



Freedom of movement in a populist age: Why Balkan visa liberalisation is (still) a success

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Visa liberalisation process for the WB 2008-2010:

a sensation



- Visa roadmap setting out close to 50 criteria
- Structured implementation and monitoring process – strict, but fair
- Focused and successful implementation by the Western Balkan countries

The required reforms were demanding, but they were implemented:



Secure documents (biometric passports)

Improved border control

Migration management

Prevention of illegal migration

Readmission

Fight against organised crime

Fight against corruption

Human rights (anti-discrimination, minorities, Roma)

Working with Frontex, Europol, Eurojust, EU MS

WIN-WIN-WIN:

The EU has gained in security: it has partners that help protect its external borders



The WB countries have gained: they have improved their internal security situation

The citizens have gained: visa-free travel

Visa-free travel:
Macedonia, Montenegro and Serbia
19 December 2009
Albania and Bosnia
15 December 2010



The year 2010:

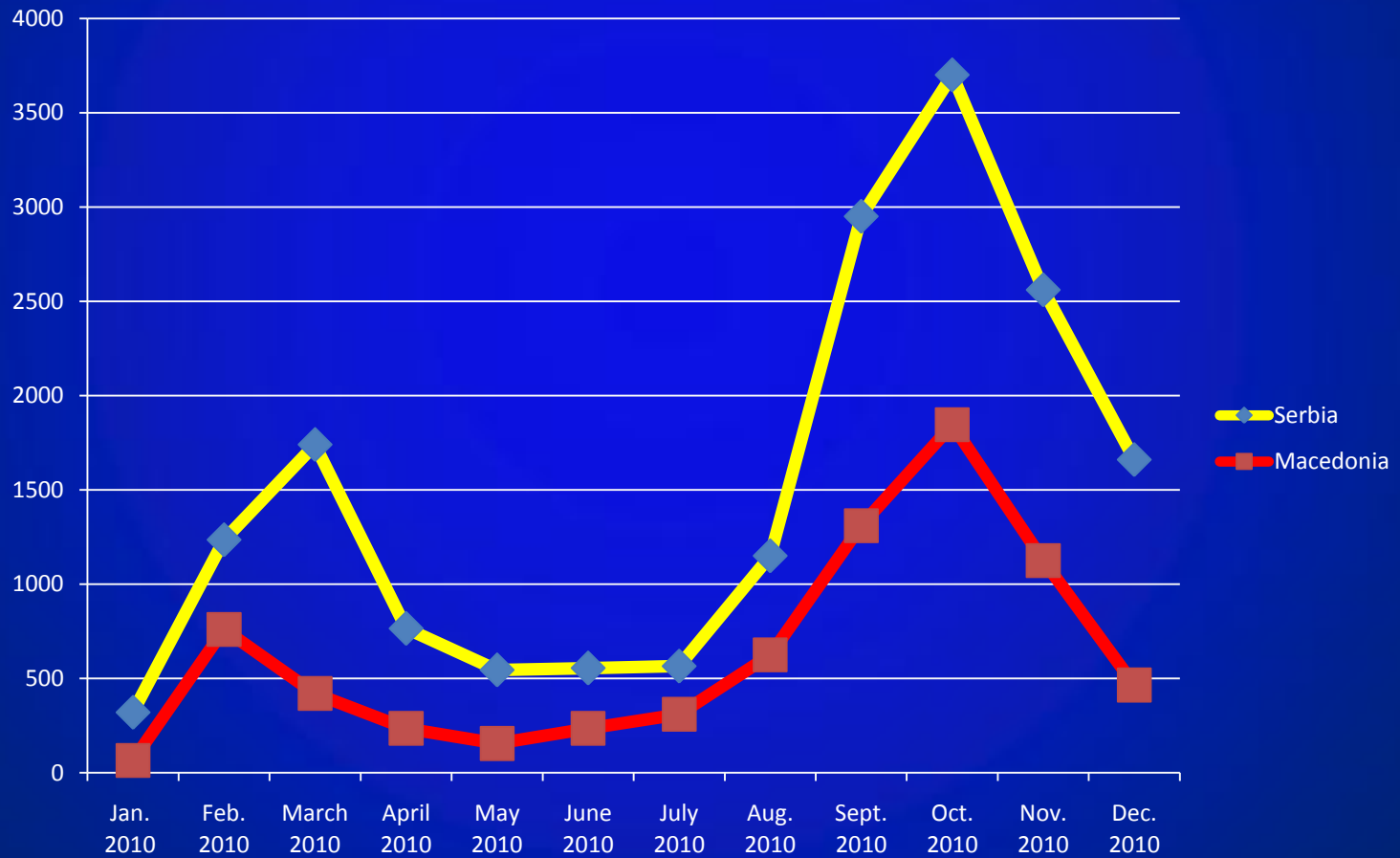


Increase in asylum seekers from Serbia and Macedonia in the EU

	2010	2009	2008
Macedonia	7,550 (+ 803%)	940	815
Serbia	17,715 (+335%)	5,290	13,540*
All countries (non-EU)	257,815	265,845	225,870

*Includes Kosovo

Asylum claimants from Serbia and Macedonia in the EU in 2010



**Reaction of the EU:
Concern.
Worry.
Demands.**

“The [Macedonian] government must succeed in making clear to these people that they have no chance to get asylum in Belgium.

[...] We have seen several hundred Macedonians arrive at the Office for Foreigners in two weeks, this is surreal!”



Belgian Prime Minister Yves Leterme, 9 March 2010



"We are very concerned [...]. None of them will be granted asylum and all will be sent back home in the coming days under an emergency procedure."

Swedish Ambassador to Serbia Krister Bringeus,
11 March 2010

"We will not accept this obvious abuse of our asylum system. [...] If nothing changes, it must be clear: visa-free travel for Serbia and Macedonia is at stake."

Bavarian Interior Minister
Joachim Hermann, 19 October 2010





“The latest figures from some EU Member States show an alarming new increase in the number of asylum seekers coming from your country over the past month. [...]

This is a very worrying development. It sheds doubt on the effectiveness of the measures taken by your country in spring. [...] I would like to point out that it will be crucial that your authorities take all the necessary measures to reduce the influx of asylum seekers without any delay.”

Enlargement Commissioner Stefan Fule, Letter to Macedonian Foreign Minister, 18 October 2010

The necessary measures:

- ❑ Investigate bus companies and travel agencies
- ❑ Run information campaigns
- ❑ Check at the border who leaves
- ❑ Improve living conditions of Roma



Three important facts:

1.) The Macedonian and Serbian asylum seekers go to three EU countries: Belgium, Germany and Sweden. They do not cause problems for the entire EU, but for three member states.



2.) **Almost all their claims are rejected.**
Very few receive international protection.

Recognition rate:

	Serbian asylum seekers	Macedonian asylum seekers
Sweden	0.7%	1.1%
Germany	0.6%	0.2%
Belgium	8.7%	2.1%
EU-27	2.2%	

3.) They are almost exclusively Roma.
This makes the issue sensitive.



2011

Figures remain high



	May 2011	April 2011	March 2011	Feb. 2011	Jan. 2011	Monthly average 2010	Monthly average 2009
Serbians	106	106	183	126	129	127	43
Macedonians	91	100	86	104	71	90	17

24 May 2011: Commission proposes “visa safe guard clause”



9 June 2011, JHA Council : *“This is the last appeal! This has to change. The Commission has to put the Macedonians with their backs against the wall!”*

Belgian TV RTBF quoting State Secretary Melchior Wathelet

Don't the governments do what they were supposed to do?

❑ Investigate bus companies and travel agencies. *They do, but hardly any are found to be luring people to the EU with false promises.*

❑ Run information campaigns. *They do, but the fact that asylum is hardly ever granted does not deter those who misuse the system.*



Don't the governments do what they were supposed to do?

- ❑ Check at the border who leaves. *They do to a certain degree – or does the EU want them to prevent all the Roma from leaving?*
- ❑ Improve living conditions of Roma. *They could do more, but this is a medium to long-term measure.*



These measures *cannot* work unless the border guards lock all the Roma in. However, this would be racial profiling and discrimination.

Why Belgium, Germany and Sweden? Why not France or the Netherlands?

Applications by Macedonian and Serbian nationals in France and the NL in 2010

	2010	2009
France: Macedonians	595	75
France: Serbians	800	980
NL: Macedonians	65	55
NL: Serbians	390	55

Why Belgium, Germany and Sweden? Why not France or the Netherlands?

Average length of the asylum procedure at first instance (in 2010):

Belgium: 9.9 months

Germany: 6.8 months

Sweden: 4.3 months

France: 15 days

Netherlands: 20 days or 2 months

On top of it: court procedure. In Germany: on average 12.9 months in 2010





Accommodation, food, medical care, school.

Belgium: mix of collective and individual accommodation (ca. 670 € for family of four in collective accommodation)

Germany: only collective accommodation (750€ for four, 1,150 Euro after four years)

Sweden: mostly individual accommodation (700€ for four, incl. for food)

Voluntary return assistance (with IOM):

For a family of four:

Belgium: 750 €, possibly 2,100 € upon return

Germany: 1,800 €

Sweden: 8,125 €

**All three countries cut
It for citizens of the
Balkans last year.**



Shortening the procedure at first instance

	Average length for all in 2010 (in months)	Current average length for Serbs (in months)	Current average length for Maced. (in months)
Belgium	9.9	45 days (achieved in 65% of the cases)	
Germany	6.8	2.2	2.8
Sweden	4.3	3.5	2.7

What is the solution?

Let us consider the following:



1.) The asylum seekers from Serbia and Montenegro are overwhelmingly economic migrants. Low recognition rate: Over 25,000 people processed at first level to give 370 (1.64%) international protection.

2.) The measures that the EU has pushed Western Balkan countries to take do not make sense. They cannot work. What will work is to restrict access to the benefits of EU asylum systems .

3.) All Western Balkan countries had to implement the requirements under Block 4 of the roadmap, which deals with human rights.

THE SOLUTION

Under EU asylum law, EU member states can already now prioritise and accelerate claims. Focus on this, publicise it, monitor it.

In the future: countries that have undergone a formal visa liberalisation process and have received visa-free travel as a result, should be regarded as “safe countries of origin” under the Asylum Procedures Directive.



The problem can be solved. It is in the hands of EU member states to solve it. Visa-free travel following a formal visa liberalisation process can remain – and still is - a success.



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