latvian Border Guard a contact point was established at the state border between Estonia and Latvia. The staff of this contact point is responsible for information exchange and verification of data.

The co-operation in counteracting illegal immigration via internal borders is pursued within the framework of the Baltic Council of Ministers' Senior Border Officials Committee. In 2008, an international joint operation "Via Baltica" was carried out in two stages, lead by the Estonian Border Guard. Estonian, Latvian and Lithuanian border guards took part in the operation. During the operation enhanced analysis and profile based control of aliens were conducted in order to enhance the fight against cross-border crime and illegal immigration on internal borders. In addition, the efficiency of exchanging information between the border guards of the three participating countries was examined.

The number of illegal crossings of the border is decreasing, and at the same time the awareness of people living in border regions is increasing as a result of the efficient dissemination of information by the border guards.

The impact of joining the Schengen Area on modi operandi

In 2008, counterfeit documents used by illegal immigrants were mainly Schengen visas or residence permits of other European Union countries that were entered in the passports. By comparison, in 2007 typical counterfeit documents used by illegal immigrants to enter the Republic of Estonia were mainly counterfeit passports and ID cards.

After Estonia joined the Schengen Area in 2007, cases have been detected in which aliens who have applied for a visa or a residence permit for Estonia have not used their residence permit or visa for the stated purpose. For example, someone applies for temporary residence permit for the purpose of studies in Estonia but after receiving the residence permit, the person uses his right to freedom of movement in other Member States and does not commence studies in Estonia. There are also cases where persons apply for visas at Estonian representations, but do not come to Estonia after receiving the visas. Instead they go to other Member States where they submit applications for asylum.

In 2008, there were cases of Georgian, Armenian and Chinese citizens applying for or using short stay Schengen visas issued by the Republic of Estonia for the purpose of illegal immigration. These persons applied for tourist visas in order to visit Estonia, but entered the European Union through the external border of other countries that had joined the Schengen common visa area. Presumably, the planned destination of these persons was one of the Southern countries of the European Union.

In 2008, a group of 9 persons were expelled from Estonia for violating visa requirements (this includes 3 persons violating the Schengen visa requirements and 5 persons violating the conditions of their residence permits). For example, one Russian citizen came to Estonia on the basis of a Schengen visa issued in Latvia. The visa was subsequently revoked and the person was expelled from Estonia.

Impacts of Bulgaria and Romania joining to the EU

Romanian citizens have enjoyed a visa-free regime with Estonia already since 2004. On 25 March 2004, Estonia and Romania concluded an agreement on a visa free regime, based on which Romanian citizens could stay in Estonia without a visa for 90 days in 6 months.

Until 2007, the regulations for residence and employment in Estonia for the citizens of the Republic of Romania and the Republic of Bulgaria were similar to the regulations for citizens of all other third countries. The Aliens Act regulates the conditions for entry of citizens of third countries into Estonia, their residence and employment in Estonia. A citizen of a third country who wishes to stay in Estonia for a short time, up to 90 days in a half year period, shall apply for a visa at a representation of Estonia. An alien, who wishes to live or work in Estonia, shall apply for a temporary residence permit on a basis suitable for him or her (for example, family reunification, employment, study, etc.). An alien residing in Estonia permanently can apply for a residence permit of a long-term resident. In case of short-term employment up to 180 days in a half year period, the alien shall register his or her short-time employment in Estonia by mail or to authorise the employer for the performance of the act and apply for a long-stay visa at a representation of Estonia.

Since 2007, when the Republic of Romania and the Republic of Bulgaria became members of the European Union, the Citizen of the European Union Act applies to citizens of Romania and Bulgaria and their family members. A citizen of the European Union may stay in Estonia on the basis of the right of stay for up to three months as of the day of entry into Estonia on the basis of a valid travel document or identification document. No later than three months after the date of entry in Estonia, a citizen of the European Union must register his or her residence pursuant to the procedure regulated by the Population Register Act of Estonia. Upon registration of residence, the citizen of the European Union acquires temporary right of residence for five years. After five years, the term of temporary right of residence is extended automatically if the residence of the person continues to be registered in Estonia. The document certifying the existence of the temporary right of residence is the identity card issued by the Citizenship and Migration Board upon application by the person. A citizen of the European Union who has permanently resided in Estonia for a period of five consecutive years based on temporary right of residence is entitled to permanent right of residence. The application for permanent right of residence must be submitted to the Citizenship and Migration Board.

From 2005-2009, no Bulgarian citizens have been expelled from the Republic of Estonia. The Citizenship and Migration Board has registered no Bulgarian citizens in this period who have entered the Republic of Estonia illegally.

Number of migration related apprehensions of Romanian nationals in Estonia

	Border violators	Overstayers*	Total
2005	-	1	1
2006	1	-	1
2007	-	-	-
2008	-	-	-

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

In 2005, one citizen of the Republic of Romania stayed in the Republic of Estonia without a legal basis; in 2006 - 2008, no Romanian citizens stayed in Estonia without a legal basis. The Citizenship and Migration Board has consequently not developed any special strategy relating to Romanian citizens staying in Estonia without legal basis

Until 2007, when Romania and Bulgaria joined the European Union, the regulations for residence and employment in Estonia of Romanian and Bulgarian citizens were similar to the regulations for citizens of all other third countries. The Aliens Act regulates the conditions for employment in Estonia for citizens of third countries. Citizens of third countries have the possibility to apply for a residence permit for employment. Persons having temporary residence permits issued on different grounds may need an additional work permit (e.g. temporary residence permit for study) or there might be a prohibition of employment (e.g. in case of a temporary residence permit upon existence of permanent legal income). An alien holding a residence permit of a long-term resident does not need a work permit for employment in Estonia.

Short-term employment. Romanian and Bulgarian citizens are not required to register their short-term employment in Estonia. The Aliens Act regulates registration of short-term employment in Estonia. Citizens of third countries have the possibility to apply for registration of short-term employment in Estonia by post or authorise their employer to do the registration.

Work permits. From 2007, when the Republic of Romania and the Republic of Bulgaria became members of the European Union, the Citizen of the European Union Act applies to citizens of Romania and Bulgaria. Citizens of the European Union who reside legally in Estonia do not need a work permit for employment.

Between 2005 and 2009 no Bulgarian citizens working without legal basis have been detected in the Republic of Estonia.

Statistical tables

Number of persons legally crossing the external borders of the EU i.e. the border with the Russian Federation including foreigners and citizens of Estonia Entry and exit together

2007	2008
18 160 770	5 710 170 (external border)

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	4	2
Inland	10	12
Total	14	14

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
2	4

Number of border violators, including foreigners and citizens of Estonia

Number of border violators in 2007	Number of border violators in 2008
106	93

Number of migration related border apprehensions only foreign citizens

2007	2008
50	59

**Number of migration related border apprehensions
by gender
only foreign citizens**

Gender	2007	2008
Males	41	44
Females	8	13
Total	50 (The gender of 1 person was not identified)	57

**Number of minors apprehended at the border due to border violation
including foreigners and citizens of Estonia**

Gender	2007	2008
Males	-	4
Females	-	1
Total	-	5

**Number of migration related apprehensions by
place of apprehension
including foreigners and citizens of Estonia**

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	14	17
On rail border crossings	6	17
On the green (land) border	8	5
At the sea border	8	-
On airports	6	1
In the country	7	17
On other places	1	-
Total	50	57

**Number of migration related apprehensions by border section
including foreigners and citizens of Estonia
2007**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Estonia on the border with that country 2007	OUT: Number of apprehensions of people LEAVING Estonia on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Russian Federation	13	6	19
2. Latvia	3	2	5

**Number of migration related apprehensions by border section
including foreigners and citizens of Estonia
2008**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Estonia on the border with that country 2008	OUT: Number of apprehensions of people LEAVING Estonia on the border with that country 2008	Total number of apprehensions on the border with that country 2008
1. Russian Federation	34	5	39

Number of apprehended persons being smuggled into Estonia

	2007	2008
Total	10	2
Of the total: women	2	-
Of the total: minors	-	-

**Number of " migrant smugglers " apprehended
including foreigners and citizens of Estonia**

Apprehensions in 2007	Apprehensions in 2008
9	2

**Number of "migrant smugglers" apprehended
by top nationalities / citizenships
including foreigners and citizens of Estonia**

Citizens of the following countries in 2007	Number of smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of smugglers apprehended in 2008
1. Lithuania	4	1. India	2
2. Latvia	2	-	-
3. Malaysia	2	-	-
4. Kosovo ²⁴	1	-	-

**Number of "traffickers in human beings" apprehended
by top nationalities / citizenships
including foreigners and citizens of Estonia**

2007	2008
-	-

²⁴ Under UNSCR 1244

**Persons rejected at the border
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. India	1 739	1. India	1 042
2. Philippines	349	2. Philippines	515
3. Russian Federation	331	3. Russian Federation	374
4. Myanmar	119	4. Pakistan	92
5. Pakistan	99	5. Myanmar	49
6. China	83	6. Turkey	45
7. Kosovo ²⁵	67	7. China	32
8. Turkey	55	8. Cape Verde	29
9. Ukraine	54	9. Ukraine	21
10. Bangladesh	31	10. Bangladesh	20
Total of ALL rejected persons at the border (of any nationality)	3 091		2 326

**Persons to whom residence was refused
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007	Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
1. Russian Federation	135	1. Russian Federation	63
2. Kosovo ²⁶	55	2. Ukraine	12
3. Ukraine	21	3. Kosovo ²⁷	12
4. Armenia	5	4. China	3
5. Belarus	4	5. Azerbaijan	2
6. China	5	6. Belarus	2
7. India	2	7. USA	1
8. Kazakhstan	2	8. Georgia	1
9. Turkey	2	9. India	1
10. USA	2	10. Iraq	1
Total of ALL refused persons of any nationality	235		100
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.

**Removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Russian Federation	29	1. Russian Federation	28
2. Ukraine	10	2. Azerbaijan	4
3. Azerbaijan	5	3. Moldova	4
4. Belarus	5	4. Ukraine	4
5. Moldova	4	5. Lithuania	3
6. Armenia	3	6. Belarus	3
7. Kazakhstan	2	7. Georgia	2
8. Turkey	2	8. Armenia	1
9. Georgia	1	9. Kazakhstan	1
10. Nigeria	1	10. Cameroon	1
Total of ALL removed persons (of any nationality)	62		56

With the contribution of

Estonian Board of Border Guard

²⁵ Under UNSCR 1244

²⁶ Under UNSCR 1244

²⁷ Under UNSCR 1244

Georgia



Location:	South-western Asia, bordering the Black Sea, between Turkey and Russia
Area:	Total: 69.700 sq km. Water: 0 sq km. Land: 69.700 sq km.
Land boundaries:	Total: 1.461 km. Border countries: Armenia 164 km, Azerbaijan 322 km, Russian Federation 723 km, Turkey 252 km.
Coastline:	310 km
Population:	4.615.807 (July 2009 est.)

Migration flows

Georgia is primarily a source country of migration. The major flows of migrants are directed towards the Russian Federation, the United States, EU Member States, Turkey and Israel. For the last two decades the Russian Federation has been the major target country of Georgian migrants despite strict visa regulations for Georgian citizens, and repatriations implemented by Russian authorities. In 2007 the border between the two countries was closed. Since then Turkey has become a major country of destination and transit for Georgian migrants.

Georgian labour migration is largely illegal. Georgian labour migrants in foreign countries are often unable to return to Georgia because of their illegal status and the fear of deportation and are thus reluctant to seek assistance of the Georgian consulates.

The main irregular migration route of Georgian citizens towards the EU leads through Turkey into Greece or Cyprus. Another important route is through Ukraine and then into either Slovakia or Hungary through illegal border crossing.

The conflicts in Abkhazia and South Ossetia resulted in the internal displacement of approximately a quarter of a million people within Georgia. As a result of the South Ossetia War in August 2008 (also known as the Russia–Georgia War) at least 158,000 civilians were displaced.

The number of asylum applications in Georgia in recent years is not significant.

Legislation and institutional framework of migration policy

The major legal provisions are as follows.

- In Georgia the Law on Legal Status of Aliens of 1 July 2006 regulates entry, stay, transit, departure and expulsion of foreigners.
- The Law on the State Border of Georgia was adopted in 1998.
- The Law of Georgia on Border Police has entered into force in the beginning of 2007. This Law defines the principles, objectives, and organisational structure of the Border Police and details its primary tasks.
- Georgia has ratified the UN Convention against Transnational Organized Crime and its two Protocols against the Smuggling of Migrants by Land, Sea and Air and to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.
- Georgia has acceded to the 1951 Geneva Convention and its 1967 Protocol and has introduced domestic legislation dealing with granting refugee status.
- In 2006 Georgia ratified the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons.
- In 2006 the Law on Combating Trafficking in Persons was adopted and entered into force. The Law provides for the protection of victims, prevention of trafficking and prosecution of traffickers.
- In 2007, Georgia ratified the Council of Europe Convention on Action against Trafficking in Human Beings.

Readmission agreements have been concluded and ratified with several states such as Italy (1997), Bulgaria (2002) and Germany (2007). Negotiations about readmission are ongoing with further EU Member States as well as with the European Commission.

The following major Government bodies are responsible for implementing migration policy

- The Unit for Migration Issues of the Ministry of Justice is responsible for registration of foreigners, issuance of residence permits and identification documents, as well as decisions on and executions of expulsions of aliens from Georgia.
- The Georgian Border Police is responsible for border management and collection of statistics related to illegal migration.

- The Special Operations Department, Unit to Combat Trafficking in Persons and Illegal Migration under the Ministry of Internal Affairs deals with combating irregular migration, investigates and prosecutes cases of trafficking in human beings and smuggling of migrants.
- The Ministry of Refugees and Accommodation (MRA) is responsible for issues related to regulating immigration regulation and control, as well as integration of migrants.

Co-operation with the European Union

In June 2008 the Council of the European Union has initiated discussions on a Mobility Partnership with Georgia. The main objective of the Mobility Partnership is the joint management of migratory flows between the EU and Georgia by increasing Georgia's ability to manage migration, by implementing measures to inform, integrate and protect migrants and returnees. In April 2009 the first round of negotiations were held about the cooperation within the Mobility Partnership with special respect to the planned Visa Facilitation and Readmission Agreements between the EU and Georgia.

Since September 2005 a Border Support Team delegated by the EU is operating in Georgia providing assistance and advice to the Georgian Border Police. The Team works as an EU Special Representative Office (EUSR). In December 2007, the Temporary Interagency Commission of the National Security Council on Facilitation of Georgian Border Reform with the support of the EUSR Border Support Team presented a draft Border Management Strategy, which is to be implemented between 2008 and 2012. The Border Management Reform Strategy of Georgia follows the Integrated Border Management Model.

Georgia participates in the Southern Caucasus Integrated Border Management regional programme (SCIBM). This programme enhances inter-agency cooperation with Armenia and Azerbaijan and strengthens the capacity of customs and border guard services. The Programme is funded by the EU and implemented by the UNDP.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Georgia

	2007	2008
Entry	2 493 398	3 132 294
Exit	2 514 139	3 142 085
Total	5 007 537	6 274 379

Number of border violators by top nationalities or citizenships with most of the border violations including foreigners and citizens of Georgia

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Georgia	184	1. Georgia	214
2. Armenia	99	2. Armenia	39
3. Russian Federation	62	3. Russian Federation	30
4. Ukraine	40	4. Turkey	18
5. Azerbaijan	15	5. Ukraine	9
6. Turkey	10	6. Azerbaijan	5

Number of migration related border apprehensions including foreigners and citizens of Georgia

	2007	2008
Foreign nationals	255	136
Citizens of Georgia	184	214
Total	439	350

**Persons rejected at the border
by top nationalities or citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Turkey	253	1. Russian Federation	156
2. Russian Federation	136	2. Turkey	123
3. Syria	38	3. Nigeria	40
4. Nigeria	32	4. China	27
5. Armenia	30	5. Azerbaijan	20
6. China	29	6. Pakistan	17
7. Ukraine	25	7. Germany	13
8. Azerbaijan	24	8. Iraq	11
9. India	16	9. India	11
10. Germany	11	10. Cote d'Ivoire	10

With the contribution of

Ministry of Internal Affairs
Euro-Atlantic Integration Division
Office of International Cooperation
Republic of Georgia

Further information sources

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Greece



Location:	Southern Europe, bordering the Aegean Sea, Ionian Sea, and the Mediterranean Sea, between Albania and Turkey
Area:	Total: 131,940 sq km. Water: 1,140 sq km. Land: 130,800 sq km.
Land boundaries:	Total: 1,228 km. Border countries: Albania 282 km, Bulgaria 494 km, Turkey 206 km, The former Yugoslav Republic of Macedonia 246 km.
Coastline:	13,676 km
Population:	10,737,428 (July 2009 est.)

Migration flows

Due to its geographical location, Greece is an important point of entry to the European Union and to the Schengen Area. A major migration route from Asia to Europe passes through Turkey into Greece. Moreover, the country also receives migrants from Albania, from the successor countries of the former Yugoslavia and of the former Soviet Union. The number of migrants apprehended for migration related offences in Greece is much higher than in any EU member state of Central and Eastern Europe and it is still increasing.

Most border violations take place at the Greek-Albanian land border (mostly Albanian citizens) and at the land and sea borders with Turkey (mostly citizens of Asian and African countries). The irregular migration pathway that attracts most attention goes through Turkey into Greece through the straits that divide mainland Turkey from several of the Greek islands of the Aegean such as Mytilini, Samos, Chios and Leros. Another point of unlawful entry to Greece is the Evros border river between Turkey and Greece. Greece has a Readmission Agreement with Turkey but Greek authorities are frequently complaining that Turkey does not implement the agreement. Other land border sections (former Yugoslav Republic of Macedonia and Bulgaria) and the Southern sea border involve smaller numbers of border violation.

During the last two decades, regular and irregular immigration to Greece originated mainly from its neighbouring countries in Eastern Europe and from the successor countries of the former Soviet Union. Throughout the 1990s many citizens of Albania have arrived, consequently the Albanian migrant diaspora is the biggest in Greece, followed by the Bulgarian, Ukrainian, Georgian and Romanian communities. Smaller resident migrant populations from Asia and Africa have developed from the 1980s onwards (Filipino, Vietnamese, Sudanese and Egyptian citizens). Citizens of Pakistan, Bangladesh, Iraq, and Afghanistan and of some Sub-Saharan countries have arrived later. In 2007, according to the National Statistical Service of Greece (ESYE) the number of resident Third Country Nationals with valid stay permits was 433,751. An additional number of stay permits (from 250,000 to 400,000) are being processed by the Greek authorities.

According to expert estimates in 2007 more than a quarter million irregular migrants were present in Greece of which many were overstayers (i.e. migrants who entered the country legally, with a temporary visa for tourism, and who - upon the expiration of their visas - failed to return or renew their legal status by finding a job with a proper contract) and unsuccessful asylum seekers who, for several reasons, did not leave the country.

In 2001 the visa requirement for Bulgarian migrants who wish to come to Greece for a period up to 3 months was dropped and consequently irregular entries from the Greek-Bulgarian border decreased. The two successive EU enlargements to the East have automatically regularised the stay of citizens from the new member states but not their access to the labour market. Thus many Bulgarian and Romanian citizens continued to work irregularly even after the abolishment of the entry restrictions. Construction industry, tourism, agriculture and the domestic work sector offer a wide range of informal jobs. Besides, illegally resident persons may benefit from regularisations programmes.

Statistical tables

Number of border violators by top nationalities / citizenships including foreigners and citizens of Greece

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Albania	66 818	1. Albania	72 454
2. Iraq	12 549	2. Afghanistan	25 577
3. Afghanistan	11 611	3. Iraq	15 940
4. Occupied Palestinian Territory	5 135	4. Somalia	6 713
5. Somalia	3 656	5. Pakistan	5 512
6. Pakistan	2 834	6. Occupied Palestinian Territory	4 593
7. Georgia	1 441	7. Georgia	2 961
8. Bangladesh	721	8. Bangladesh	1 655
9. Egypt	598	9. Myanmar	1 611
10. Mauritania	532	10. Eritrea	1 566

Number of migration related border apprehensions only foreign nationals

2007	2008
112 364	146 337

Number of migration related border apprehensions only foreign nationals

(only those persons for whom statistical disaggregation of males and females was possible)

	2008
Males	99 171
Females	7 545

Number of minors apprehended at the border due to border violation only foreign nationals

Gender	2008
Males	11 696
Females	1 423
Total	13 119

Number of migration related apprehensions by place of apprehension. Only foreign nationals

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	n.a.	n.a.
On rail border crossings	n.a.	n.a.
On the green (land) border	63 529	58 968
At the sea border	9 240	15 314
On airports	4 815	7 083
In the country	24 304	46 475
On other places	-	-

**Number of migration related apprehensions by border section
Greece 2007**

Border Section: Name of neighbouring country on the border of which the apprehension took place	Number of apprehensions on the border with that country 2007
1. Albania	42 897
2. The former Yugoslav Republic of Macedonia	2 887
3. Bulgaria	966
4. Turkey Land Borders	16 789
5. Turkey Sea Borders	16 721
6. Crete	2 245
7. Rest of the Country	29 799

**Number of migration related apprehensions by border section
including foreigners and citizens of Greece
2008**

Border Section: Name of neighbouring country on the border of which the apprehension took place	Number of apprehensions on the border with that country 2008
1. Albania	39 267
2. The former Yugoslav Republic of Macedonia	3 459
3. Bulgaria	1 795
4. Turkey Land Borders	14 461
5. Turkey Sea Borders	30 149
6. Crete	2 961
7. Rest of the Country	54 245

**Number of "migrant smugglers" apprehended
including foreigners and citizens of Greece**

Apprehensions in 2007	Apprehensions in 2008
1 421	2 211

**Number of "migrant smugglers" apprehended
by top nationalities / citizenships
including foreigners and citizens of Greece**

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Albania	549	1. Albania	807
2. Greece	326	2. Greece	478
3. Turkey	191	3. Turkey	219
4. Bulgaria	107	4. Iraq	154
5. Iraq	59	5. Bulgaria	148

**Removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Albania	65 201	1. Albania	66 159
2. The former Yugoslav Republic of Macedonia	466	2. The former Yugoslav Republic of Macedonia	366
3. Iraq	405	3. Egypt	274
4. Egypt	390	4. Turkey	273
5. Turkey	291	5. Georgia	270
6. Georgia	260	6. Iraq	221
7. Moldova	212	7. Bulgaria	147
8. Russian Federation	17	8. Russian Federation	116
9. Ukraine	87	9. Moldova	113
10. Bulgaria	75	10. Syria	101
Total of ALL removed persons (of any nationality)	68 191		68 807

Number of people being trafficked into Greece

	2007	2008
Total	99	78
Of the total: woman	64	63
Of the total: minors	4	7

**Number of "traffickers of human beings" apprehended
including foreigners and citizens of Greece**

2007	2008
117	162

**Number of "traffickers of human beings" apprehended
by top nationalities / citizenships
including foreigners and citizens of Greece**

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
Greece	48	Greece	70
Bulgaria	22	Romania	32
Romania	18	Albania	13
Russian Federation	12	Bulgaria	10
Ukraine	7	Russian Federation	7

With the contribution of

Aliens Directorate of the Police Headquarters
Hellenic Republic

Further source of information: Clandestino Project, Country Report Greece. Author: Thanos Maroukis, Hellenic Foundation for European and Foreign Policy (ELIAMEP). Athens, December 2008. Report prepared for the research project "Clandestino - Undocumented Migration: Counting the Uncountable. Data and Trends Across Europe".

Hungary



Location:	Central Europe, Northwest of Romania
Area:	Total: 93,030 sq km – water: 690 sq km - land: 92,340 sq km
Land boundaries:	Total: 2,185 km. Border countries: Austria 366 km, Croatia 329 km, Romania 443 km, Serbia 166 km, Slovakia 676 km, Slovenia 102 km, Ukraine 103 km
Coastline:	0 km (landlocked)
Population:	9,905,596 (July 2009 est.)

Irregular migration flows

The main routes of irregular migration to Hungary have not been changed for several years and basically follow major transport routes. In 2008, compared to the previous year, the overall number of persons apprehended for border violation in Hungary has been stagnating. However, in the second half of 2008, the number of apprehended persons was significantly higher than in the first half of the year. The main countries of origin of apprehended migrants were Serbia, Ukraine, Moldova, Kosovo²⁸, Turkey, Romania, Somalia, Georgia, the former Yugoslav Republic of Macedonia and Afghanistan.

²⁸ Under UNSCR 1244

Since Hungary has joined the Schengen Area, the number of apprehended migrants on the external borders has significantly increased. On the external Schengen borders of Hungary, most apprehensions were recorded at the border sections with Serbia, Romania and Ukraine.

- The most significant increase was registered on the border section with Ukraine (an increase of 195% from 2007 to 2008) particularly in regard to citizens of countries of the Middle East and Africa. Following their apprehension, most of these persons claimed for asylum.
- On the border with Serbia from 2007 to 2008 an increase of 146% in the number of apprehended persons was recorded which concerned particularly citizens of Serbia and Kosovo²⁹.
- On the border section with Romania from 2007 to 2008 a 100% increase in the number of persons apprehended was observed particularly regarding Moldovan citizens
- On the Croatian border sections and on the airports the number of persons apprehended is not significant.

Number of border violators apprehended in Hungary by border sections

Border sections	Name of neighbouring country	2005	2006	2007	2008
Land borders with					
Austria		1 545	1 731	901	n.a.
Slovakia		89	252	178	n.a.
Ukraine		72	146	294	866
Romania		407	357	332	666
Serbia		194	323	694	1 705
Croatia		12	30	23	14
Slovenia		122	230	160	n.a.
Airports		29	14	15	n.a.
Apprehensions in the internal territory of the country		-	-	-	-
Total		2 471	3 083	2 598	3 251

n. a. = data not available due to discontinued registry and data collection

Following Hungary's entry into the Schengen Area, the number of migrants apprehended for attempted illegal border crossing on the internal borders has been significantly reduced. Also, the number of border violators readmitted from Austria, Slovenia and Slovakia (i.e. Hungary's neighbours which are members of the Schengen Area) has decreased.

Besides an increasing number of citizens of Serbia and Kosovo³⁰, migrants from the following countries have been apprehended by the Hungarian National Police at the external Schengen border: Ukraine, Moldova, Pakistan, Somalia and Turkey. Most of these persons wanted to reach Western European countries by transiting Hungary.

²⁹ Under UNSCR 1244

³⁰ Under UNSCR 1244

Modes of border violation

On the external border sections most migrants were apprehended for border violation along green border. Violating the green border is particularly common at the Hungarian border sections with Serbia and Ukraine.

Romanian border section. Before Hungary's joining the Schengen Area, on the Romanian border section most border violations occurred on the green border. However, in 2008 more migrants attempted to illegally cross through the Border Crossing Points (62%) than through the green border (38%). On all other external border sections the majority of border violations still occur on the green border.

The general increase of border violations on the Hungarian-Romanian border section is connected with the abolition of customs controls in Romania and Bulgaria accession to the EU. This has reduced the risk of human smuggling from Greece through the new EU Member States to Western Europe.

Among the violators of the Romanian border section, 33% were citizens of Moldova, 20% were citizens of Turkey and 7% were citizens of Serbia.

On the Romanian border section, among the persons using forged documents,

- the share of citizens of Moldova amounts to 35% of which the majority attempted to use ID-cards issued by Romanian authorities;
- the share of Romanian citizens is 28% of which the majority attempted to use forged documents in connection with Italian and French vehicle licence documents;
- the share of citizens of Turkey is 13% of which the majority attempted to use illegal ID-cards of Bulgaria.

On the border section with Serbia, already before Hungary entered the Schengen area, migrants were traditionally gathering in the Serbian town Subotica, close to Hungary's border. Here they met smugglers, who either accompanied them through the green border or trained them to cross the border by themselves and met them on the other side of the border again, a modus operandi which has not changed over the last several years. If apprehended by the Hungarian authorities, migrants originating from Serbia, Kosovo³¹ and Afghanistan typically apply for asylum. For the duration of the administrative procedure for asylum, these persons obtain the right of free movement in Hungary, many of whom use this possibility to cross the internal borders in order to reach Western Europe. On the Serbian border section the number of apprehended citizens of Afghanistan has increased after March 2009. They were being smuggled from Greece to Kosovo and Serbia and then on already traditional migration routes further to Hungary

³¹ Under UNSCR 1244

On the border section with Ukraine, smugglers have quickly adapted their strategy to Hungary's joining the Schengen Area. On this border section, already from November 2007, the number of border violations across the green border has extremely increased. From the total number of apprehensions, 24% were citizens of Somalia, 23% of Pakistan, 10% of Afghanistan and 10% of Georgia. The majority has entered Hungary through the green border in groups of 3 to 8 persons, without being accompanied by smugglers, and claimed for asylum immediately after their apprehension.

Legislation

There were no new legislative or regulative measures taken in 2008 regarding the migration policy area. The major measures in the institution development were taken already in 2007, with Hungary joining the Schengen Area.

Border control has been abolished along the internal Schengen borders. At the same time compensatory measures have been taken in order to prevent irregular migration. The internal border control strategy is regulated by the so-called Schengen Border Control Code (Regulation 562/2006/EC). Furthermore, there are bilateral agreements with all neighbouring Schengen countries (Austria, Slovenia and Slovakia) on joint control activity at the common internal border.

Before Hungary joined the Schengen Area, the entry and stay of foreign nationals was regulated in specific national laws. On the 1 July 2007 the new Aliens Act entered into force (Law II of 2007), regulating the entry and stay of third country nationals in the same way, as in any other member country of the Schengen Area.

Institutional development of border management

The Hungarian Border Guard was integrated into the National Police, according to Act XC of 2007 on the amendment of the Police Act. Furthermore, the Hungarian Constitution also had to be modified, in order to create the legal basis for merging the two organisations. From the beginning of 2008, the National Police of the Republic of Hungary operates also as the legal successor of the Hungarian Border Guard, and the Police perform the function of border management. The total professional border policing service branch of the Border Guard was integrated into the National Police. The staff of the National Police consists of 45,000 officials out of which approximately 9,000 are former border guards.

The organisation of the Police is divided into national, county and local levels.

- At central level, within the National Police Headquarters, the Border Policing Department is responsible for the management of border policing duties.
- At regional level, there are 19 county police headquarters plus the Budapest Police Headquarters. In addition, there is an Airport Police Directorate located at Ferihegy International Airport.

County Police Headquarters have different responsibilities according to the respective borders' geographic position. The division of work has been organised as follows:

- In counties adjacent to Schengen internal borders, the established Public Order Protection Units and Border Policing Units of the Police Headquarters are responsible for border management. In these counties Border Policing and Public Security Offices (20 such units in Hungary) are operating at local level. Their system of duties is organised according to the nature of the border section.
- In counties adjacent to Schengen external borders, the County Police Headquarters have Border Policing Services (consisting of Border Policing Unit, Aliens Policing Unit and Detention Centre). Eight county-level Border Policing Services have been established altogether in the above-mentioned Headquarters, accompanied by 31 Border Policing Offices at the local level. The previous offices of the Border Guard have been integrated into these Headquarters and have the same legal status as a police office. In these counties the former Border Guard units continue to perform their work with unchanged organisation, control system and technical equipments. The integration had no effect on the duties, workforce and allocation of the equipments of the Border Guard.
- Altogether 14 Deployment Services have been formed in those counties, which have internal or external border sections. The Deployment Services have been formed from the staff of the former Border Guard Mobile Units and Forces. 8 Deployment Services are at the external border sections, 5 Deployment Services at the internal border sections and 1 Deployment Service at Budapest County Police Headquarters with nationwide competence.
- Regarding the criminal investigative functions of the former Border Guard, the criminal investigation and intelligence branch has been incorporated into the organisation of the Police at central, territorial (i.e. county) and local level. Within the National Bureau of Investigation, a special central unit has been established: the Special Migration Affairs Unit, which has inherited the criminal investigation staff of the former Border Guard. This unit is supervised by the National Police.

The National Police has institutionalised a complex aliens policing strategy, and an ongoing controlling – filtering activity has been implemented. Police activities are co-ordinated with all relevant government agencies which are responsible for reducing illegal border crossing, illegal stay and illegal work of foreigners. This involves the selective operative control of areas, transport routes and nodes, as well as working places.

In May 2006, before Hungary entered the Schengen Area, an overall evaluation of land border management took place. The result of this evaluation was positive, and in October 2007 Hungary turned out to be the only new member of the Schengen Area where there was no need to repeat the visits of the evaluators.

The practical effects of the reorganisation of border management are subject to continuous monitoring.

Hungarian border management authorities have participated in several international co-operation projects in order to reduce irregular migration across the Austrian-Hungarian border. This border section was the most relevant from this point of view, especially the route Győr-Hegyeshalom-Vienna and the route Győr-Sopron-Vienna. Since 2004, Hungary has participated in a series of monthly co-operative actions, which between 2004 and 2007 involved Hungarian, Austrian and Romanian border management organisations, and which since 2007 also include Serbian authorities.

As a consequence of the institutional changes in the border management system, Hungary has adjusted the relevant bilateral agreements with its international partners.

Impact of the entry of Romania and Bulgaria into the EU

Immediately before Bulgaria joined the EU, the number of Bulgarian migrants apprehended in Hungary was insignificant. As of the Romanian citizens, before Romania joined the EU, many of them have become overstayers in Hungary. However, what was previously an offence has been permitted after January 2007, which has led to a strong reduction in the number of Romanian citizens apprehended for border violation or overstaying in 2008.

Number of migration related apprehensions of Bulgarian citizens in Hungary

	Border violators	Overstayers*	Total
2005	22	10	32
2006	26	10	36
2007	3	2	5
2008	2	4	6

Number of migration related apprehensions of Romanian citizens in Hungary

	Border violators	Overstayers*	Total
2005	334	7 463	7 797
2006	382	7 464	7 846
2007	80	139	219
2008	54	95	149

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

Since 2007, in Hungary the Aliens Act of 2007 regulates the entry and stay of Bulgarian and Romanian citizens. Romanian and Bulgarian citizens enjoy the right of free movement and stay as any other citizen of any other EU Member State.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Hungary

	2007	2008
Entry	60 520 085	n.a.
Exit	56 053 726	n.a.
Total	116 573 811	n.a.

n. a. = data not available due to discontinued registry and data collection

Data provided by the National Police

Hungary

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	758	1 452
Inland	3 419	3 138
Total	4 177	4 590

Data provided by the National Police

Number of persons whose asylum claim was accepted

Claims in 2007	Claims in 2008
169	160

Data provided by the Office of Immigration and Nationality

**Number of asylum seekers arrived in Hungary
breakdown by legality of the arrival
2004-2008**

Year	Legality of the arrival	
	Legal	Illegal
2004	454	1 146
2005	569	1 040
2006	586	1 531
2007	595	2 824
2008	239	2 879

Data provided by the Office of Immigration and Nationality

**Number of border violators
by top nationalities / citizenships
including foreigners and citizens of Hungary**

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Serbia	1 012	1. Ukraine	2 216
2. Moldova	255	2. Serbia	2 055
3. Georgia	189	3. Moldova	1 293
4. Hungary	158	4. Romania	702
5. Ukraine	156	5. Turkey	571
6. Iraq	100	6. Kosovo ³²	571
7. Somalia	94	7. Pakistan	307
8. Turkey	94	8. The former Yugoslav Republic of Macedonia	218
9. Romania	80	9. Somalia	210
10. The former Yugoslav Republic of Macedonia	62	10. Croatia	190

Data provided by the National Police

**Number of migration related border apprehensions
including foreigners and citizens of Hungary**

	2007	2008
Foreign nationals	8 495	10 055
Citizens of Hungary	444	160
Total	8 939	10 215

Data provided by the National Police

**Number of migration related border apprehensions
including foreigners and citizens of Hungary, by gender**

Gender	2007	2008
Males	6 886	7 820
Females	2 053	2 395
Total	8 939	10 215

Data provided by the National Police

**Number of minors apprehended at the border due to border violation
including foreigners and citizens of Hungary**

Gender	2007	2008
Males	11	52
Females	11	30
Total	22	82

Data provided by the National Police

**Number of migration related apprehensions by
place of apprehension
including foreigners and citizens of Hungary**

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	5 794	6 790
On rail border crossings		
On the green (land) border	2 413	3 425
At the sea border	Not relevant	Not relevant
On airports	492	434
In the country	711	1 284
On other places	-	47
Total	8 939	10 215

Data provided by the National Police

³² Under UNSCR 1244

Hungary

Number of migration related apprehensions by border section including foreigners and citizens of Hungary 2007

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Hungary on the border with that country 2007	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country 2007	Number of apprehensions on the border with that country* 2007
1. Austria	278	2 102	2 612
2. Slovakia	111	632	876
3. Ukraine	653	1 343	2 052
4. Romania	869	246	1 181
5. Serbia	842	194	1 089
6. Croatia	48	212	332
7. Slovenia	26	208	247

Data provided by the National Police

* Includes the apprehensions of those persons for whom the direction of the journey was not registered.

Number of migration related apprehensions by border section including foreigners and citizens of Hungary 2008

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Hungary on the border with that country 2008	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country 2008	Number of apprehensions on the border with that country* 2008
1. Austria	n.a.	n.a.	n.a.
2. Slovakia	n.a.	n.a.	n.a.
3. Ukraine	756	906	2 008
4. Romania	1 006	665	1 916
5. Serbia	1 470	512	2 460
6. Croatia	35	87	131
7. Slovenia	n.a.	n.a.	n.a.

Data provided by the National Police

* Includes the apprehensions of those persons for whom the direction of the journey was not registered.

Number of apprehended persons being smuggled into Hungary

	2007	2008
Total	807	443
Of the total: women	531	124
Of the total: minors	276	n.a.

Data provided by the National Police

Number of "human smugglers" apprehended including foreigners and citizens of Hungary

Apprehensions in 2007	Apprehensions in 2008
524	176

Data provided by the National Police

Number of "human smugglers" apprehended by top nationalities / citizenships including foreigners and citizens of Hungary

Citizens of the following countries in 2007	Number of smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of smugglers apprehended in 2008
1. Hungary	186	1. Hungary	38
2. Romania	131	2. Romania	35
3. Serbia	46	3. Serbia	32
4. Ukraine	36	4. Turkey	13
5. Turkey	18	5. Slovakia	10

Data provided by the National Police

Number of persons trafficked into Hungary

2007	2008
0	0

Data provided by the National Police

Number of "traffickers in human beings" apprehended including foreigners and citizens of Hungary

2007	2008
0	0

Data provided by the National Police

Persons rejected at the border by top nationalities / citizenships

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Ukraine	3 229	1. Ukraine	2 397
2. Romania	1 878	2. Serbia	1 495
3. Serbia	1 854	3. Croatia	482
4. Other	1 325	4. Moldova	276
5. Moldova	693	5. Turkey	238
6. Turkey	316	6. Russia	135
7. Croatia	148	7. The former Yugoslav Republic of Macedonia	107
8. Germany	134	8. Bosnia-Herzegovina	102
9. The former Yugoslav Republic of Macedonia	133	9. Romania	21
10. Bosnia-Herzegovina	112	10. Egypt	19
Total of ALL rejected persons at the border (of any nationality)	10 669		5 581

Data provided by the National Police

**Persons to whom residence was refused
by top nationalities / citizenships**

Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
1. China	278
2. Ukraine	234
3. Vietnam	51
4. Mongolia	39
5. Iran	35
6. Serbia	33
7. Turkey	33
8. Nigeria	30
9. Israel	28
10. Syria	18
Total of ALL refused persons of any nationality	944

Data provided by the Office of Immigration and Nationality

**Removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Serbia	295	1. Serbia	127
2. Moldova	37	2. Moldova	61
3. Romania	30	3. Romania	51
4. Ukraine	23	4. Ukraine	46
5. Turkey	5	5. Turkey	11
6. China	4	6. China	5
Other	87	Other	172
Total of ALL removed persons (of any nationality)	481		473

Data provided by the Office of Immigration and Nationality

**Number of expulsions ordered by the Office of Immigration and Nationality
breakdown by main citizenships
2004 - 2008**

Citizenship	2004	2005	2006	2007	2008
Romania	2 310	2 398	1 750	0	0
Ukraine	410	623	165	43	59
Moldova	62	34	32	32	74
Serbia	42	54	123	349	106
Kosovo ³³	0	0	0	0	262
Other	430	233	259	103	242
Total	3 254	3 342	2 329	527	743

Data provided by the Office of Immigration and Nationality

³³ Under UNSCR 1244

**Detention orders under immigration laws
ordered by the Office of Immigration and Nationality
breakdown by main citizenships
2004 - 2008**

Citizenship	2004	2005	2006	2007	2008
Romania	155	125	56	7	3
Moldova	68	14	24	27	52
Turkey	45	22	15	9	23
China	38	8	22	6	20
Serbia	26	30	123	318	115
Kosovo ³⁴	0	0	0	0	229
Other	239	175	129	76	124
Total	571	374	369	443	566

Data provided by the Office of Immigration and Nationality

**Detention prior to expulsion ordered
by the Office of Immigration and Nationality
breakdown by main citizenships
2004-2008**

Citizenship	2004	2005	2006	2007	2008
Romania	37	2	3	1	0
India	15	5	0	0	0
Moldova	13	5	1	1	0
Ukraine	8	9	0	3	0
China	6	8	9	0	0
Serbia (including Kosovo Albanians)	4	6	1	13	0
Other	84	27	13	8	8
Total	167	62	27	26	8

Data provided by the Office of Immigration and Nationality

**Ordering of compulsory confinement by the Office of Immigration and Nationality
breakdown by main citizenships
2004 - 2008**

Citizenship	2004	2005	2006	2007	2008
Serbia	46	15	48	115	92
China	25	12	15	15	20
Ukraine	18	8	8	2	1
Iraq	16	14	11	17	18
Afghanistan	13	16	17	10	25
Kosovo ³⁵	0	0	0	0	68
Other	187	146	191	183	223
Total	305	211	290	342	447

Data provided by the Office of Immigration and Nationality

³⁴ Under UNSCR 1244³⁵ Under UNSCR 1244

**Removal decisions made by the Office of Immigration and Nationality
breakdown by main citizenships
2004 - 2008**

Citizenship	2004	2005	2006	2007	2008
Romania	353	383	432	30	51
Moldova	79	27	22	37	61
Serbia	67	51	119	295	127
Kosovo ³⁶	0	0	0	0	160
Ukraine	67	162	93	23	46
Turkey	50	15	12	5	11
China	31	6	14	4	5
Other	218	81	56	87	172
Total	865	725	748	481	633

Data provided by the Office of Immigration and Nationality

With the contribution of

National Police under the Ministry of Justice and Law Enforcement
Office of Immigration and Nationality under the Ministry of Justice and Law Enforcement
Republic of Hungary

³⁶ Under UNSCR 1244

Latvia



Location:	Eastern Europe, bordering the Baltic Sea, between Estonia and Lithuania
Area:	Total: 64,589 sq km - water: 1,000 sq km - land: 63,589 sq km
Land boundaries:	Total: 1,382 km. Border countries: Belarus 171 km, Estonia 343 km, Lithuania 576 km, Russian Federation 292 km
Coastline:	498 km
Population:	2,231,503 (July 2009 est.)

Irregular migration flows

The number of foreign citizens apprehended for migration related offences at the borders of Latvia has increased substantially: from 4,767 (in 2007) to 5,687 persons (in 2008). These persons were apprehended at the borders for travelling with forged documents or for attempting to cross the border in other illegal ways. No essential changes in the demographic and social composition of irregular migration have been observed.

After the Schengen enlargement the number of apprehensions at the Latvian-Russian border section has increased. In particular, citizens of the following countries have been detained for border violation: African countries (Togo, Nigeria), Asian countries (Syria, Iraq, Pakistan, India, Sri Lanka, Afghanistan) and South American countries (Colombia, Peru). Latvia is either a destination country or a transit country for entering another EU Member State.

The number of aliens who violated the stay provisions in the Republic of Latvia has increased. This number includes all cases of living without proper residence permit, without personal identification documents and without registration at the Office of Citizenship and Migration Affairs as well as working without valid work permit. In 2008 altogether 730 persons were apprehended for these offences, which is a substantial increase compared to the previous year (433 persons in 2007). In most cases the stay provisions were violated by citizens of the Russian Federation (235 cases), Ukraine (101 cases), Moldova (50 cases) and Uzbekistan (32 cases).

In 2008 the activities of criminal groups have increased on the state border section of Latvia – Russian Federation. This is directly connected with the creation of a new transit route for human smuggling into the European Union.

Modes of illegal border crossings

The two most widely used modes of illegal border crossing are (a) illegal border crossing by bypassing official border crossing points in order to avoid border control procedure (i.e. crossing through the green border) and (b) illegal border crossing at the official border crossing points by presenting forged travel documents.

- *Green border.* In 2008 altogether 56 third country nationals were apprehended for illegal crossing of the green border. While in 2007 these persons were in most cases citizens of CIS countries, in 2008 they were mostly citizens of Syria, Russian Federation, China, Turkey, India and Morocco.
- *Border violation with forged documents.* In 2008 at the Latvian border control points 53 third country nationals were apprehended for attempting to enter Latvia with forged travel documents – passports, person's identification cards, as well as forged Schengen visas or residence permits. Most of these persons were citizens of China, Turkey, Colombia, Iraq, Sri Lanka, and persons originating from the West African countries.

In 2008, in comparison to previous years, people used more frequently public transportation for attempting to illegally cross the border. predominantly trains, buses and ferries. The international airport Riga was often used for illegal exit from the Republic of Latvia in order to enter other countries of the European Union.

Following the Schengen enlargement, at the Latvian – Russian border, officials of the Border Guard reported the increasing use of forged Schengen visas and residence permits of EU Member States as a new *modus operandi* for illegal border crossing.

Asylum

In 2008 the number of asylum claims submitted to the State Border Guard of Latvia increased to 51 (from 34 claims in 2007). Citizens from the following countries have requested asylum in 2008: Georgia (17 persons), Russia (5), Bangladesh (2), Syria (3), Afghanistan (10), Sri Lanka (2), Cuba (2), Azerbaijan (1), Kyrgyzstan (1), Belarus (1), Nigeria (1), Tajikistan (1), Ukraine (1), Pakistan (1), Senegal (1), Cameroon (1), Turkey (1 person). Regarding the gender and age distribution, there were 26 men 9 women, 35 adults and 16 minors.

In 2007 the number of persons whose asylum claims were accepted was 8. In 2008 the following decisions have been made about the recognition of refugee status: 1 person: alternative status, 2 persons: refugee status, in 21 cases the requests were denied, 2 asylum claims were not considered. 5 persons recalled their asylum claims in 2008.

Organisational set-up of human smuggling

According to operative information, human smuggling is organised either by smaller groups or by single individuals. An increasing number of persons who try to illegally cross the border in order to enter the European Union use the services of human smugglers and facilitators who falsify travel documents, organise illegal border crossing, meet, escort and receive potential migrants and if needed, provide safe houses for them. Human smugglers use private cars or sometimes taxies for transportation and mobile phones for communication purposes.

In 2008 altogether 20 human smugglers and facilitators have been apprehended for their activities along the Latvian – Russian border. Out of this number, 16 persons were residents of the Republic of Latvia (citizens and non-citizens), 2 citizens of the Russian Federation, 1 citizen of Lebanon and 1 citizen of the Federal Republic of Germany.

Smuggling fees. The typical smuggling fees have increased during the last year. It was stated that in 2008 for the transportation of citizens of China and Syria from the Russian Federation (Moscow) to Latvia, by illegally crossing the state border, the amount of fee was 3,000 USD. In other cases the amount of fee for transporting a citizen of Moldova to the United Kingdom reaches 2,000 – 2,500 EUR. The provision of a forged passport of the Republic of Latvia costs 500 EUR, a forged passport of the Republic of Lithuania - depending on the quality - costs 400 to 2,000 EUR and a Romanian ID card costs between 500 and 1,000 EUR.

Institutional development of border management

On the Latvian – Lithuanian and Latvian – Estonian state border sections the common contact points of border guards continued their work providing important information exchange and enhancing the effectiveness of the fight against cross-border crimes.

The mobile patrols operating at the internal EU borders between Latvia and Lithuania and between Latvia and Estonia continued their control activities.

Latvian liaisons officers delegated to third countries with enhanced immigration risks continued to provide all necessary information about possible developments in regard to illegal immigration.

Statistical tables

Number of persons legally crossing the border
including foreigners and citizens of Latvia

	2007	2008
Entry	8 681 432	2 224 987
Exit	8 274 391	2 112 653
Total	16 955 823	4 337 640

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	4	4
Inland	30	47
Total	34	51

Number of border violators,
by top nationalities / citizenships
including foreigners and citizens of Latvia

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Latvia	1 773	1. Latvia	1 836
2. Lithuania	697	2. Lithuania	1 438
3. Estonia	592	3. Estonia	1 176
4. Russian Federation	1 078	4. Russian Federation	867
5. Belarus	427	5. Belarus	372
6. Ukraine	296	6. Ukraine	364
7. Moldova	86	7. Moldova	189
8. Kazakhstan	132	8. Georgia	158
9. Kyrgyzstan	126	9. Armenia	124
10. Georgia	27	10. Kazakhstan	111

Number of migration related border apprehensions
including foreigners and citizens of Latvia

	2007	2008
Foreign nationals	4 767	5 684
Citizens of Latvia	1 773	1 836
Total	6 540	7 520

Number of migration related apprehensions by
place of apprehension
including foreigners and citizens of Latvia

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	3 974	4 570
On rail border crossings	1 032	1 675
On the green (land) border	70	63
At the sea border	390	178
On airports	532	1 034
In the country	1 560	2 920
On other places	-	-
Total	7 558	10 440

Number of migration related apprehensions by border section
including foreigners and citizens of Latvia
2007

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 2007
1. Russian Federation	1 496
2. Belarus	604
3. Lithuania	1 925
4. Estonia	981
5. Total	5 006

Number of migration related apprehensions by border section
including foreigners and citizens of Latvia
2008

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
1. Russian Federation	4 435
2. Belarus	1 873
3. Total	6 308

Number of "human smugglers" apprehended
including foreigners and citizens of Latvia

Apprehensions in 2007	Apprehensions in 2008
-	1

Number of "traffickers in human beings" apprehended
including foreigners and citizens of Latvia

2007	2008
-	20

**Number of "traffickers in human beings" apprehended
by top nationalities / citizenships
including foreigners and citizens of Latvia**

Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1.Latvia	16
2.Russian Federation	2
3.Lebanon	1
4.Germany	1

**Number of persons rejected at the border
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Russian Federation	436	1. Russian Federation	384
2. Ukraine	181	2. Belarus	130
3. Belarus	164	3. Ukraine	84
4. Kazakhstan	94	4. Turkey	35
5. Kyrgyzstan	81	5. India	33
6. India	28	6. Moldova	25
7. Moldova	23	7. Kyrgyzstan	19
8. Israel	17	8. Uzbekistan	14
9. USA	16	9. China	11
10. Georgia	7	10. Columbia	8
Total of ALL rejected persons at the border (of any nationality)	1 229		877

**Number of removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Moldova	56	1. Russian Federation	49
2. Russian Federation	34	2. Ukraine	31
3. Ukraine	20	3. Moldova	21
4. Georgia	12	4. Uzbekistan	21
5. Belarus	7	5. Georgia	14
6. Armenia	6	6. Armenia	11
7. Kazakhstan	3	7. Bangladesh	8
8. Israel	3	8. Pakistan	6
9. Uzbekistan	2	9. China	6
10. Mongolia	2	10. Syria	5
Total of ALL removed persons (of any nationality)	155		210

With the contribution of

Analytical Service of the Central Board of the State Border Guard
Republic of Latvia

Lithuania



Location:	Eastern Europe, bordering the Baltic Sea, between Latvia and the Russian Federation
Area:	Total: 65,300 sq km
Land boundaries:	Total: 1,574 km. Border countries: Latvia 576 km, Belarus 680 km, Russian Federation 227 km, Poland 91km
Coastline:	90 km
Population:	3,555,179 (July 2009 est.)

Irregular migration flows

In 2008, in comparison to the previous year, there were no significant changes recorded in the trends, cases and tendencies of illegal border crossing and illegal residence. The number of apprehensions has decreased by 6%.

The State Border Guard Service of Lithuania uses the term "illegal immigrant". It covers aliens who entered Lithuania illegally and those who stayed in Lithuania illegally including smuggled persons and overstayers. Within the above mentioned category, the overwhelming majority of persons apprehended (90%) were detained for illegal stay on the territory of Lithuania, 6% for illegal border crossing, and 1% for entry via border crossing points using forged travel documents. Of those apprehended at the border, 34% were detained at the border with Belarus, 14% at the border with the Russian Federation and 12% at the air border. The majority of persons apprehended were nationals of Belarus, Russia, Kazakhstan and Armenia.

Number of border violators apprehended in Lithuania by border sections

Border sections	Name of neighbour country	2005	2006	2007	2008
Land borders with:					
	Belarus	131	147	91	98
	Poland	84	73	62	28
	Russian Federation	117	91	64	63
	Latvia	122	87	50	-
Sea border		6	4	5	-
Airports		64	35	27	13
Apprehensions in the internal territory of the country		715	1 069	1 195	1 152
Total		1 239	1 506	1 494	1 354

In 2008, there were more than 400 foreigners ordered to leave Lithuania. The majority were nationals of Russia, Belarus, Ukraine, Thailand, Kazakhstan, Armenia, and Kyrgyzstan. Over 140 foreigners were expelled from Lithuania: mostly nationals of Russia, Belarus, and Ukraine.

Risk analyses performed by Lithuanian authorities have shown that an increase is expected in the number of third country nationals trying to illegally enter Lithuania for further movement within the Schengen area to other Western European countries. Moreover, it is likely that in most cases (a) other person's or forged travel documents or (b) Schengen visas obtained on false grounds will be used.

New trends of irregular migration

Illegal entries into the Schengen Area. In 2008 in several cases Syrian nationals were smuggled on the routes Russia – Latvia – Lithuania – Poland or Belarus – Lithuania – Poland. After illegally crossing the Belarus – Lithuanian border, they were transported to Poland. Nationals of Vietnam, Sri Lanka, India and Pakistan also use this modus operandi.

Acquisition of visa on false grounds. In 2008 there was recorded an increase of cases in which aliens applying for a Schengen visa at Lithuania's consular offices abroad have falsely declared the purpose of travel (e.g. to visit relatives, to participate in sport events or exhibitions, health treatment etc.). In the majority of these cases, upon arrival in Lithuania they made attempts to get to other Schengen states via the Vilnius International Airport, which clearly indicates that Lithuania was only a transit country on their way to other EU states. Consequently, 38 visas were annulled and these foreigners were forced to leave Lithuania on the grounds that they had provided false data when applying for Lithuanian visas.

There are also persons who obtained Schengen visas in Lithuania's consular offices abroad and who did not arrive in Lithuania, but travelled directly by air to other EU countries, where they either attempted to find illegal employment or applied for asylum. Mostly nationals of Armenia, Kyrgyzstan, Kazakhstan, Belarus, Uzbekistan and Tadjikistan used this modus operandi.

For preventing this modus operandi, so-called "visa consultations" were initiated between the Lithuanian consular offices and the State Border Guard Service. These consultations turned out to be a very effective measure. In 2008, the consular offices requested information concerning the issue of visas in were 1,530 cases out of which 183 persons received negative recommendations. The State Border Guard Service made checks in order to verify doubtful information and to control the authenticity of data provided in visa applications. Frequently the persons and organisations that have issued the invitation letter on behalf of the visa applicant were contacted for additional information.

Illegal stay. In 2008, a great number of migrants apprehended within the country actually entered Lithuania legally but later on either overstayed (a) the permitted visa-free period of stay or (b) the visa validity period. These cases are closely connected with illegal employment of third-country nationals in Lithuania.

Use of fraudulent documents. In 2008 numerous third-country nationals were detained for using forged passports, personal ID cards, residence permits, Schengen visas of the EU states as well as passports issued in third countries. In 2008 there were detected 131 fraudulent documents (292 in 2007). The majority of such documents were detected at the Vilnius airport Border Crossing Point (28 cases), in the Kalvarijos Frontier Station at the border with the Republic of Poland (26 cases) and at the Medininkai international Border Crossing Point at the border with Belarus (12 cases).

**Number of persons detained for holding fraudulent documents by citizenship
Lithuania, 2008**

Lithuania	40
Turkey	11
Belarus	11
Russian Federation	9
Moldova	4
Unknown	4
Romania	2
France	2
Poland	2
Ukraine	2
Great Britain	2
Congo	1
Belgium	1
Italy	1
Tadzhikistan	1
Armenia	1
Nigeria	1
Peru	1
Italy	1
India	1
Georgia	1
Other	3
Total	102

**Number of fraudulent documents detected in 2008 in Lithuania
by alleged issuing country of document**

	Passport	ID	Driving licence	Vehicle registration certificate	Technical inspection ticket	Other documents, visas, etc.	Total
Lithuania	13	15	19	2	7	8	64
Unknown	1		2	11	-	3	17
Belgium	1	2	-	-	-	3	6
Romania	-	5	-	1	-	-	6
Italy	-	-	-	1	-	-	1
Turkey	11	-	-	-	-	-	11
France	1	1	-	1	-	-	3
Iceland	-	-	-	-	-	1	1
Russian Federation	2	1	2	-	-	-	5
Ukraine	2	-	-	-	-	-	2
Great Britain	-	-	-	10	-	-	10
India	1	-	-	-	-	-	1
Latvia	1	-	-	-	-	-	1
Armenia	1	-	-	-	-	-	1
Czech Republic	1	-	-	-	-	1	2
Total	35	24	23	26	7	16	131

Asylum

During 2008 the Foreigners Registration Centre of the State Border Guard Service hosted 165 asylum seekers who were mainly nationals of the Russian Federation, Belarus, Georgia, Vietnam, Cuba and Pakistan.

The history of harmonising regulations with the Schengen Acquis

Measures taken in 2005:

- On 2 August 2005, under the order No. 1V-254 of the Minister for the Interior, the "Rules for Non-acceptance of Foreigners on the Territory of the Republic of Lithuania" were approved.
- The Minister of the Interior issued the Order No. 1V-300 amending the Order of the Minister of the Interior No. 1V-429 of 24 December 2004 "On the Approval of the Rules of Taking and Implementing Decisions with regard to Foreigner's Obligation to leave, their Removal, Return and Travel in Transit across the Territory of the Republic of Lithuania". Order No. 1V-300 was issued with the purpose of implementing the 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). The issuance of Order No. 1V-300 facilitates the return of persons by co-ordinating the activities of Lithuanian authorities with authorities of other European Union countries. Under this order the State Border Guard Service of the Ministry of the Interior and the Police Department of the Ministry of the Interior are appointed, to be the institutions in charge of organisation and/or participation in joint flights in the process of expelling the citizens of third countries from the territory of a Member State.
- On 31 May, the joint Order No. V-63/1V-174 of the Minister of the Interior and the Minister of Foreign Affairs has been promulgated "On the Approval of Recognition Procedure and List of Travel Documents, suitable for Travel to the Republic of Lithuania".

Measures taken in 2006:

- On 20 March 2006, the Minister of the Interior issued the Order No. 1V-112 amending the Order of the Minister of the Interior No. 1V-429 of 24 December 2004 "On the Approval of the Rules of Taking and Implementing Decisions with regard to Foreigner's Obligation to Leave, Their Removal, Return and Travel in Transit across the Territory of the Republic of Lithuania". This Order was promulgated for the purpose of implementing the Council Directive 2003/110/EC of 25 November 2003 "On Assistance in Cases of Transit for the Purposes of Removal by Air".
- On 28 November, the Law on Amendment of the Law "On Legal Status of Aliens" was passed.

Measures taken in 2007:

- On 30 March 2007, the Minister of the Interior issued the Order No. 1V-118 amending the Order of the Minister of the Interior No. 1V-429 of 24 December 2004 "On the Approval of the Rules of Taking and Implementing Decisions with regard to Foreigner's Obligation to Leave, Their Removal, Return and Travel in Transit Across the Territory of the Republic of Lithuania".

- On 4 May 2007, the Minister of the Interior issued the Order No. 1V-169 amending the *Order of the Minister's of the Interior* No. 1V-361 of 15 November 2004 "On the Approval of the Rules for Considering, Decision Making and Implementing Decisions with regard to Foreigner's Applications for Asylum".
- On 21 November 2007, the joint Order No. V-101/1V-397 of the Minister of the Interior and the Minister of Foreign Affairs "On the Approval of Recognition Procedure and List of Travel Documents Giving Foreigners the Right to Arrive in Lithuania" was issued.
- After abolition of internal borders control, the State Border Guard Service has a new function: to maintain a permanent capability to re-establish control of internal borders. For this purpose, a legal basis was adopted which allows to re-establish the control of internal borders under certain circumstances (threat to public order or internal security etc.) In accordance with the "Procedure of the Temporary Reintroduction of Internal Borders Control" approved by the Resolution of the Government of the Republic of Lithuania No. 1376 of 19 December 2007, the State Border Guard Service is obliged to coordinate the actions of all state institutions involved in inspection and ensure control of internal borders.

Measures taken in 2008:

- Amendment of the Law on the Legal Status of Aliens (of 1 January 2008). This amendment was aimed at harmonizing the provisions of national legislation in the fields of visas, migration and asylum with those of the EU and the Schengen acquis.
- On 22 August 2008 the Governmental Resolution No 864 "On the Establishment of the National Information Centre of the Republic of Lithuania" was passed. The purpose of this Resolution was the implementation of the article 3 paragraph 4 of the Council Decision of 23 February 2004 on "Setting out the criteria and practical arrangements for the compensation of the financial imbalances resulting from the application of Directive 2001/40/EC on the mutual recognition of decisions on the expulsion of third-country nationals" (2004/191/EC).
- On 1 November 2008, the Law on Amendment of the Law "On the Legal Status of Aliens" was passed.
- On 5 August 2008, the Minister of the Interior issued the Order No 1V-296 amending the Minister's of the Interior Order No 1V-429 of 24 December 2004 "On the Approval of the Rules of Taking and Implementing Decisions with regard to Foreigners Obligation to Leave, Their Removal, Return and Travel in Transit across the Territory of the Republic of Lithuania." This Order was passed with the purpose of implementing the "Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals".
- Governmental Resolution on the Program of the Government of the Republic of Lithuania. This Resolution has provided for enhancing the control and prevention of illegal irregular migration.
- Governmental Resolution on the Approval of Guidelines of Immigration Policy. These Guidelines define the objectives of immigration policy, its development trends, the development of inter-agency co-operation in the field of aliens policing and irregular migration control.
- Memorandum of Understanding signed in 2008 between border guard services of Lithuania, Latvia and Estonia on activities of liaison offices established in Belarus and Georgia. Plans are being developed to further extend the network of liaison officers in third countries.

Institutional development of border management

The key elements of border control are border checks at the border crossing points and land, sea and air border surveillance in order to prevent persons to avoid border checks. To ensure this, the State Border Guard Service uses patrols, modern border surveillance equipment, information technology and risk analysis.

Particular attention is paid to the issuance of Schengen visas in Consular offices. For verifying the grounds for visa issuance, the consular offices co-operate with border guards, document experts and liaison officers.

Due to the abolition of control of internal land borders (21 December 2007) and air border control of domestic flights (30 March 2008), the State Border Guard Service units underwent certain structural and operational changes. In particular, human resources were re-deployed, i.e. part of staff from the internal borders was transferred to the external borders with the view to strengthen external borders control and enhance operational and pre-trial activities.

The State Border Guard Service has implemented the provisions of the "Convention Implementing the Schengen Agreement" and of the "Schengen Borders Code". These documents provide for the abolition of border checks at internal borders, for the free movement of persons, for the temporal renewal of border checks at internal borders and for the strengthening of illegal migration control within the territory of the country. For this purpose, in 2008 certain special units at the Central Headquarters and regional sub-units of State Border Guard Service were established in order to control and prevent illegal migration and also to ensure public security and public order. Their activity is based on risk assessment and situation analysis, which is prepared in co-operation with territorial police stations, other law enforcement institutions and territorial labour directorates.

The State Border Guard Service takes part in implementing international treaties on readmission.

In 2008, the Commander of the State Border Guard Service has issued a number of orders, which were related to the development of the Service. Some of the most important orders are as follows:

- Considering the activity changes of the State Border Guard Service structural units after joining the Schengen Area, its Commander issued the Order approving the "Regulation on Service Organisation at the Internal EU Borders of the Republic of Lithuania". This Regulation governs the activities of border management authorities by taking into consideration the following document: "Concept for Abolition of Control at Internal EU Borders of the Republic of Lithuania and Reinforcement of the Activity of Competent Authorities in Border Regions" (approved by the Rule of the Minister of the Interior of 17 July 2006).
- The State Border Guard Service Commander's Order on approval of the SBGS personnel strategy. This Order defines the priorities of personnel management of the State Border Guard Service, the priority fields aimed at selecting and training of skilled and competent personnel able to act in changeable circumstances and apply the requirements of the national and the EU legislation (Schengen acquis) on border control.

- The State Border Guard Service Commander's Order "On Approval of Document Check and Examination System Development Program for 2008 – 2010 of the State Border Guard Service at the Ministry of the Interior" provides for drafting the relevant legislation for check and examination of vehicle identification numbers, and also calls for creating the capability of the Service to perform these checks.

In 2008 the bilateral and multilateral co-operation efforts in border security issues with the EU Member States, Associated States of the Schengen and third parties continued to be maintained, strengthened and expanded. The State Border Guard Service participates in the activities of FRONTEX Agency and in other international events, which help to combat illegal migration.

The following new organisational units of border management were established in 2008, in order to implement the requirements set forth in the EU legal acts and national legislation:

- At the State Border Guard Service Central Headquarters an Immigration Liaison Officers' Coordination Centre was established and a National Liaison Point was created for exchange of information on illegal migration.
- A National Information Centre was established within the State Border Guard Service, in order to exchange information on the financial and logistical aspects and practical arrangements regarding the expulsion of third-country nationals.
- An Information Point was established at the Vilnius airport Border Crossing Point, with the aim of providing assistance in transit-related issues when expelling the aliens by air.
- The number of border stations both at the EU external and internal borders has been optimized. After Lithuania's accession to the Schengen Area, the number of foreigners illegally staying in the country or trying to illegally transit has increased. Therefore the common measures with the neighbouring states are extended and activities of the contact points at internal borders are intensified. Four Contact Points were established at the Lithuanian – Latvian border and one Contact Point at the Lithuanian – Polish border, with the purpose of operational information exchange. There are plans to involve other law enforcement authorities (police, customs) of the mentioned countries in the activities of the Contact Points.

In 2008 the following relevant Inter-institutional agreements have been concluded:

- Agreement on co-operation in the field of control and prevention of illegal employment and illegal stay or residence of aliens. The Agreement was concluded between the State Labour Inspectorate under the Ministry of Social Protection and Labour of the Republic of Lithuania, the Police Department under the Ministry of the Interior of the Republic of Lithuania and the State Border Guard Service at the Ministry of the Interior of the Republic of Lithuania. These national authorities are obliged to co-operate at central and local levels when conducting control and prevention of illegal work, stay and residence of aliens.
- Agreement on co-operation between the State Labour Inspectorate under the Ministry of Social Protection and Labour of the Republic of Lithuania, the Police Department under the Ministry of the Interior of the Republic of Lithuania and the State Border Guard Service at the Ministry of the Interior of the Republic of Lithuania. This Agreement provides for development of inter-agency co-operation aimed at ensuring exchange of information on enhanced control of migration processes in the territory of Lithuania.

The State Border Guard Service pays particular attention for the international co-operation with the border guard authorities of the EU Member States, guarding the EU external borders. The Service is more and more involved in the EU activities, related to strengthening control of external borders and activities in third countries. Co-operation with the following organisations is continuous:

- European Agency for the Management of Operational Co-operation at the External Borders of the Member States of the European Union (FRONTEX).
- National Sea Border Coordination Centre, which is a contact point to exchange information with the state institutions of the Baltic Sea region.

The State Border Guard Service takes part actively in the work of the committees and working groups of the Council of the EU Justice and Home Affairs and in EU special missions.

The State Border Guard Service also takes part in implementing international agreements aimed at enhancing public security and order. For instance, an agreement between the Government of the Republic of Lithuania and the Government of the Republic of Latvia on "Co-operation in Combating Organised Crime and other Offences and on Joint Actions in Border Regions" exists as of 7 July 2007.

Impacts of Bulgaria and Romania joining the EU

For several years before 2007, citizens of Romania and Bulgaria have enjoyed a visa-free regime. They could stay in Lithuania for no longer than 3 months during a half of year. Those who wanted to live or work in Lithuania, before the arrival had to obtain relevant visas. Due to these liberal regulations, the number of illegal border crossings and residence of Romanians and Bulgarians was very low.

Number of migration related apprehensions of Bulgarian citizens in Lithuania

	Border violators	Overstayers*	Total
2005	3	2	5
2006	-	-	-
2007	-	-	-
2008	1	1	1

Number of migration related apprehensions of Romanian citizens in Lithuania

	Border violators	Overstayers*	Total
2005	1	-	-
2006	-	-	-
2007	8	-	8
2008	-	5	5

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

The five citizens of Romania who were apprehended in 2008 have travelled without valid travel documents.

Statistical tables

Number of persons legally crossing the border
including foreigners and citizens of Lithuania

	2007	2008
Entry	11 009 590	4 168 384
Exit	8 839 740	3 824 245
Total	19 849 330	7 992 629

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	26	109
Inland	454	431
Total	480	540

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
480	540

Number of border violators,
by top nationalities / citizenships
including foreigners and citizens of Lithuania

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Lithuania	145	1. Lithuania	97
2. Russian Federation	39	2. Russian Federation	34
3. Belarus	29	3. Belarus	34
4. Moldova	26	4. Armenia	9
5. Latvia	16	5. Georgia	8
6. Romania	8	6. Vietnam	6
7. Georgia	5	7. Turkey	5
8. Ukraine	3	8. Saudi Arabia	3
9. Unknown	3	9. Ukraine	2
10. Stateless	3	10. Belgium	2

Number of migration related border apprehensions
including foreigners and citizens of Lithuania

	2007	2008
Foreign nationals	1 348	3 129
Citizens of Lithuania	145	97
Total	1 493	3 226

Number of migration related border apprehensions
including foreigners and citizens of Lithuania, by gender

Gender	2007	2008
Males	1 212	2 299
Females	271	889
No information	10	78
Total	1 493	3 266

Number of minors apprehended at the border due to border violation
including foreigners and citizens of Lithuania

Gender	2007	2008
Males	29	47
Females	21	40
No information	1	-
Total	51	87

Number of migration related apprehensions
by place of apprehension
including foreigners and citizens of Lithuania

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	900	412
On rail border crossings	147	130
On the green (land) border	192	725
At the sea border	168	50
On airports	76	161
In the country	10	1 748
On other places	-	-
Total	1 493	3 226

Number of migration related apprehensions by border section
including foreigners and citizens of Lithuania
2007

Border Section: Name of neighbouring country on the border of which the apprehension took place	Number of apprehensions on the border with that country 2007
1. Belarus	693
2. Poland	123
3. Russian Federation	278
4. Latvia	150
5. Sea border	173
6. Airports	76

Number of migration related apprehensions by border section
including foreigners and citizens of Lithuania
2008

Border Section: Name of neighbouring country on the border of which the apprehension took place	Number of apprehensions on the border with that country 2008
1. Belarus	485
2. Poland	106
3. Russian Federation	226
4. Latvia	529
5. Sea border	67
6. Airports	162
7. On other places	1 651

Lithuania

Number of apprehended persons being smuggled into Lithuania

	2007	2008
Total	34	18
Of the total: women	8	0
Of the total: minors	3	0

Number of "human smugglers" apprehended including foreigners and citizens of Lithuania

Apprehensions in 2007	Apprehensions in 2008
12	6

Number of "human smugglers" apprehended by top nationalities / citizenships including foreigners and citizens of Lithuania

Citizens of the following countries in 2007	Number of human smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of human smugglers apprehended in 2008
1. Lithuania	9	1. Poland	3
2. Belarus	1	2. Lithuania	1
3. Moldova	1	3. Latvia	1
4. Russian Federation	1	4. Russian Federation	1

Number of persons being trafficked into Lithuania

2007	2008
-	-

Number of "traffickers in human beings" apprehended including foreigners and citizens of Lithuania

2007	2008
31	19

Number of "traffickers in human beings" apprehended by top nationalities / citizenships including foreigners and citizens of Lithuania

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1. Lithuania	31	1. Lithuania	19

Number of persons rejected at the border by top nationalities / citizenships

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Russian Federation	1 346	1. Russian Federation	1 048
2. Belarus	707	2. Belarus	735
3. Ukraine	352	3. Ukraine	120
4. Kazakhstan	100	4. Kyrgyzstan	55
5. Latvia	85	5. Kazakhstan	54
6. India	74	6. India	33
7. Kyrgyzstan	64	7. Moldova	30
8. Moldova	59	8. Armenia	20
9. Turkey	15	9. Georgia	16
10. Uzbekistan	15	10. Uzbekistan	15
Total of ALL rejected persons at the border (of any nationality)	3 052		2 214

Number of persons to whom residence was refused by top nationalities / citizenships

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007
1. Georgia	3
2. Armenia	2
3. Ukraine	2
4. Japan	1
5. Lebanon	1
6. Russian Federation	1
Total of ALL refused persons of any nationality	10

**Number of persons removed from Lithuania
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Russian Federation	38	1. Belarus	34
2. Belarus	35	2. Russian Federation	29
3. Moldova	23	3. Ukraine	10
4. Ukraine	12	4. Moldova	7
5. Nigeria	10	5. Turkey	7
6. Uzbekistan	5	6. Azerbaijan	4
7. Tajikistan	4	7. Georgia	4
8. Kazakhstan	4	8. Armenia	3
9. Israel	3	9. Egypt	3
10. Pakistan	2	10. India	3
Total of ALL removed persons (of any nationality)	147		123

With the contribution of

State Border Guard Service at the Ministry of Interior (SBGS)
Republic of Lithuania

The former Yugoslav Republic of Macedonia

Irregular migration flows

The former Yugoslav Republic of Macedonia is predominantly a transit country for international migration. Traditionally, many migrants transit the country heading for Greece, from where they disperse to other EU countries, which have labour force shortages. This trend of illegal migration remained constant in 2007 and 2008 and did not change even after the accession of Bulgaria to the EU at the beginning of 2007, i.e. the number of people found being transported illegally across the Bulgarian border remained at the previous level.

Some 65 percent of the total number of migrants, apprehended for migration related offences, are citizens of Albania, who, pushed by their poor economic situation, enter the former Yugoslav Republic of Macedonia legally, but then continue illegally to Greece for working purposes. Each year the flow of illegal migrants is most intensive between the months of April and September, probably because most of these migrants are seasonal workers. This situation is not expected to change even if the former Yugoslav Republic of Macedonia enters the EU.

Modes of illegal border crossings

In comparison to previous years, the proportion of illegal movement across the green border has not decreased in any significant way. Investigations have revealed that Albanian migrants, who have entered the territory of the former Yugoslav Republic of Macedonia legally, increasingly prefer to pay a certain amount of money to organised groups for being smuggled through the Greek border. Earlier these persons used to organise this transfer independently and on their own by taking regular coaches, taxis, trains and lorries to the state border, and then crossing the state border on foot.

According to the Aliens Law, individuals who attempt to enter/exit the former Yugoslav Republic of Macedonia by using forged passports or visas are declared illegal aliens.

Number of passengers attempting to enter / exit the former Yugoslav Republic of Macedonia by using forged passports, visas and other documents

Year	Number of persons
2000	288
2001	97
2002	144
2003	175
2004	154
2005	203
2006	137
2007	140
2008	96

Organisational set-up of human smuggling

The amendments to the laws of the country pertaining to smuggling of migrants prescribe stringent prison sentences as well as seizure of funds and property. However, even the new amendments have not managed to reduce the trend of migrant smuggling. Recently, forged passports and visas of much higher quality than earlier were discovered, produced with advanced technology. As new countries join the EU, their passports and visas become more valuable, along with those of other EU countries. The established migration routes continue to be the same, with minor modifications.

Investigations of the authorities of the former Yugoslav Republic of Macedonia have shown that the network of migrant smuggling organisations has expanded. Individuals with predefined roles in the smuggling chain carry out the facilitation of illegal migration. Also methods and vehicles to be used are assigned beforehand. Investigations show that the organisers of smuggling operations frequently co-operate with criminal groups in other countries providing relevant information about smuggling operations. Members of smuggling groups in the former Yugoslav Republic of Macedonia organise the reception and accommodation of the migrants; as well as their onward transport to a EU country. In certain cases forged passports and visas are supplied.

Technical facilities: Smugglers rely on commonly used communication methods such as telephones and computers. Transports are organised on road, railroad or by air.

Smuggling fees. The price for a smuggling operation varies depending on the country of origin of the migrant, the country of destination, the method of smuggling and documents used, i.e. the cost of forged passports and visas. The standard rate for smuggling of migrants through the former Yugoslav Republic of Macedonia is in the range of 600 to 1,000 EUR. If the smuggling also requires false or falsified passports and visas, the price may soar up to 3,500 EUR.

Legislation

The Aliens Law was passed on 1 January 2008.

The Aliens Law has introduced the following sanctions against legal entities, including airline carriers, who transport undocumented migrants into the former Yugoslav Republic of Macedonia.

- Article 22 (Obligations of carriers) stipulates that carriers shall return individuals who do not possess appropriate documents, as fast as possible and at their own expense.
- Article 111 of this Law (Costs of forced removal) stipulates that the costs of temporary accommodation at the Shelter Centre for Foreigners, as well as all other expenses related to the return of the foreigner, shall be borne by the foreign national. If the foreign national is unable to cover these costs, Article 2 specifies that the carrier, which transported the foreign national, shall cover these costs.

- Finally, the last paragraph of Article 148 (Abetting a Foreign National in Prohibited Entry or Transit) in Chapter 11, which covers penal provisions, prescribes that those persons, who have assisted a foreign national in entering or transiting through the former Yugoslav Republic of Macedonia in breach of the provisions of this law, shall be liable to a fine.
- Article 150 (Misdemeanours) of the same chapter, Paragraph 1, stipulates that the legal entity shall receive a fine of MKD 200.000 to MKD 300.000 for bringing or refusing to return a foreign national who does not have a valid passport, visa or a residence permit, or who refuses to cover the costs for his return, temporary stay or forced removal.

In 2007, the Law on Ratification of the Readmission Agreement with the European Union was approved, and it entered into force on 1 January 2008.

The Law on State Border Supervision was approved in April 2007.

The former Yugoslav Republic of Macedonia UN definitions of smuggling of migrants and trafficking in human beings have been implemented in the criminal legislation of the country.

Institutional development of border management

At the end of 2007 a re-organisation took place within the relevant border management organisations falling under the Ministry of Interior. The Foreigners Unit, which used to be a part of the Civil Affairs Sector, moved to the Border Affairs Sector, which in turn became the Border Affairs and Migration Sector. This measure helped streamlining the co-operation and information exchange between these two offices, gave bigger insight regarding the general situation and reinforced the centralised management of issues related to border police, including illegal migration.

From 4 June 2008 onwards, joint mixed patrols are securing the state border with Albania. This measure was decided on the basis of the SEE Police Cooperation Convention, as well as on the basis of the previously implemented protocols signed with the Republic of Albania, which stem from this convention.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of the former Yugoslav Republic of Macedonia

	2007	2008
Entry	6 094 324	6 106 785
Exit	5 560 982	5 551 632
Total	11 655 306	11 658 417

The former Yugoslav Republic of Macedonia

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	-	1
Inland	26	49
Total	10	50

Number of persons whose asylum claims was accepted

Claims accepted in 2007	Claims accepted in 2008
1	0

**Number of border violators
by top nationalities / citizenships**

including foreigners and citizens of the former Yugoslav Republic of Macedonia

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Albania	1 226	1. Albania	1 139
2. The former Yugoslav Republic of Macedonia	306	2. The former Yugoslav Republic of Macedonia	202
3. Kosovo ³⁷	57	3. Kosovo ³⁸	52
4. Serbia	31	4. Serbia	21
5. China	12	5. Greece	7
6. Georgia	10	6. China	7
7. Greece	9	7. Afghanistan	5
8. Bulgaria	2	8. Iraq	2
9. Moldova	2	9. Occupied Palestinian Territory	2
10. France	2	10. Bangladesh	2

Number of migration related border apprehensions

including foreigners and citizens of the former Yugoslav Republic of Macedonia

	2007	2008
Foreign nationals	1 596	947
Citizens of the former Yugoslav Republic of Macedonia	323	133
Total	1 919	1 080

Number of migration related border apprehensions

**including foreigners and citizens of the former Yugoslav Republic of Macedonia
by gender**

Gender	2007	2008
Males	1 902	1 172
Females	108	59
Total	2 014	1 202

**Number of migration related apprehensions
by place of apprehension**

including foreigners and citizens of the former Yugoslav Republic of Macedonia

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	135	70
On rail border crossings	84	25
On the green (land) border	1 699	1 080
At the sea border	-	-
On airports	-	-
In the country	1 085	3 68
On other places	-	-
Total	3 003	1 543

Number of migration related apprehensions by border section

**including foreigners and citizens of the former Yugoslav Republic of Macedonia
2007**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING The former Yugoslav Republic of Macedonia on the border with that country 2007	OUT: Number of apprehensions of persons LEAVING The former Yugoslav Republic of Macedonia on the border with that country 2007	Number of apprehensions on the border with that country 2007
1. Bulgaria	2	26	28
2. Greece	184	1 180	1 364
3. Albania	213	58	271
4. Serbia and Kosovo	179	35	214

Number of apprehended persons being smuggled into the former Yugoslav Republic of Macedonia

	2007	2008
Total	176	173
Of the total: women	10	18
Of the total: minors	18	10

Number of "smugglers in humans" apprehended

including foreigners and citizens of the former Yugoslav Republic of Macedonia

Apprehensions in 2007	Apprehensions in 2008
91	160

³⁷ Under UNSCR 1244

³⁸ Under UNSCR 1244

**Number of "smugglers in humans" apprehended
by top nationalities / citizenships
including foreigners and citizens of the former Yugoslav Republic of Macedonia**

Citizens of the following countries in 2007	Number of human smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of human smugglers apprehended in 2008
1. The former Yugoslav Republic of Macedonia	85	1.The former Yugoslav Republic of Macedonia	147
2. Sweden	2	2.Albania	5
3. Albania	2	3.Turkey	3
4. Moldova	1	4.Serbia	3
5. Turkey	1	5.Greece	2

Number of persons being trafficked into the former Yugoslav Republic of Macedonia

	2007	2008
Total	6	12
Of the total: women	3	0
Of the total: minors	3	12

**Number of "traffickers in human beings" apprehended
including foreigners and citizens of The former Yugoslav Republic of Macedonia**

2007	2008
4	25

**Number of "traffickers in human beings" apprehended
by top nationalities / citizenships
including foreigners and citizens of the former Yugoslav Republic of Macedonia**

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1.The former Yugoslav Republic of Macedonia	4	1.The former Yugoslav Republic of Macedonia	21
-	-	2.Serbia	3
-	-	3.Croatia	1

**Persons rejected at the border
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Albania	2 584	1. Albania	1 728
2. Australia	781	2. Kosovo ³⁹	381
3. Germany	509	3. Germany	376
4. Canada	482	4. Turkey	148
5. Greece	296	5. Greece	141
6. Serbia	281	6.Russian Federation	107
7. Romania	185	7. Australia	87
8. Turkey	155	8. Serbia	76
9. Bulgaria	138	9. France	76
10 France	110	10. Italy	68
Total of ALL rejected persons at the border (of any nationality)	6 565		3 923

**Number of persons to whom residence was refused
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007	Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
-	-	1.Turkey	1
Total of ALL refused persons of any nationality	-		1

**Number of removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1.Albania	1 890	1.Albania	1 169
2.Serbia	242	2.Kosovo ⁴⁰	88
3.Bulgaria	36	3.Serbia	25
4.Turkey	7	4.Afghanistan	2
5.Croatia	3	5.Bangladesh	2
6.Romania	3	6.Italy	2
7.United Kingdom	3	7.Bulgaria	2
8.Russian Federation	2	8.Montenegro	1
9.Germany	2	9.Ukraine	1
10.China	2	10.Occupied Palestinian Territory	1
Total of ALL removed persons (of any nationality)	2 222		1 301

³⁹ Under UNSCR 1244

⁴⁰ Under UNSCR 1244

Montenegro



Location:	South-eastern Europe, between the Adriatic Sea and Serbia
Area:	Total: 14,026 sq km - water: 214 sq km - land: 13,812 sq km
Boundaries:	The state border is 840 km long, from which the continental border is 572 km long. Border countries: Albania 172 km, Bosnia and Herzegovina 225 km, Croatia 25 km, Kosovo ⁴¹ 79 km, Serbia 124 km
Water border:	269 km long, from which 137 km is comprised with sea, 51 km with lakes and 81 km with rivers.
Population:	672,180 (July 2009 est.)

Irregular migration flows

In 2008, compared to the previous year, the number of migrants apprehended during illegal border crossing has increased from 342 persons in 2007 to 450 persons in 2008. The number of rejected entries into Montenegro has also increased, from 1,363 persons in 2007 to 2,055 in 2008. This increase can partly be explained by the improvement of the national legislation, the training courses received by the staff of the police and their enhanced readiness to prevent all forms of irregular migration.

The border crossing points of Montenegro, as well as its green border line are targets of persons who seek to illegally enter the country. According to the analysis made by the police, Montenegro is not the final destination, but a transit country on the way to the EU states.

⁴¹ Under UNSCR 1244

Organisational set-up of human smuggling

Investigations of the authorities of Montenegro have revealed that criminal organisations gain huge profits by human smuggling. These international organisations have a network-like character and include:

- citizens of the origin countries such as Albania, Kosovo⁴², Turkey.
- citizens of transit countries such as Kosovo, Albania, Montenegro, Serbia, Bosnia and Herzegovina, Slovenia.
- and citizens of the destination countries such as Slovenia, Italia and other EU countries.

Most smuggled groups are composed of persons having the same ethnic background, mostly nationals of Albania and Kosovo (ethnic Albanian), as well as Turkish nationals. Human smugglers do not necessarily belong to the same ethnic group as the migrants. The most recent actions of the Police of Montenegro, as well as the actions of the police in the region, have revealed that the organisers are from various countries of the region, mostly nationals of Serbia, Montenegro, Albania, Kosovo, Bosnia and Herzegovina, Croatia and Slovenia.

Human smuggling is dominantly carried out either by crossing the green border on foot or by using vehicles on public roads, such as mini vans, buses, taxi vehicles or hiding in cars driven by facilitators. Migrants are also frequently using forged travel documents or visas, mostly at border crossing points such as the Border Crossing Point "Port of Bar" towards Italy or the Border Crossing Point "Airport Podgorica" towards EU countries.

Routes. The investigated human smuggling cases and the collected intelligence data at national and international level have revealed the following migration routes in Montenegro:

- From the territory of Kosovo⁴³, over Montenegrin territory and by passing the border crossing point "Debeli Brijeg" towards Croatia, the border crossing Point "Sitnica" toward Bosnia-Herzegovina, as well as the border crossing point "Metaljka" towards Bosnia, to Croatia, Slovenia and to other EU countries. On these routes migrants apply a combined tactics by walking on foot, using taxi vans and regular bus lines for Sarajevo without valid travel documents.
- From the territory of Kosovo⁴⁴, over Montenegrin territory by using sea line and further toward Italy by using the border crossing point "Port of Bar". Migrants using this route typically use forged travel documents or visas, or try to avoid checks by hiding themselves in tracks.
- From the territory of Albania, over Montenegro and by passing the border crossing points in the vicinity of "Debeli Brijeg" toward Croatia and Border Crossing Point "Sitnica" toward Bosnia and Herzegovina, to Croatia, alternatively through Bosnia and Herzegovina, to Slovenia and the EU countries - on foot or by using taxi vans.

⁴² Under UNSCR 1244

⁴³ Under UNSCR 1244

⁴⁴ Under UNSCR 1244

- From the territory of Albania, over Montenegro by using the sea line toward Italy and by using the border crossing point "Port of Bar" by using falsified travel documents and visas.
- From Turkey by planes to Serbia to Montenegro and further using the continental line towards Croatia, Slovenia and other EU countries. Migrants apply a combined method by going on foot and by using taxi vehicles.

While no major modifications have been observed in the modes and techniques of border crossing, recent developments in 2008 have shown that there is a slight increase in the number of asylum requests. Moreover, the organisers of illegal border crossing and human smuggling are taking preventive measures to stop leaking data about their activity.

Legislation

During the year 2008, the following laws were adopted in Montenegro:

- Law on foreigners,
- Law on registries on residence and stay in Montenegro,
- Law on employment and work of foreigners,
- Law on confidential data,
- Law on protection of personal data.

All of these laws are in accordance with EU standards.

Institutional development of border management

During 2008 a "Strategy for integrated migration management" was adopted together with an Action plan for its implementation.

The Government of Montenegro has adopted a "*Strategy for fighting against human trafficking*". The Action Plan for 2009 for implementing this Strategy was prepared in co-operation with the Office of the National Co-ordinator for Combating Trafficking in Human Beings and with other governmental bodies such as the Police Directorate, State Prosecution, Ministry of Justice, Ministry of Health, Labour and Social Welfare, Ministry of Education and Science, non governmental organisations and international organisations such as IOM and OSCE.

In 2008 an agreement was signed regarding the co-operation between governmental bodies and non governmental organisations in order to improve co-operation in fighting against human trafficking, to prevent trafficking through education, to prosecute criminals and to protect potential victims of human trafficking, especially women and children.

The Government of Montenegro has also adopted a "*Strategy and Action plan for struggle against organised crime and corruption*".

Police officers of the Border Police Department have participated in study visits and training courses as well as in practical workshops in order to improve the implementation of the new Law on asylum.

The Border Police Department is working intensively in co-operation with IOM, in order to introduce internationally harmonised asylum procedures in Montenegro.

Intensive work is going on to construct the Shelter for foreigners in Montenegro, in co-operation with IOM.

The Police Directorate of Montenegro has adopted a new organisational by-law, harmonized with EU standards and proposals. This has created better conditions fighting criminal activities and in particular, human trafficking and smuggling.

The Police needs financial support in order to improve its technical equipment at border crossing points, with special respect to the introduction of its IT system across the country.

The recent legislative changes have created better conditions for the work of police officers of the Border Police and of the Crime Investigation Department, as well as for the other state authorities involved in combating human smuggling.

The Montenegrin police are determined to prevent illegal border crossings and to implement the measures set up by the law. The Police are fully aware of the fact that well protected and secured borders represent an important factor for the internal security of the state as well as an obstacle for all forms of cross-border crimes.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Montenegro

	2007	2008
Entry	5 634 436	6 072 830
Exit	5 021 443	5 041 156
Total	10 655 879	11 113 986

Number of persons claiming asylum

	2007	2008
At the border	-	-
Inland	3	7
Total	3	7

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
1 (refugee status)	1 (subsidiary protection)

Montenegro

**Number of border violators
by top nationalities / citizenships
including foreigners and citizens of Montenegro**

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Kosovo ⁴⁵	215	1. The former Yugoslav Republic of Macedonia	316
2. The former Yugoslav Republic of Macedonia	197	2. Albania	208
3. Albania	189	3. Bosnia-Herzegovina	193
4. Bosnia-Herzegovina	84	4. Kosovo	165
5. Montenegro	31	5. Serbia	48
6. Turkey	14	6. Turkey	44
7. Tunisia	7	7. Russian Federation	34
8. Romania	5	8. Montenegro	18
9. Ukraine	4	9. Romania	6
10. -	-	10. Tunisia	5

**Number of migration related border apprehensions
including foreigners and citizens of Montenegro**

2007	2008
544	672

**Number of migration related border apprehensions
including foreigners and citizens of Montenegro, by gender**

Gender	2007	2008
Males	523	645
Females	21	27
Total	544	672

**Number of minors apprehended at the border due to border violation
including foreigners and citizens of Montenegro**

Gender	2007	2008
Males	52	35
Females	5	3
Total	57	38

**Number of migration related apprehensions by
place of apprehension
including foreigners and citizens of Montenegro**

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	60	188
On rail border crossings	-	-
On the green (land) border	129	100
At the sea border	151	111
On airports	31	27
In the country	173	246
On other places	-	-
Total	544	672

⁴⁵ Under UNSCR 1244

**Number of migration related apprehensions by border section
including foreigners and citizens of Montenegro
2007**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Montenegro on the border with that country 2007	OUT: Number of apprehensions of persons LEAVING Montenegro on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Croatia	61	42	103
2. Bosnia-Herzegovina	6	91	97
3. Albania	56	8	64
4. Serbia	24	2	26
5. Kosovo ⁴⁶	7	-	7

**Number of migration related apprehensions by border section
including foreigners and citizens of Montenegro
2008**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING your country on the border with that country 2008	OUT: Number of apprehensions of persons LEAVING your country on the border with that country 2008	Total number of apprehensions on the border with that country 2008
1. Bosnia-Herzegovina	4	192	196
2. Croatia	50	24	74
3. Serbia	38	3	41
4. Albania	28	7	35
5. Kosovo ⁴⁷	15	-	15

Number of apprehended persons being smuggled into Montenegro

2007	2008
92	62

**Number of "human smugglers" apprehended
including foreigners and citizens of Montenegro**

Apprehensions in 2007	Apprehensions in 2008
24	20

⁴⁶ Under UNSCR 1244

⁴⁷ Under UNSCR 1244

Montenegro

Number of "human smugglers" apprehended by top nationalities / citizenships including foreigners and citizens of Montenegro

Citizens of the following countries in 2007	Number of human smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of human smugglers apprehended in 2008
1. Montenegro	13	1. Montenegro	9
2. Albania	10	2. Serbia	6
3. Serbia	1	3. Kosovo ⁴⁸	3
-	-	4. Albania	1
-	-	5. Bosnia-Herzegovina	1

Number of persons being trafficked into Montenegro

	2007	2008
Total	4	3
Of the total: women	4	2
Of the total: minors	-	1

Number of "traffickers in human beings" apprehended including foreigners and citizens of Montenegro

2007	2008
3	9

Number of "traffickers in human beings" apprehended by top nationalities / citizenships including foreigners and citizens of Montenegro

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1. Montenegro	3	1. Kosovo ⁴⁹	5
-	-	2. Montenegro	2
-	-	3. Serbia	2

Persons rejected at the border by top nationalities / citizenships

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Serbia with Kosovo	411	1. Albania	393
2. Albania	289	2. Serbia	374
3. Bosnia-Herzegovina	225	3. Bosnia-Herzegovina	368
4. Turkey	162	4. Kosovo ⁵⁰	213
5. Croatia	19	5. Turkey	164
6. China	18	6. Germany	48
7. Kazakhstan	13	7. The former Yugoslav Republic of Macedonia	29
8. Brazil	12	8. Croatia	24
9. USA	11	9. Brazil	21
10. Romania	7	10. Nigeria	12
Total of ALL rejected persons at the border (of any nationality)	1 363		2 055

⁴⁸ Under UNSCR 1244

⁴⁹ Under UNSCR 1244

⁵⁰ Under UNSCR 1244

Removed persons by top nationalities / citizenships

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Albania	656 re-admitted persons: transit from Croatia and Slovenia	1. Albania	35
2. Kosovo ⁵¹	164 re-admitted persons: transit from Croatia and Slovenia	2. Kosovo ⁵²	13
-	-	3. Turkey	11
-	-	4. Iraq	1
-	-	5. Lithuania	1
Total of ALL removed persons (of any nationality)	819		61

With the contribution of

Government of Montenegro
Police Directorate
Border Police Department

Republic of Montenegro

⁵¹ Under UNSCR 1244

⁵² Under UNSCR 1244

Poland



Location:	Central Europe, East of Germany
Area:	Total: 312,679 sq km - water: 8,220 sq km - land: 304,459 sq km
Land boundaries:	Total: 3,047 km. Border countries: Belarus 605 km, Czech Republic 615 km, Germany 456 km, Lithuania 91 km, Russian Federation (Kaliningrad Oblast) 432 km, Slovakia 420 km, Ukraine 428 km
Coastline:	440 km
Population:	38,482,919 (July 2009 est.)

Irregular migration flows

Poland still remains mainly a transit country for irregular migration flows. In 2008 there was an overall increase in the number of apprehended third countries' nationals attempting to illegally enter Polish territory along the Polish borders.

Number of border violators apprehended in Poland by border sections

Only third country nationals

Name of neighbouring country	2005	2006	2007	2008
Land borders with:				
Russian Federation	16	21	26	55
Lithuania	13	17	14	78
Belarus	104	71	98	436
Ukraine	876	1 044	863	2 799
Slovakia	146	159	97	41
Czech Republic	252	142	143	511
Germany	1474	982	759	491
Sea border	45	19	14	10
Airports	184	140	127	58
Apprehensions in the internal territory of the country	144	146	2	207
Total	3 252	2 741	2 143	4 686

Along the border sections, which became the external Schengen border apprehensions increased due to following reasons:

- The returns of citizens of third countries, mostly those of Ukraine, from other Schengen countries. Most of these persons have overstayed in the Schengen Area and / or do not have the right to stay or transit trough Poland. The increase in the number of these so-called "returnees" was registered particularly on the border sections with Ukraine and Belarus.
- Poland as a part of Schengen area has become more attractive in terms of migration as a gate to further free movement into other European countries.
- The introduction of a visa regime for citizens of Eastern neighbouring states (Ukraine, Belarus, Russia)

Along the border sections, which became the internal Schengen border – especially on the border with Germany and Slovakia - a decrease of apprehensions was observed, which was caused by the abolishment of stationary border control. In case of the border with the Czech Republic an increase was registered, which was mainly caused by citizens of Ukraine, most of them attempting to return to Ukraine. At the border with Lithuania an increased number of apprehensions of citizens of Vietnam and China was noticed which was interpreted as an indication of a route of increasing importance.

The main group of migrants who have changed their way of illegally entering Poland were citizens of Ukraine who in increasing number use false declarations about work offered in Poland. Also an increase of third countries citizens from certain countries outside Europe was observed (Nigeria, Vietnam, and China). However, the scale of this migrant group was not significant. The first signals were observed that new routes from the Russian Federation through the Kaliningrad district, through the Baltic States and Poland and then from Poland to Western Europe were used. No significant changes were observed in the use of Schengen visas. However, some migrants have started to use Polish domestic visas with territorial limit as documents for migration purposes.

The number of readmitted persons has increased:

- The above-mentioned “returnee” phenomenon has also contributed to the increase of the number of aliens readmitted *from* Poland (by 91%).
- For quite different reasons, an increase (by 149%) in the number of migrants readmitted *to* Poland was noticed. These persons were mainly citizens of Russia (of Chechen origin), Ukraine, China, Belarus, Moldova and Vietnam. This increase was mainly caused by the abolishment of border control at internal borders as, due to this measure the above-mentioned persons could not be detected while they were leaving Poland illegally in western direction.

No significant change was observed in the number of third countries nationals who were apprehended at the external borders while attempting to enter Poland (735 persons). The main pressure of illegal border crossing to Poland was noticed on the Polish–Ukrainian and on the Polish–Lithuanian border.

Illegal transit and destination migration was mainly connected with citizens of Ukraine, Belarus, Russia (especially from Chechnya and Caucasus region), Moldova, Armenia, Vietnam, China and Sri Lanka. An increase was also recorded in case of apprehension for illegal border crossing of citizens of Mongolia, Turkey, Nigeria and Algeria.

In 2008 a significant decrease of entry refusals was observed. This was related to a 50% decrease in cross-border traffic of aliens to Poland through the Polish external borders of the EU. The main reasons for this reduction were the new, stricter Polish visa regulations and the increase of visa fees in connection with the introduction of the requirements of the Schengen Agreement.

Migration routes. For the last several years, the main routes of irregular migration have not changed. These routes lead from Russia, Belarus and Ukraine to Poland. Citizens of third countries reach Moscow, Minsk and Kiev legally or illegally. Their further migration to Poland and other EU countries is either facilitated by organised crime groups or they travel individually. Some routes lead from Turkey through Russia, Ukraine, and Poland to Germany and other EU countries. Other routes lead from Greece, the Czech Republic and Poland to Germany, Sweden and the Netherlands.

Trends in methods of illegal border crossing

In 2008 an increase in the use of false visas (mainly Polish) and the stay permit documents of EU/Schengen countries (primarily Belgian, Greek, Italian and Portuguese) was recorded. The users of such documents originated mostly from Ukraine, Belarus, Moldova and Russia.

Asian groups, mostly Chinese and Vietnamese, are increasingly involved in trans-border activities in Poland. These groups have facilitated illegal migration by swindling Polish visas, by smuggling persons through the green border, by organising marriages of convenience, and by inducing Polish citizens to false admission of paternity. Their activities frequently also involved the smuggling of drugs and cigarettes.

Chechen networks continued their engagement in facilitating the illegal migration of Russian citizens of Chechen origin as well as other nationalities (Vietnam, Sri Lanka, Pakistan, Afghanistan).

An increasing number of migrants have attempted to manipulate the administrative procedures by falsifying various documents used in the procedure of granting visas, passports and stay permits. Attempts to use pseudo-legal practices and legalisation of stay in Poland have also increased. In particular, the following practices are worth to mention:

- Marriages of convenience of Polish citizens with third countries citizens: mainly Vietnamese citizens used this practice.
- Registration on private universities based on information obtained through the Internet and swindling of visas to study, a practice mainly applied by citizens of China, India, Pakistan, Bangladesh and Nigeria.
- The liberalisation of the job market in 2007 for some categories of foreigners was a pull factor for labour migration. However, in this context there was a number of falsified or purchased declarations of Polish companies stating that they intended to employ these persons. Such practices were mostly used by citizens of Ukraine, Russia, and Belarus. In other cases aliens have arrived and stayed in Poland, following some unfulfilled promises to get work permits. Such practices were mostly used by citizens of China, Moldova, Mongolia, India, and Turkey. Scores of cases of undeclared work or exploitation of foreign workers (esp. citizens of Mongolia, China and North Korea) were also discovered.
- Bogus adoption or admission of paternity of minors by Polish citizens or migrants with right to stay in EU/Schengen member states which was practised mostly by citizens of Vietnam.
- Falsification of border control stamps to “legalise” overstays and to obtain another visa which was practised mostly by citizens of Ukraine.
- Submitting false documents or someone else’s original documents issued by EU countries to legalise stay.

The swindling of visas on the grounds of work or study was a growing phenomenon. An increasing number of migrants used the services of middlemen in order to swindle visas or in order to obtain other documents proving for the aim of the journey: false or original declarations of intent to give work, invitations, hotel reservations, return tickets etc. Other documents were obtained also from tourist agencies and fictional employers, firms etc. The Internet was also more often used to this end. Criminal groups advertised on the Internet the possibility to purchase documents, which could be attached to visa application; these documents were related to work, studies, trade, cultural or sports activity etc.

Organisational set-up of human smuggling

In 2008, compared to the previous years, no significant changes were noticed in the organisation of smuggling of humans. The structures of criminal groups were mostly complex, international and often divided into three levels: leadership, coordinators and executors-facilitators of illegal transfers (guides, drivers, etc). Smaller groups consisted of two levels in which the coordinators were also involved in execution of transfers.

The ethnic composition of criminal groups was mixed and reflected both the nationalities of migrants, as well as the countries along the routes of irregular migration.

In 2008 altogether 62 persons were accused of facilitating illegal migration, including 23 Polish citizens. Among the foreign organisers most frequently citizens of Russia (19 persons) and Ukraine (6 persons) were involved. Altogether 18 crime groups dealing with smuggling of persons were identified. Most of these groups were active on the territory of Poland (11), mostly in border regions or in Warsaw. Some groups operated also in Ukraine (7 groups), Germany (6), Italy (6), Austria (4), France (2), Russia (2), Vietnam (2) and China (1). Their logistic bases were located in Poland: such resources are necessary in order to transfer migrants through Polish territory, because in most cases the destination countries of illegal migration are in Western Europe. Typical crime groups have a small numbers of participants, up to 20 persons. They undertake ad-hoc co-operation with analogously organised groups abroad. The place of residence of these groups was: Poland (12 groups), Ukraine, China and Vietnam.

Regarding smuggling fees, no significant changes were noticed.

The basic technical facilities used by the organisers of illegal migration are related to the following functions:

- They provide accommodation, unless the migrants are accommodated in national reception centres.
- They use certain means of transport such as cars and, since Poland's accession to the Schengen Area, increasingly regular public transport.
- They co-operate with crime groups delivering false ID documents or documents to legalise residence in the EU.
- They communicate by mobile phones with frequent changes of *prepaid cards*.

The following major changes in the *modi operandi* of illegal border crossings have been observed since Poland's accession to the Schengen Area:

- *At the internal borders* the phenomenon of smuggling persons in closed spaces (e.g. in trucks or ceiling lining) almost disappeared. Migrants frequently travel in organised groups. In 2008 on the internal borders 100 groups were apprehended with 764 persons.
- *At the external borders* the *modi operandi* of illegal border crossings have not changed much since Poland's accession to the Schengen Area. A noticeable change is related to the use of false or swindled documents that would notify the intent of Polish companies to employ foreigners. The use of such documents has appeared in large numbers since Poland has liberalised the entry of citizens of Russia, Ukraine and Belarus to its labour market in 2007. Attempts of illegal border crossing were still observed at green borders as well as in border crossing points.

Harmonizing Polish legislation with the Schengen Acquis

In the years 2005 – 2007 the Polish law on entry and residence of foreigners was modified, mostly in order to implement EU regulations in this field. Additionally, the entry and residence of aliens was regulated by the rules of the Convention Implementing the Schengen Agreement and those of the Schengen Borders Code, which have entered into force on the day of Poland's full membership of the Schengen Area.

In October 2008 the Law of 13 June 2003 on Aliens and the Law of 12 October 1990 on Border Guard were amended. This Amendment entered into force on 1st of January 2009 and has changed the tasks and powers of the Border Guard in the field of entry and residence of aliens. In particular, during the procedures conducted in the framework of the Law on Aliens, the Border Guard has obtained the following competences:

- To conduct investigations about an alien in his/her neighbourhood community, including his/her family and close relations.
- To search the alien's declared place of accommodation.
- To control the work status of an alien by co-operating in this field with the Police, State Work Inspection, Custom Service, Social Insurance Agency, fiscal control offices, trade unions and employers societies. Previously the Border Guard possessed only the competence to control the residence status.
- To issue a decision on the cancellation of the permission to cross the border in local border traffic, in case of reasonable circumstances.
- To issue a decision on the cancellation of a domestic visa.

Additionally, the Border Guard became the only service responsible for detention pending deportation and escorting aliens to the borders (for expulsion purposes).

Institutional development

Poland joined the Schengen Area on the 27th December 2008. The abolishment of border control on the internal borders after the accession to the Schengen Area had substantial influence on internal border control performance and fighting crimes including illegal migration.

The accession to the Schengen Area was connected not only with abolishment of border control at internal borders, but also with a change of the conception of Border Guard activity. The Border Guard increased its inland activities in the framework of the so-called compensatory measures that aim to reduce those negative impacts of the abolishment of the border control, which are connected to irregular migration of third countries nationals. This strategy was outlined in the document "Concept of the adaptation of the Border Guard in order to implement the Schengen Agreement in full scope". This document was prepared in February 2007 (with later amendments).

The Border Guard becomes more and more a comprehensive immigration service responsible for the overall fight against illegal migration. The above-described changes of the "Act on Aliens" reflect this tendency also.

In 2008 elaboration of the “*Principles of Multiannual Strategy for Functioning of the Border Guard for years 2009 – 2015*” was initiated. This strategy foresees considerable institutional changes in order to use the means and resources of the Border Guard in the most efficient way under the new conditions. Approved in 2009 the document is of strategic importance in terms of finalizing the transformation process of the Border Guard into a modern border-immigration service of police character, responsible for state border control and protection of the EU/Schengen external border, conducting its tasks in the scope of preventing and combating illegal immigration, combating cross-border crime and crime with the involvement of third country nationals.

Reform of activities along the internal border and in the country

The introduced compensatory measures on the internal Schengen border and in the country included enhanced control on roads in border regions as well as inside the country, on international transportation routes and in potential accommodation places of irregular migrants. Enhanced activities were undertaken also in co-operation with other Polish law enforcement services such as the Police, the Custom Service, the Railway Protection Service, the Road Inspection and the Labour Office.

The establishment of the network of liaison officers was an important step to improve inter-agency co-operation. Liaison officers are those Border Guard officers who maintain contacts with other Polish government agencies and regional administration offices dealing with aliens on a daily basis. The task of the officer is to co-operate with the representatives of these agencies in analysing the aliens' applications for residence permit in Poland. In case of doubt, the grounds of the application will be verified through other Border Guard activities, e.g. by investigating documents offered by co-operating bodies or by monitoring the local neighbourhood community. These activities are performed in order to prevent, identify and fight abuses of regulations related to aliens entry and stay in Poland as well as the legality of their work and business activity in Poland.

Co-operation was enhanced with border services of neighbouring states as well (e.g. joint patrols). Information exchange was intensified by using the possibilities of the Schengen Information System, the previously established contact points at the borders, the liaisons officers and other solutions.

It is planned that by 2015 the number of Border Guard regional units will be reduced to nine units (from twelve in 2009). Out of this number, four Border Guard regional units will be mainly performing duties of an immigration service within the territory of Poland (seven in 2009). The number of Border Guard regional units protecting the EU external border and conducting also the tasks of immigration service within the state territory will stay the same (five units).

On the 1st of January 2010 the first merging of Border Guard units will take place: the Nadodrzański Border Guard Regional Unit will merge with the Pomorski, Lubuski (since June 2009 called Nadodrzański) and a part of Łużycki regional units. As a result, one single Border Guard regional unit will be responsible for inland control on border regions of the entire internal border section with Germany and of the related remote areas inside country. During 2010 the new Śląski BG Regional Unit will be created on the basis of former Śląski BG RU and Sudecki BG RU. The new Śląski BG RU will cover border regions of the entire internal border with the Czech Republic and related remote inland territories.

The “*Principles of Multiannual Strategy for Functioning of the Border Guard for years 2009 – 2015*” assumes that between 2009 and the end of 2011 altogether 14 Border Guard posts will be gradually closed down, 10 new Border Guard posts will be created, 9 Border Guard posts will be transformed into local groups and 7 local Border Guard groups will be created.

Some posts at internal borders were already closed and new Border Guard posts were established in cities distant from the internal border (e.g. in Opole, Wałbrzych, Tarnów). At internal borders only the necessary posts were left, which were used mostly as common international contact points and points for readmission, Dublin II procedures and for transit of expelled aliens.

Special importance was given to crime protection of international transportation routes. Therefore the regional units of the Border Guard started to perform random controls on the international transportation routes according to the “*Amendment of 12 November 2007 of the Law on Border Guard*”. The “*Task Implementation Concept*” adopted in December 2007 introduced special “Patrol – Intervention Sections” in the regional units of the Border Guard. The tasks performed inside the territory of the country are implemented according to article 21 of Schengen Border Code.

The Border Guard uses mobile patrols on roads in border regions as well as inside the country on international road and railway transportation traces. Patrols, including non-uniformed officers, control also bus and railways stations and other places where illegally staying migrants could potentially be met in cities. These places as well as the means of transport are selected for investigation based on a risk analyses prepared previously in cooperation with other Polish law enforcement services (Police, Custom Service, Railway Protection Service, Road Inspection, Work Office) and services of neighbouring states (e.g. in joint patrols). In addition mobile patrols have mobile access to the databases of the Border Guard and of the Police as well as to the Schengen Information System directly or via radio means.

Institutional development for controlling the external Schengen border

The overall concept of the external border protection foresees a four-levelled system of management of the EU external border, which includes: (1) liaisons officers' activities in third countries, (2) co-operation with third countries' services, (3) management of border control in border crossings and at a green border and close co-operation of domestic services and (4) immigration control inside the country.

The Border Guard performs border control at the external border according to the requirements of the Schengen Border Code and the guidelines of the Schengen Handbook. The staff, infrastructure and equipment of the Border Guard at external borders were considerably enhanced during years of preparation for the EU and Schengen memberships. The modernisation efforts in regard to equipment and infrastructure were continued in 2008 and 2009.

The regional units of the Border Guard responsible for control at border crossing points and surveillance of the green border perform also tasks inside the territory of the country. This includes controlling the legality of stay of aliens as well as their work and business activity, according to the latest changes in the Law on Border Guard and the Law on Aliens. The patrol-intervention sections of the regional units of the Border Guard perform random controls on international transportation routes. For this activity, the *“Principles of Multiannual Strategy for Functioning of the Border Guard for the years 2009-2015”* foresees the introduction of different “tactical zones” of activities, generally depending on the distance to the external border. In each zone the activities will focus on different types of control (i.e. border control, transportation routes control, immigration control). Posts responsible for the external border as well as for inland control in more than one “tactical zone” will be prioritised.

The development of specialised functions of the Polish Border Guard

In 2008 efforts were continued to further develop the alien reception and/or detention centres. Two guarded centres⁵³ were opened in Białystok and Biała Podlaska. The Border Guard took over from the Police the guarded centre in Lasznowola near Warsaw. The centre for detention and expulsion (“deportation-arrest”) in Krosno Odrzańskie in the western part of the country was developed into a guarded centre.

Intelligence actions were developed in order to identify and prevent criminal activities. This includes the monitoring of aliens’ communities and the identification and monitoring of the available information sources. Methods of criminological analysis have been introduced for supporting investigation and operation. A Central Database of Criminal Analysis was set up and used.

A co-operation with the Polish Platform of Internal Security – an association of scientific institutions and universities – was launched in order to develop additional technical tools to be used in criminological analysis and to support other Border Guard activities.

The access of the Border Guard to databases of other law enforcement institutions was broadened, both in Poland and internationally.

⁵³ Poland has two types of facilities used to confine non-citizens on immigration-related charges. (a) “Deportation-arrests” (also called “centres for detention and expulsion”) are smaller facilities, located in police stations and in border guard units. In these sites foreign citizens may be mixed with Polish detainees. (b) On the other hand, “guarded centre” facilities are dedicated migrant detention sites which confine only non-citizens. Source: Global Detention Project, Poland Country Profile, May 2009.

According to the *“Principles of Multiannual Strategy for Functioning of the Border Guard for years 2009-2015”* an additional (third) Border Guard training centre will be created for specialist trainings in Lubań.

Similarly to the activities in 2007, the infrastructure of the Border Guard was developed and new equipment was purchased with both the use of financial means of the Polish state as well as by benefiting from the Schengen Fund and from the Norwegian Finance Mechanism. Projects are underway to develop IT infrastructure and equipment, to purchase new cars, 5 patrol vessels, other specialized equipment, weapons and uniforms.

International co-operations of the Polish Border Guard

The Polish Border Guard continued to participate in various forms of bilateral co-operation with the neighbouring countries, third countries, and EU border services.

Since 2000 Poland has developed close co-operation with border services of neighbouring countries – now partners in EU / Schengen framework. The co-operation included, among others: gradual introduction of joint patrols, common contact points at borders, increase of information exchange and intelligence as well as investigations co-operation. To this end the legal framework was also prepared in forms of governmental agreements on fighting crime and co-operation in border areas.

Germany. The Polish-German border was the first Polish border section where joint patrols and joint contact points for exchange of information were developed. Three border contact points were launched in 1998. In the same year joint patrols were introduced and the plans for border protection operations along the green border have been co-ordinated by the two border guards. In 2007 the contact point in Świecko was transformed into a Co-operation Centre in which the German and Polish border management officials co-operated with each other and with other services such as the police and customs organisations from both sides of the border. Two other contact points continue their activities as local points for information exchange and readmission procedures. Additional points for readmission procedure were also established in 2008 on a basis of former border crossing points.

Liaisons officers were exchanged between the Polish Border Guard and the German Federal Border Service (now Federal Police) and started co-operation on daily basis with the respective border services’ headquarters in Warsaw (since 1998) and Berlin (1999).

In 2002 a special working group for Polish – German border services named “Border” was created. It aimed at further developing the co-operation and still proves its usefulness. As a result of work of the group “Border” common intelligence and investigation groups were created (a bilateral agreement in this scope was signed in 2003), periodical common situational reports on border crimes and threats are elaborated, common training and exchange of personnel were developed, conception of joint border traffic control after accession to the EU and guidelines for joint patrols and trans-border observation were prepared. The German side also provided training through twinning-projects. Co-operation in criminological analysis, common exercises, use of other side’s equipment, common language training, organisation of common return flights are the other outcomes of this close partnership.

In the years 1996 to 2005 the Polish Border Guard received a substantial financial support from Germany for equipment to be used at the joint border this included vehicles, radiotelephones and handheld passports readers.

This development of new forms of co-operation was possible on the basis of the Polish – German governmental agreement “*On co-operation of police and border services in border regions*” which was signed in 2002. The agreement introduced and described advanced co-operation provisions, created the conditions for performing service on the territory of the other country and for trans-border observation. The agreement will be soon amended in order to formulate the precise conditions of cross-border pursuit.

Before Poland’s accession to the EU Polish officers have participated as observers in several operations organised by the former Centre for Land Borders on the Polish-German border.

In 2003 the working group „Triag” was established to develop intelligence co-operation between Polish, German and Czech border services in counteracting organised crime in the area of three borders.

In the years 2005 – 2006 a common handbook was elaborated on residence documents of EU countries and their safeguards in co-operation with German, Czech and Polish border services.

The Polish and the German border services co-operated closely during the 2006 World Football Championship in Germany, which also included activities of Polish Border Guard officers on German territory. The Schengen Agreement has enhanced the potentials of high level of co-operation, which is continued on all levels.

There are good examples of co-operation also at local level. The German Federal Police Direction in Bad Bramstedt and the Polish Border Guard Training Centre in Koszalin, the Pomorski Border Guard Regional Unit and the Maritime Border Guard Regional Unit are preparing annual co-operation plans.

In April 2008 the “*Conception of co-operation between Polish Border Guard and German Federal Police on common Schengen area*” was prepared. The document deals with systematisation of tasks and responsibilities in co-operation at all levels including the newly established co-operation forms as well as co-operation in case of temporary restoration of border control.

The experiences of the Polish-German co-operation were used in developing new forms of co-operation with border services in Lithuania, Czech Republic and Slovakia.

Lithuania. The common contact point with Lithuania was created in 2002 and will be transformed into a Co-operation Centre for border, police and customs services on a basis of a special ministerial agreement. In the form of training joint patrols were introduced in 2004. A special border services agreement on joint patrols is being prepared. In 2004 also co-operation in common effective planning of border protection was developed. In 2007 a governmental agreement “on co-operation in combating organised crime and on co-operation in border regions” entered into force. The agreement is a legal basis for various forms of co-operation such as liaisons officers, common contact points, common teams for co-ordination of activities, joint patrols, service of other side’s border officers on the territory of other country including border pursuit and intelligence activities such as trans-border observation.

The co-operation with the Lithuanian State Border Guard Service also includes regular meetings of border delegates both at central and local levels, in service management, in intelligence and investigation activities, in common training, in exchange of statistical data (in the years 2006-2007, on daily basis), in identifying false documents, in dog service and in experience exchange in counteracting bribery.

Czech Republic. The co-operation with the Czech Republic Police Service for Aliens was improved. Provisions for new forms of co-operation are included in the governmental agreement “*On combating crime, protecting state order and co-operation in border regions*” as signed in 2006. The two contact points at the joint border started their work in 2008. Besides cooperation of Police and customs services joint patrols started in 2008 on the basis of special agreement of the services. Since the 1990s border delegates are meeting both at central and local levels. Close co-operation is maintained in service management, intelligence and investigation in the area of organised facilitation of illegal migration. Based on the co-operation of the services’ training centres training activities are developed on a regular basis since 2003.

Austria, the Czech Republic and Poland established co-operation activities in regard to the transit of third country nationals from Austria to Poland within the so-called Dublin II procedures.

Also *The Slovakian Police for Border and Aliens* is a close partner in advanced co-operation at the joint border. The regular co-operation of border delegates proved its usefulness also in contact with Slovakian side since the 1990s. In 2005 contact points at the border were established on the basis of governmental agreement on facilitation of border traffic clearance. Joint patrols were introduced in 2007. In both cases working agreements between services were signed. New forms of co-operation are enhanced in the governmental agreement "On combating organised crime and other kinds of criminality" as signed in 2004. New agreements are prepared on joint patrols and on co-operation centres of police and customs services. Co-operation on intelligence and investigation was developed and agreements on intelligence co-operation were signed in 2003 and 2008. The 2008 agreement was signed on 18 June 2008 between the Commander in Chief of the Polish Border Guard and the Ministry of Interior of Slovakia, this authority being represented by the Director of Police for Border and Aliens.

Multilateral. The Polish Border Guard participates in multilateral forms of co-operation in order to increase co-operation and enhance its institutional capabilities at the internal borders. This includes regular meetings during the years 2006 and 2007 of the representatives of the Slovakian, Austrian and Polish border services responsible for intelligence and investigation issues to work on particular migration cases of common interest.

The co-operation of the border services of the Visegrad Group of states (Czech Republic, Poland, Slovakia and Hungary) was launched in 1998. Austria joined the co-operation in 2002 and Slovenia in 2004. Yearly conferences of the chiefs of the border services were used for exchanging information and experiences related to combating illegal migration, co-operation on joint borders and preparation for the EU/Schengen membership. Since 2001 regular statistical information exchange on illegal migration has been developed into a system using the same definitions (since 2006), the so-called VGS system. From 2004 until 2008 the co-operation included also meetings of experts on issues related to co-operation and performing of duties at internal borders. In years 2006 – 2008 two annual co-operation programs were adopted and performed. In the framework of these programs among other activities two seminars were concluded on information exchange, on best practices and new forms of trans-border co-operation and on the introduction of compensatory measures.

Polish Border Guard officers have participated in MEPA training activities.

The Polish Border Guard was especially engaged in transferring experiences and best practices to Ukraine and Georgia as well as to Azerbaijan and other Caucasus and Central Asia countries. These co-operation activities were developed bilaterally or in co-operation with international organisations such as ICMPD, BOMCA, UNDP and the EC. Vietnamese experts participated in identification measures regarding Vietnamese immigrants. Multilateral co-operation was also developed: Polish officers participated in the activities of Frontex, of the Baltic Sea Region Border Control Co-operation, in the information exchange mechanism of the border services of Visegrad states and in other initiatives.

In 2008 the Border Guard took part in the following operations organised by Frontex: ARIADNE 2008, FIVE BORDERS 2008, LONG STOP II, EXPRESS, ZARATHUSTRA, GORDIUS, EURO CUP 2008, LYNX, ZORBA, HERACLES, X-RAY, LONG OVERSTAYERS, FOCAL POINT and HAMMER. Legal changes were introduced to create the possibility for Polish BG officers to participate in Rapid Border Intervention Teams of Frontex.

Impact of the entry of Romania and Bulgaria into the EU

Until the 1st of January 2007 citizens of Bulgaria and Romania entered Poland on conditions of a non-visa agreement consistent with the "Regulation (EC) No 539/2001 of 15 March 2001 listing third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement".

Since Bulgaria and Romania entered the EU on 1st of January 2007, their citizens enjoy the right of free movement. The conditions of entry and residence for Bulgarian and Romanian citizens as provided in EU regulations were implemented into Polish legal system by the "Law of 14 July 2006 on entrance on Polish Republic territory, residence and exit of European Union member states citizens and their families". Since Bulgaria and Romania have entered EU, their citizens are no longer subjects of interest for Polish migration services

Number of migration related apprehensions of Bulgarian citizens in Poland

	Border violators	Overstayers*	Total
2005	17	n.a.	17
2006	22	n.a.	22
2007	1	-	1
2008	2	-	2

Number of migration related apprehensions of Romanian citizens in Poland

	Border violators	Overstayers*	Total
2005	19	n.a.	19
2006	15	n.a.	15
2007	3	-	3
2008	5	-	5

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

Since Bulgaria's and Romania's entry into the EU citizens of Bulgaria and Romania have received free access to the Polish labour market.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Poland*

	2007	2008
Entry	25 974 776	17 791 058
Exit	25 979 459	18 028 879
Total	51 954 235	35 819 937

*Since 2008 only border traffic at external border can be counted

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	6 790	7 088
Inland	3 237	1 421
Total	10 027	8 509

Number of persons whose asylum claims were accepted

	2007	2008
Geneva Convention status granted	180	188
Subsidiary protection	-	1 074
Tolerated stay	2 920	1 507
Total	3 100	2 767

Number of border violators by top nationalities/citizenships including foreigners and citizens of Poland

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Ukraine	1 046	1. Ukraine	2 872
2. Poland	663	2. Russian Federation	449
3. Moldova	322	3. Slovakia	445
4. Czech Republic	199	4. Moldova	267
5. Russian Federation	164	5. Belarus	242
6. Vietnam	151	6. Poland	223
7. Germany	103	7. Lithuania	221
8. Unknown	72	8. Vietnam	188
9. Belarus	58	9. Czech Republic	106
10. China	54	10. Germany	68
Total (of any nationality)	3 222		5 797

Number of migration related border apprehensions of foreign nationals by gender not including Polish and other EU countries citizens

Gender	2007	2008
Males	1 864	3 935
Females	279	751
Total	2 143	4 686

Number of minors apprehended at the border due to border violation including foreigners and citizens of Poland

2007	2008
109	71

Number of migration related apprehensions by place of apprehension not including Polish and other EU countries citizens

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	1 256	2 800
On rail border crossings	112	196
On the green (land) border	636	1 419*
At the sea border	9	6
On airports	128	58
In the country	2	207
On other places	-	-
Total	2 143	4 686

* Note: The number of apprehensions on the green border in 2008 includes (a) apprehensions at the external green border (299 persons) and (b) apprehensions in the border zone near the internal land borders (1,120 persons). Since 27 December 2007 the control at the green border has been reformed due to abolishment of border control at internal borders.

Number of migration related apprehensions by border section not including Polish and other EU countries citizens 2007

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Poland on the border with that country 2007	OUT: Number of apprehensions of persons LEAVING Poland on the border with that country 2007	Total number of apprehensions on the border with that country 2007
Germany	31	733	764
Ukraine	600	262	862
Czech Republic	44	99	143
Slovakia	41	56	97
Belarus	77	21	98
Lithuania	14	-	14
Russian Federation	23	3	26
Sea border	4	5	9
Air border	72	56	128

**Number of migration related apprehensions by border section
not including Polish and other EU countries citizens
2008**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Poland on the border with that country 2008	OUT: Number of apprehensions of persons LEAVING Poland on the border with that country 2008	Total number of apprehensions on the border with that country 2008
Ukraine	596	2 203	2 799
Czech Republic	433	78	511
Germany	197	294	491
Slovakia	31	10	41
Belarus	78	358	436
Lithuania	70	8	78
Russian Federation	18	37	55
Air border	34	24	58
Sea border	9	1	10

Number of apprehended persons being smuggled into Poland *

	2007	2008
Total	441	362
Of the total: women	52	70
Of the total: minors	28	37

* Aliens facilitated and apprehended in the direction to Poland (or from Poland who illegally entered Poland)

**Number of "human smugglers" apprehended
including foreigners and citizens of Poland**

Apprehensions in 2007	Apprehensions in 2008
204	119

**Number of "human smugglers" apprehended
by top nationalities / citizenships
including foreigners and citizens Poland**

Citizens of the following countries in 2007	Number of human smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of human smugglers apprehended in 2008
Poland	101	Slovakia	42
Ukraine	19	Poland	30
Lithuania	17	Russian Federation	13
Germany	15	Vietnam	12
Russian Federation	13	Czech Republic	5

Number of persons being trafficked *

	2007	2008
Total	15	6
Of the total:	14 citizens of: Poland and 1 citizen of Nigeria.	4 citizens of Mongolia, 1 citizen of Germany and 1 citizen of Somalia.
Of the total: women	n.a.	6
Of the total: minors	n.a.	-

*Border Guard data only.

**Number of "traffickers in human beings" apprehended
by top nationalities / citizenships
including foreigners and citizens of Poland**

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1. Poland	4	-	-

*Border Guard data only.

**Number of persons rejected at the border
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Ukraine	15 334	1. Ukraine	9 446
2. Belarus	9 630	2. Belarus	3 349
3. Russian Federation	4 410	3. Russian Federation	3 236
4. Moldova	330	4. Moldova	177
5. China	237	5. Kazakhstan	91
6. Kazakhstan	180	6. Stateless	59
7. Turkey	170	7. Turkey	51
8. India	162	8. Uzbekistan	41
9. Nigeria	153	9. Georgia	39
10. Vietnam	109	10. China	36
Total of ALL rejected persons at the border (of any nationality)	32 204		16 852

**Number of persons to whom residence was refused*
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007	Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
1. Ukraine	442	1. Ukraine	427
2. Vietnam	176	2. Vietnam	219
3. Armenia	114	3. Armenia	192
4. China	105	4. Belarus	142
5. Belarus	97	5. China	100
6. Russian Federation	91	6. Russian Federation	84
7. Albania	61	7. India	67
8. Turkey	51	8. Turkey	59
9. Nigeria	47	9. Nigeria	53
10. USA	30	10. Mongolia	31
Total of ALL refused persons of any nationality	1 636		1 777

*including refusals of permits for long-term residence and for specified period

**Number of removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Ukraine	1 592	1. Ukraine	3 430
2. Russian Federation	260	2. Russian Federation	571
3. Vietnam	215	3. Vietnam	439
4. Armenia	207	4. Belarus	348
5. Moldova	183	5. Moldova	293
6. Belarus	160	6. Mongolia	127
7. China	55	7. Armenia	117
8. Mongolia	52	8. Georgia	59
9. Georgia	49	9. Turkey	42
10. India	29	10. Kazakhstan	22
Total of ALL removed persons (of any nationality)	3 030		5 779

With the contribution of

Polish Border Guard Headquarters

- Strategic Analyses Bureau
- Border Management Department
- Intelligence and Investigation Department
- Department for Aliens
- International Co-operation Bureau
- Legal Affaires Bureau

Office for Foreigners

- Informatics, Documentation and Statistics Bureau

Republic of Poland

Romania



Location:	South-Eastern Europe, bordering the Black Sea, between Bulgaria and Ukraine
Area:	Total: 237,500 sq km - water: 7,160 sq km - land: 230,340 sq km
Land boundaries:	Total: 2,508 km. Border countries: Bulgaria 608 km, Hungary 443 km, Moldova 450 km, Serbia 476 km, Ukraine (north) 362 km, Ukraine (east) 169 km
Coastline:	225 km
Population:	22,215,421 (July 2009 est.)

Irregular migration flows

Romania is a country on the Eastern European migration route where sub-routes arriving from the Russian Federation and from Asia join and lead further to Western Europe. This route is a combination of an air route from the source countries to Moscow, followed by a land route via Ukraine to the land borders of the EU Member States Poland, Slovakia and Hungary. The points of illegal entry into Romania are located along the borders with Bulgaria, Ukraine and Moldova.

Romania primarily is a transit country. Migrants would enter Romania legally but continue by crossing illegally to the West. Others attempt to enter the country illegally by using false documents, forged with false visas or to cross over the green border.

The analysis of the existing data and information has shown that in the period 2007 to 2008 a significant increase was recorded in the number of citizens of Pakistan, India and Bangladesh arriving to the Northern border sections of Romania through the border with Ukraine. Moreover, migrants with Turkish citizenship have increasingly used international air traffic and airports of Romania.

An increasing influx of migrants was observed who took advantage of the rights granted to asylum seekers in Romania, but whose primary aim is to gain time for preparing the next stage on their route to Western Europe.

A number of citizens of Bangladesh and China have entered Romania legally on the basis of work visas and employment contracts. However, it is commonly observed that if the promises of employers do not materialize, immigrants would attempt to reach Western Europe and by doing so, may risk getting under the influence of organised criminal groups. An illustrative example is the case of "Wear Company SRL." from the town of Bacau, where over 250 citizens of Bangladesh citizens had left their working place. Later, 23 persons from this group were found in attempting illegal border crossing to neighbouring countries such as Hungary and Bulgaria.

At the Northern border section of Romania there have been cases in which Czech and Slovak citizens have facilitated the illegal cross-border transport of Asian citizens. The means of transport used in these cases were mainly vehicles for transporting of goods, registered in Slovakia or in the Czech Republic.

Migrants leaving Romania illegally most commonly pass Border Crossing Points hidden in vehicles or by using forged travel documents. The facilitators are usually, as was the case of the last reporting period, nationals of EU Member States (Slovakia, Hungary, Bulgaria and Romania) of which the largest share are Romanian citizens.

Modes of illegal border crossing to and through Romania

The main routes of irregular migration through Romania are as follows:

- The East-West route is used by nationals from Asian countries, the Russian Federation, Ukraine, Moldova and nationals from African countries. On this axis of migration active networks observed were originating from Russian Federation, Ukraine and Moldova.
- The South-North-West route is used by nationals from Asian and African countries. On this axis of migration the activities of Turkish human smuggling networks were observed.
- Another smuggling route leads from the Eastern part of the country to south-west, and then to Serbia, with ramifications for Greece and Italy. On this axis of migration the activities of Ukrainian and Moldavian human smuggling networks were observed.

Moldavian irregular migrants would enter the country typically through the border crossing points on the Eastern border of Romania. After entering legally they would use forged / falsified Romanian or Lithuanian identity cards or passports, or passports belonging to other persons or falsified Italian residence permits to get on to other EU Member States on the following routes:

- Romania-Hungary – Slovakia – Czech Republic – Germany;
- Romania– Hungary – Austria – Germany.

Citizens of India and Pakistan were primarily detected when attempting to enter Romania illegally through the Northern state border with Ukraine, with the intention to get on to other EU Member States. Alternatively, after legal entry with a short stay visa at the Henri Coanda International Airport, they would lodge an asylum application and then continue further west by illegally crossing the border:

- Romania – Hungary – Austria – Germany.

Most apprehended migrants with Turkish citizenship are of Kurdish origin travelling by using a:

- Turkish passports belonging to other persons,
- Romanian identity cards belonging to other persons,
- falsified Bulgarian identity cards and passports,
- forged Schengen visas.

They are detected either while attempting to enter Romania illegally, or while attempting to cross the border with Hungary, with the purpose to get to other EU states by using the following routes:

- Romania – Hungary – Austria - Germany
- Romania – Serbia – Bosnia – Croatia – Italy/Germany.

Organisational set-up of human smuggling

The phenomenon of facilitated illegal migration involves well organised and structured networks, which have their centre of operations in countries of origin of migrants, with subsidiaries in transit countries.

The activities of such criminal networks extend to the provision of the necessary logistical support (vehicles, boats, telephones, etc.), planning and indicating the directions of travel or to place landmarks on the ground and to organise contacts.

Human smugglers also provide information about how to apply for asylum in case of apprehension and make use of the reception centre, run by the Romanian Immigration Office, for regrouping and planning the continuation of the travel to states of Western Europe. It has been recorded that this modus operandi applies particularly to Georgian citizens arriving from Ukraine. It is not known, whether the activities of these facilitators are motivated by pure profit seeking or by the wish to help other Georgians in their intention to reach the West.

The smuggling of migrants is particularly advantageous; human smugglers charge for each person from 1,000 to 10,000 USD, depending on distance and complexity of the border.

Statistical Tables

Number of persons legally crossing the border including foreigners and citizens of Romania

	2007	2008
Entry	36 619 238	43 117 983
Exit	29 417 030	38 134 839
Total	66 036 268	81 252 822

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	-	-
Inland	-	-
Total	-	-

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
-	-

Number of border violators by top nationalities / citizenships including foreigners and citizens of Romania

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Moldova	672	1. Moldova	846
2. Turkey	234	2. India	194
3. Serbia	193	3. Turkey	216
4. Iraq	74	4. Pakistan	189
5. Somalia	57	5. Serbia	103
6. Ukraine	40	6. Georgia	98
7. Russian Federation	17	7. Ukraine	52
8. Albania	8	8. Iraq	46
9. Ecuador	8	9. Afghanistan	30
10. Georgia	6	10. Egypt	28

Number of migration related border apprehensions including foreigners and citizens of Romania

	2007	2008
Foreign nationals	1 421	2 120
Citizens of Romania	57	30
Total	1 478	2 150

**Number of migration related apprehensions by border section
including foreigners and citizens of Romania
2007**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Romania on the border with that country 2007	OUT: Number of apprehensions of persons LEAVING Romania on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Hungary	238	2 732	2 732
2. Ukraine	1 036	-	1 036
3. Moldova	1 830	-	1 830
4. Bulgaria	1 728	-	1 728
5. Serbia	783	-	783

**Number of migration related apprehensions by border section
including foreigners and citizens of Romania
2008**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Romania on the border with that country 2008	OUT: Number of apprehensions of persons LEAVING Romania on the border with that country 2008	Total number of apprehensions on the border with that country 2008
1. Hungary	126	3 148	3 148
2. Ukraine	1 788	-	1 788
3. Moldova	1 910	-	1 910
4. Bulgaria	1 651	-	1 651
5. Serbia	882	-	882

With the contribution of

Romanian Border Police
under the Romanian Ministry of Interior and Administrative Reform



Location:	South-eastern Europe, between The former Yugoslav Republic of Macedonia and Hungary
Area:	Total: 77,474 sq km – water: 0 sq km – land: 77,474 sq km
Land boundaries:	Total: 2,026 km. Border countries: Bosnia and Herzegovina 302 km, Bulgaria 318 km, Croatia 241 km, Hungary 151 km, Kosovo ⁵⁴ 352 km, The former Yugoslav Republic of Macedonia 62 km, Montenegro 124 km, Romania 476 km
Coastline:	0 km (landlocked)
Population:	7,379,339 (July 2009 est.)

Irregular migration flows

The majority of migrants illegally entering Serbia aims to reach the Member States of the EU and thus continues the way by illegally crossing the state border with Hungary or Croatia.

During the year 2008 altogether 753 foreign citizens were criminally processed for illegal crossing of the state border. This represents a 14% drop in their number compared to 2007. Moreover, compared to 2006, a 69% drop was registered. This trend indicates a significant alteration of migration routes.

⁵⁴ Under UNSCR 1244

Border violations by country of origin. In 2008 among immigrants who have entered the territory of Serbia illegally the share of citizens from neighbouring countries was significant.

- Citizens of Albania have accounted for the biggest share (21%). However, the number of Albanian citizens registered for border violation in Serbia is constantly decreasing. Citizens of The former Yugoslav Republic of Macedonia have accounted for a 19% share in the number of registered illegal crossings of the state border. The three-year trend indicates that the route through the territory of Serbia to other destination countries has gained in importance. Compared to the year 2007, an increase by 11% was recorded in the number of illegal crossings perpetrated by citizens of the former Yugoslav Republic of Macedonia.
- The proportion of Turkish citizens was 7% of the total number of illegal border crossings perpetrated by foreign citizens. Compared to 2007, Serbian authorities have noted a 35% decrease in the number of illegal crossings perpetrated by Turkish citizens in 2008 and a 62% drop compared to 2006. Most of the apprehended persons had planned to continue their way across the state border with Hungary.

Border violations by border sections. The largest number of attempted illegal crossings were recorded at the border section with Hungary (33%), followed by the border section with Montenegro (23%) and by the border section with Bosnia-Herzegovina (15%).

- At the border section with Hungary more than three-quarter of persons apprehended for border violation (62 persons) attempted to cross from Serbian to Hungarian territory. Most of these persons were citizens of Albania (37%) and the former Yugoslav Republic of Macedonia (27%). Citizens of Armenia make 11% of persons who attempted to illegally cross into Hungarian territory; Turkish citizens make 6% and Montenegrin citizens 3%. In case of Hungarian citizens who make 15% of this category of persons, the border was violated primarily by the local resident population or by persons who had lost their way in the border area.
 - At the state border with the former Yugoslav Republic of Macedonia 29 persons were prevented from illegally crossing the border. The majority, citizens of the former Yugoslav Republic of Macedonia, were apprehended while attempting to enter Serbian territory.
 - At the border with Bulgaria 27 persons were prevented from illegally crossing the border. At the border with Montenegro, 57 persons were prevented from illegally crossing the state border. The number of persons prevented at entrance and exit are almost identical. Most of these persons were citizens of Montenegro who were members of the local resident population or persons who had lost their way in the border area. Others were citizens of Albania, the former Yugoslav Republic of Macedonia, Turkey and Moldova.
- At the border with Bosnia-Herzegovina there were 37 persons prevented from illegal crossing the state border. Also in this case most border violations were committed by locally resident persons who attempted to smuggle sugar, livestock and similar products.

In 2008 the share of women among the migrants registered for border violations has increased, while the share of minors and juvenile is decreasing:

- 2007: Of total number (874) of foreign citizens who entered Serbia illegally, there were 195 (22%) juvenile persons and 679 (78%) adults, of which 77 (9%) were women and 797 (91%) men.
- 2008: Of 753 foreign citizens who entered Serbia illicitly, there were 89 (12%) juveniles and 664 (88%) adults, of which 115 (17%) women and 549 (83%) men.

Foreign citizens taken over from neighbouring countries' border authorities. In 2008 altogether 120 foreign citizens who had illegally crossed the state border of the territory of Serbia were taken over from the border authorities of the neighbouring countries. Most foreign citizens were taken over from the Hungarian border authorities (72% of the total number of persons taken over). Regarding their citizenship, 39% of the total number of persons taken over for illegally crossing the state border were citizens of the former Yugoslav Republic of Macedonia and 29 % Albanian citizens. 4% of the persons taken over from neighbouring countries' border authorities (mainly from Bulgaria, Romania and Hungary) were citizens of Bosnia-Herzegovina.

Modes of illegal border crossing

Foreigners evading border control. In 2008 altogether 35 foreign citizens were registered when attempting to cross the border illegally between official Border Control Points of which most cases, particularly of Turkish citizens, were registered at the state border with Bulgaria. In addition a limited number of Albanian citizens were registered at the state borders with Hungary and Bosnia-Herzegovina.

Serbian citizens evading border control. In 2008 altogether 761 Serbian citizens were prevented in their attempt to illegally cross the state border between two border crossing points. Most cases were registered at the border with Hungary (65%), at the border with Romania (14%), at the border with Bosnia-Herzegovina (8%) and at the border with the former Yugoslav Republic of Macedonia (8%).

Using other persons' travel documents. The largest number of cases of attempts to cross state borders by using other persons' travel documents was registered at the border with Hungary (86%) and concerned mainly Turkish citizens (44%), citizens of Iraq and citizens of the former Yugoslav Republic of Macedonia.

Using falsified travel documents (not including visa and stay permit falsifications). During 2008, at border crossings, a total of 464 falsified travel documents were detected. Most of these falsified travel documents were of the former Yugoslav Republic of Macedonia (31%) and Serbia (24%). Such cases were particularly registered at the following border sections:

- The largest number of falsified travel documents (55% of the total number) was detected at the state border section with the former Yugoslav Republic of Macedonia and concerned particularly citizens of the former Yugoslav Republic of Macedonia, Turkey and Serbia.
- At the state border with Hungary, 21% of the total number of falsified travel documents was detected and concerned particularly Serbian citizens and citizens of the former Yugoslav Republic of Macedonia.

Falsified visas and stay permits. During 2008, a total of 160 falsified visas and stay permits were detected at border crossings. The largest number was detected at the state border with Hungary (67%) and at the Belgrade Airport (16%). In the majority of cases Serbian citizens (83%) and citizens of the former Yugoslav Republic of Macedonia (9%) had used such documents. The most frequently used falsifications are German (29%), Swiss (25%) and Belgium (11%) visa and stay permits. Falsified visas and stay permits for Italy and France account for an 8% share.

In 2008 the following changes have been observed on specific border sections and directions: on the border section with the former Yugoslav Republic of Macedonia the rate of illegal border crossing has increased. Perpetrators typically attempted to cross the border by using falsified visas and passports, or by evading border control and thus to cross the green border between official Border Control Points. At the state border with Hungary intensified measures have led to a decrease in the number of illegal border crossings on this border section.

Organisational set-up of illegal migration

In 2008 Serbian police has filed the following criminal charges in cases of illegal migration:

- *For illegal border crossing and smuggling of persons*, during 2008, police members of the Republic of Serbia filed a total of 69 criminal charges against a total of 119 perpetrators by Article 350 of Serbia's Criminal Code. This number is by 13% less than in 2007. Within these 69 criminal charges, there were 28 cases in which the smugglers were facilitating the illegal border crossing of a group of more than 3 migrants. The majority of these charges were filed against perpetrators as individuals, i.e. persons who were not directly related to organised criminal groups (57 charges or 83 % of the total number). In 12 criminal charges there were indications of a certain organisational structure: in each of these cases more than three co-operating smugglers were involved.
- *For supporting illegal stay of foreigners* on the territory of the Republic of Serbia, 23 criminal charges were filed.

According to the findings of Police investigations, human smuggling activities involved the services of persons who live in the border area and who are known as active in various cross-border criminal activities. There is no evident hierarchical structure of mutual relations between organisers, guides and other facilitators. Facilitators may be found by migrants in places near the border, or through taxi drivers. Human smugglers frequently use their own vehicles as well as public transport. The means of communication are most often mobile phones, but there were also cases observed where manual radio stations were used.

Smuggling fees. There is no significant change in the price that migrants pay to human smugglers for the service of an illegal transfer from the country of origin to the destination country. According to data collected during investigations of smuggled persons, the following information was obtained:

- the price for smuggling from China to Serbia is 4,000 to 5,000 EUR, and to the EU countries it is up to 10,000 EUR;
- the price for smuggling from Albania is 1,500 EUR to 3,000 EUR to the EU countries;

- the price for smuggling from Turkey to Serbia is about 1,500 EUR.

Legislation

During 2008, the following laws to regulate migration were adopted or entered into force:

- The Law on Protection of the State Border ("The Official Gazette of the Republic of Serbia" number 97/08)
- The Law on Aliens ("The Official Gazette of the Republic of Serbia" number 97/08), which entered into force on 1 April 2009.
- The Law on Asylum ("The Official Gazette of the Republic of Serbia" number 107/07), which was adopted in 2007 and entered into force on 1 April 2008.
- The Law on Travel Documents ("The Official Gazette of the Republic of Serbia" number 90/07 and 116/08).

The following international agreements were signed in 2008:

- In April 2008, a multilateral agreement was signed among governments BSEC member states, on co-operation in combating crime, especially its organised forms.⁵⁵
- In February 2008, a bilateral Protocol on regular joint meetings between representatives of Serbian and Montenegrin border police was signed.
- In February 2008, a bilateral Protocol on regular joint meetings of representatives of the border police of the former Yugoslav Republic of Macedonia and the Serbian border police was signed.

Protection of victims of trafficking. The Republic of Serbia is a signatory of the „UN Convention against Transnational Organised Crime and its supplementing Protocol on Prevention, Suppression and Punishment of Human Trafficking, especially women and children“ and the „Protocol against the Smuggling of Migrants by Land, Sea and Air“ as adopted in Palermo 12-15 December 2000. Serbia has adopted a „Strategy for Combating Human Trafficking“. Particular focus is given to the training of public officials who might be in contact with potential victims of human trafficking. There is a clear procedure for Police officers/forces for identifying potential victims of human trafficking. Victims of trafficking in human beings receive assistance from Serbian authorities irrespectively of whether they had crossed the state border legally or illegally.

⁵⁵ On 25 June 1992, the Summit Declaration and the Bosphorus Statement giving birth to the Black Sea Economic Co-operation (BSEC) was signed by the Heads of State and Governments of eleven countries: Albania, Armenia, Azerbaijan, Bulgaria, Georgia, Greece, Moldova, Romania, Russia, Turkey and Ukraine signed in Istanbul. In April 2004 Serbia (then Serbia and Montenegro) joined the BSEC.

Institutional development of border management

During 2008 the „Strategy for Combating Illegal Migration in the Republic of Serbia for the period 2009-2014“ was drafted and published in the Official Gazette of the Republic of Serbia under number 25/09 on April 10 2009. The Strategy is based (a) on the National Action Plan for EU Integration, (b) on the adopted Strategy for Integrated Border Management in the Republic of Serbia and (c) on the ongoing reform processes in the country, particularly those mentioned in the European Partnership document.

With this Strategy, the Republic of Serbia defines its policy in the area of establishing an efficient system for combating illegal migrations, establishes the framework for drafting implementation plans, defines the roles and responsibilities of state agencies, identifies strategic goals and determines the basic courses of action in the process of establishing and realizing long-term sustainability and efficiency of the system for combating illegal migration.

The priorities of the Strategy are as follows:

- Compliance with the criteria for liberalisation of the visa regime («the White» Schengen list)
- Facilitating and accelerating the process of Serbia's stabilisation and association with the EU
- Reinforcing security capacities and potentials of the Republic of Serbia
- Implementing the concept of integrated border management

The Minister of the Interior approved the Mandatory Instructions on Administering Smuggled Persons on 7 April 2009. This regulation is in force since 1 May 2009. The document defines the methods of applying police competences and powers of authorized officials when, performing duties arising from their competences, they detect persons who have illegally crossed the state border and/or who are illegally staying on the territory of the Republic of Serbia.

Movement of Bulgarian and Romanian citizens

On 14 July 2004 the foreign ministers of Serbia-Montenegro and Romania signed two bilateral agreements regulating the conditions for the movement of their citizens:

- the Agreement on abolishment of visas for persons with diplomatic passports and official passports.⁵⁶
- the Agreement on conditions for travelling applied to the citizens of Serbia-Montenegro and Romania.

These agreements came into force on the day of signing (Serbia-Montenegro's Ministry of Foreign Affairs, Sector of Consular Affairs and Diaspora, number K-320/04 from 15 July 2004). The visa regime between the Republic of Serbia and the Republic of Romania was applied in 2005, 2006 and 2007.

⁵⁶ An official passport is a passport issued for someone who must travel internationally on official state business. These passports are issued specifically to people who need to travel, rather than to people who are being assigned or posted abroad.

Since mid-2007, citizens of Romania and Bulgaria may enter the territory of the Republic of Serbia without visas, and after arriving and reporting their stay they can spend up to 90 days in Serbia. On the other hand, since 2007 citizens of the Republic of Serbia are required visas to enter Bulgaria and Romania. Visas can be obtained also at border sections of these two countries, if the traveller complies with the above-mentioned regulations.

In 2008 altogether 56 Romanian citizens violated the border of Serbia, which accounts for a share 7% within the total number of illegal crossings of foreign citizens. Illegal border crossing by Romanian citizens concerned persons who live nearby the state border, as well as persons who have lost their way in the border area. In 2008, according to the Readmission Agreement with the Republic of Croatia, Serbia has readmitted 2 Romanian citizens who had illegally entered the Republic of Croatia from the Republic of Serbia.

Bulgarian citizens accounted for 4% of total number of illegal border crossings by foreign citizens in 2008. The trend of the past three years indicates a steady mild growth, but the increase can be explained by illegal crossings by the local population.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Serbia

	2007	2008
Entry	21 698 688	24 878 369
Exit	21 231 083	23 796 480
Total	42 929 171	48 674 849

Number of persons claiming asylum

	2007	2008
At the border	-	-
Inland	66	52
Total	66	52

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
32	4 persons for subsidiary protection

**Number of border violators
by top nationalities / citizenships
including foreigners and citizens of Serbia**

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Albania	332	1. Serbia	761
2. Serbia	315	2. Albania	159
3. The former Yugoslav Republic of Macedonia	128	3. The former Yugoslav Republic of Macedonia	142
4. Turkey	78	4. Hungary	62
5. Bosnia-Herzegovina	54	5. Romania	56
6. Bulgaria	38	6. Turkey	51
7. China	25	7. Montenegro	45
8. Georgia	21	8. Bosnia-Herzegovina	41
9. Croatia	17	9. Bulgaria	31
10. Iraq	13	10. Côte d'Ivoire	19
11. Germany	13	11. China	18

**Number of migration related border apprehensions
including foreigners and citizens of Serbia**

	2007	2008
Foreign nationals	874	753
Citizens of Serbia	315	761
Total	1 189	1 514

**Number of migration related border apprehensions by gender
only foreigners
2007 and 2008**

Gender	2007	2008
Males	797	638
Females	77	115
Total	874	753

**Number of minors apprehended at the border due to border violation
including foreigners and citizens of Serbia
2007 and 2008**

Gender	2007	2008
Males	190	n.a.
Females	5	n.a.
Total	195	89

**Number of migration related apprehensions by
place of apprehension
including foreigners and citizens of Serbia
2008**

Place of apprehension	Citizens of Serbia	Foreigners	Total
On road border crossings	200	129	329
On rail border crossings	-	-	-
On the green (land) border	561	243	804
On airports	40	9	49
In the country	-	-	-
On other places	-	-	-
Total	-	-	1 182

**Number of migration related apprehensions by border section
including foreigners and citizens of Serbia
2007**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Serbia on the border with that country 2007	OUT: Number of apprehensions of persons LEAVING Serbia on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Hungary	9	87	96
2. The former Yugoslav Republic of Macedonia	35	15	50
3. Bosnia-Herzegovina	75	96	171
4. Croatia	33	88	121
5. Bulgaria	14	13	27
6. Romania	21	167	188
7. Albania	-	-	-

Serbia

Number of migration related apprehensions by border section
Serbia, 2008

Border Section Name of neighbouring country on the border of which the apprehension took place	Citizens of Serbia	Foreign citizens			Total
		By using falsified documents	By avoiding border controls	By attempting to cross the green border	
1. Hungary	479	29	7	79	594
2. Romania	77	1	1	23	102
3. Bulgaria	2	23	21	16	62
4. The former Yugoslav Republic of Macedonia	66	235	1	29	331
5. Bosnia-Herzegovina	48	1	5	37	91
6. Croatia	20	6		2	28
7. Montenegro	29	0		57	86
8. Albania	n.a.	n.a.	n.a.	n.a.	n.a.
9. Airport Beograd	40	12	-	-	52
10. Airport Nis	-	-	-	-	-
Total	761	307	35	243	1346

Illegal crossing of state borders – foreign nationals by citizenship
Serbia, 2006 - 2008

2006		2007		2008	
Albania	717	Albania	332	Albania	159
Turkey	134	The former Yugoslav Republic of Macedonia	128	The former Yugoslav Republic of Macedonia	142
Romania	112	Turkey	78	Hungary	62
Moldova	110	Moldova	54	Romania	56
The former Yugoslav Republic of Macedonia	66	Bosnia-Herzegovina	39	Turkey	51
Bulgaria	22	Romania	38	Montenegro	45
Bosnia-Herzegovina	18	Bulgaria	25	Bosnia-Herzegovina	41
Hungary	11	China	21	Bulgaria	31
Croatia	10	Georgia	17	Côte d'Ivoire	19
India	7	Iraq	13	China	18
Other	63	Other	129	Other	129
Total	1 270	Total	874	Total	753

Number of persons detected in 2008
for using falsified travel documents on the borders of Serbia
by citizenship and border section of Serbia 2008

Border section	Bulgaria	Montenegro	Romania	Croatia	Bosnia-Herzegovina	Macedonia FYROM	Hungary	Beograd Airport	Total
Citizenship									
Serbia	2	4		11	3	21	71	45	157
The former Yugoslav Republic of Macedonia	3					129	12	1	145
Turkey	2					58	1	1	62
Bulgaria	8			2		5	2		17
Austria	1					14	2		17
Germany	2			1		12			15
Bosnia-Herzegovina						2	4	3	9
Belgium	1					4			5
Montenegro						1	3	1	5
United Kingdom	4								4
Netherlands						3			3
Croatia					1	2			3
Albania				2					2
Denmark						2			2
Unknown							1		1
Russian Federation						1	1		2
Slovenia				1		1			2
Ukraine								2	2
Sri Lanka								2	2
Azerbaijan	1								1
Belarus							1		1
Iraq								1	1
China								1	1
Lebanon							1		1
Romania			1						1
Slovakia							1		1
Czech Republic	1								1
Switzerland						1			1
Total	25	4	1	17	4	256	100	57	464

**Perpetrators of criminal offenses
for illegal border crossing and human smuggling
according to Paragraph 350 of the penal Code of the Republic of Serbia**

Citizenship	2006	Citizenship	2007	Citizenship	2008
Serbia	127	Serbia	127	Serbia	94
Croatia	2	Bosnia-Herzegovina	6	China	7
Unknown	2	Germany	5	The former Yugoslav Republic of Macedonia	3
Bosnia-Herzegovina	1	Bulgaria	4	Ukraine	2
Bulgaria	1	Turkey	2	Romania	2
Turkey	1	Unknown	1	Armenia	2
Albania	1	Georgia	1	Turkey	2
Ukraine	1	Korea	1	Albania	1
Slovakia	1	Montenegro	1	Iraq	1
Russian Federation	1	The former Yugoslav Republic of Macedonia	1	Sweden	1
Czech Republic	1	Netherlands	1	Bosnia-Herzegovina	1
France	1	Austria	1	Germany	1
		Romania	1	Greece	1
				Bulgaria	1
Total	140	Total	152	Total	119

Number of apprehended persons being smuggled into Serbia*

	2007	2008*
Total	343	242
Of the total: women	20	34
Of the total: minors	95	55

* In 2008 data on gender and age has been recorded for altogether 183 persons by the authorities.

**Number of "human smugglers in humans" apprehended
including foreigners and citizens of Serbia**

Apprehensions in 2007	Apprehensions in 2008
186	119

**Number of "human smugglers" apprehended
by top nationalities / citizenships
including foreigners and citizens of Serbia**

Citizens of the following countries in 2007	Number of human smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of human smugglers apprehended in 2008
1. Serbia	152	1. Serbia	94
2. Bosnia-Herzegovina	6	2. China	7
3. Germany	4	3. The former Yugoslav Republic of Macedonia	3
4. Bulgaria	2	4. Romania	2
5. Turkey	2	5. Turkey	2

Number of persons being trafficked into Serbia

	2007	2008
Total	96	55
Of the total: women	34	46
Of the total: minors	35	27

**Number of "traffickers in human beings" apprehended
including foreigners and citizens of Serbia**

2007	2008
74	81

**Number of "traffickers in human beings" apprehended
by top nationalities / citizenships
including foreigners and citizens of Serbia**

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1. Serbia	73	1. Serbia	78
2. Jordan	1	2. Bosnia-Herzegovina	3

**Persons rejected at the border
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Romania	3 812	1. Romania	2 873
2. Bulgaria	3 255	2. Bosnia-Herzegovina	2 226
3. Bosnia-Herzegovina	2 887	3. Bulgaria	1 545
4. The former Yugoslav Republic of Macedonia	1 022	4. Turkey	1 254
5. Turkey	540	5. Montenegro	1 100
6. Croatia	454	6. Unknown	1 099
7. Germany	377	7. Germany	854
8. Italy	301	8. Croatia	619
9. France	151	9. Italy	542
10. Austria	132	10. The former Yugoslav Republic of Macedonia	463
Total of ALL rejected persons at the border (of any nationality)	15 329		16 026

**Persons to whom residence was refused
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007	Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
1. China	17	1. The former Yugoslav Republic of Macedonia	17
2. The former Yugoslav Republic of Macedonia	5	2. China	8
3. Bulgaria	2	3. Romania	7
4. Romania	1	4. Russian Federation	2
5. Lebanon	1	5. Armenia	1
6. Slovakia	1	6. Turkey	1
7. Tunisia	1	7. Spain	1
8. Ukraine	1		-
9. USA	1		-
10 Hungary	1		-
Total of ALL refused persons of any nationality	32		37

**Removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Romania	342	1. Romania	240
2. Albania	279	2. Bulgaria	178
3. Bulgaria	262	3. The former Yugoslav Republic of Macedonia	120
4. The former Yugoslav Republic of Macedonia	136	4. Albania	112
5. Turkey	86	5. Turkey	86
6. Bosnia-Herzegovina	50	6. Bosnia-Herzegovina	40
7. China	43	7. China	33
8. Germany	18	8. Montenegro	18
9. Georgia	18	9. Armenia	16
10. Croatia	12	10. Ukraine	10
Total of ALL removed persons (of any nationality)	993		1 358

Slovakia



Location:	Central Europe, South of Poland
Area:	Total: 48,845 sq km – water: 45 sq km – land: 48,800 sq km
Land boundaries:	Total: 1,474 km. Border countries: Austria 91 km, Czech Republic 197 km, Hungary 676 km, Poland 420 km, Ukraine 90 km
Coastline:	0 km (landlocked)
Population:	5,463,046 (July 2009 est.)

Irregular migration flows

During the last five years a downward trend of irregular migration has been observed in Slovakia. The most significant decrease has occurred exactly in the year 2008, the first year of membership of the Slovakia in the Schengen Area. Most migrants apprehended for border violations still arrive to Slovakia from CIS countries and from Asian countries.

Slovakia primarily functions as a transit country. This has been confirmed by the long-term and sustained direction of irregular migration towards the Western European Union countries, by the duration of stay of foreigners on the territory of Slovakia, by the re-detention of asylum seekers when crossing national borders and by the substantial number of migrants who leave asylum facilities in order to continue their journey illegally.

The external land border of Slovakia intersects a main flow of migration, which is part of the Eastern European migration route. The main irregular migratory flow remains unchanged: Ukraine – Slovak Republic - Austria, as well as its side-flows:

- Ukraine – Slovak Republic – Czech Republic – Austria and
- Ukraine – Poland – Slovak Republic – Austria.

Most frequently, the state border of Slovakia is crossed by using the green border, i.e. outside the border crossing points on foot and without any identity documents. To a lesser extent there were also other modes of illegal border crossing detected, such as hiding in passenger vehicles, trains, travelling on a falsified, forged or foreign passport, falsified or forged visa or a residence permit etc.

Number of border violators apprehended in Slovakia by border sections

Border sections with neighbouring country	2005	2006	2007	2008
Land borders with				
Ukraine	2 586	2 319	1 684	978
Austria	2 012	1 310	1 347	5
Hungary	90	144	110	-
Czech Republic	128	85	141	2
Poland	352	237	82	33
Airports	10	34	41	16
Apprehensions in the internal territory of the country	-	-	-	593
Total	5 178	4 129	3 405	1 627

Concerning Schengen internal borders, on the border sections with Austria, Hungary, the Czech Republic and Poland in 2008 there was a significant decrease in the numbers of migrants apprehended for border violations. While in 2007 altogether 1,680 migrants were detected on these border sections, in 2008 this number has decreased to only 40, while, on the other hand the apprehensions in the internal territory of the country have increased substantially. This decrease in the number of border violations along the internal borders is a natural consequence of termination of the border controls at the internal border sections.

The composition by nationality of migrants who had crossed the external border of the Schengen Area has not changed substantially.

- The major exception constitutes nationals of Iraq: while in 2007 52 Iraqi persons were recorded who had illegally crossed the Slovakia-Ukraine border, in 2008 there were only 2 persons recorded in this category. Similarly, in 2007 86 Iraqi citizens were recorded in the category of "illegal residence", in 2008 only 3 persons under the same category. Another significant change can be observed in the apprehensions of citizens of Pakistan: in 2007 Slovakian authorities recorded 848 Pakistani nationals for border violation, while in 2008 this figure had decreased to only 186.

For other nationalities, Slovakian authorities did not experience such large variations.

In 2008 the total number of apprehended illegally resident persons was 2,035. Compared to 2007, this represents a decrease by 60.6%.

Organisational set-up of human smuggling

Human smuggling into Slovakia is organised by internationally active groups who cooperate with local facilitators. Slovakian authorities have encountered human smuggling networks, which are hierarchically structured and assign well defined roles to their members. The immediate facilitator is usually of the same nationality as the migrants.

It was observed that reception centres are important hubs in the attempted onward movement to the west. Reception facilities maintained by Slovakian authorities serve for clarifying and organising aspects of onward migration and migrants would take time to relax before the next stage of the migration route.

The most frequently observed modes of illegal border crossing at Border Crossing Points by using invalid or forged travel documents, documents of other persons or by hiding in vehicles. Alternatively, the green border is crossed on foot, either accompanied by facilitators or without accompaniment.

Typically migrants are transported through the territory of the Slovak Republic to the vicinity of the Austrian-Slovakian border, where smugglers would instruct migrants on how to cross the border. After passing the border, in Austria, migrants would be received again and accompanied to Vienna in Austria, or alternatively directly to Italy. In this process human smugglers ensure that the migrants obtain altered identity cards of Slovakia, Poland or Hungary.

The most frequently chosen route leads from the Slovak Republic to Austria and continues from there to Italy, Spain and France.

Smaller groups transferred. Since the significant improvements in the level of border protection at the Slovak-Ukrainian border, human smugglers operate with smaller migrant groups. While in 2007 groups of facilitated migrants consisted of about 50 to 90 persons, in 2008 typical transferred groups of migrants consisted of about 5 persons only. This is interpreted as a strategy to avoid substantial financial losses on the side of human smugglers in case a large group of migrants is detained.

Places of monitoring and border violation. Most migrants apprehended for border violation in 2008 had used the migration route Russia - Ukraine - Slovakia. A popular border crossing point is the northern part of the Ukrainian-Slovakian border, where border patrolling is particularly difficult due to the mountainous terrain. Since the southern part of the Slovak-Ukrainian border is effectively monitored by special cameras on a 34.5 km long border section illegal border crossing attempts were only rarely registered but human smugglers organise border crossing further north, at the Slovakian-Ukrainian-Polish border.

Technical facilities. The use of the Internet and other telecommunications technologies is constantly increasing and supports the need for secrecy in communication and information sharing in human smuggling activities (e.g. web services such as Skype, MSN, etc.). Measures against eavesdropping include the regular change of mobile phone and phone cards, changing of nicknames and codes, payment arrangements by the use of formal money transfer systems (e.g. Western Union).

Smuggling fees:

- It has been documented that for the illegal transfer of migrants from the Russian Federation to Slovakia, a Chechen organised group had collected 550 EUR per person. The sum was paid and collected through Western Union.
- Another group had transferred at least seven migrants of Ukrainian and Moldavian citizenship: here the human smugglers obtained at least 800 EUR per person, but the total income of the human smugglers in this transaction amounted to at least 15,900 EUR.
- A Slovakian-Italian joint operation revealed an 18-member group of organised human smugglers, which consisted of persons with citizenships of Slovakia, Pakistan, Afghanistan, India and Vietnam. For the transfer to Europe this group had obtained 3,000 to 5,000 Euros per person. The fee was collected either from the facilitated migrants themselves or from their family members who were asylum seekers in Slovakia at this time. It has been proven that this group had obtained altogether 282,150 EUR for its activities.
- Another group organised the illegal crossing of Slovakia's state borders particularly for persons travelling from Pakistan, Bangladesh and India via Russia and Ukraine. This group of facilitators received altogether 49,790 EUR, while the price for transferring one person ranged from 3,000 to 5,000 USD.

The process of harmonising the Schengen Acquis in Slovakia

Border control in Slovakia is exercised within the meaning of Schengen Borders Code No. 562/2006 of 15th of March 2006 establishing a Community Code on the rules governing the movement across borders.

During the last couple of years, the following measures of harmonisation have led to Slovakia's joining the Schengen Area.

Legislative measures taken in 2005

- Act No. 48/2002 on "*Stay of Aliens and modifications and amendments of some acts*",
- Act No. 480/2002 on "*Asylum and amendments of some acts*",
- Act No. 474/2005 on "*Temporary stay/permission in Slovakia of Slovak citizens living abroad*".

In 2007 the following Directives were introduced into Slovakian legislation:

- Council Directive No. 2004/81/ES on the residence permit issued to third country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration who co-operate with the competent authorities
- Council Directive No. 2005/71/EC on a specific procedure for admitting third country nationals for the purpose of scientific research
- Council Directive No. 2004/114/EC on the conditions of admission of third country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service.

In 2008 the Revision of Act. No. 48/2002 on Stay of Aliens has implemented the following EU Directives into Slovak legislation (a) Directive No. 2003/86/EC on the reunification the right to family, (b) Directive No. 2003/109/EC concerning the status of third country nationals who are long-term residents. This Act has amended the following administrative procedures:

- Prolongation of short term visas in case of accidents, disasters, for humanitarian reason or for serious private reason,
- Accordance conditions of long-term visas,
- Accordance permission to aliens which apply for temporary stay for studies until five years,
- Proof of sufficient fund / monthly income requirement for residing in Slovakia,
- Conditions of medical examination for minors with foreign citizenship,
- When decisions on asylum or subsidiary protection come into force, decisions on administrative expulsion lose validity.

The UN definitions (Palermo Protocols) on human smuggling and human trafficking are officially applied in Slovakia and incorporated into the Penal Code.

Due to its cross-border character, *human smuggling* is under the competence of the Bureau of Border and Alien Police. Migrants apprehended by the units of Bureau of Border and Alien Police are required to testify whether they had crossed the borders voluntarily or not. If the investigated case involves any indication to violence or coercion, the case should be transmitted to the Bureau combating organised crime and dealing with *trafficking in human beings*.

Institutional development of border management

Slovakia joined the Schengen area on the 21st of December 2007. However, on the international airports of Slovakia the Schengen Acquis was implemented as of March 2008. The preparation and subsequent entry of the Slovak Republic into the Schengen Area has brought significant changes in the activities of border police services and aliens police services. The changes consisted in the abolition of border checks at internal borders with the guarantee of freedom of movement of persons throughout the territory of the Schengen Area. The greatest attention is naturally focused on the external Schengen borders, their effective protection and monitoring of movement, and the control of residence of third country nationals within the Slovak Republic.

Measures which had already been taken since the entry of the Slovak Republic into the Schengen Area, and measures which still need to be taken in order to fully implement the Schengen Acquis and its standards are detailed in the following documents:

- The “*National Management Plan for the protection of state borders Slovak Republic*”, which was adopted by Government meeting of the Slovak Republic on 30th of May 2007 in Sobrance (Government Resolution No. 465)
- The “*Schengen Action Plan of the Slovak Republic for the years 2008-2009*” (Government Resolution No. 163/2008).

Following the entry of Slovakia into the Schengen Area, the abolition of border control at internal borders has been carried out with the introduction of compensatory measures. The main aim of the compensatory measures is to ensure continuity in the fight against cross-border crime, illegal migration, illegal employment and human trafficking.

On the internal borders on the 1st of August 2008 a fundamental reorganisation of border police services was implemented. The border police units of the Police Force were fully integrated into the existing organisational structures of the regional directorates of the Police Forces. This means that 28 border police departments of the Police Force were included into the Regional Directorates of the Police Force, particularly into the Police Security Service. The full competence of these border police services was transferred to the district departments of Police Force and to the Alien Police Department of Police Force. It is the task of the Alien Police units of the Police Force to ensuring compliance with the eligibility conditions of stay in the Slovak Republic and to detect illegal immigration.

The external borders of the Schengen Area in Slovakia are the following:

- air borders, i.e. the borders at the 3 international airports, and
- the land border section with Ukraine.

At the new external borders the enlargement of the Schengen Area in 2007 has left the strategy of border services of Slovakia virtually unchanged. Entry into the Schengen Area is particularly associated with the abolition of internal border controls. In spite of this abolition, Member States must implement the measures arising from the Schengen Acquis according to its standards in order to safeguard the common area of security, freedom and justice. For this purpose the Slovak Republic has implemented compensatory measures, which are based primarily on

- ensuring a high standard of controls at their external borders,
- the development of an effective police co-operation,
- a common procedure in the application of visa and migration policy,
- judicial co-operation, and
- co-operation in the fight against drugs.

Another important tool in meeting these challenges is to ensure the functionality and use of the Schengen Information System (SIS) and the protection of personal data.

The border control for air borders is provided by the Directorate of Border and Alien Police Bratislava and Prešov. On the 1st of January 2008 the personnel of the state police was increased to altogether 189 police posts. Since January 2004, the staff of the border police service at the three international airports was increased by a total of 78 police officers.

On the Milan Rastislav Stefanik Airport in Bratislava an extension of the air terminal was built in order to physically separate the flows of passengers entering and leaving the Schengen Area from those travelling within the Schengen area. Particular attention is devoted to language training of the police staff performing border control, to training in detecting false and forged travel documents, passenger profiling, and to the implementation of risk analysis.

The border control on the land border with Ukraine is provided by the Directorate of the Border Police in Sobrance. Under this Directorate staff consists of numerous officers, which by the 1st of January 2008 consists of 886 police posts. Since January 2004, the border police service for the current external Schengen border has been reinforced by 450 policemen. The direct service in controlling the external borders is provided by the 11 departments of the border control Police Force, including the department of border control services of the Police Force in Topoľa. This department, established in the first half of 2008, regularly prepares risk assessments of illegal border crossings. In the coming period the gradual development of the technical and human resources of the Border Police will continue on the basis of risk analysis.

According to an evaluation of Slovakian border management prepared on the occasion of the Schengen enlargement, the border section with Ukraine is secured with a combination of technical means and live forces. The system of technical and physical protection, which has been applied on this border section, is called STAFO. Slovakia is committed to build a fully functional system of technical protection on the Northern section of the state border with Ukraine. Currently in this area, a pilot project is being implemented, called “virtual fence”.

The Border Police Service of Slovakia regularly participates in international border management projects such as the “Project for capacity building and co-operation in the field of false and forged documents in Ukraine” in 2008, which was implemented in cooperation with the International Centre for Migration Policy Development (ICMPD). The project focused on the identification of false and forged documents with a special focus on exchange of information between the competent authorities of Ukraine and its neighbouring countries.

Impact of the entry of Romania and Bulgaria into the EU

Well before 2007, citizens of Bulgaria and Romania have enjoyed the benefits of a visa free regime in Slovakia for 90 days in every half-year for tourism reasons. However, in regard to residence permit the same conditions as to third country nationals are also applied to Bulgarian and Romanian citizens. Following Bulgaria's and Romania's joining the EU in 2007, their citizens have obtained the right of free stay in the Slovak Republic, according to the Directive No. 38/2004 of the EU.

Slovakia

Already before 2007, the number of cases of illegal border crossings or illegal residence committed by Bulgarian and Romanian citizens was very low. After 2007, this offence is de facto abolished for citizens of Bulgaria and Romania as they enjoy the right of free entry and stay in Slovakia.

Number of migration related apprehensions of Bulgarian citizens in Slovakia

	Border violators	Overstayers*	Total
2005	4	2	6
2006	1	-	1
2007	-	-	-
2008	-	-	-

Number of migration related apprehensions of Romanian citizens in Slovakia

	Border violators	Overstayers*	Total
2005	11	19	30
2006	24	26	50
2007	2	-	2
2008	-	-	-

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

Before 2007 the *labour market* of Slovakia was only open to Bulgarian and Romanian citizens holding either a work permit or a temporary permit for working reason. From 1 January 2007, as EU citizens, these persons have free entrance to the labour market of Slovakia and, as employees they have the same status as the citizens of the Slovak Republic.

Number of Bulgarian and Romanian citizens working illegally in Slovakia

	Citizens of Bulgaria	Citizens of Romania	Total
2005	-	82	82
2006	-	56	56
2007	-	-	-
2008	-	-	-

Statistical tables

Number of persons legally crossing the border* including foreigners and citizens of Slovakia

	2007	2008
Entry	56 282 735	2 865 729
Exit	55 950 531	2 811 563
Total	112 233 266	5 677 292

* Note: data for 2007 includes a number of persons legally crossed any border section of the border of the Slovak Republic, including those that are considered entry into the Schengen internal borders. Data for 2008 represents the number of persons legally crossing the external border of the entry into the Schengen Area.

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	193	137
Inland	2 450	772
Total	2 643	909

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
14	22

Number of border violators by top nationalities / citizenships including foreigners and citizens of Slovakia

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Moldova	903	1. Moldova	353
2. Ukraine	524	2. Georgia	203
3. Pakistan	459	3. Pakistan	105
4. India	322	4. Russian Federation	90
5. Russian Federation	307	5. Afghanistan	73
6. Georgia	264	6. India	42
7. Iraq	90	7. Bangladesh	41
8. Bangladesh	87	8. China	38
9. China	80	9. Ukraine	34
10. Afghanistan	57	10. Armenia	17

Number of migration related border apprehensions including foreigners and citizens of Slovakia

	2007	2008
Foreign nationals	3 405	1 321
Citizens of Slovakia	-	-
Total	3 405	1 321

Number of migration related border apprehensions including foreigners and citizens of Slovakia, by gender

Gender	2007	2008
Males	2 605	934
Females	800	100
Total	3 405	1 034

Number of minors apprehended at the border due to border violation including foreigners and citizens of Slovakia

Gender	2007	2008
Males	92	169
Females	30	18
Total	122	187

**Number of migration related apprehensions by
place of apprehension
including foreigners and citizens of Slovakia**

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	873	21
On rail border crossings	146	5
On the green (land) border	2 351	952
On airports	61	16
In the country	3 330	1 321
On other places	-	40
Total	6 761	2 355

**Number of migration related apprehensions by border section
including foreigners and citizens of Slovakia
2007**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Slovakia on the border with that country 2007	OUT: Number of apprehensions of persons LEAVING Slovakia on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Austria	1	1 346	1 347
2. Czech Republic	15	126	141
3. Ukraine	1 674	10	1 684
4. Poland	66	16	82
5. Hungary	68	42	110
6. Airports	5	36	41
Total	1 829	1 576	3 405

**Number of migration related apprehensions by border section
including foreigners and citizens of Slovakia
2008**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Slovakia on the border with that country 2008	OUT: Number of apprehensions of persons LEAVING Slovakia on the border with that country 2008	Total number of apprehensions on the border with that country 2008
1. Ukraine	978	-	978
2. Austria	-	5	5
3. Czech Republic	2	-	2
4. Poland	33	-	33
5. Airports	9	7	16
Total	1 022	12	1 034

Number of apprehended persons being smuggled into Slovakia

	2007	2008
Total	856	388
Of the total: women	-	-
Of the total: minors	-	-

**Number of "human smugglers" apprehended
including foreigners and citizens of Slovakia**

Apprehensions in 2007	Apprehensions in 2008
278	142

**Number of "human smugglers" apprehended
by top nationalities / citizenships
including foreigners and citizens of Slovakia**

Citizens of the following countries in 2007	Number of human smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of human smugglers apprehended in 2008
1. Slovakia	188	1. Slovakia	75
2. Ukraine	31	2. Ukraine	11
3. Czech Republic	8	3. Russian Federation	6
4. Poland	8	4. Afghanistan	6
5. Moldova	7	5. Pakistan	6

Number of persons being trafficked into Slovakia

	2007	2008
Total	15	13
Of the total: women	15	11
Of the total: minors	1	0

The age of a minor is to be determined by local legislation in force in the reporting country.

**Number of "traffickers in human beings" apprehended
including foreigners and citizens of Slovakia**

2007	2008
9	12

**Persons rejected at the border
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Ukraine	1 394	1. Ukraine	1 506
2. Moldova	174	2. Russian Federation	37
3. India	65	3. Moldova	30
4. China	35	4. India	12
5. Syria	35	5. Iran	4
6. Russian Federation	26	6. Ecuador	3
7. Turkey	18	7. Belarus	3
8. Serbia	17	8. Cuba	2
9. Vietnam	13	9. South Africa	2
10. Romania	12	10. Armenia	1
Total of ALL rejected persons at the border (of any nationality)	1 855		1 611

**Persons to whom residence was refused
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007	Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
1. Ukraine	1 449	1. Ukraine	558
2. Moldova	637	2. Korea	52
3. Pakistan	284	3. Moldova	51
4. India	190	4. India	47
5. Georgia	140	5. Vietnam	32
6. Russian Federation	128	6. Russian Federation	23
7. China	80	7. Pakistan	14
8. Bangladesh	72	8. China	13
9. Iraq	44	9. Serbia	10
10. Vietnam	40	10. Afghanistan	9
Total of ALL refused persons of any nationality	3 296		895
Of the total: number of overstayers*	-		442

*Overstayers are persons who remain in the country after the deadline of their visas or residence permits had expired.

**Removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Ukraine	972	1. Ukraine	490
2. Moldova	663	2. Moldova	317
3. Pakistan	234	3. Georgia	136
4. India	149	4. Pakistan	79
5. Georgia	130	5. India	70
6. Russian Federation	76	6. Afghanistan	67
7. Bangladesh	59	7. Russian Federation	42
8. China	56	8. Bangladesh	36
9. Iraq	31	9. China	33
10. Afghanistan	28	10. Vietnam	9
Total of ALL removed persons (of any nationality)	2 398		1 328

With the contribution of

Ministry of Interior of the Slovak Republic
Bureau of Border and Alien Police

Slovenia



Location:	Central Europe, Eastern Alps bordering the Adriatic Sea, between Austria and Croatia
Area:	Total: 20,273 sq km –water: 122 sq km – land: 20,151 sq km
Land boundaries:	Total: 1,086 km. Border countries: Austria 330 km, Croatia 455 km, Italy 199 km, Hungary 102 km
Coastline:	46.6 km
Population:	2,005,692 (July 2009 est.)

Irregular migration flows

In the Republic of Slovenia illegal migration is in constant decrease in the recent years. In 2008 there were 1,173 illegal border crossings detected in the country. This represents a 51.8 % decrease in comparison with the year 2007. The highest numbers of illegal border crossings were detected in May (121 border violations) and October (114). The vast majority of illegal border crossings were detected at the Croatian border.

Most apprehended migrants were citizens of Serbia, followed by citizens of Croatia, Turkey, Kosovo⁵⁷, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Albania. The significant decrease regarding citizens of Serbia and Albania can be explained by recent changes in migration routes. A substantial part of illegal migration in the Western Balkan area has been redirected to other EU countries, especially Hungary. This observation has been reinforced by the results of those investigations about organised criminal (OC) groups that took place in Slovenia in 2008 and 2009. Slovenian authorities investigated altogether 215 criminal offences of human smuggling in the year 2008 and 195 in the year 2007. There were 622 persons prosecuted for criminal offences related to human smuggling in the year 2008 and 296 persons in the year 2007.

Number of border violators apprehended in Slovenia by border sections

Border sections	Name of neighbouring country	2005	2006	2007	2008
Land borders with					
Croatia		4 662	3 129	1 913	1 173
Italy		798	545	277	-
Austria		90	67	46	-
Hungary		136	110	123	-
Sea border		5	4	4	13
Airports		-	-	-	-
Apprehensions in the internal territory of the country		199	137	117	-
Total		5 890	3 992	2 479	1 186

At the Slovenian section of the external EU border the number of border guards was increased and the prosecution of facilitators has become more effective. These are significant factors in discouraging migrants to circumvent legal border crossing. On the other hand facilitation became more sophisticated and the number of facilitators per migrants has increased. Facilitators have been specialised to provide shelter, documents or other resources and services.

A moderate change regarding the gender structure of apprehended migrants has been noted. The number of women, children and whole families has increased.

The largest irregular migration flow to Slovenia was experienced on the route from the region of Serbia and Kosovo⁵⁸, the former Yugoslav Republic of Macedonia and Turkey via Bosnia and Herzegovina. In Bosnia and Herzegovina the route separates and the journey is continued either towards the Croatian central region (Zagreb and Karlovac) or to the Northern region of Croatia (Varaždin and Čakovec).

In 2008 it has become clear that the coastal route from Rijeka (Croatia) via Koper (Slovenia) to Italy has lost its importance due to an increased diversification of routes.

⁵⁷ Under UNSCR 1244

⁵⁸ Under UNSCR 1244

There was an increase in the number of Croatian nationals who were refused entry to Slovenia due to lack of sufficient travel document (attempted transit without passport), alerts in the Schengen Information System (SIS) and danger for public order etc.

In 2008 the number of persons removed from Slovenian territory increased. This concerned primarily persons lacking travel documents, visas and residence permits when leaving Slovenia to another EU Member State. Refusals of residence were mostly connected to abuse of residence permits and execution of legal decisions issued by Slovenian authorities.

The use of forged and counterfeit documents is in moderate decrease. There were 885 cases of misuse of documents detected in 2008 and 999 cases in 2007. However, forgeries have become increasingly sophisticated. Most of the apprehended persons using forged and counterfeit travel documents were of Serbian and Croatian nationality using forgeries of Serbia, Bulgaria, Slovenia and Italy. While the number of Serbian citizens using forged and counterfeit documents significantly decreased compared to the previous years, the number of Croatian citizens committing this offence increased.

Organisational set-up of human smuggling

In most cases facilitation of illegal migration is conducted by small informal networks of human smugglers. In most cases facilitators have cultural or national relations to the migrants facilitated. In order to gain better orientation also local groups are included in the networks' strategy. In case of migration over long distances usually a stage-by-stage approach is applied. Co-operation with facilitators in neighbouring countries is well developed. A significant effort of facilitators is dedicated to providing shelter, transport and to other logistic issues.

Technical facilities of human smuggling. Communication over cellular phones and the rapid changes of phones remains widespread. As regards the means of transportation, human smugglers usually use their own cars while lorries are used less frequently. When migrants are illegally transported over an official border crossing point they are hidden in the vehicle. The very few specifically designed compartments used as hiding places identified were of sophisticated standard and thus hard to detect.

The smuggling fees increased in comparison with the year 2007. They vary from 100 EUR to 8,000 EUR. Reported fees for completed journeys paid in 2008 were as follows:

- from Kosovo⁵⁹ up to 4,000 EUR;
- from Bosnia and Herzegovina up to 2200 EUR;
- from The former Yugoslav Republic of Macedonia up to 3,000 EUR;
- from Serbia up to 4,200 EUR;
- from Turkey up to 8,000 EUR .

⁵⁹ Under UNSCR 1244

Smuggling fees for just crossing the Croatian – Slovenian border range between 100 EUR and 1,500 EUR. Fees depend very much on the means of transport used, on the number of facilitators involved, on the level of risk involved, on the selected smuggling route etc.

Modes of illegal border crossings. In 2008, most illegal border crossing attempts took place on roads and other traffic connections but also by crossing the green border in the vicinity of official Border Crossing Points (BCPs).

Legislation

In 2008 a new Aliens act was adopted.⁶⁰

Slovenia's management of the external Schengen border and the definition of border crossing points are regulated by a series of decrees⁶¹ as well as the procedure of international protection⁶² and the integration of aliens.⁶³

Furthermore, the Slovenian Penal Code was amended, explicitly incriminating the gathering of migrants for subsequent illegal border crossing, providing documents, transportation and shelter or organisation of illegal migration in any other way.⁶⁴

Croatia was officially declared a safe third country for asylum applicants.⁶⁵

Institutional development

In 2008 the construction of three new Border Crossing Points has been started and will be finalised in 2009.

In 2008 altogether 119 new border guards completed their training.

⁶⁰ Available at: <http://www.uradni-list.si/1/content?id=86472&part=&highlight=zakon+o+tujcich> (September 2009)

⁶¹ Available at: <http://www.uradni-list.si/1/content?id=84980&part=&highlight=na+zunanji+meji+evropske+unije> (September 2009) and <http://www.uradni-list.si/1/content?id=87521&part=&highlight=na+zunanji+meji+evropske+unije> (September 2009)

⁶² Available at: <http://www.uradni-list.si/1/objava.jsp?urlid=200868&stevilka=2978> and <http://www.uradni-list.si/1/objava.jsp?urlid=200867&stevilka=2884> (September 2009)

⁶³ Available at: <http://www.uradni-list.si/1/objava.jsp?urlid=200865&stevilka=2821> (September 2009)

⁶⁴ The New Penal code is available at: <http://www.uradni-list.si/1/content?id=86833&part=&highlight=kazenski+zakonik> (September 2009)

⁶⁵ The Decree is available at: <http://www.uradni-list.si/1/content?id=86664&part=&highlight=hrva%C5%A1ke+za+varno+tretjo> (September 2009)

The IT equipment of the Border Police, its system software and applications has been developed for future use and for the application of the SIS II database (Schengen Information System). The SIRENE information management and exchange system has been developed accordingly. Preparations for the application of the VIS system have been initiated which included designation of Border Crossing Points, choice of technical and IT equipment and development of training programme for users within Police.

The impacts of Slovenia's joining the Schengen Area

In Slovenia the full body of regulations regarding visas, entry and residence has been adopted in accordance with EU visa regime as part of the legal harmonisation process.

Internal border sections. In accordance with the Schengen Convention Slovenia has abolished border control on its internal borders. This involved the abolishment of Border Crossing Points and the allocation of most border guards to the external border sections of Slovenia.

At the same time some of the border guards' responsibilities were newly defined and delegated to police units specialised for compensatory measures. Similarly to national police forces these units are responsible for detecting illegal migrations at the internal Schengen borders and the detection of cross-border criminality. The implementation of compensatory measures has become a significant part of police work within the country. At the national level the Compensatory Measures Division was established within the Border Police Section in the year 2007. At local level the police units responsible for compensatory measures were established in the end of year 2007.

External border sections. In order to meet the requirements of external border control, Slovenian authorities have significantly increased the number of personnel assigned to activities related to border security. At the same time, significant technical resources have been allocated to the external border. External border control is based on multi-factor risk analyses.

In recent years Slovenian authorities registered an overall constant decrease of illegal border crossings. This can be explained by decreasing migration pressure and intensified measures of (external) border control. Concerning the decrease of illegal border crossings of Albanian citizens, in particular it was observed that their migration route has changed to the direction of Greece. Similarly, the number of illegal border crossings of Croatian citizens has also significantly decreased since the adoption of external border control on the border of the two countries. In this case the decrease is explained by enhanced intensity of border surveillance in Slovenia.

According to the analyses made by Slovenian authorities, no changes of border violation tactics at the external borders have been noted. However due to the abolition of border checks at the internal border, a significant increase of illegal migration across the internal Schengen borders was registered whereby border crossing was perpetrated without proper travel (identity) documents, visas or residence permits.

While in the past illegal border crossings were perpetrated mostly on foot, recently cars are increasingly used. Most illegal border crossings by car are detected on roads without any official Border Crossing Points.

Slovenian authorities detected a number of overstayers in the country of which the majority were citizens of Western Balkan Countries, followed by EU citizens. Overstayers first obtained legal residence permits or visas, and then prolonged their stay by exceeding the time limitations. Many overstayers were apprehended when trying to leave Slovenia at times of high density of cross-border traffic out of the country.

Impact of the entry of Romania and Bulgaria into the EU

As far as Bulgarian and Romanian citizens are concerned, the consequences of the 2007 extension of the EU have led to a decrease of illegal border crossings.

Number of migration related apprehensions of Bulgarian citizens in Slovenia

	Border violators	Overstayers*	Total
2005	22	12	34
2006	56	22	78
2007	9	10	19
2008	8	45	53

Number of migration related apprehensions of Romanian citizens in Slovenia

	Border violators	Overstayers*	Total
2005	59	-	59
2006	16	15	31
2007	13	0	13
2008	8	5	13

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

Until 2007 access of Bulgarian and Romanian citizens to the labour market in Slovenia was subject to work permit. Following the EU accession of Romania and Bulgaria, free access to labour market in Slovenia has been introduced in accordance with Directive 38/2004/EC, which came in force from 1 January 2007 and was adopted in the national legislation in the same year. As a consequence, in the year 2007 the composition of foreign workers by nationality has changed and Slovenia has become a popular destination country for Bulgarian and Romanian citizens after their EU accession.

However, an increased number of violations of labour market regulations has been recorded. In particular, many foreign workers were detected without proper labour registration and social security registration provided by their employer. Frequently these offences were committed under the pretext of employing these persons only for the duration of a "testing period". In the practice most frequently this meant illegal work, i.e. the foreigners worked for the whole working period unregistered.

Statistical tables

Number of persons legally crossing the border
including foreigners and citizens of Slovenia

	2007	2008 ⁶⁶
Entry	79 457 345	29 455 376
Exit	80 179 980	28 375 455
Total	159 637 325	57 830 831

Number of persons claiming asylum

	Claimed in 2007	Claimed in 2008
At the border	n.a.	n.a.
Inland	343	260
Total	343	260

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
9	9

Number of border violators,
by top nationalities / citizenships
including foreigners and citizens of Slovenia

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Serbia	875	1. Serbia	216
2. Albania	424	2. Croatia	160
3. The former Yugoslav Republic of Macedonia	200	3. Turkey	155
4. Bosnia-Herzegovina	200	4. Kosovo ⁶⁷	150
5. Turkey	166	5. Bosnia-Herzegovina	127
6. Croatia	119	6. The former Yugoslav Republic of Macedonia	69
7. Slovenia	74	7. Albania	63
8. Georgia	47	8. Slovenia	50
9. Pakistan	34	9. Montenegro	20
10. Montenegro	22	10. India	16

Number of migration related border apprehensions
including foreigners and citizens of Slovenia

	2007	2008
Foreign nationals	2 407	1 123
Citizens of Slovenia	72	50
Total	2 479	1 173

Number of migration related border apprehensions
including foreigners and citizens of Slovenia, by gender

Gender	2007	2008
Males	1 757	997
Females	136	176
Total	1 893	1 173

Number of minors apprehended at the border due to border violation
including foreigners and citizens of Slovenia

Gender	2007	2008
Males	175	105
Females	10	43
Total	185	148

Number of migration related apprehensions by
place of apprehension
including foreigners and citizens of Slovenia

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On road border crossings	404	302
On rail border crossings	14	23
On the green (land) border	1 611	540
At the sea border	1	15
On airports	12	8
In the country	438	259
On other places	14	26
Total	2 494	1 173

Number of migration related apprehensions by border section
including foreigners and citizens of Slovenia
2007

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Slovenia on the border with that country 2007	OUT: Number of apprehensions of persons LEAVING Slovenia on the border with that country 2007	Total number of apprehensions on the border with that country 2007
1. Austria	46	n.a.	46
2. Croatia	1 913	n.a.	1 913
3. Italy	277	n.a.	277
4. Hungary	123	n.a.	123

⁶⁶ Please note that the number of passengers has changed rapidly due to abolition of border checks at internal borders on 21 December 2007. Thus, data is not comparable with previous years.

⁶⁷ Under UNSCR 1244

**Number of migration related apprehensions by border section
including foreigners and citizens of Slovenia
2008**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Slovenia on the border with that country 2008	OUT: Number of apprehensions of persons LEAVING Slovenia on the border with that country 2008	Total number of apprehensions on the border with that country 2008
1. Croatia	1 173	n.a.	1 173

Number of apprehended persons being smuggled into Slovenia

2007	2008
321	255

**Number of human smugglers apprehended
including foreigners and citizens of Slovenia**

Apprehensions in 2007	Apprehensions in 2008
405	622

**Number of human smugglers apprehended
by top nationalities / citizenships
including foreigners and citizens of Slovenia**

Citizens of the following countries in 2007	Number of human smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of human smugglers apprehended in 2008
1. Slovenia	255	1. Slovenia	458
2. Croatia	71	2. Croatia	70
3. Serbia	25	3. Serbia	39
4. Bosnia-Herzegovina	18	4. Bosnia-Herzegovina	26
5. The former Yugoslav Republic of Macedonia	8	5. Austria	5

Number of persons being trafficked into Slovenia

	2007	2008
Total	1	9
Of the total: women	1	7
Of the total: minors	1	0

**Number of "traffickers in human beings" apprehended
including foreigners and citizens of Slovenia**

2007	2008
3	6

**Number of "traffickers in human beings" apprehended
by top nationalities / citizenships
including foreigners and citizens of Slovenia**

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1. Slovenia	2	1. Slovenia	6
2. Serbia	1		

**Persons rejected at the border
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Croatia	4 241	1. Croatia	4 984
2. Serbia	1 745	2. Bosnia-Herzegovina	945
3. Bosnia-Herzegovina	1 462	3. Serbia	628
4. The former Yugoslav Republic of Macedonia	801	4. The former Yugoslav Republic of Macedonia	436
5. Turkey	628	5. Turkey	320
6. Albania	596	6. Russian Federation	125
7. Ukraine	406	7. Kosovo ⁶⁸	54
8. Moldova	179	8. Montenegro	36
9. Russian Federation	154	9. USA	33
10. Montenegro	42	10. Albania	22
Total of ALL rejected persons at the border (of any nationality)	11 770		7 835

**Persons to whom residence was refused
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007	Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
1. Serbia	239	1. Serbia	354
2. Bosnia-Herzegovina	166	2. Bosnia-Herzegovina	312
3. The former Yugoslav Republic of Macedonia	92	3. The former Yugoslav Republic of Macedonia	150
4. Croatia	32	4. Bulgaria	70
5. Montenegro	23	5. Kosovo ⁶⁹	61
6. China	8	6. Croatia	46
7. Ukraine	7	7. Slovakia	25
8. Dominican Republic	4	8. Czech Republic	15
9. Thailand	4	9. China	14
10. Moldova	2	10. France	12
Total of ALL refused persons of any nationality	577		1 196

⁶⁸ Under UNSCR 1244

⁶⁹ Under UNSCR 1244

**Removed persons
by top nationalities / citizenships**

Citizens of the following countries in 2007	Number of removed persons in 2007	Citizens of the following countries in 2008	Number of removed persons in 2008
1. Serbia	322	1. Serbia	322
2. Albania	102	2. Bosnia-Herzegovina	309
3. Bosnia-Herzegovina	93	3. Croatia	268
4. Croatia	86	4. Ukraine	224
5. Turkey	62	5. Kosovo ⁷⁰	211
6. The former Yugoslav Republic of Macedonia	61	6. The former Yugoslav Republic of Macedonia	157
7. Romania	18	7. Turkey	156
8. Ukraine	12	8. Moldova	102
9. Moldova	6	9. Albania	97
10. Bulgaria	5	10. China	91
Total of ALL removed persons (of any nationality)	854		2 312

With the contribution of

Ministry of Interior
General Police Directorate
Border Police Division
Republic of Slovenia

⁷⁰ Under UNSCR 1244

Turkey



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:	Total: 780,580 sq km – water: 9,820 sq km – land: 770,760 sq km
Land boundaries:	Total: 2,648 km. Border countries: 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:	76,805,524 (July 2009 est.)

Irregular migration flows

Turkey is a country at the crossroads of Asia, Middle East and Europe, bordering eight countries and surrounded by 5,000 miles of coastline. Due to its geographic position, and as a consequence of various developments taking place at the regional and global level, the country has been seriously confronted with various forms of irregular migration of persons who arrive in Turkey due to economic, political and security problems in neighbouring countries. While for some migrants Turkey is the main destination country to work and live, others remain in Turkey only on a temporary basis on their way to other targeted destinations.

The mountain area and the rough green border in the Eastern region of Turkey is an important entry point for illegally entering migrants arriving from Iran, Iraq, Afghanistan, Pakistan, India and other Asian countries. Typically these migrants aim to only transit Turkey on their way to EU Member States.

The situation is different for migrants arriving from the Balkan states and from the Commonwealth of Independent States (CIS) who often choose Turkey as a target country to work and stay.

At the same time Turkey still is a source country of migration, since many of its citizens attempt to go to EU countries.

Law enforcement agencies take extensive efforts to combat illegal migration and human smuggling.

- In 2008 altogether 65,737 migrants on their way to Europe were apprehended, which represents a slight increase compared to the number of 64,290 registered in 2007.
- Turkish authorities focusing on human smugglers' networks have launched numerous operations to dissolve such activities. As a result the number of human smugglers apprehended has increased to 1,305 compared to 951 human smugglers apprehended in 2005.

It is reported that many of the apprehended migrants from North African countries use false Syrian passports. This seems directly related to the fact that Turkey applies visa exemption for citizens of Syria. Furthermore it is reported that most of these migrants would try to reach the Greek islands in order to apply for asylum there.

Organisational set-up of human smuggling

The human smuggling networks investigated by Turkish authorities dispose of a well functioning international hierarchical structure. The members of smuggling networks are selected carefully in order to accomplish the tasks of gathering and transporting migrants and/or preparing, obtaining and using forged or fraudulent documents and keeping details secret. In Turkey the smuggling of persons may be accompanied by the smuggling of drugs, arms, tobacco, alcoholic drinks.

Human smugglers typically use trucks, vans, cars or sea vessels for transportation, mobile phones, Internet and other up-to-date technical equipment for communications, and international bank accounts for money transfer of fees or other payments.

Smuggling fees. Human smugglers receive between 2,000 USD – 8,000 USD from each migrant facilitated and additional payment for services and accommodations in transit places. The fee may differ depending on the expected likelihood of reaching the destination and also on the standards of the journey. Well-off migrants travel individually and pay the services of a personal smuggler who assists them at the border crossings. If the migrant has only little money to offer, he/she has to join a group of other migrants and has to accept a higher risk of being detected.

The fee also depends on the solvency of the migrant e.g. migrants from Somalia pay smaller fees. Fees are ranging between 200 USD - 600 USD. Generally, during the last view years smuggling fees decreased.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Turkey

	2007	2008
Entry	31 106 833	34 703 097
Exit	30 865 912	34 976 002
Total	61 972 745	69 679 099

Number of persons claiming asylum

Claimed in 2007	Claimed in 2008
5 787	11 512

Number of persons whose asylum claims were accepted

Claims accepted in 2007	Claims accepted in 2008
2 658	3 560

Number of border violators, by top nationalities / citizenships including foreigners and citizens of Turkey

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Iraq	9 384	1. Afghanistan	10 839
2. Occupied Palestinian Territory	8 313	2. Pakistan	9 186
3. Pakistan	6 970	3. Occupied Palestinian Territory	6 941
4. Afghanistan	6 614	4. Iraq	4 818
5. Somalia	3 921	5. Somalia	3 348
6. Mauritania	3 830	6. Georgia	2 702
7. Turkey	2 476	7. Turkey	2 520
8. Georgia	2 439	8. Turkmenistan	1 741
9. Myanmar	1 502	9. Azerbaijan	1 681
10. Syria	1 383	10. Russian Federation	1 232

Number of migration related border apprehensions including foreigners and citizens of Turkey

2007	2008
64 290	65 737

Number of migration related border apprehensions including foreigners and citizens of Turkey, by gender

Gender	2007	2008
Males	52 882	n.a.
Females	11 408	n.a.
Total	64 290	65 737

Number of human smugglers apprehended including foreigners and citizens of Turkey

Apprehensions in 2007	Apprehensions in 2008
1 242	1 305

Number of human smugglers apprehended by top nationalities / citizenships including foreigners and citizens of Turkey

Citizens of the following countries in 2007	Number of human smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of human smugglers apprehended in 2008
1. Turkey	1 154	1. Turkey	1 235
2. Iraq	18	2. Iraq	13
3. Iran	17	3. Iran	12
4. Afghanistan	12	4. Afghanistan	6
5. Pakistan	8	5. Syria	6

Number of persons being trafficked into Turkey

	2007	2008
Total	148	120
Of the total: women	135	108
Of the total: minors	8	12

Number of "traffickers in human beings" apprehended including foreigners and citizens of Turkey

2007	2008
308	253

Number of "traffickers in human beings" apprehended by top nationalities / citizenships including foreigners and citizens of Turkey

Citizens of the following countries in 2007	Number of "traffickers in human beings" apprehended in 2007	Citizens of the following countries in 2008	Number of "traffickers in human beings" apprehended in 2008
1. Turkey	264	1. Turkey	212
2. Moldova	10	2. Uzbekistan	12
3. Russian Federation	10	3. Ukraine	6
4. Azerbaijan	7	4. Georgia	5
5. Kyrgyzstan	4	5. Turkmenistan	4

Persons rejected at the border by top nationalities / citizenships

Citizens of the following countries in 2007	Number of rejected persons in 2007
1. Georgia	4 275
2. Moldova	1 774
3. Iraq	1 349
4. Russian Federation	784
5. Ukraine	745
6. Syria	741
7. Azerbaijan	670
8. Turkmenistan	482
9. Kyrgyzstan	315
10. Bulgaria	249
Total of ALL rejected persons at the border (of any nationality)	14 265

Removed persons by top nationalities / citizenships

Citizens of the following countries in 2007	Number of removed persons in 2007
1. Iraq	9 384
2. Occupied Palestinian Territory	8 313
3. Pakistan	6 970
4. Afghanistan	6 614
5. Somalia	3 921
6. Mauritania	3 830
7. Turkey	2 476
8. Georgia	2 439
9. Myanmar	1 502
10. Syria	1 383
Total of ALL removed persons (of any nationality)	53 301

According to Turkish legislation, human smuggling and human trafficking are two distinctive phenomena. Cases where these two acts interrelate are very rarely observed (maximum 2 or 3 cases per year). In such a case the investigations for traffickers are immediately started and victim support procedures are applied.

With the contribution of

Department for Foreigners Borders and Asylum
General Directorate of Turkish National Police
Ministry of Interior
Republic of Turkey

Ukraine



Location:	Eastern Europe, bordering the Black Sea, between Poland, Romania, and Moldova in the West and Russian Federation in the East
Area:	Total: 603,700 sq km – water: 0 sq km – land: 603,700 sq km
Land boundaries:	Total: 4,566 km. Border countries: Belarus 891 km, Hungary 103 km, Moldova 940 km, Poland 428 km, Romania (south) 176 km, Romania (west) 362 km, Russian Federation 1,576 km, Slovakia 90 km
Coastline:	2,782 km
Population:	45,700,395 (July 2009 est.)

Irregular migration flows

In 2008 the number of migrants apprehended for border violation in Ukraine has decreased by approximately 6% when compared to the previous year. It is suggested that the active measures of Ukrainian law enforcement have significantly contributed to this decrease.

In 2008 there were no major changes in the structure of migrant groups transiting through the territory of Ukraine illegally.

- As in the previous years (2004-2007) the majority (88%) of migrants apprehended for border violations have arrived from CIS countries. The major countries of origin were Moldova (37%), Uzbekistan (19%), Tajikistan (8%) and Armenia (8%). The total number of migrants apprehended for border violations arriving from the CIS countries has decreased by 7%, while arrivals from the CIS countries Uzbekistan, Turkmenistan and Kazakhstan have increased.

- The number of African migrants within the total number of migrants apprehended for border violations has increased by 11 percent in 2008. In particular, the number of migrants arriving from Somalia, Nigeria, Cameroon and Ethiopia.
- While the overall number of migrants apprehended for border violations arriving from the Asian continent has decreased by 7 percent, the proportion of migrants arriving from the Occupied Palestinian Territory, Sri Lanka, Indonesia and Malaysia has increased.

Organisational setup of human smuggling

In the years 2007-2008 most apprehended migrants have arrived on land routes, and were accompanied by guides. In the majority of cases persons have crossed the border between the Russian Federation and Ukraine by avoiding the official border crossing points, or have arrived at the official border crossing points with falsified documents.

The illegal entry of migrants to the territory of Ukraine shows the characteristics of an organised activity: typically migrants are facilitated in all phases of their journey by certain members of their national community living in Ukraine, or by middlemen acting on behalf of smuggling groups. Migrants are also assisted in finding accommodation, work and legal assistance in Ukraine. In many cases internationally operating networks organise the border crossing and subsequent movement, including the provision of falsified travel and identity documents.

Facilitators of illegal border crossing take measures to ensure secret communication, e.g. prior to border crossing, the organisers frequently distribute new SIM cards for the mobile phones of the migrants. The purpose of this measure is to establish a safe channel of communication between those organising the border crossing and the migrants. Ukrainian authorities have revealed cases when the movement of migrants through the border was guided by human smugglers whom the migrants themselves never met in person. In such cases the whole operation was organised with the help of mobile telephones and by using a previously agreed coded language.

Migrants using land routes typically join in rural areas of the country to continue their journey in groups. On the other hand, those arriving at airports are generally received by their facilitators and transported to the regions bordering the European Union.

Once arrived to the border region, migrants are accommodated in private flats, hotels or camping sites and are regrouped for illegal border crossing. In many cases the border is crossed immediately after arrival at the border, without accommodating the migrants on the Ukrainian side of the border. The purpose of this modus operandi is to reduce the chances of locals noticing and reporting the group.

The routes of illegal migration through the territory of Ukraine show a remarkable stability over time: most frequently migrants attempt illegal border crossing to Hungary or to Slovakia while crossing the Trans-Carpathian region.

The *smuggling fee* depends on the distance to be covered, on the means of transportation used, on the difficulty of obtaining a travel document and on other organisational details. The average smuggling fee reported to be paid for the journey from South East Asia, Middle East or Africa through the Russian Federation and Ukraine to Western Europe is 7,000 to 12,000 USD. Out of this sum the fee to be paid for the transfer from Ukraine to Slovakia or to Hungary is 1,500 to 2,000 USD. In particular, the average fee to be paid by Chinese migrants is 10,000 USD. Migrants arriving from India pay 8,000 USD on average. Migrants arriving by airline (e.g. from Sri Lanka) pay more than the above mentioned sums. Migrants arriving by rail (e.g. from Afghanistan) pay less.

Many apprehended migrants apply for asylum in Ukraine. However, Ukrainian law enforcement agencies suggest that quite frequently the aim of these persons is economically motivated migration into Western Europe. In many cases persons having arrived legally in Ukraine e.g. as students, tourists or entrepreneurs turn to the local branch of the Ukrainian Migration Service in order to get their stay permit prolonged or to apply for asylum. However, authorities discovered a number of these persons while attempting illegal border crossing in the Trans-Carpathian region.

Legal and institutional development of border management

The implementation of the Readmission Agreement between the EU and Ukraine was ratified in 2008 with Law No. 116-VI of 05.01.2008. In case of Ukrainian and EU citizens this Law entered into force on the 1 January 2008. In case of third country citizens the Law will enter into force on the 1 January 2010.

The State Border Service of Ukraine applies the UN definitions of Smuggling and Trafficking (Palermo Protocols).

Over the last several years the principles of integrated border management were gradually implemented by the State Border Service of Ukraine which has resulted in an improved effectiveness of border management. The proportion of border guard staff that performs direct border guard services has been further increased to 75% of the overall number of the staff in 2008. Objective indicators show that in Ukraine the standards of border management have approximated EU level.

Conditions of legal movement of persons between Ukraine and the EU

In 2005 Ukraine has introduced a visa free regime for EU citizens and citizens of Switzerland and Liechtenstein (Decree of president of Ukraine of 26.07.05, no.1131/2005).

In 2008, with the extension of the Schengen Area, the conditions for entry for Ukrainian citizens into the European Union have been restricted. In particular Ukrainian citizens are requested to prove for their ability to pay for the costs of their planned journey to EU Member States. In addition Ukrainian citizens attempting to cross the Schengen border legally with cars are frequently requested to prove that they possess 50 USD for each day they intend to spend in the Schengen Area. In many cases the lack of these financial means was regarded as a ground to revoke entry into the European Union.

Statistical tables

Number of persons legally crossing the border including foreigners and citizens of Ukraine

	2007	2008
Total	86 777 240	89 076 351
Entry	43 869 669	44 596 852
Exit	42 907 571	44 479 499

Number of border violators by top nationalities or citizenships including foreigners and citizens of Ukraine

Citizens of the following countries in 2007	Number of border violators in 2007	Citizens of the following countries in 2008	Number of border violators in 2008
1. Ukraine	4 157	1. Ukraine	3 786
2. Moldova	2 816	2. Moldova	2 106
3. Russian Federation	1 147	3. Russian Federation	881
4. Pakistan	543	4. Georgia	543
5. Georgia	490	5. Pakistan	535
6. Belarus	320	6. Belarus	275
7. India	281	7. Afghanistan	219
8. Iraq	156	8. Somalia	185
9. Vietnam	123	9. India	155
10. Somalia	120	10. Tajikistan	143

Ukraine

Number of migration related border apprehensions including foreigners and citizens of Ukraine, by gender

Gender	2007	2008
Males	8 795	8 089
Females	2 198	1 833
Total	10 993	9 922

Number of minors apprehended at the border due to border violation including foreigners and citizens of Ukraine

Gender	2007	2008
Males	102	69
Females	28	21
Total	130	90

Number of migration related apprehensions by place of apprehension including foreigners and citizens of Ukraine

Place of apprehension	Number of apprehensions in 2007	Number of apprehensions in 2008
On the border	10 900	9 849
In the country	28	73
Total	10 928	9 922

Number of border violators apprehended in Ukraine by border sections

Border sections with neighbouring country	2005	2006	2007	2008
Land borders with:				
1. Poland	957	948	594	672
2. Slovakia	3 365	3 387	2 552	1 504
3. Hungary	193	248	350	1 030
4. Romania	49	65	227	337
5. Moldova	2 595	2 166	2 392	1 985
6. Russian Federation	3 659	3 080	2 760	2 714
7. Belarus	1 785	2 064	1 770	1 396
Sea border	65	80	99	50
Airports	309	325	249	234
Total	12 977	12 363	10 993	9 922

Number of migration related apprehensions by border section and by the direction of their movement including foreigners and citizens of Ukraine, 2007

(Only those border violators for whom the direction of movement was registered)

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Ukraine on the border with that country 2007	OUT: Number of apprehensions of persons LEAVING Ukraine on the border with that country 2007	Number of apprehensions on the border with that country 2007
1. Poland	3	417	420
2. Slovakia	12	2 431	2 443
3. Hungary	9	253	262
4. Romania	0	59	59
5. Moldova	75	2	77
6. Russian Federation	334	42	376
7. Belarus	41	13	54

Number of migration related apprehensions by border section and by the direction of their movement including foreigners and citizens of Ukraine, 2008

(Only those border violators for whom the direction of movement was registered)

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of persons ENTERING Ukraine on the border with that country 2008	OUT: Number of apprehensions of persons LEAVING Ukraine on the border with that country 2008	Number of apprehensions on the border with that country 2008
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

Number of human smugglers apprehended including foreigners and citizens of Ukraine

Apprehensions in 2007	Apprehensions in 2008
41	78

Ukraine

Number of human smugglers apprehended by top nationalities or citizenships, including foreigners and citizens of Ukraine

Citizens of the following countries in 2007	Number of human smugglers apprehended in 2007	Citizens of the following countries in 2008	Number of human smugglers apprehended in 2008
1. Ukraine	20	1. Ukraine	69
2. Moldova	10	2. Russian Federation	5
3. Russian Federation	2	3. Moldova	1
4. Switzerland	2	4. Sri Lanka	1
5. Belarus	1	5. Belarus	1

Persons rejected at the border, by top nationalities or citizenships

Citizens of the following countries in 2007	Number of rejected persons in 2007	Citizens of the following countries in 2008	Number of rejected persons in 2008
1. Moldova	13 321	1. Moldova	13 989
2. Uzbekistan	5 055	2. Uzbekistan	6 145
3. Tajikistan	3 373	3. Tajikistan	2 745
4. Azerbaijan	1 938	4. Azerbaijan	2 275
5. Armenia	1 831	5. Armenia	1 720
6. Russian Federation	1 476	6. Turkey	1 240
7. Romania	1 354	7. Poland	1 186
8. Kyrgyzstan	983	8. Russian Federation	1 050
9. Turkey	937	9. Kyrgyzstan	907
10. Georgia	800	10. Georgia	835
Total of ALL rejected persons at the border (of any country or nationality)	36 612	Total of ALL rejected persons at the border (of any country or nationality)	38 205

Persons to whom residence was refused and who were removed, by top nationalities/citizenships (Deported persons)

Citizens of the following countries in 2007	Number of persons to whom residence was refused in 2007	Citizens of the following countries in 2008	Number of persons to whom residence was refused in 2008
1. Moldova	2 905	1. Moldova	2 029
2. Georgia	507	2. Georgia	476
3. Russian Federation	319	3. Pakistan	279
4. Uzbekistan	90	4. Russian Federation	189
5. China	86	5. India	122
6. Azerbaijan	82	6. Turkey	111
7. Pakistan	64	7. China	85
8. Armenia	61	8. Afghanistan	81
9. Vietnam	59	8. Vietnam	79
10. Turkey	46	10. Uzbekistan	65
Total of ALL refused persons of any nationality	4 464	Total of ALL refused persons of any nationality	3 738

Number of Bulgarian migrants apprehended for illegal stay or residence in Ukraine

	Border violators	Overstayers*	Total
2005	0	0	0
2006	0	2	2
2007	0	0	0
2008	0	0	0

Number of Romanian migrants apprehended for illegal stay or residence in Ukraine

	Border violators	Overstayers*	Total
2005	8	4	12
2006	1	0	1
2007	0	0	0
2008	0	0	0

*Overstayers are persons entering legally, but staying longer than their permitted time of residence.

With the contribution of

Administration of the State Border Service of Ukraine
Information and Analytical Department of the Border Guard

Outline of the Questionnaires

Standard Questionnaire

Open questions, identical with those from previous years

- *Irregular migration flows.* What were the main events, trends, tendencies of illegal migration in your country? What was the main difference between the years 2007 and 2008 from the point of view of the actual demographic processes of illegal migration? How does this fit into the long-term evolution of illegal migration trends?
- *Change of demographic and social composition of illegal migrants.* What is the major change occurring during the last years regarding the demographic and social composition of illegal migrants? Compared to previous years, are there more (or fewer) women, more (or fewer) whole families, more (or fewer) persons of lower (higher) social status among the border violators? What are the recent trends and why?
- *Legislation.* What developments took place in 2008 regarding the legislation on illegal migration? What are the laws, decrees, and international agreements of 2007 influencing the policies on illegal migration in your country? Does your country use the UN definitions of Smuggling and Trafficking? If not, what definitions are in use?
- *Institutional development of border management.* What developments took place in 2007 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.
- *Smuggling organisations.* What are the organisational, technical and ethnic characteristics of smuggling networks? What is new in human smuggling that did not exist 2-3 years before? Please give detail on the reactions of human smugglers to changes in legal regulations, and on the reactions of human smugglers to changes in border enforcement measures. Are there new forms of smuggling with false documents, or changes in smuggling routes, or in the means and techniques of entry? Is there an evidence for repeated entry of illegal migrants? Are there evidences on the changing of fees of smuggling services? If yes, please describe the amount of fee in typical cases.
- *Modes of illegal border crossings.* Recent trends in the modes and ways of illegal border crossings. Evidences of the shift towards illegal migrants increasingly using the official border crossing points for illegal crossings instead of the green and blue borders.

Statistical tables for 2007 and 2008, identical with those from previous years.

- Number of persons legally crossing the border. Breakdown: entry and exit.
- Number of persons claiming asylum.
- Number of persons whose asylum claims were accepted.
- Number of border violators.
- Number of migration related border apprehensions. Breakdown: by gender.
- Number of migration related border apprehensions. Breakdown: by top countries of origin.
- Number of minors apprehended at the border due to border violation

- Number of migration related apprehensions by place of apprehension of illegal migrants.
- Number of migration related apprehensions by border section and direction of migration (entry and exit).
- Number of persons being smuggled into your country.
- Number of human smugglers apprehended.
- Number of persons being trafficked into your country.
- Number of "traffickers in human beings" apprehended.
- Persons rejected at the border. Breakdown: by top countries of origin.
- Persons to whom residence was refused. Breakdown: by top countries of origin.

Special Questionnaire

Questions on the impacts of the 2007 extension of the Schengen Area. (All questions relate to your country.)

- In what ways have the legal provisions governing the entry and residence of non-EU citizens ("third-country nationals") changed in the years up to 2007.
- In what ways has the 2007 extension of the Schengen Area has changed the strategy of the Border Guards on the EU new internal border sections?
- In what ways has the 2007 extension of the Schengen Area has changed the strategy of the Border Guards on the new external border sections?
- At which border sections have apprehension figures increased and at which have they decreased? How do you explain these changes?
- In what ways has the 2007 extension of the Schengen Area changed the strategy of illegal migrants?
- Does your organisation/country have special programmes to counteract illegal migration through the interior borders of the EU?
- Does your organisation/country participate in international co-operation projects designed to combat illegal migration through the interior borders of the EU?
- Number of border violators apprehended in your country by border sections, 2005-2008.

Questions on the impact of the 2007 enlargement of the EU. (All questions relate to your country.)

- In what ways have the legal provisions governing the entry and residence of Bulgarian and Romanian citizens changed in the years up to 2007?
- In what ways have the labour regulations for Bulgarian and Romanian citizens changed in the years up to 2007?
- What was the most important impact of the EU accession of Bulgaria and Romania on illegal migration / illegal work in your country?
- Number of Bulgarian / Romanian illegal migrants apprehended in your country. Breakdown: Border violators / Overstayers. 2005-2008.
- Number of Bulgarian / Romanian citizens apprehended for working illegally in your country. 2005-2008.