

Migration Update

December 2024-January 2025



Wilfried
Martens Centre
for European Studies

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The purpose of these news summaries is to provide a factual base for migration debates within the European centre-right. [Vít Novotný](#) is responsible for the selection of information items from the media, governments and social media. The value of these summaries is in the categorisation of information items and in listing those items that readers might have missed. Facts and opinions are conveyed as they are reported. Original comments are kept to a minimum. These news summaries are not subject to a formal editorial process. Mihael Koščak prepared the material on the Romanian election. Should you have any questions or comments, please contact Vít Novotný at vn@martenscentre.eu.

- Frontex published preliminary figures of EU-bound **illegal border crossings** in 2024. ‘Data from Frontex reveal a significant **38% drop** in irregular border crossings into the EU in 2024, reaching the lowest level since 2021. Despite persistent migration pressure, intensified EU and partner cooperation against smuggling networks has significantly reduced crossings at Europe’s external borders, with just over 239,000 detections recorded last year. The decrease in the total number was mainly driven by a 59% plunge in arrivals via the Central Mediterranean route and a 78% [decrease] on the Western Balkan route.’

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ITALY-ALBANIA

On 4 December, the Italian Senate [passed](#) a legislative amendment in response to the absence of approval by a national court concerning the transfer of migrants to Albania. The Migration Flows Decree includes a list drawn up by the government of **safe countries of origin**.

On 26 January, Italy [restarted](#) sending asylum seekers to Albania. An Italian Navy vessel was carrying 49 people to centers that Italy built. Those being transferred had been intercepted at sea before they reached Italy. PM Meloni restarted the programme after she **removed the case from the jurisdiction of the judges in Rome** who had ruled against the initial transfers. Officials at the Interior Ministry did not provide a list of countries where the migrants came from, but said they were from countries considered to be safe.

LABOUR IMMIGRATION

The government of **Spain** introduced new legislation to **streamline legal immigration**. [According to](#) Giovanni di Dio, an expert, the new Immigration Regulation of 19 November 2024 introduces comprehensive measures. Labour migrants can start working immediately without needing separate work permits. New protections were established for seasonal workers, including detailed contracts provided in their native language and improved housing conditions. There is increased flexibility for changing employers in cases of abuse or unforeseen circumstances. Foreign students can now work up to 30 hours per week while studying. Work permits align with the duration of the education programme, enabling a smoother transition to work permits after graduation. There are also provisions for family reunification by raising the age of dependent children to 26 years. Even unregistered partnerships are recognised for reunification purposes. A key innovation is the introduction of a one-year job search visa (previously three months).

In addition, the Spanish government is planning **pilot programmes for circular migration** for Mauritania, Gambia, and Senegal. A large proportion of the economic migrants who cross the Atlantic illegally to Spain come from these countries. The programmes would allow selected people to work in Spain for nine months each year for four years, with people returning to their country of origin for three months. During the period of employment, the employer would be responsible for providing adequate accommodation and would also cover travel costs. Participants in the programme would not be allowed to work anywhere other than the job for which they have been selected. Morocco, Colombia, Ecuador, Honduras, Dominican Republic, Guatemala and Ukraine have already signed bilateral agreements with Spain. In 2024, some 20,000 foreign workers obtained temporary or seasonal work in Spain in this way. The vast majority of them came from Morocco and worked in agriculture.

The **German** government has [launched](#) an online portal for visa applications. The new digital platform aims to help people **looking to work, study or join family** in Germany, and is available to applicants from all over the world. The applicants can choose between 28 categories of national visa online. The [Visa Navigator](#) (in the German language only) helps the potential applicant ‘to quickly and easily determine the correct visa you need for your entry and stay in Germany. Answer a few questions about the purpose of your entry and get informed information on how and where you can apply for the appropriate visa.’

In a separate development, between 2015 and 2024, the number of **working Indians** in Germany [rose](#) from 23,320 to 136,670. In December 2023, their median pay was around 5,400 euros per month, 41% **above** the median pay for all full-time employees.

The path to attracting more foreign workers becomes more complicated for **Czech companies** from January. When recruiting foreigners, they will ...need the [consent of the mayors of the municipalities](#) where the foreign employees will be accommodated. While municipal representatives believe the change will help them gain more control over who lives with them, business is worried about recruitment becoming a political issue.

EU-SYRIA-TÜRKIYE-LEBANON

Following the overthrow of the Assad regime and ‘one day after Syrian rebel factions, led by Hayat Tahrir al-Sham (HTS) — designated as a terrorist organisation by the US and UK — took Damascus... **Austria** [announced](#) on 9 December **plans to deport** Syrian migrants...“I have instructed the ministry to prepare an orderly return and deportation program to Syria,” IM Gerhard Karner (EPP) said, without clarifying which migration statuses would be targeted. Some 100,000 Syrians live in Austria, according to the country’s statistics agency. ‘

The **Belgian** government temporarily [suspended](#) the processing of asylum applications from Syrians, except from persons who have a status in another EU member state. This is because ‘the fear of persecution in the country of origin is not present’... In the meantime, people are still entitled to reception. ‘Refugee status is not necessarily forever,’ said State Secretary for Asylum and Migration Nicole de Moor (CD&V, EPP). ‘If the situation in Syria improves sustainably, I will ask the [Commissariat-General for Refugees and Stateless Persons] to review the refugee status of Syrians who arrived here in the last five years.... Of course, we are not going to revoke the stay of people who have been integrated here on a sustainable basis and who... work here, speak good Dutch and have school-age children. We can also help people who want to return now. Our country has well-developed guidance towards voluntary return.’ The **French**, [Czech](#) and [Polish](#) governments [took](#) the same measure. Also, **Croatia, Denmark, Finland, Greece, Germany, Ireland, Italy, the Netherlands, Norway, Sweden, Switzerland and the UK** [said](#) they would be [pausing](#) Syrian asylum applications. In January, the German government [decided](#) to include Syrians in its scheme that assists with **voluntary repatriations**. Previously, Syrians were not eligible for such assistance and financial support.

On 10 December, new caretaker PM Mohammed al-Bashir [said](#) that he aims to **bring back millions of Syrian refugees**.

On her visit to **Türkiye** on 17 December, **Commission** president von der Leyen [stated](#): ‘Since 2011, the EU has provided nearly €10 billion to support refugees and the hosting efforts of local communities. I am very pleased to announce today, that an additional **€1 billion** for 2024 is on its way. This will support, among others, healthcare and education of refugees in Türkiye. It will continue to contribute to migration and border management, including voluntary returns of Syrian refugees. And as things evolve on the ground, we can adapt this €1 billion to the new needs that might occur in Syria. Türkiye continues to be a key partner in managing migration along the Eastern Mediterranean route. It is crucial that we work together on our shared priorities, and deepen our cooperation on border management, the fight against migrant smuggling, and on visas.’

Cypriot authorities [reported](#) that more than 1,000 Syrian citizens have withdrawn their applications for asylum following the fall of Bashar al-Assad. ‘They intend to return to their home country, while 500 others have already returned.’ Cyprus’ Deputy Minister for Migration and International Protection Nicholas Ioannides also said that ‘**arrivals by boat** in recent months — particularly from Lebanon — have **dropped to nil**, thanks to increased patrols and cooperation with neighbouring governments and European and international authorities.’

EU-TUNISIA

[According to](#) *EU Observer*, the European Commission is setting specific conditions linked to the respect of human rights on future budget support under the EU-Tunisia deal. This according to an official told MEPs in the human rights subcommittee on 4 December. “We are putting in place very concrete milestones in order to condition any future budget support in the fields of fundamental values and human rights,” the commission deputy head of the unit for North Africa said, pledging to make the documents public once they are finalised.

EU-JORDAN

On 29 January, the Commissioner for the Mediterranean, Dubravka Šuica, [signed](#) a Joint Declaration on the **Strategic and Comprehensive Partnership** with Jordan, officially elevating the EU relationship with the country. The Partnership ‘reflects the continued commitment of the EU to assist Jordan in facing the socio-economic impact of the Syrian crisis, and in **supporting refugee and host communities** in Jordan. It will also open up further avenues for investments and enhance business opportunities for the **European companies** through contributing to a more stable economic environment. The Partnership will be complemented by significant financial resources **€3 billion**, comprising grants (€640 million), public and private investments (€1.4 billion) and macro-financial assistance (€1 billion in concessional loans).

SCHENGEN

On 12 December, EU member states unanimously [decided](#) to remove checks on persons at the **internal land borders with and between Bulgaria and Romania** from 1 January 2025. On behalf of the presidency, Hungarian IM Sándor Pintér (Patriots) stated: “It is a historic moment to finally welcome Bulgaria and Romania as full Schengen members. Lifting checks on persons at the internal land borders with and between those member states has been a top priority for the Hungarian presidency, and today we have made it a reality. This step will benefit not only Bulgarian and Romanian citizens, but also the EU as a whole.”

In December, the Netherlands [introduced](#) checks on its borders with Belgium and Germany. The Royal Netherlands Marechaussee – a branch of the Dutch armed forces – started conducting checks on roads and railway lines as of 16 December. The government says it has cracked down on movement to tackle human trafficking and irregular migration.

[Since](#) the introduction of police checks at Germany's borders, tens of thousands of people have been prevented from entering the country, according to the federal ministry of the interior. Since launching the checks in October 2023, there have been **43,500 rejections**, a ministry spokesman said. ‘A large proportion of irregular entries have been prevented by these rejections.’ In 2024, there were 111,000 fewer asylum applications than in 2023. This is ‘a 34 per cent decline in irregular migration’.

INSTRUMENTALISATION

On 11 December, the **European Commission** [adopted](#) a [non-binding] ‘**Communication** to support Member States to counter hybrid threats from the weaponisation of migration by Russia and Belarus and to strengthen security at the EU's external borders.’ Main points:

- Financing: ‘To further enhance border surveillance at the borders with Russia and Belarus, the Commission is now making available additional funding totalling €170 million.’
- Legal: ‘The Geneva Convention expressly provides for an exception to the principle of non-refoulement within the meaning of that Convention, outlining certain exceptional situations in which said principle cannot apply. The exception relates to persons for whom there are reasonable grounds for regarding as a danger to the security of the country or that have been convicted of a particularly serious crime and constitute a danger to the community.’
- Legal: ‘Guaranteeing national security is the responsibility of each member state, as recognised by Article 4(2) TEU. This should be understood as comprising the integrity of essential state functions and the fundamental interests of society, the safeguarding of territorial integrity and the maintenance of law and order. **Article 72 TFEU** recognises that, in exceptional circumstances, member states may need to take measures for reasons of law and order or public security **derogating from EU secondary legislation as confirmed by the Court of Justice of the European Union**. Any such derogations should be exceptional and applied only in clearly defined cases.’

- Numbers and routes: 'In 2024, irregular arrivals at the EU-Belarusian border-- especially the Polish-Belarusian border-- increased significantly by 66% compared to 2023. **90% of migrants illegally crossing the Polish-Belarusian border have a Russian student or tourist visa.**'

[According to](#) Professor Daniel Thym,

- the use of Article 72 'would effectively **legalise controversial legislation and administrative practices refusing entry** to the territory for people expressing the desire to apply for asylum.
- In a series of more than ten judgments, the Court of Justice [previously] recognised that member states may exceptionally invoke Article 72 TFEU to justify non-compliance with EU legislation... [However], these judgements also served 'as a powerful reminder that any invocation of Article 72 TFEU remains an uphill legal struggle for national governments.'
- Member states would have to 'demonstrate underlying reasons and are **subject to judicial oversight**; Article 72 TFEU is **no matter of sovereign autonomy**. Derogations will usually have to be limited in time to comply with the principle of proportionality which obliges member states to show that non-compliance with secondary legislation is absolutely necessary.'

MARITIME BORDERS

'A court in Sicily [found](#) Italy's Deputy PM Matteo Salvini (Lega, The Patriots) **not guilty** of kidnap for detaining 100 migrants aboard a humanitarian rescue ship in 2019 incident when he was interior minister. "I am happy. After three years, Lega has won, Italy has won. Defending the homeland is not a crime but a right. I will go forward with more determination than before," Salvini said following the verdict. In August 2019, an NGO ship called Open Arms was carrying 147 migrants from the Libyan coast when Salvini prevented it from docking on the Italian island of Lampedusa. The Open Arms remained at sea for almost three weeks, with the NGO reporting those on board endured dire circumstances leading to medical emergencies and deteriorated mental health. Some threw themselves overboard, and several minors were evacuated during the standoff. Eventually, the prosecutor in the Sicilian city of Agrigento, Luigi Patronaggio, ordered the vessel to be preventively seized after inspecting it. The remaining 89 people onboard were allowed to disembark.'

VISA LEVERAGE

On 12 December the Council [decided](#), by a [unanimous vote](#), to **remove Vanuatu** from the list of countries whose citizens are exempt from having a visa when travelling to the EU. 'The EU is revoking the visa exemption, which had already been suspended since 2022, because Vanuatu runs an investor citizenship scheme which has resulted in security and migration risks for the EU.' [According to one observer, the process of reimposing the visa duty on Vanuatu had lasted 7 years. It was made more difficult by the fact that Malta runs a similar investor citizenship scheme.]

AFRICA

As of 2025, **Ghana** is allowing [visa free entry](#) to citizens of all countries in Africa. It's hoped that the new approach will increase tourism, trade and travel to the west African country, as analysts have previously pointed to visa restrictions as a hurdle to these sectors. The nation used to allow visa free access to nationals of 26 African countries, and visas on arrival for citizens of 25 others. Only travellers from two nations on the continent required the document before visiting. The decision makes Ghana the fifth country on the continent to allow the entry of all holders of African passports. Rwanda, the Seychelles, the Gambia and Benin have the same policy.

[More than 600 people](#) have been **forcibly deported from Libya** on a “dangerous and traumatising” journey across the Sahara, in what is thought to be one of the largest expulsions from the north African country to date. The International Organisation for Migration (IOM) confirmed 613 people, all **Nigerien nationals**, arrived in the desert town of Dirkou in Niger last weekend in a convoy of trucks. They were among a large number of migrant workers rounded up by the authorities in Libya in December and January.

USA

According to the [NYT](#), the **immigration** surge of the past few years has been the **largest in US history**, surpassing the great immigration boom of the late 1800s and early 1900s. Annual net migration averaged 2.4 million people from 2021 to 2023. Total net migration during the Biden administration is likely to exceed **eight million people**. About 60 percent of immigrants who have entered the country since 2021 have done so **without legal authorisation**. The combined increases of legal and illegal immigration have caused the share of the US population born abroad to reach 15.2 percent in 2023, up from 13.6 percent in 2020. The previous high was 14.8 percent, in 1890.

- In the second half of 2024, the government's restrictive measures led to a sharp [decrease in border arrests](#), matching the (low) levels of 2020.
- US' border with **Canada** [accounted](#) for **7% of encounters with** undocumented immigrants in 2024. The nearly 200,000 encounters (apprehensions and expulsions) in that year represent a more than 500% increase since 2020.
- [According to](#) one analyst commenting on US illegal immigration figures, in the past the majority of people crossing the southern border were not apprehended, resulting in a false impression in the early 2020s of an unprecedented spike in illegal border crossings.

On assuming office on 20 January, new US President Donald Trump immediately [issued](#) the following executive orders:

- [determining](#) the current situation at the southern border is an invasion and 'suspending the physical entry of aliens involved in an invasion;'
- [declaring](#) a **national emergency** at the southern border, stating that it is 'necessary for the **Armed Forces** to take all appropriate action to assist the Department of Homeland Security in obtaining full operational control of the

- southern border’ [in 2019, president Trump also declared such a national emergency]
- [designating](#) ‘Cartels’ and other organisations as ‘foreign terrorist organisations’; “the Cartels functionally control, through a campaign of assassination, terror, rape, and brute force nearly all illegal traffic across the southern border of the US. In certain portions of Mexico, they function as quasi-governmental entities, controlling nearly all aspects of society;”
 - [ordering](#) an increase in the personnel and logistical capacity to secure the border, and
 - the detention ‘to the fullest extent permitted by law’ of aliens apprehended for violations of immigration law until their successful removal from the US
 - calling for ‘the termination of the practice commonly known as “catch-and-release,” whereby illegal aliens are routinely released into the US shortly after their apprehension for violations of immigration law’;
 - [enhancing](#) the vetting and screening during visa issuance and other admission procedures
 - [reversing](#) a (first-day) [executive order by the Biden administration](#) that deprioritised interior immigration enforcement
 - "What this particular action does is it rescinds the open borders policies of the Biden administration and equips agents and officers of the [Immigration and Customs Enforcement] ICE and [Customs and Border Protection] CBP with the authorities" they need to deport people from the US. "It also reaffirms the faithful execution of the immigration laws, prioritises enforcement actions against criminal illegal aliens and establishes federal Homeland Security Task Forces to cooperate with state and local law enforcement in the **removal** of gangs, criminals and illegal aliens from the United States," White House officials [told](#) reporters;
 - [suspending](#) for 90 days the refugee resettlement programme, with exceptions;
 - [expanding](#) ‘the Migrant Operations Center at Naval Station **Guantanamo Bay** to full capacity to provide additional detention space for high-priority criminal aliens unlawfully present in the US, and to address attendant immigration enforcement needs identified by the Department of Defence and the DHS.’

Separately, between 20 and 31 January:

- The president ‘moved quickly to [cancel the CBP One app](#), which allowed migrants to schedule [asylum procedure] appointments to gain entry’ into the US; the CBP website [stated](#) that:
 - ‘Effective January 20, 2025, the functionalities of CBP One™ that previously allowed undocumented aliens to submit advance information and schedule appointments at eight southwest border ports of entry is no longer available, and existing appointments have been cancelled.’
- The Department of Homeland Security (DHS) [issued](#) a directive that ‘rescinds the Biden Administration’s guidelines ICE and CBP enforcement actions that thwart law enforcement in or near so-called “sensitive” areas’;
 - ‘officers enforcing immigration laws will now [be able](#) to arrest migrants at sensitive locations like schools and churches’;

- The DHS [reinstated](#) Migrant Protection Protocols, allowing officials to return asylum applicants to neighbouring countries;
- The Justice Department [issued](#) a memorandum intended as guidance to all department employees for carrying out executive orders seeking to limit immigration and foreign gangs. The memo commands state and local officials to cooperate with the department under the Constitution's Supremacy Clause or face criminal prosecution or civil penalties if they fail to comply;
- The DHS issued a memo granting **immigration-enforcement authority** to several agencies at the Justice Department, including the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms and Explosives and the U.S. Marshals Service. The objective is to 'amass a larger force of law-enforcement officials to help carry out deportations by granting agents across the federal government the same powers as an immigration officer' [according to](#) the Wall Street Journal.
 - The memo also concerns agents of the and the **Federal Bureau of Investigations** (FBI). The memo also emphasises that FBI agents 'already possess immigration-arresting powers, known as Title 8 authority. Still, FBI agents traditionally steer clear of such work except where it intersects with their main mission of national security.'
 - Despite those steps, no large-scale immigration operations have yet materialised.
- Following the declaration of national emergency, the **Defence Department** [announced](#) it would send 1,500 active-duty service members and additional air and intelligence assets to the southern border to augment troops already conducting enforcement operations in that region. The **Pentagon** has since established a task force to oversee the expedited implementation of border-related executive orders.
- [According to](#) the *New York Post*, the Trump administration **reinstated the word 'alien'** over 'undocumented noncitizen'. The 'acting head of the Department of Homeland Security scrapped "confusing" euphemisms like "undocumented noncitizen" and "integration"... But acting DHS secretary Benjamine C. Huffman has wasted no time overturning the Orwellian edict of his predecessor Alejandro Mayorkas and has reinstated precise terminology, as defined in immigration law.'
- The administration [began using military planes](#) to deport migrants. The White House started sending images to the media of deportees being handcuffed and boarding a military plane.
- The Congress [gave](#) final approval to a bill that requires the **detainment of unauthorised immigrants** accused of theft and violent crimes. A crucial faction of 46 politically vulnerable Democrats joined with Republicans to lift the strict proposal to passage on a 263-156 vote tally.' The President [signed](#), as his first law in the current term, **Laken Riley Act** on 29 January. 'The bill expands the list of charges that will subject migrants to immediate detention and potential deportation, instructing federal officials to detain unauthorised immigrants arrested in connection with or charged with burglary, theft, larceny, shoplifting, assaulting a police officer, or crimes that result in death or serious bodily injury.'
- In response to the threat of mass deportations, countries such as Mexico and Poland have taken steps. [Mexico's](#) President Claudia Sheinbaum 'is pulling

out all the stops to **support the roughly 5 million undocumented Mexicans** living in the US. Her administration has launched a panic app for those detained, lined up more than 2,600 lawyers and nearly 2,200 consulate workers, and her foreign minister has met with officials in every border state.’ **Polish** PM Donald Tusk [announced](#) the country was ‘preparing diplomatic missions to protect Poles from possible expulsion. Tusk said he had asked FM Radoslaw Sikorski to prepare embassies and consulates in the US to assist people with different residency statuses.’

On 26 January, President Trump [backed off](#) a threat he had made earlier in the day to impose 25% tariffs and economic sanctions on **Colombia**, which the White House said had met its demands to repatriate migrants into the South American country.’ A similar chain of events [occurred](#) between the US and **Mexico**.

PUBLIC OPINION

[According to](#) Politico’s *Berlin Bulletin* from 20 December, ‘an overwhelming majority of Germans, namely **92 percent**, said in a Forsa survey that Syrian refugees who have found work in Germany should be able to stay in the country permanently even if Syria becomes safe enough for them to return. One thing that stuck out for us: even 75 percent of AfD voters agreed.’

NATIONAL ELECTIONS

Romania

Romania held elections to the Chamber of Deputies and the Senate on 1 December 2024. Immigration and relations with the diaspora featured in the election campaign. The [manifesto](#) of the **Social Democratic Party (PSD, PES)** advocated for stronger border security and the prevention of illegal migration, including by modernising the surveillance capabilities at the external borders of the European Union and in the Black Sea. It mentioned the importance of immigrant integration through education and vocational training. The manifesto also included measures to engage the diaspora and encourage the return of its members, for example by measures for setting up businesses by returnees. The **Alliance for the Union of Romanians (AUR, ECR)** focused their [programme](#) on emigration and bolstering domestic job opportunities, increasing wages, and fostering economic self-sufficiency to encourage Romanians to remain and to return to the country. The **National Liberal Party (PNL, EPP)** in its [manifesto](#) prioritised border security and combating illegal immigration, highlighting its success in achieving a 70% reduction in illegal migration through enhanced border measures and partnerships with all the neighbouring countries. To forge links with the diaspora, the programme aimed to set up the Corps of Instructors of Romanian Language, Culture and Civilisation. To encourage the return of émigrés, the programme proposed fiscal incentives. The **Save Romania Union (USR, Renew)** concentrated their [programme](#) on emigration challenges, enhancing the representation of the diaspora and improving consular services. The far-right **S.O.S. Romania (NI)** rejected the so-called EU-mandated immigrant quotas, advocating instead for [policies](#) that prioritised the needs of Romanians. Their agenda emphasised sovereignty and resistance to EU pressures on migration. The election results are [here](#).

JUDICIAL OBSERVATORY

The European Court of Human Rights sanctions Denmark for deporting foreign criminals

[According to](#) the European Centre for Law and Justice, on 12 November, the European Court of Human Rights (ECtHR) delivered its judgments in three cases concerning the deportation of foreign criminals by Denmark: [Sharafane \(n°5199/23\)](#), [Savuran \(n°3645/23\)](#) and [Al-Habeeb \(n°14171/23\)](#).... In the first case (Sharafane), the ECHR condemned Denmark for deporting an Iraqi cocaine trafficker. In the other two cases, the ECHR upheld the deportation of a Turkish cocaine trafficker (Savuran) and an Iraqi convicted on numerous occasions of violence and assault, including stabbings, as well as attempted theft (Al-Habeeb).... In each case, the ECtHR sought to prevent that “the applicant’s prospects of being readmitted to Denmark after the expiry of the (...) re-entry ban remain purely theoretical.” Thus, Mr. Sharafane’s **deportation violated his rights**, as it does not appear that he will qualify for legal immigration after the six-year re-entry ban period. On the other hand, if the ECtHR validated the deportations of Mr Savuran and Mr Al-Habeeb, it is because they **will be able to apply for the right to family reunification in order to return to Denmark** after their re-entry bans, set at six and twelve years respectively. For example, in the case of Mr. Al-Habeeb, the ECtHR states: “The figures seem to indicate (...) that for a person who, like the applicant, has a Danish spouse or long-term cohabiting partner, the prospect of re-entering Denmark on the grounds of family reunification does not remain purely theoretical.” In other words, **a foreign criminal always seems to be able to stay in Europe**: either he has a family there, and can therefore return through family reunification, after a few years of re-entry ban, or he has no family in Europe, and ECtHR case law will block his deportation.’

The Court of Justice of the European Union rules that it is unlawful to require proof of children's lawful entry to grant family allowances

[According to](#) *Le Figaro* in a ruling handed down on Thursday 19 December, the CJEU ruled in favour of a family of three children of Armenian origin, who had been requesting family allowances in France since 2014. The French authorities had refused to pay these social benefits, on the grounds that the father of the family had been unable to prove that each of his children had entered French territory legally. The man arrived in France illegally in 2008 with his wife and first two children. Only the third child, born in 2011, had been legally resident since birth. In the meantime, the father of the family has managed to regularise his stay and was granted a temporary residence permit in 2014, allowing him to work. Although he had entered France illegally, his situation and that of his family had been regularised by the time he applied for family allowances. He won his case before the administrative court in the first instance, but lost on appeal. The ruling was overturned in cassation and referred back to the Court of Appeal, which has since referred the case to the European Union. In its [ruling](#), the CJEU found in favour of the father of the family, deeming it contrary to EU law to make entitlement to family benefits for third-country nationals lawfully resident in France subject to an additional condition, consisting in evidence of the lawful entry into French territory of their children. Such a condition

would be tantamount to treating third-country nationals less favourably than nationals of the host Member State.

The ECtHR describes Greece's border practices as 'systematic pushbacks'

According to ekathimerini.com, the European Court of Human Rights found on 7 January 2025 that Greece had illegally deported a woman back to neighbouring Türkiye... A Turkish woman – identified only by her initials A.R.E. – was awarded damages of €20,000 after the court ruled that she had been improperly expelled in 2019 after crossing the Greek-Turkish border, having been presented no opportunity to make an asylum claim. 'The court considered that there were strong indications to suggest that there had existed, at the time of the events alleged, a systematic practice of 'pushbacks' of third-country nationals by the Greek authorities, from the Evros region (on the Greek border) to Turkey.'

According to an accompanying [press release](#), 'the Court noted that a great many official reports detailed a systematic practice on the part of the Greek authorities whereby foreign nationals who entered Greek territory unlawfully in order to seek asylum were sent back to Türkiye from the Evros region and the Greek islands. On the basis of the complaints and testimony of persons who claimed to have been the victims of "pushbacks" at the Greek land or sea borders, the reports in question described a fairly uniform modus operandi on the part of the Greek authorities in this regard. Moreover, the same finding had been reached both by the national institutions for the defence of human rights and by international organisations such as the Council of Europe or even the United Nations, whose Special Rapporteur on the human rights of migrants had asserted that, in Greece, "pushbacks" at land and sea borders were now essentially standard practice. Having regard to the significant number, variety and concordance of the relevant sources, the Court concluded that there were strong indications to suggest that there had existed, at the time of the events alleged, **a systematic practice of "pushbacks" of third-country nationals**, by the Greek authorities, from the Evros region to Türkiye. It considered that the Government had not successfully refuted the evidence in question by providing a satisfactory and convincing alternative explanation.

Greece's National Transparency Authority, a publicly-funded corruption watchdog, said that it found no evidence to support the pushback allegations following a four-month investigation in 2022. The link to the judgement is [here](#).

SELECT EXTERNAL PUBLICATIONS

J. Slootjes and R. R. Sohst, *Towards the More Effective Use of Irregular Migration Data in Policymaking*, Measuring Irregular Migration and Related Policies ([MIrreM](#)) and Migration Policy Institute, December 2024

Jan van de Beek et al., *The Long-Term Fiscal Impact of Immigrants in the Netherlands, Differentiated by Motive, Source Region and Generation*, [IZA Institute of Labour Economics](#), December 2024

M. Chishti et al, 'Biden's Mixed Immigration Legacy: Border Challenges Overshadowed Modernization Advances', [Migration Policy Institute](#), December 2024

S. Fratzke et al., 'Legal Pathways and Enforcement: What the US Safe Mobility Strategy Can Teach Europe about Migration Management', [Migration Policy Institute](#), December 2024