



Asylum Applicants from the Western Balkans: comparative analysis of trends, push-pull factors and responses – Update

May 2015



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Introduction

Due to the significant increase in numbers of applications from citizens of Western Balkans (WB) countries reported in the EU+¹ from the end of 2014, it was decided to provide an update of the key findings of its 2013 report [*Asylum Applicants from the Western Balkans: comparative analysis of the trends, push-pull factors and responses*](#) (WB report). This update has been made on the basis of the most recent quantitative data available as well as new qualitative information provided by the main receiving states on: profiles of applicants, push and pull factors and measures taken by EU+ countries in regard to these nationalities.

This document therefore follows the structure of the former report and gives updated information on:

- The characteristics of the recent asylum flow of Western Balkan applicants to EU+ countries including a review of:
 - Number of applicants for international protection;
 - Seasonality;
 - Profile and routes taken by Western Balkan applicants;
 - Decisions in first instance;
- Push factors or major reasons for Western Balkan applicants to leave their country and apply for international protection in the EU+;
- Pull factors or elements that may determine the country chosen as a destination;
- Measures taken by EU+ countries to reduce or mitigate push and pull factors and their perceived effectiveness.

Throughout the report Western Balkan² countries are considered together for a number of reasons: their common past (5 of 6 having been part of Yugoslavia), similar current economic and social conditions, their common EU perspective (i.e. that they are or may eventually become candidates for EU accession), their geographical proximity to the EU, the fact that are considered to be safe countries of origin by the most important destination countries³ and that all except Kosovo⁴ are visa-liberalised for travel to the Schengen area.

Unless otherwise specified, statistical information is presented up to December 2014 (inclusive) and is obtained from official statistics available from Eurostat as of 30 March 2015. Information on push and pull factors have been collected via questionnaire on the basis of EU+ countries experts' opinions. It was not possible to carry out a survey on this topic addressed directly to Western Balkan applicants themselves. EASO aims to perform such a survey in future as part of its research programme on pull/push factors determining asylum-related migration.

The information provided in this comparative analysis has been carefully gathered, evaluated and analysed. It represents the most accurate information on the phenomena that are the subject of the report that EASO was able to compile. However, this document does not claim to be exhaustive. Moreover, the report is not conclusive as to the merit of any particular application for international protection. Terminology used should not be

¹ EU Member States plus Switzerland and Norway.

² i.e. Albania, Bosnia and Herzegovina, the Former Yugoslav Republic Of Macedonia, Kosovo, Montenegro and Serbia.

³ For more information on the use of safe country of origin lists or manifestly unfounded procedures in selected EU+ countries, please see the section on *Measures taken by EU+ countries to reduce or mitigate pull factors and their effectiveness*.

⁴ This designation is without prejudice to positions on status and is in line with United Nations Security Council Resolution 1244/99 and the advisory opinion of the International Court of Justice on the Kosovo declaration of independence.

regarded as indicative of a particular legal position. Neither EASO nor any person acting on its behalf may be held responsible for the use which may be made of the information contained therein.

Characteristics of the recent asylum flow from Western Balkan to EU+ countries

Number of applicants for international protection

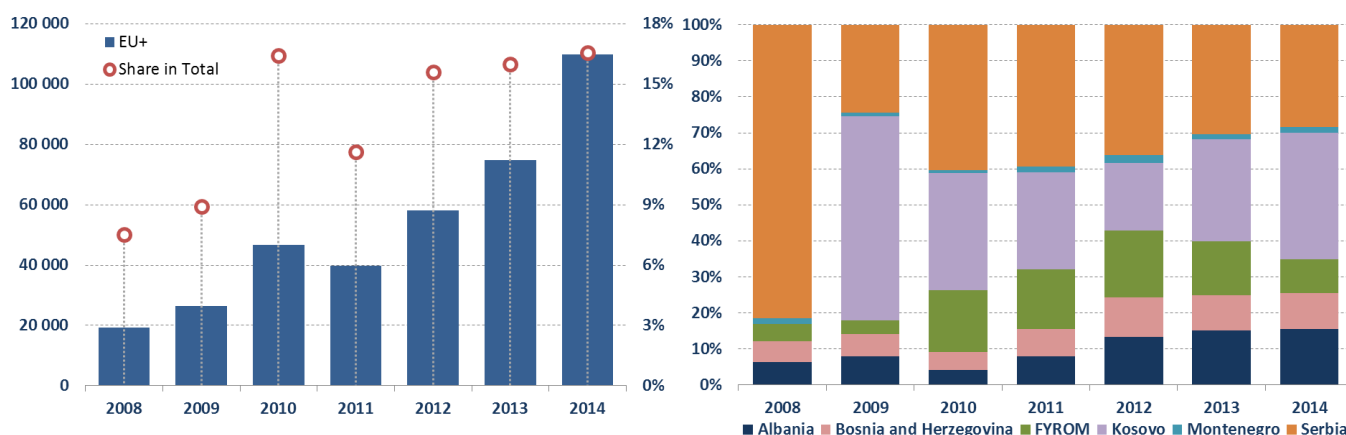
As shown in Figure 1a, the overall number of applicants from Western Balkan countries has been rising since 2008⁵ (with the exception of 2011 when numbers went down). The total number of applicants registered in the EU+ was five times higher in 2014 than in 2008 and reached about 110 000 persons. As a consequence, the share of Western Balkan applicants in the overall number of applicants for international protection in the EU+ has also been rising since 2008 and accounted for 17 % in 2014.

As shown in figure 1b, during the period 2008-2014⁶, the relative importance of individual nationalities comprising the Western Balkans flow to the EU+ has changed. While showing different patterns over time, Serbs and Kosovars have constituted the large majority of the flow in the EU+, with a share ranging from 60% to 80% of the Western Balkans total.

In 2014, close to 110 000 applicants in the EU+ originated from the Western Balkans

Figure 1a: WB applicants and share in total applicants in the EU+, 2008-2014

Figure 1b: Yearly composition of WB applicants in the EU+, 2008-2014



Between 2009 and 2013, the number of applicants from Western Balkan countries, when considered together, has in every year consistently represented the largest portion of the overall number of applications for international protection lodged in the EU+.

In 2014, however, the number of Syrians applicants represented the largest portion of asylum applicants in the EU+ (see Figure 2).

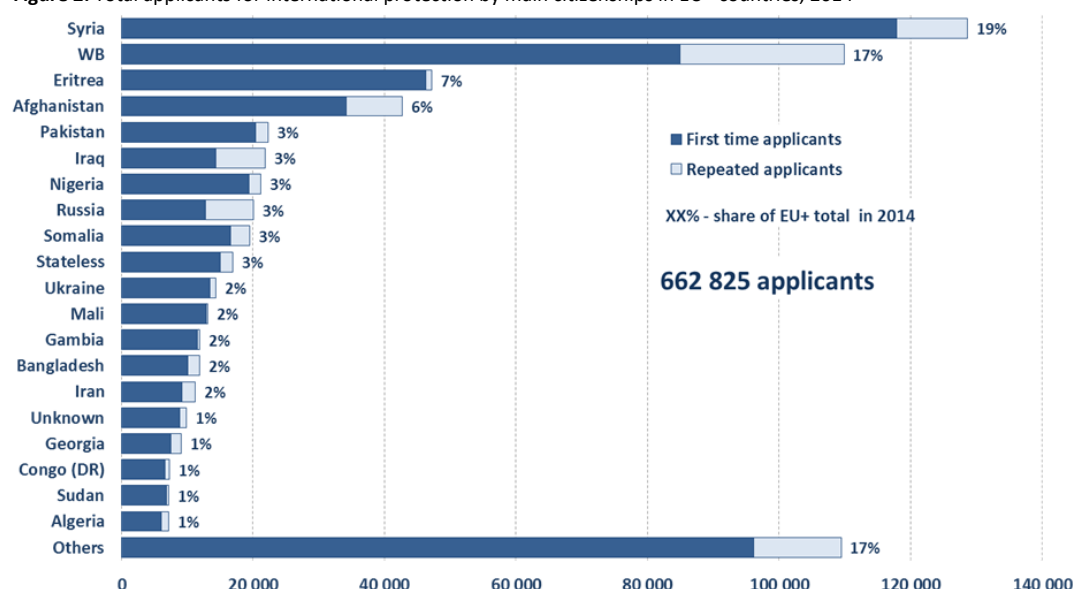
⁵ EU level statistical information has only been available since 2008. It is gathered by Eurostat on the basis of EU Regulation on migration and international protection statistics (EC) 862/2007.

⁶ It is worth mentioning that the citizenship Kosovo has only been reported from 2009 and that in 2008 applicants for Kosovo were reported under Serbian citizenship.

From this chart, it can also be seen that the proportion of “repeated applicants”⁷ is particularly significant for the Western Balkan flow especially when compared to that of other nationalities.

In 2014, Western Balkan applicants were the second-largest group of applicants in the EU+

Figure 2: Total applicants for international protection by main citizenships in EU+ countries, 2014



Seasonality

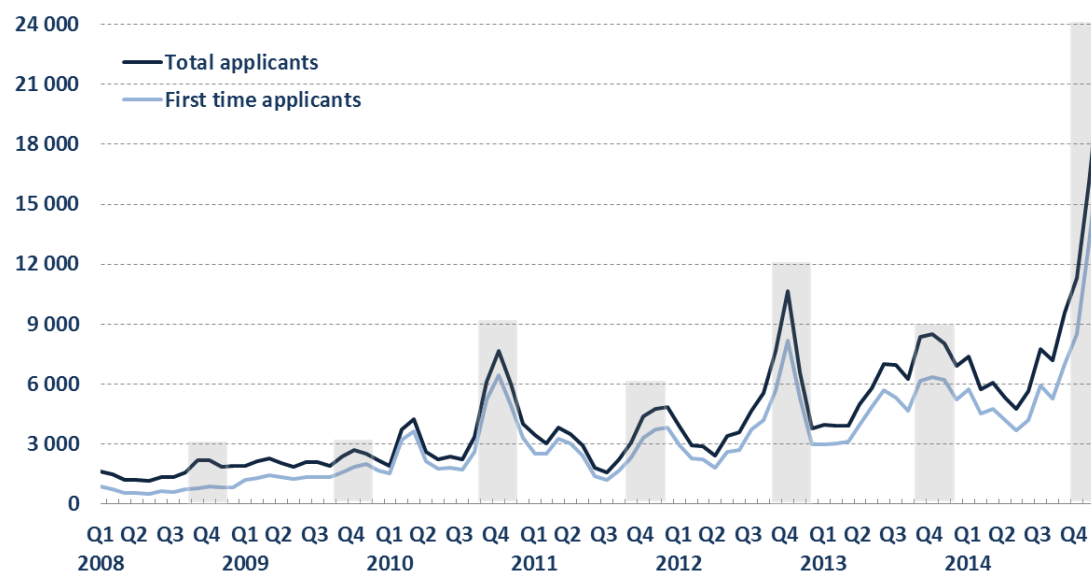
The WB flow is clearly seasonal, a trend that became evident (see Figure 3) particularly from late 2009 onwards, with the highest levels generally occurring in October of each year, plus, usually, lows in applications during June or July⁸. The sharpest spikes happen every two years followed by a smoother path. In 2014, however, as confirmed by December data, this seasonal pattern was disrupted and more than 20 000 applicants from the Western Balkans (mainly Kosovo) were recorded in December 2014. This month represented the highest monthly level ever and was twice as large as the previous high (October 2012).

⁷ According to EUROSTAT guidelines the difference between total and “new” applicants should be understood as “repeated applicants”, i.e. persons who made a “further application for international protection after a final decision has been taken on a previous application, including cases where the applicant has explicitly withdrawn his or her application and cases where the determining authority has rejected an application following its implicit withdrawal in accordance with Article 28(1).”

⁸ The seasonal drop in summer was not seen in 2013 due to the situation in Hungary, which is treated in more detail later on.

The flow of Western Balkan applicants in the EU+ tends to reach its high in October of each year

Figure 3: Total and first time applicants from WB countries in EU+ by month, January 2008-December 2014



Given that this document is meant to be an update of the WB report, the remainder of this report will focus on the most recent trends not covered by the original report, namely the period from July 2013 to December 2014.

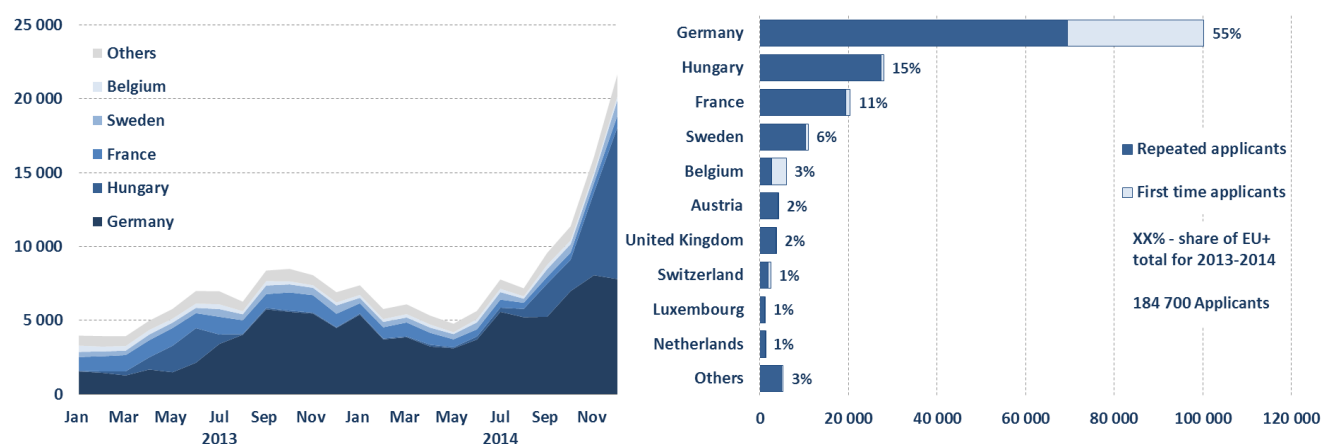
From the EU+ countries' perspective, as can be seen in Figure 4a, the seasonal pattern explained before holds only for Germany. This shows a different picture compared to the conclusions of the previous report, where the seasonality trend was experienced by all the main countries of destination, suggesting that something has changed during the last two years.

Applicants from the Western Balkans are not evenly distributed across EU+ countries but concentrated in a limited number of countries as shown in Figure 4b with 91% of the total applying in five countries. Germany represents the main destination country and received 55% of the Western Balkan flow in the last 2 years.

Over 2013-2014, Hungary became the second main receiving country of Western Balkan applicants after Germany

Figure 4a: Monthly applicants from WB countries by main destination country, January 2013-December 2014

Figure 4b: Total applicants from WB countries by main destination country, 2013-2014

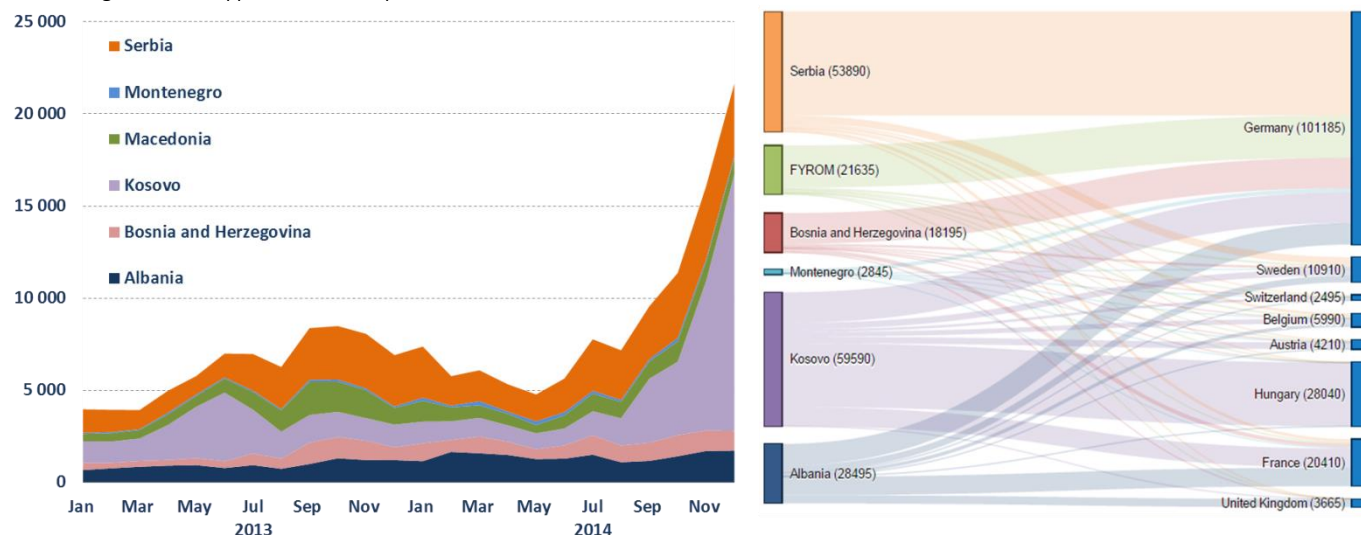


Since the last Western Balkan comparative analysis, Hungary became one of the top five destination countries, replacing Switzerland and registering a distinct trend in number of applicants from the Western Balkan region: 92 % of all applicants registered by Hungary during the last two years were concentrated in two specific periods; the first between March and June 2013 and the second which started in September 2014.

The increase of Western Balkan applicants recorded in autumn 2014 was mainly driven by the growing number of Kosovar applicants

Figure 5a: WB applicants in EU+ by month and by citizenships, January 2013-December 2014

Figure 5b: WB applicants in the Top 8 EU+ countries, 2013-2014



Also from the country of origin perspective, as can be seen in Figure 5a, the main drivers of the overall seasonality have changed in the last two years. Applications from citizens of Serbia, the former Yugoslav Republic of Macedonia and to a lesser extent Bosnia and Herzegovina are highly seasonal and until 2013 determined the overall seasonality. However, the increase in the autumn of 2014 is almost entirely caused by citizens of Kosovo, whose flows have historically been less seasonal, but more linked to sudden surges such as the one experienced from November 2014.

Western Balkan applicants are not equally likely to go to the main destination countries. Figure 5b shows, for example, that Germany is the preferred destination country for citizens

from five out of six Western Balkan countries. While those holding passports issued by Serbia and the former Yugoslav Republic of Macedonia chose almost exclusively Germany, Kosovars also applied in Hungary and France and Albanians in France and the United Kingdom.

Applications for asylum from WB countries - summary

The WB flow has in recent years consistently represented the largest group of asylum applicants across the EU+. The flow is steadily increasing (except for 2011) and has become increasingly seasonal, with large peaks just before winter each year. This seasonality was determined historically by the flows from the former Yugoslav Republic of Macedonia and Serbia, but the recent surge (and cancellation of the seasonal trend for the end of 2014) was caused almost entirely by Kosovars. The flow is directed towards only a small number of EU+ countries. Applications from WB citizens are not evenly distributed across the EU+, with Germany, Hungary, France, Sweden and Belgium receiving 91% of the flow in the last 2 years. There is a significant proportion of repeated applications in the overall number of applications. Applicants from individual WB countries are not equally likely to go to the top destination countries.

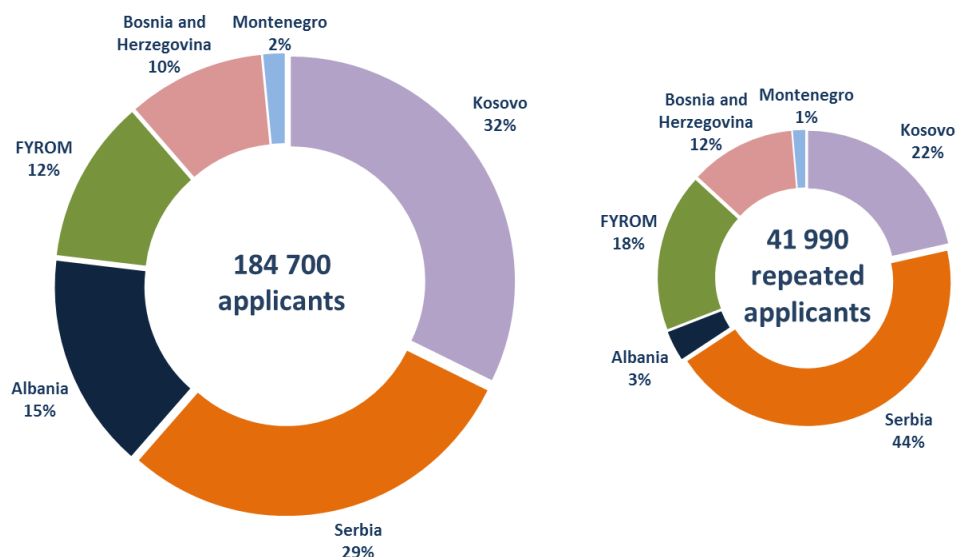
Profile and routes taken by Western Balkan applicants

While the statistics above provide a good overview of the complexities of the WB flow, their accuracy is limited to the level of country of origin. Taking a closer look at the ethnicity⁹ of asylum seekers helps to underscore the heterogeneity of the WB flow. The analysis below focuses on the five WB countries from which the largest numbers of asylum seekers come.

Over 2013 2014, Kosovar and Serbian applicants constituted more than 60 % of all Western Balkan applicants

Figure 6a: Composition of WB applicants in EU+ countries, 2013-2014

Figure 6b: Composition of repeated WB applicants in EU+ countries, 2013-2014



⁹ While the concept of what constitutes “ethnicity” is far from universally agreed upon, throughout what follows commonly used names for the different, generally recognised ethnic groups present in the Balkans are used. Careful attention should be paid to the source of the data provided so as to promote understanding of how the concept is used in each particular instance.

Kosovo

Kosovar applicants are mostly ethnic Albanians and to a lesser extent of Roma, Ashkali and Egyptian (RAE) ethnicity¹⁰. Most of them are Muslims. In the 2014 flow, they travelled by bus from Belgrade to Subotica where they illegally crossed the border to Hungary (usually with the help of facilitators). After lodging an application for international protection in Hungary, the vast majority of Kosovar applicants absconded and travelled by bus train or van to other EU countries (principally Germany) and often applied again. Only Sweden¹¹ reported entry of Kosovar applicants by plane.

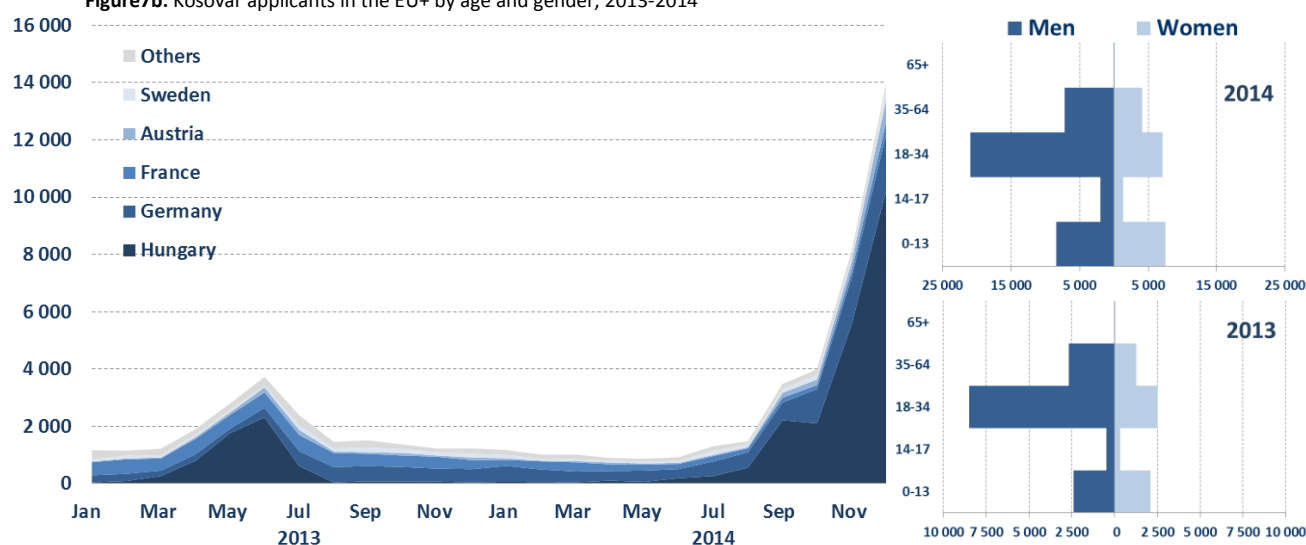
The main destination countries for asylum applicants from Kosovo were traditionally Belgium, France, Germany, Sweden, Switzerland and, lately, also Hungary. Figure 7a shows how the trend was mainly driven by surges in applicants. Kosovo is the only non-visa-liberalised WB state and it seems likely that the recent rise in requests for asylum there were a way of circumventing EU external border controls as Kosovar citizens applied in Hungary and then left open reception centres for other countries in the Schengen area. During the second half of 2014 Kosovars were by far the largest component of the WB flow overall.

The age and gender composition of Kosovar applicants has changed over the last 2 years. As shown by figure 7b, in 2013 the main profile was clearly a single male adult, while 2014 data suggests that the number of families increased somewhat.

In 2013-2014, Kosovar applicants mainly lodged their claims in Hungary and Germany

Figure 7a: Kosovar applicants in the EU+ by country of destination, January 2013-December 2014

Figure 7b: Kosovar applicants in the EU+ by age and gender, 2013-2014



¹⁰ This and subsequent qualitative data is based on replies received to a questionnaire sent by EASO to Germany, France, Austria, Hungary, Luxembourg, Belgium, Sweden and Switzerland with the aim of rapidly providing a short update of the key findings of its 2013 report.

¹¹ The Swedish Migration Agency experts provided the following analysis of the means of entry of Kosovar applicants in Sweden: Entry by public transport (train, bus, and car) via Germany/Denmark and over the Oresund Bridge from Copenhagen to Malmö or, to a lesser extent, by ferry from Elsinore to Helsingborg. Some also enter by airplane to Gothenburg.

Applicants from Kosovo - summary

Kosovar nationals apply for international protection in Hungary, Germany, France and Sweden. They are mostly young male adults but recently a number of families have been recorded. An extremely high number of cases are closed in Hungary as implicitly withdrawn. High numbers of applicants are continuing the journey and applying in neighbour countries, particularly Germany and Austria, as evidenced by Dublin statistics. As a consequence of the recent events, the stock of pending cases was high in Hungary.

Serbia

According to the input received, the flow of Serbian applicants mainly consists of Roma and to a lesser extent ethnic Albanians. It is worth noting that although Germany reported the Serbian flow was mostly Roma (circa 90%), Switzerland reported a mixed flow of 60% Roma and 30% Albanians. While in Switzerland most of the Serbian applicants are Muslim, in Germany the majority of the flow is composed of Christians (60 %) followed by Muslims (35 %). Serbs mostly travel overland to the EU by bus, van, or train although Sweden¹² also reported some entry by airplane.

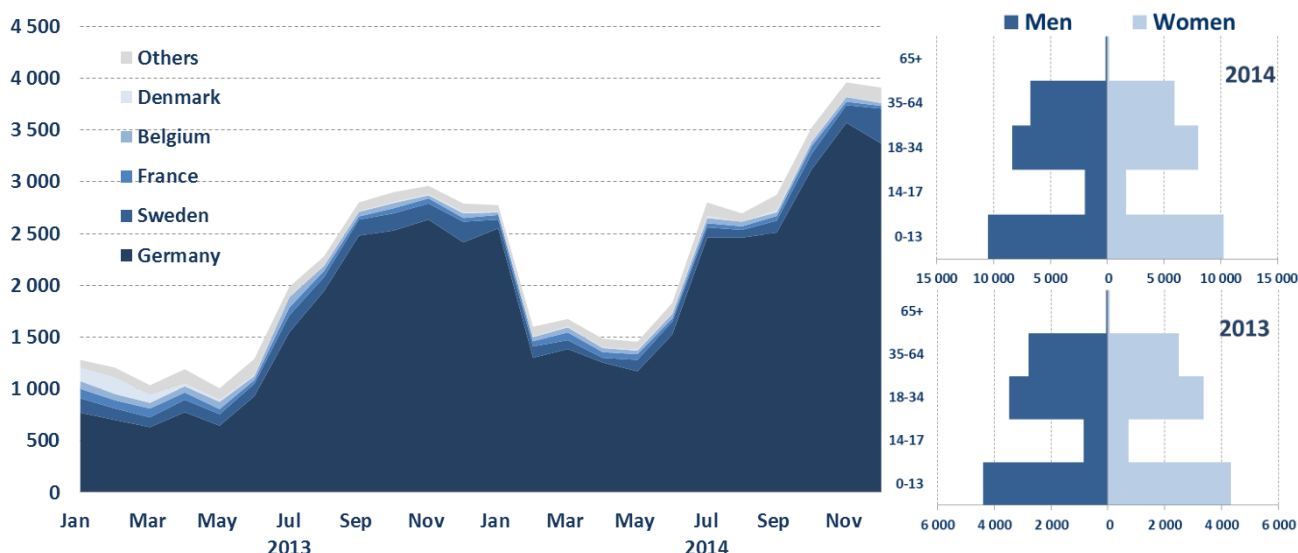
Figure 8a plots the evolving numbers of applications by Serbian applicants in the last 2 years. The most popular destination by far was Germany, which has consistently been the top destination country and has increased in importance as a destination country since 2010. All other main destination countries have reported decreases in 2014 when compared to 2013.

Figure 8b suggests that the majority of the Serbian flow is mainly constituted by families. This distribution has not changed over time.

In 2013-2014, Serbian applicants consisted mainly of families lodging their claim in Germany and Sweden

Figure 8a: Serbian applicants in the EU+ by country of destination, January 2013–December 2014

Figure 8b: Serbian applicants in the EU+ by age and gender, 2013-2014



¹² The Swedish Migration Agency experts provided the following analysis of the means of entry of Serbian applicants in Sweden: Entry by airplane to mainly Stockholm and Gothenburg or by public transport (train, bus, and car) via Germany/Denmark and over the Oresund Bridge from Copenhagen to Malmö or, to a lesser extent, by ferry from Elsinore to Helsingborg.

Applicants from Serbia - summary

The group is composed of mainly Roma families with significant numbers of young children mostly applying for international protection in Germany. The stock of pending cases is particularly high in Germany.

Albania

Based on information gathered from the WB update questionnaire sent to Member States, Albanian applicants mainly consist of Muslim ethnic Albanians travelling to the EU via ferry and train. Germany reported that while 83 % of Albanian applications were lodged by ethnic Albanians, 11 % of Albanian applications were made by Roma. As regards religion, Germany reported 76% Muslims and 18 % Christians. Switzerland, Sweden¹³ and Germany reported that Albanians applicants mostly travel by ferry and train although Sweden also indicated that some applicants travelled by air. Germany mentioned that one route for Albanian applicants consisted of the use of a ferry from Albania to Italy followed by bus or train to Germany through Austria. The alternative route consisted of overland transport by bus or taxi to Montenegro and Macedonia and then the use of a bus or van to Austria or train to Germany.

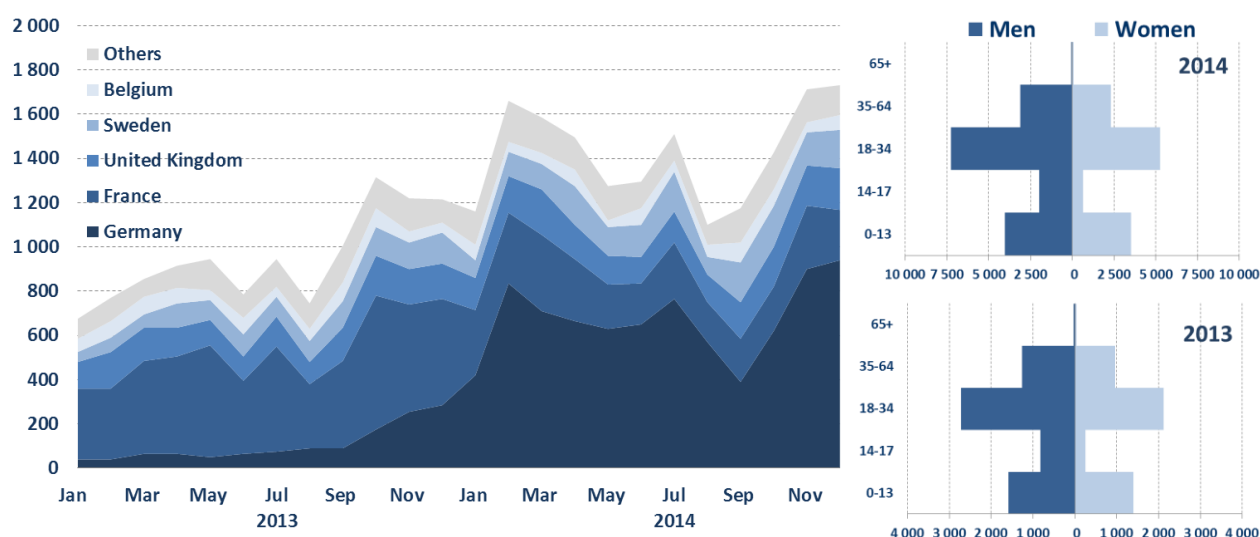
Figure 9a shows the main destination countries in the EU for Albanian asylum seekers. The general rise in the number of Albanians seeking asylum continued also in 2013 and 2014. Numbers of Albanian applicants for asylum in France diminished over time¹⁴ while Germany has gone from virtually zero to become the most important country of destination during the same period. The United Kingdom continues to receive a stable number of Albanians applying for international protection.

Figure 9b shows that the majority of the Albanian flow is equally distributed in terms of gender and mainly constituted of persons less than 35 years of age. Such a distribution suggests a significant number of families. In 2014 the share of single male adults increased.

Applications from Albanians during 2013-2014 were mainly lodged in Germany but also France, the United Kingdom and Sweden

Figure 9a: Albanian asylum applicants in the EU+ by country of destination, January 2013-December 2014

Figure 9b: Albanian asylum applicants in the EU+ by age and gender, 2013-2014



¹³ The Swedish Migration Agency experts provided the following analysis of the means of entry of Albanian applicants in Sweden: Entry by airplane mainly to Stockholm and to some extent Malmö and Gothenburg or by public transport (train, bus, car) via Germany/Denmark and over the Öresund Bridge from Copenhagen to Malmö or, to a lesser extent, by ferry from Elsinore to Helsingborg.

¹⁴ This is probably due to the inclusion of Albania in the list of safe country of origin in France in December 2013.

Applicants from Albania - Summary

Albanian nationals apply for international protection in Germany, France, United Kingdom, Sweden and Belgium. They are mostly young adults of both sexes but with a significant number of families. The stock of pending cases seems to be particularly high in Germany, where a significant percentage of the stock of cases is older than six months.

Former Yugoslav Republic Of Macedonia

As for Serbia, the ethnic composition of applicants from the former Yugoslav Republic of Macedonia mainly consists of Roma. While in Switzerland the remainder of the group consists of ethnic Albanians, in Germany the rest of former Yugoslav Republic of Macedonia applicants are spread over ethnic Turks, Albanians, citizens of the former Yugoslav Republic of Macedonia and Ashkali. Most of the applicants were Muslim although Germany reported a significant group of Christians (circa 13%). Mostly, applicants from the former Yugoslav Republic of Macedonia travel using buses, private cars and van although Sweden¹⁵ also indicated some entries by airplane.

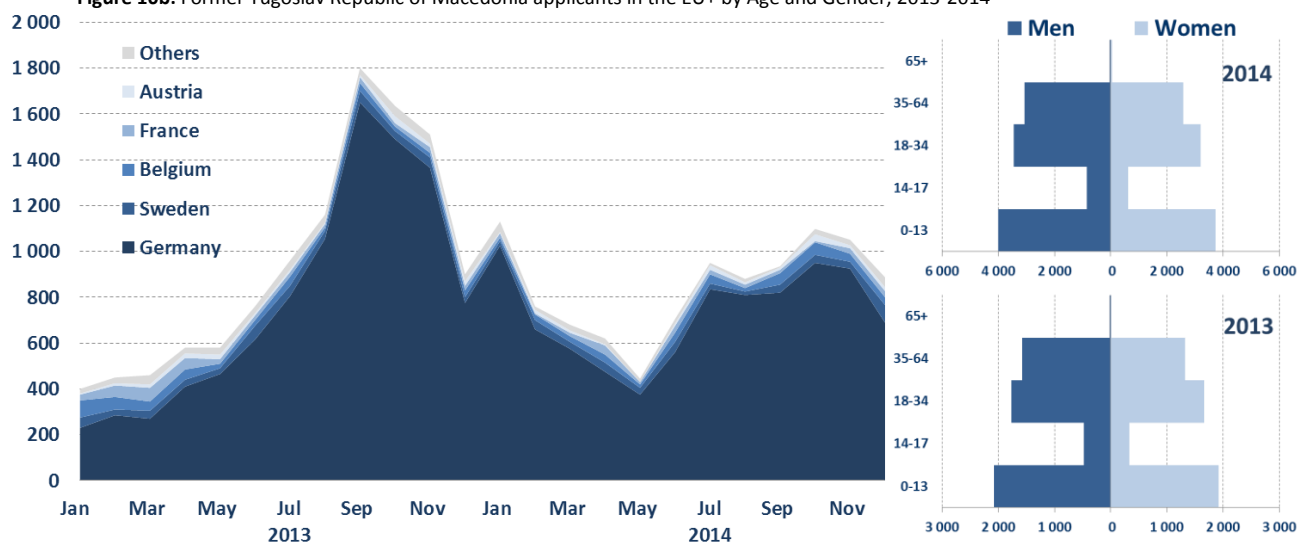
Figure 10a shows that the most popular destination country for citizens from the former Yugoslav Republic of Macedonia remains Germany. Considering the overall yearly figures, the totals in 2013 and 2014 have been almost the same in terms of numbers, though with a different seasonal pattern evident in applications.

Figure 10b suggests that the majority of the flow from the former Yugoslav Republic of Macedonia is mainly constituted by families. This distribution has not changed over time.

Former Yugoslav Republic Of Macedonia applications between 2013 and 2014 mainly consisted of families applying in Germany

Figure 10a: Former Yugoslav Republic of Macedonia applicants in the EU+ by country of destination, January 2013–December 2014

Figure 10b: Former Yugoslav Republic of Macedonia applicants in the EU+ by Age and Gender, 2013–2014



¹⁵ The Swedish Migration Agency experts provided the following analysis of the means of entry of the Former Yugoslav Republic of Macedonia applicants in Sweden: Entry by airplane to mainly Stockholm and Malmö or by public transport (train, bus or car) via Germany/Denmark and over the Oresund Bridge from Copenhagen to Malmö or, to a lesser extent, by ferry from Elsinore to Helsingborg.

Applicants from the former Yugoslav Republic Of Macedonia - summary

The group is composed of mainly families and is mostly applying for international protection in Germany. The stock of pending cases seems to be particularly high in Germany. It is worth noting that a significant proportion of applicants explicitly withdraw their applications in Germany.

Bosnia and Herzegovina

The profile of applicants from Bosnia and Herzegovina reported by Germany and Switzerland matched and indicated a majority of Roma (60 %) supplemented by ethnic Bosnians (30 %). Most the applicants from Bosnia and Herzegovina were Muslims. As regards means of entry to the EU, it appears that, as for other Western Balkan groups, the use of overland transport means is privileged, though entries by airplane have been reported by Sweden¹⁶.

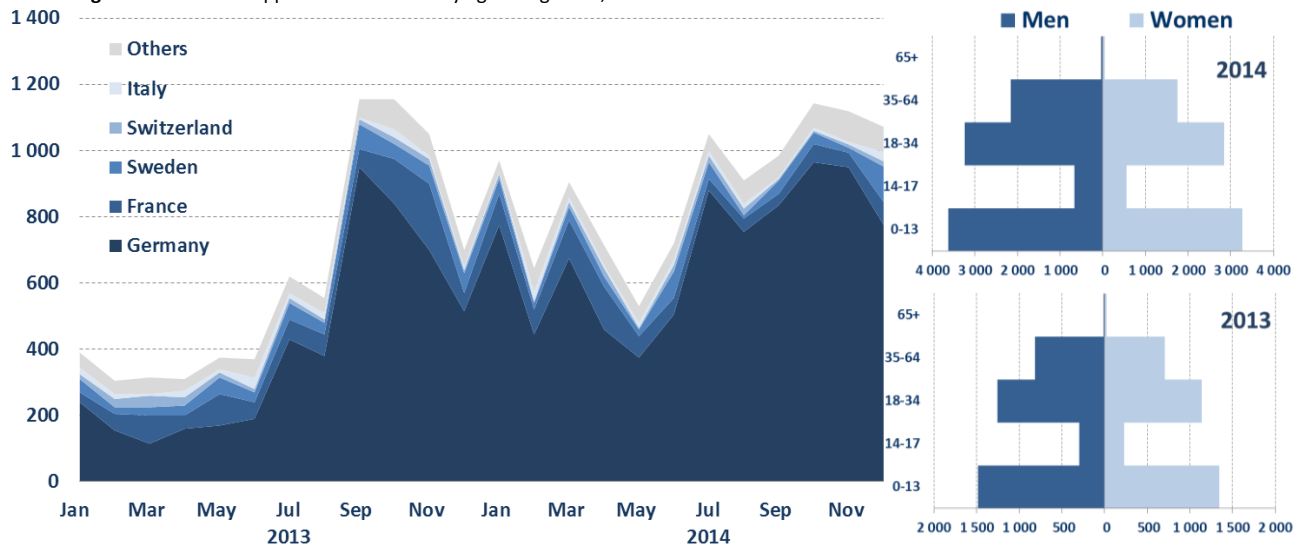
Figure 11a shows that the most popular destination country for citizens from Bosnia remains Germany. Considering the overall yearly numbers, an increasing trend can be seen from 2013 and 2014. The pattern in 2014 has been highly variable in the first half of 2014 and increasing in the second half.

Figure 11b suggests that the majority of the Bosnian flow is mainly constituted by families.

Germany received the largest number of Bosnian applicants between 2013 and 2014

Figure 11a: Bosnian applicants in the EU+ by country of destination, January 2013-December 2014

Figure 11b: Bosnian applicants in the EU+ by age and gender, 2013-2014



Applicants from Bosnia and Herzegovina - summary

The group is composed of mainly families and has mostly applied for international protection in Germany. The stock of pending cases seems to be particularly high in Germany. It is worth noting that a significant proportion (12%) of applicants explicitly withdraw their application in Germany.

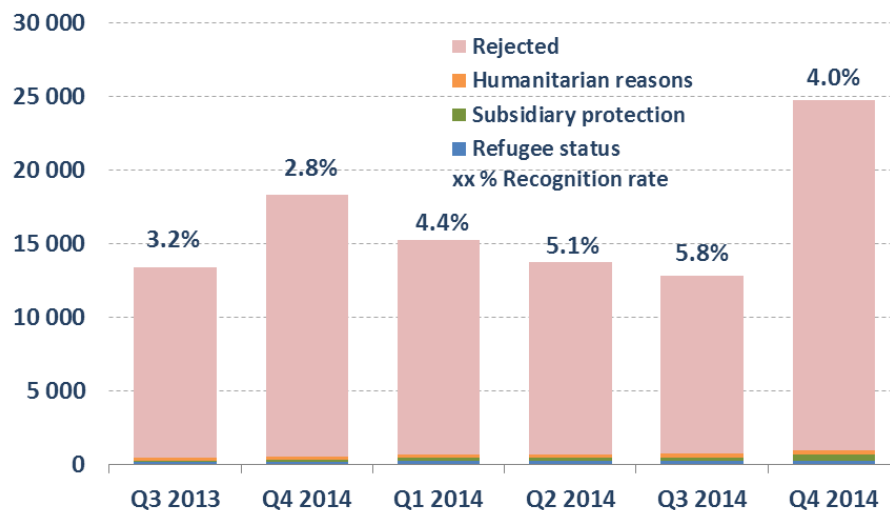
¹⁶ The Swedish Migration Agency experts provided the following analysis of the means of entry of Bosnian applicants in Sweden: Entry by airplane to mainly Malmö or by public transport (train, bus, and car) via Germany/Denmark and over the Oresund Bridge from Copenhagen to Malmö or, to a lesser extent, by ferry from Elsinore to Helsingborg.

Decisions in first instance

During the period from July 2013 to end of 2014, only 4 055 positive decisions were issued on WB applications by all 30 EU+ countries, out of 98 450 total first instance decisions made. This means that only 1 out of 25 WB applications resulted in a positive outcome – a **recognition rate of 4 % from Q3 2013 to Q4 2014**¹⁷.

Over the past six quarters the recognition rate of Western Balkan applicants has remained very low

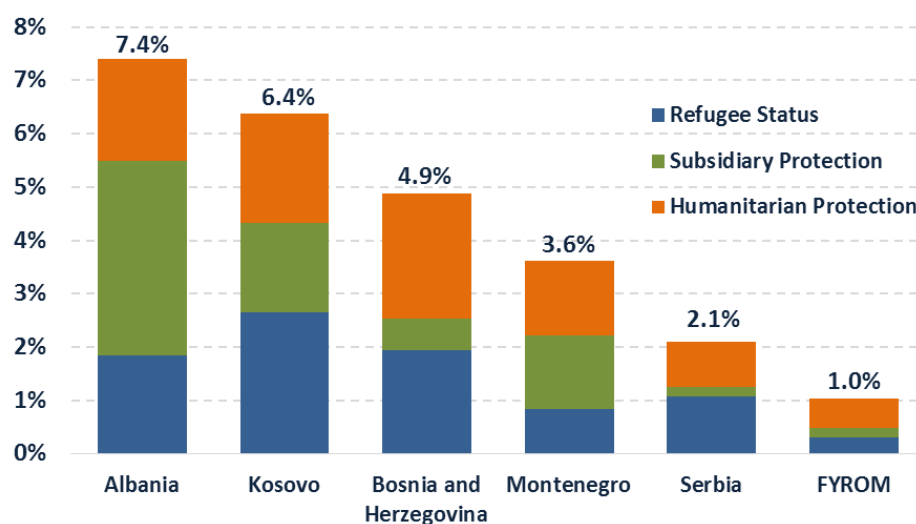
Figure 12: First instance decisions on WB applications, Q3 2013-Q4 2014 (No data available for Austria for 2014)



As shown in the chart below, there are significant differences in the recognition rate and type of protection granted to each WB country.

Among Western Balkans countries there are large differences in the level and type of protection granted

Figure 13: Recognition rate at first instance of each WB country in the EU+, Q3 2013 - Q4 2014

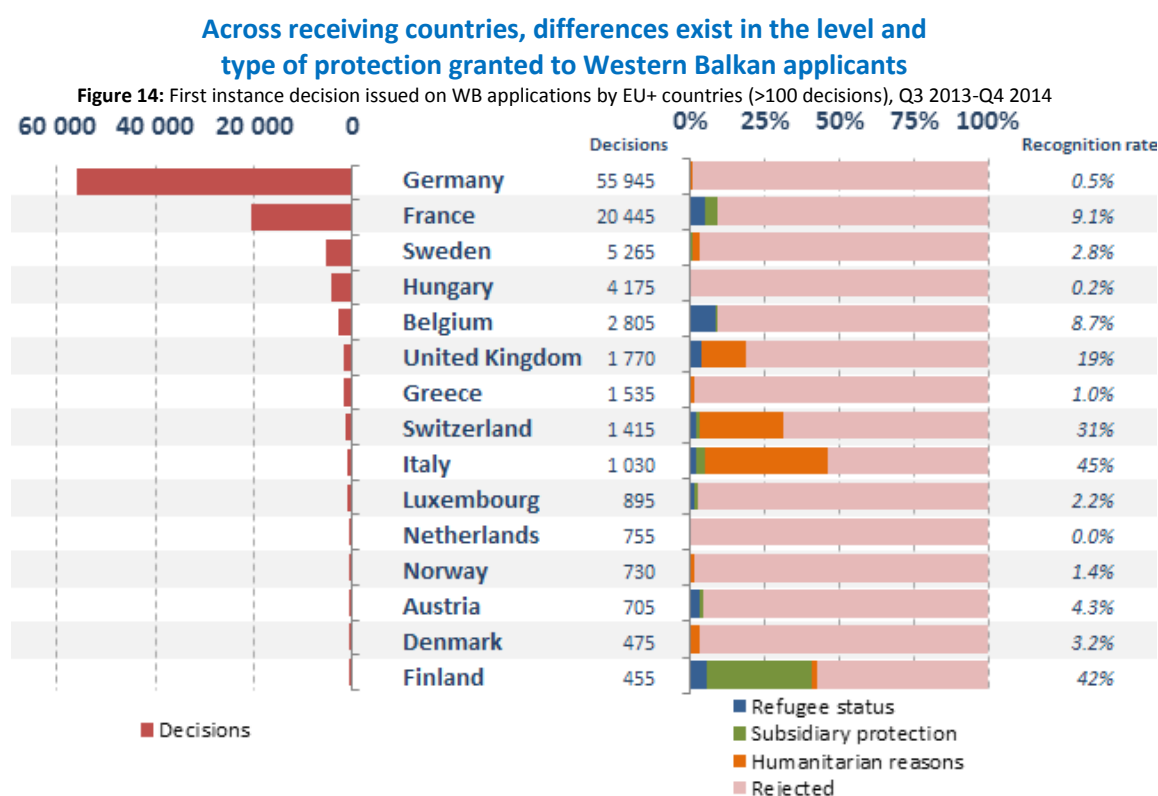


¹⁷ The term “recognition rate” refers to the percentage of applications which receive a positive decision of some sort, either international or national humanitarian protection.

In the period from Q3 2013 to Q4 2014, Albanians, followed by Kosovars, received the highest acceptance rate of WB nationals throughout EU+, of 7.4 % and 6.4 % respectively at EU+ level. But the type of protection given by EU+ countries differed: while a large number of Kosovars were recognised as refugees under the Geneva Convention, nationals of Albania received mainly subsidiary protection. As can be seen in the next figure, most of the decisions granting nationally legislated humanitarian protection were issued by Italy and Switzerland.

The former Yugoslav Republic of Macedonia continued to have the lowest recognition rate (1 %) of all six Western Balkan countries.

While recognition rates among WB countries differ when considered at EU+ level, disparities in recognition rates across EU+ countries are even more marked. The following bar chart is restricted to the EU+ countries having issued 100 decisions or more on WB applicants between Q3 2013 and Q4 2014. It displays on the left-hand side the overall number of decisions issued in the reporting country while the right-hand side indicates both the recognition rate and type of protection.



States facing high numbers of applicants had the lowest rates of positive decisions. Countries such as Italy, the United Kingdom, Switzerland and Denmark had the highest recognition rate, above 10 %, due mainly to positive decisions granted under national humanitarian legislation, but quite low numbers of decisions¹⁸. Although the recognition rate of Western Balkan applicants in first instance is particularly low, a significant number of WB applicants were granted protection in the form of refugee status, subsidiary protection or authorisation to stay for humanitarian reasons. During Q3 2013 and Q4 2014 for instance

¹⁸ Switzerland notes that persons granted humanitarian protection are explicitly not recognised as refugees and receive only temporary leave to stay. When the reasons for granting a temporary admission no longer persist, the person is supposed to return to their country of origin.

4 165 positive decisions were issued to Western Balkan applicants in the EU+ (1 520 refugee status, 1 215 subsidiary protection and 1 430 authorisation to stay for humanitarian reasons under national law).

Albanian applicants were mainly granted protection in the form of subsidiary protection (690 decisions) and to a lesser extent humanitarian reasons (365 decisions) and refugee status (350 decisions). Input received from the WB update questionnaire indicates that the grounds given by the applicants granted protection mainly related to vendettas and family disputes or, to a lesser extent, severe domestic violence and sexual orientation. The protection status granted was probably chosen depending on the severity of each case. In addition, humanitarian protection was granted to persons missing minimum subsistence or with serious illness or disability.

Kosovars applicants issued positive decisions were usually granted refugee status (555 decisions), humanitarian reasons (430 decisions) or subsidiary protection (350 decisions). Grounds claimed by applicants granted refugee status included interethnic violence, sexual orientation but also related to the 1999 Kosovo conflict (*e.g.* witnesses in war trials or persons suffering from PTSD). Applications resulting in the grant of subsidiary protection mainly related to vendetta while humanitarian reasons were issued to vulnerable groups, and those with illnesses and disability.

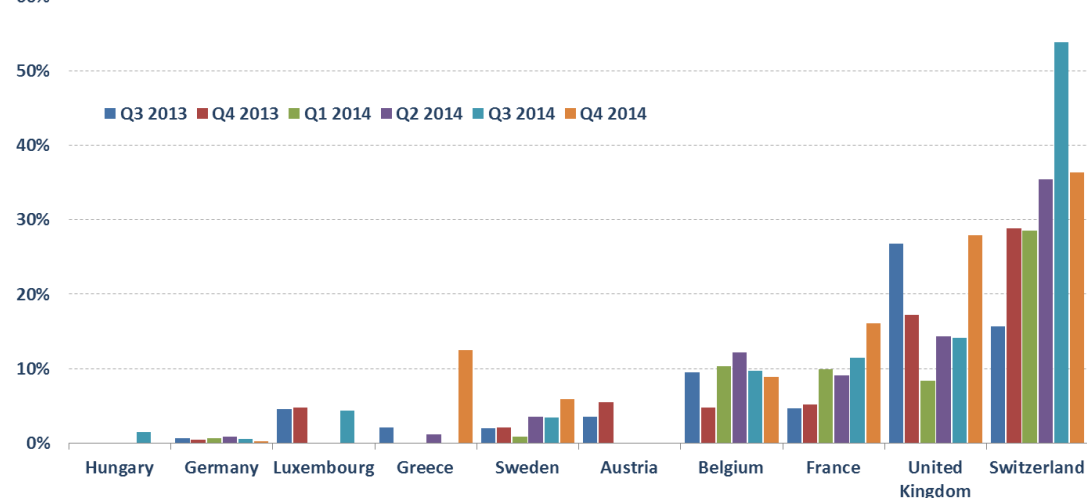
Bosnian applicants receiving protection were most commonly granted humanitarian protection and refugee status (260 and 215 decisions, respectively) and to a lesser extent subsidiary protection (65 decisions). Refugee status was primarily granted due to serious interethnic violence while subsidiary protection appeared to be used for cases related to societal problems.

345 decisions granting refugee status were issued to Serbian applicants, 275 humanitarian reasons and 60 subsidiary protection. Refugee status was mainly granted on the basis of ethnic violence grounds while subsidiary protection was granted in cases of societal problems.

While the amount of positive decisions issued to the former Yugoslav Republic of Macedonia and Montenegro (205 altogether) are too low to draw a clear profile of applicants receiving protection, the grounds presented by applicants revolved around societal problems of minorities.

Between Q3 2013 and Q4 2014, the recognition rate of Western Balkan applicants evolved differently across EU+ countries

Figure 15: Evolution of the recognition rate of Western Balkan applicants in the top 10 receiving countries, Q3 2013-Q4 2014



No data available for Austria for 2014

Quarterly recognition rates have differed over time in the 10 main countries of destination of WB applicants. As can be seen in figure 15, the acceptance rate increased in Switzerland, the United Kingdom and France during 2014. For Switzerland, this rise relates to the efforts made by the authorities to reduce the number of older pending cases, which often resulted in granting a temporary admission primarily motivated by the long stay in the country¹⁹.

¹⁹ Within this context of backlog reduction, the number of first instance pending cases from the Western Balkans was considerably reduced between July 2013 and December 2014. Therefore the increase in recognition rates noticeable in Figure 15 should not be seen as a trend but rather as a temporary effect of this process.

Push factors

On the basis of the grounds presented by the applicant during the asylum procedure collected in the questionnaire to EU+ countries, the original Western Balkan report identified the following factors as the main reasons for applicants from the Western Balkans to leave their country and seek asylum in the EU+:

- Societal problem of particular groups
- Access to labour market situation and unemployment
- Lack of social infrastructure *inter alia* intact social services system, welfare benefits and social structures for the disabled
- Existence of parallel social systems (e.g. blood feuds or vendetta)
- Deficiency of the health system in the country of origin or health problems of particular groups
- Education related issues

These factors were extensively reviewed in the comparative analysis which concluded that the main reasons behind the decision of WB citizens to apply for international protection in the EU+ were related to the societal problems of specific groups, problems accessing the labour market or reliance on the precarious social infrastructure and services (including welfare benefits) of the country of origin. In such conditions, Western Balkan nationals move to more developed countries where more possibilities to sustain their families exist either in the form of paid labour or welfare benefits. In addition, insufficient and poorly accessible health care also constituted a push factor for a significant number of applicants. Finally, in the case of Albania and to a lesser degree Kosovo, blood feuds were brought up by many applicants in their asylum claims, although the number of vendetta-related murders seems to be limited.

In this section, we will focus on the changes in the relative importance of these push factors and the appearance of new push factors reported by Member States.

From the replies received, the labour market situation in Western Balkan countries continues to be considered the most significant push factor for all six Western Balkan countries. As shown in the following table, most Western Balkan countries face a high unemployment rate. Although these figures refer to the unemployment rate of the whole population, societal problems should be borne in mind and it is very likely that access to the labour market for certain minorities is even more challenging than suggested by the figures below.

Table 1: Unemployment rate in Western Balkan countries

	2008	2009	2010	2011	2012	2013	Sparkline
Unemployment rate							
Albania	13	14	14	13	13	16	
Bosnia and Herzegovina	23	24	27	28	28	28	
Montenegro	17	19	20	20	20	20	
Serbia	14	16	19	23	24	22	
FYROM	34	32	32	31	31	29	

Source: UNECE Statistical Database, compiled from national and international (OECD, EUROSTAT, CIS) official sources.

The societal problems of minorities was identified as the second most relevant factor explaining why nationals from the former Yugoslav Republic of Macedonia, Kosovo, and Serbia countries left the Western Balkans to apply for international protection in the EU+. For Albania, Bosnia and Herzegovina and Montenegro, however, this factor only came in fifth, fourth and third position, respectively. The minorities facing general societal problems (discrimination, racial violence, *etc*) mainly consist of Roma and ethnic Albanians but also, to a lesser extent, Ashkali, Egyptians and Turks (former Yugoslav Republic of Macedonia only).

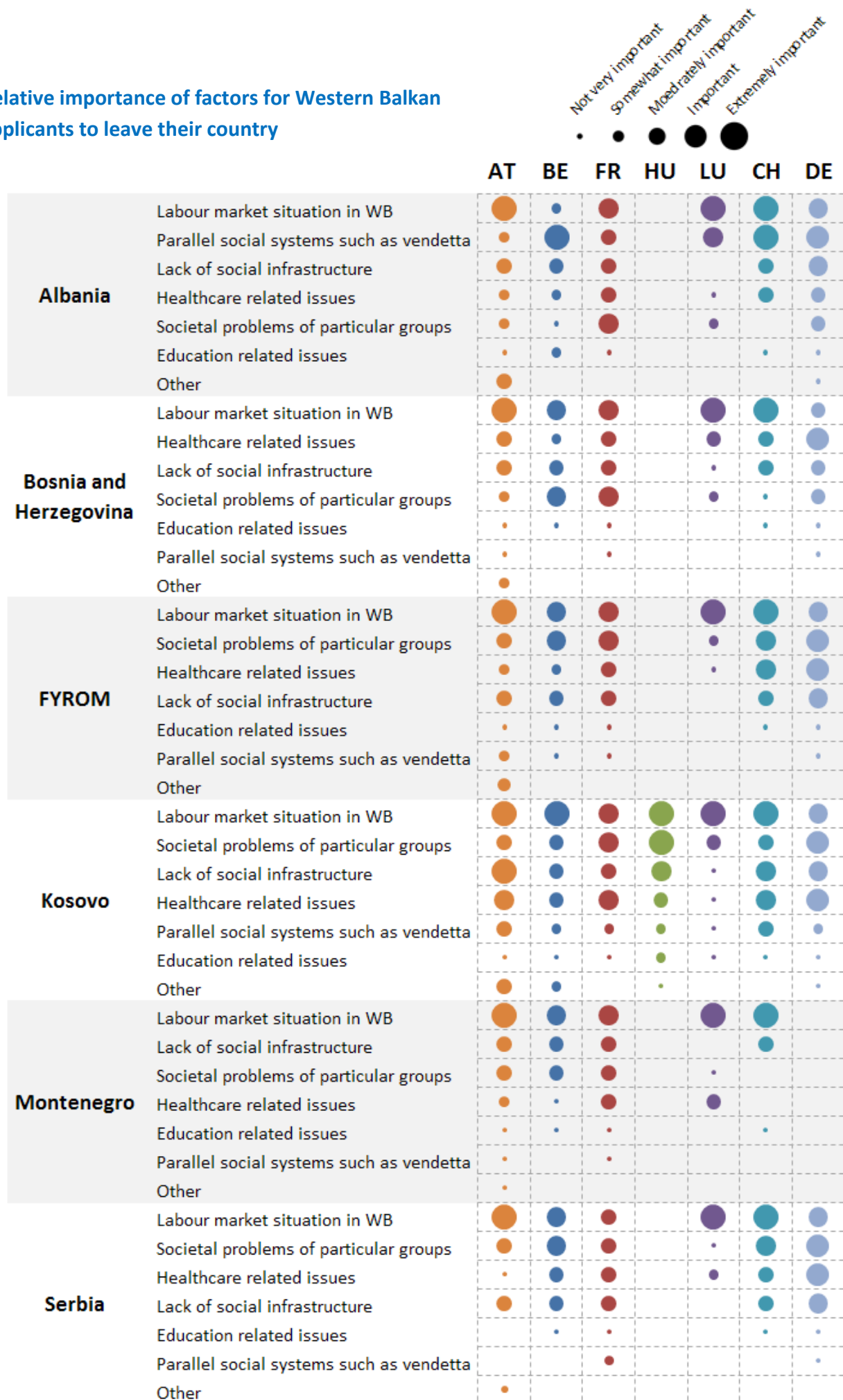
The existence of parallel social systems (manifested in hostile acts such as a blood feud or vendetta) formed the second major push factor for Albanians but was considered of low importance for other Western Balkan countries ranking fifth for Kosovo and sixth for Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia.

The lack social or health infrastructure constitute relevant push factors for Western Balkan and were generally reported as the main push factors after the labour market situation, existence of societal problem or parallel social systems.

Issues related to education in the country of origin did not appear as a significant push factor and were rated as the least important or second least important push factor for Western Balkan applicants.

Regarding new push factors that seemed to have emerged since July 2013, replies to the questionnaire included corruption, sexual orientation, severe domestic violence, flooding in May 2014 (Bosnia and Herzegovina) and the political standstill situation (Kosovo).

Relative importance of factors for Western Balkan applicants to leave their country



Pull factors

On the basis of a list of potential pull factors causing asylum seekers to choose their respective destination countries, the original Western Balkan report established a list of factors that were judged to play a role in determining the country chosen as a destination by asylum applicants from Western Balkan countries:

- Long processing time
- Allowances and benefits
- Presence and role of existing diaspora
- Possibilities to find work (legally or illegally)
- Geographical proximity
- Medical care
- Return programme and related packages
- Role of travel agencies and organisers

The pull factors analysis of the Western Balkan report highlighted that the principal factors determining the choice of destination country were economic in nature. EU+ countries identified see the linked issues of long processing time and (particularly cash) benefits as the main factors determining the decision of WB citizens to apply for asylum and where they apply for asylum. The possibilities of finding legal or illegal work may also be important depending on the profile of the applicants and the presence of an existing diaspora appears to be perhaps stronger than estimated by EU+ countries given the almost perfect correlation between the stock of residence permits and the list of countries most affected by the WB flow. Tangible benefits other than cash, such as health care, may be particularly important as pull factors for certain individual profiles of applicants.

In this section, we will focus on the changes in the relative importance of pull factors. In particular respondents were asked to focus on new factors playing a role in determination of the country of destination over other possible choices by Western Balkan applicants that have emerged since July 2013.

It should be noted that the replies on the rating of pull factors showed a larger disparity in the scores attributed by respondents than for the push factor rating. This larger disparity can be explained by the fact that the pull factors listed above are intimately related to the specificities of the asylum procedure in each EU+ country (e.g. amount of daily allowances vary from one EU+ country to the other). Moreover, equal weight is given to the responses of destination countries (when the “weight” of numbers of applications dealt with is very different).

The replies to the update questionnaire indicated that overall access to medical services was the most important of new pull factors for all six Western Balkan countries. This result echoes the importance of the lack of health infrastructure and the deficiencies of health systems in countries of origin as a push factor.

The second most important pull factor for Western Balkan applicants continued to be allowances and benefits linked to the asylum procedure in the EU+ countries which was reported as the second or third main pull factor for applicants from all six Western Balkan countries.

The possibility of finding work, legally or illegally, in EU+ countries was also marked as an important pull factor for Western Balkan applicants in general and appeared as the second main pull factor for the former Yugoslav Republic of Macedonia, Montenegro and Serbia.

This mirrors the fact that the labour market situation in the Western Balkans was stated as the main push factor for applicants from this region.

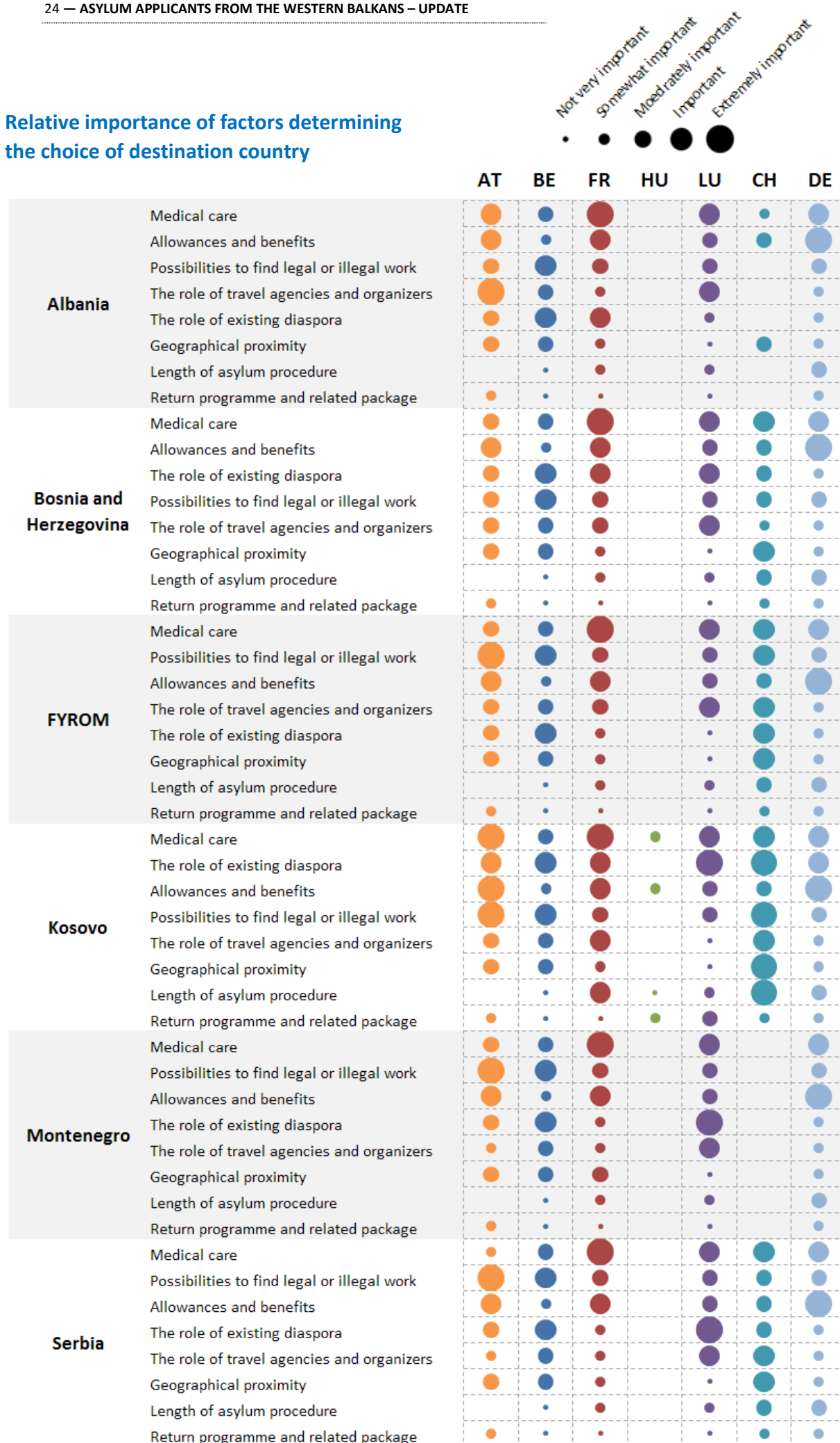
Overall, the role of diaspora was reported as the fourth most important pull factor for Western Balkan applicants. Given that the possibilities to find employment legally or not in the country of destination was considered an important pull factor, it could have been expected that this factor would be rated slightly higher since the existence of an established diaspora is usually associated with easier access to the labour market.

If the role of travel agencies was not unanimously considered an important pull factor, it has been rated as a strong pull factor in certain cases including: for Luxembourg (All Western Balkan applicants except from Kosovo), Austria (for applicants from Albania), France (for applicants from Kosovo) and Switzerland (applicants from the former Yugoslav Republic of Macedonia and Kosovo).

The geographical proximity with Western Balkan countries was considered a moderately important factor. Although the rating of reporting countries depends on their geographical location, this factor might be more important than the score indicates. In the case of Hungary, for instance, which shares a land border with Serbia and is located between Western Balkan countries and main destination countries, this factor is probably more important than benefits related to the asylum procedure.

Contrary to the conclusion to the original Western Balkan report, return programme and related package as well as the length of the asylum procedure have been rated by respondents as the least important pull factors for Western Balkan applicants. This development is probably related to the set of measures undertaken by EU+ countries since the last report to shorten processing times for Western Balkan applicants or reduce allowances related to the return procedure.

Relative importance of factors determining the choice of destination country



Measures

The decision of Western Balkan citizens to travel to the EU+ and lodge claims that are overwhelmingly considered to be unfounded is mainly related to the poor economic opportunities in the countries of origin, which are particularly acute for ethnic minorities in the region. In view of benefits offered during the asylum procedure, the asylum systems of the destination countries are likely to constitute a pull factor for a significant proportion of the WB flow.

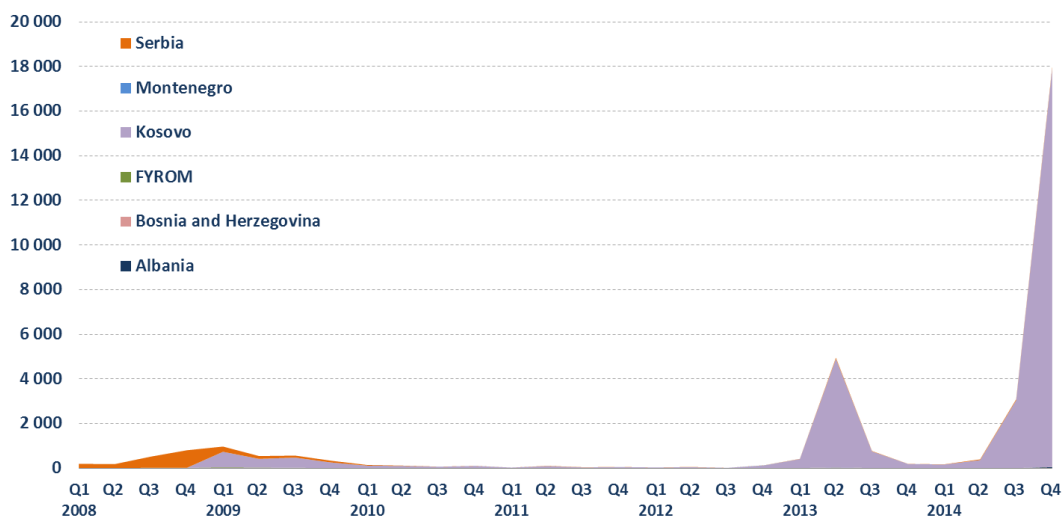
With these factors in mind, this chapter describes measures taken by EU+ countries since July 2013 to reduce or mitigate pull factors in destination countries and attempts to analyse their effectiveness.

Hungary

Hungary mainly receives WB applicants from Kosovo²⁰ but until 2013 the flow of applicants was very low. A significant rise in asylum applications occurred during the spring of 2013 after amendments to the national asylum policy. This inflow, however, quickly subsided in July and August 2013 following further changes to the asylum policy, in particular those detailing the specific list of grounds for detention of asylum applicants in closed centres²¹. From September 2014, the number of Kosovar applicants in Hungary rose again to unprecedented levels although the level of implicitly withdrawn applications, estimated by Hungarian authorities to be more than 95%, showed that the vast majority of applicants did not intend to remain in Hungary and absconded to travel farther into the EU.

Hungary experienced a surge in the number of Kosovar applicants

Figure 16: Western applicants in Hungary, 2008-2014



In order to cope with this sudden increase in applications, Hungary prioritised registration of applications from Kosovars. Although Hungary does not apply the concept of safe countries of origin, Hungarian law provides for border²² and admissibility²³ procedures although only

²⁰ Until 2009, Eurostat data did not differentiate between Serbian and Kosovars applicants.

²¹ Frontex FRAN Quarterly Q2 2013 http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/Fran_Q2_2013.pdf

²² The only type of border procedure is the so called "airport procedure", Section 72 of the Act LXXX of 2007 on Asylum and Section 93 of the Government Decree no. 301/2007 (XI.9.)

at Budapest airport, whereas the vast majority of requests were made at the Serbian-Hungarian border.

For the small number of (exclusively Kosovar) applicants who remained or were detained in Hungary and received a negative decision, return was carried out either via IOM Assisted Voluntary Return projects or via forced returns by air in which case the expulsion is carried out with commercial flights. In addition, for Kosovars, forced returns are also carried out via Joint Return Operations coordinated (JRO) by Frontex. Regarding JRO, since 2014 Hungary has not only participated in the Joint Return Operation organised by other Member States but also set up a Joint Return Operation for other Member States from Budapest to Kosovo²⁴. On the basis of a working agreement signed between the Ministries of Interior of Hungary and Serbia on 19 February 2015, forced return will be carried out overland through Serbia from Horgos to Merdare in Kosovo²⁵. Owing to the proximity with Serbia, returns are carried out by land based on the EU readmission agreement with Serbia; in such cases transportation is organised by the police.

There were no changes in the national policy regarding the issuance of entry bans for rejected Western Balkan applicants. A ban on entry and stay is ordered if the expulsion is carried out by removal (deportation), while expulsion may also be accompanied by ban on entry and stay depending on personal circumstances of the third-country national concerned, including the nature and severity of the offence committed and whether their future entry will represent a security threat.

A number of visits²⁶ were carried out between Hungary and Serbia in the framework of a capacity building project on asylum, migration and country of origin.

Germany

Germany had relatively low numbers of applications from WB nationals until 2010. There was then a very significant rise in applications, the very large majority of which were from Serbian Roma and Roma from the former Yugoslav Republic of Macedonia. These applications occurred with very visible seasonal peaks in October.

²³ The Asylum Act provides for an admissibility procedure (Hungarian terminology uses 'preliminary assessment procedure'), Sections 47-55 of the Act LXXX of 2007 on Asylum.

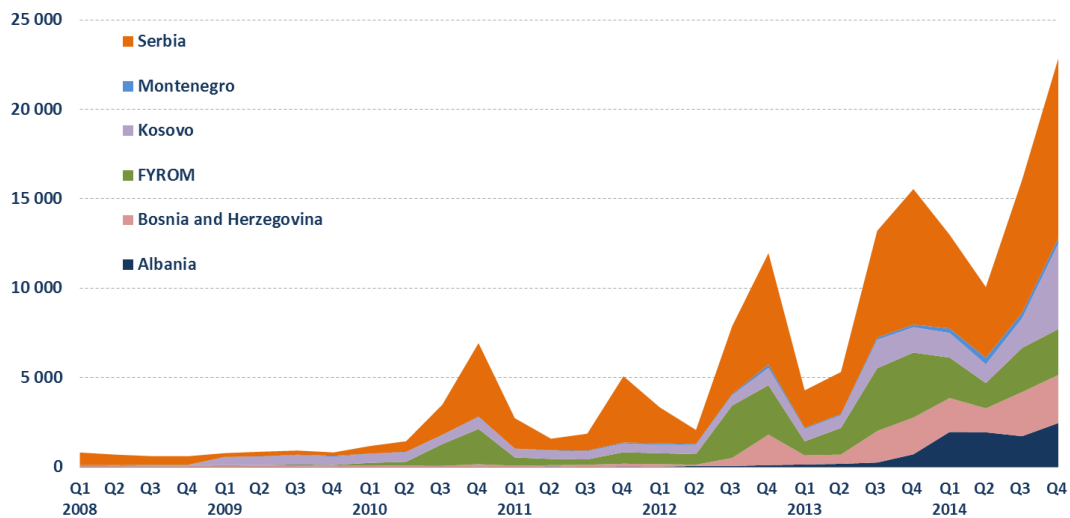
²⁴ During 2014, such returns were performed 3 times while one joint Return operation already took place in 2015.

²⁵ The first transportation of that sort is expected to be implemented by end of March 2015.

²⁶ Serbia: 7-11 October 2013 Belgrade (Assessment mission; 20-21 February 2014 in Budapest (Study visit); 25-26. March 2014 Budapest (Study visit); 1-3 April 2014 in Belgrade (Study visit); 15-16 April 2014 in Budapest (Study visit); 15-16 May 2014 in Belgrade (seminar).

In Germany, the flow of Western Balkan applicants is spread across applicants from Serbia, Kosovo, Bosnia and Herzegovina and Albania

Figure 17: Western applicants from WB Countries in Germany 2008-2014



Since Q3 2013, however, the inflow of WB applicants to Germany remained above 10 000 per quarter and reached nearly 23 000 for the last quarter of 2014. To some extent, the sustained high level of applications from WB in Germany may be attributable to the changes in the benefits and allowances granted to asylum applicants.²⁷

Table 2: Prioritisation of WB application in Germany

	From October 2012 to January 2014	From February 2014 to September 2014	From October 2014 to February 2015	Since February 2015
Albania	No prioritisation	No prioritisation	No prioritisation	No prioritisation
Bosnia and Herzegovina	Initial and follow-up applications	Follow-up applications	Initial and follow-up applications	No prioritisation
Former Yugoslav Republic of Macedonia	Initial and follow-up applications	Follow-up applications	Initial and follow-up applications	No prioritisation
Kosovo	Initial and follow-up applications	Follow-up applications	No prioritisation	Initial and follow-up applications
Montenegro	Initial and follow-up applications	Follow-up applications	No prioritisation	No prioritisation
Serbia	Initial and follow-up applications	Follow-up applications	Initial and follow-up applications	No prioritisation

²⁷ See http://www.bverfg.de/en/decisions/ls20120718_1bv001010en.html

With the aim of tackling the high levels of WB applications on the German asylum system, a number of important changes have taken place since July 2013. In particular, since 6 November 2014, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Serbia have been designated as safe countries of origin pursuant to section 29(a) of the Asylum Procedure Act. Although accelerated procedures are not defined by law in Germany, cases of Western Balkan applicants have been prioritised as described in the table above.

Owing to the large increase in the number of asylum applicants for international protection received by Germany, new posts have been assigned to the Federal Office for Migration and Refugees (FOMR). In total, 300 new posts were assigned to the FOMR in 2014 while an additional 350 should be assigned during 2015. The new staff members are allocated to the asylum branch of the Federal Office and not assigned to specific countries of origin.

Although it should be borne in mind that there is no EU harmonised definition of processing times, the FOMR indicated that the cases of WB applicants were decided in six months or less for applicants whose cases are prioritised.²⁸

While these are not specific to Western Balkan applicants, it is worth mentioning that substantial amendments have been made to benefits and allowances granted to asylum applicants under the Asylum Seekers' Benefits Act in Germany. A new law revising the Asylum Seekers Benefits' Act²⁹ was passed on 10 December 2014 and entered into force on 1 March 2015. This act applies not only to asylum seekers, but also foreign nationals with tolerated stay.

As before, the amount of the benefits is calculated on the basis of the age of the beneficiary and the number of beneficiaries living in the same household. However, the following changes have been introduced:

- the access to standard social benefits will be granted after 15 months of receiving benefits under the Asylum Seekers' Benefits Act,
- the standard rates are adjusted to a level similar to the rates of the traditional standard social benefits,
- the benefits shall be primarily provided as cash benefits to cover the daily needs of applicants accommodated outside of reception facilities
- If benefits are cut due to the conduct of the foreigner, these cuts also apply to his family members.

Several measures³⁰ have been undertaken to facilitate access to the labour market for asylum applicants and tolerated foreigners³¹ to encourage them to secure their livelihood through paid employment rather than relying on public benefits.

²⁸ The Federal Office for Migration and Refugees reported average processing time of Albania: 5,8 months, Bosnia and Herzegovina: 4,1 months, the Former Yugoslav Republic of Macedonia: 5,2 months, Kosovo: 3,7 months, Montenegro: 4,7 months, Serbia: 3,7 months, Average processing time: 4,5 months

²⁹ <http://www.gesetze-im-internet.de/bundesrecht/asylblg/gesamt.pdf>

³⁰ The Law on the designation of additional states as safe countries of origin and improvements in access to the labour market for asylum applicants and tolerated foreigners in force since 6 November 2014 allows asylum applicants to obtain a permission to engage in employment after three months (instead of nine months formerly). The Second Ordinance Amending the Employment Ordinance (June 11th 2014) states that the Federal Employment Agency will agree with the employment of asylum seekers or tolerated persons without a priority check in case they apply for employment in a shortage occupation, an apprenticeship or in a mandatory internship for the recognition of his foreign professional qualification, or if he had been legally residing in Germany for at least 15 months. This regulation went into force on 11 October 2014 and remains valid until 10 November 2017.

³¹ Persons with the obligation to leave the country but where the deportation was suspended due to legal or factual reasons.

Finally, a law aimed at improving the status of asylum seekers and tolerated foreigners³² (23 December 2014) limits the confinement of asylum seekers and tolerated foreigners to the first three months of their residence in Germany. In case of a criminal conviction, drug offences or if concrete measures to terminate the residence are imminent, the spatial constraint can be ordered again. When social benefits are received by the foreigner, the condition of fixed abode may be implemented. These regulations went into force on 1 January 2015.

Concerning voluntary returns, the Reintegration and Emigration program for Asylum-seekers in Germany (REAG) and Government Assisted Repatriation Program (GARP) are available for all Western Balkan applicants. Within the framework of these programmes, the German government grants the following types of assistance (defined in the information booklet of REAG/GARP 2015):

- Payment of transportation costs (by plane, train or bus)
- Petrol allowance for return by car
- Travel assistance
- Initial start-up cash to people from countries that are particularly relevant in terms of migration

However, no travel assistance or start-up cash allowance are granted to third-country nationals who are permitted to enter the German federal territory without a visa and who have entered Germany after the date of the respective visa exemption or for Kosovars who have entered Germany after 1 January 2015.

No changes were made as regards the entry and residence ban³³ which applies regardless of the applicant's nationality. A proposal is currently handled in the legislative process to entrust the FOMR with the competence to decide *ex officio* upon the time limitation and to order an entry and residence ban for certain forms of refusal of international protection.

In terms of measures taken in the countries of origin, several high-level visits between Germany and Western Balkan countries have taken place³⁴, in particular in July 2014 with visits to Albania and Serbia and in March 2015 with a visit to Kosovo.

In addition, the German embassies in Bosnia and Herzegovina, Serbia and the former Yugoslav Republic of Macedonia have carried out information activities to inform the local population about the minimal chances of being granted asylum in Germany while the FOMR arranged several interviews with the media. Also, information about the fast-track procedure for applicants from Bosnia and Herzegovina, Serbia and the former Yugoslav Republic of Macedonia has been made available on the FOMR website. In the case of Kosovo, officials from the German Ministry of the Interior and the FOMR gave several interviews with the media. The German embassy also undertook several media activities in Pristina while the FOMR provided information about the limited funding for return measures to Kosovo on its Internet site.

³² The Law was passed on 23 December 2014 and entered in force on 1 January 2015.

³³ The ban is immediate legal consequence of expulsion, deportation or rejection, without being required a separate decision. In general, an alert in the SIS is carried out. The foreigners' authority in charge for the expulsion order or the Federal Police has to decide upon request about a time limitation for the ban.

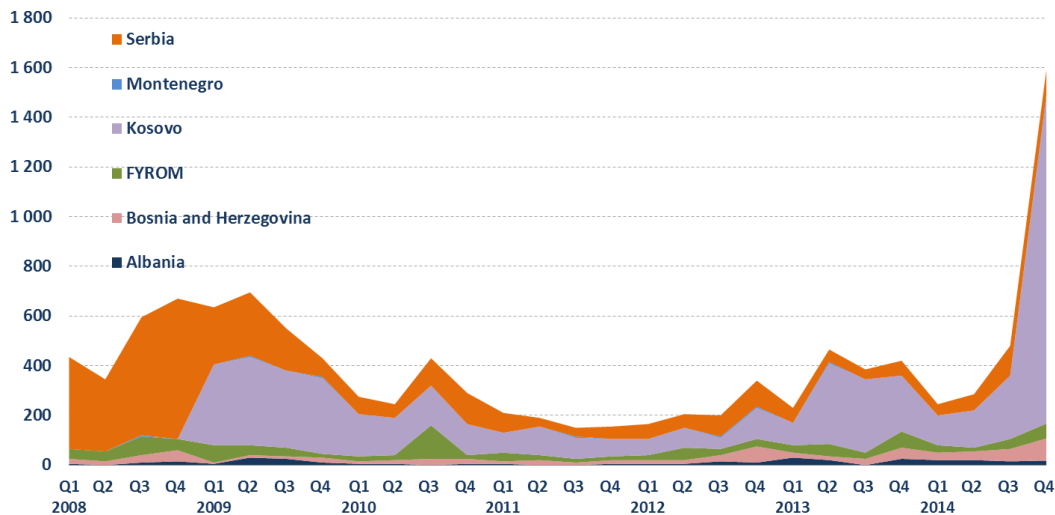
³⁴ **Albania:** Meeting between the Minister of the Interior and the Albanian Prime Minister in Tirana on 15 July 2014;
Kosovo: Meeting between the Secretary of State for the Interior and the Minister of Foreign Affairs of the Republic of Kosovo in Berlin on 7 March 2014, Visit of the Minister of Internal Affairs of the Republic of Kosovo in Berlin on 4 March 2015 and meeting with members of the Committee on Internal Affairs and with the German Minister of the Interior;
Serbia: Meeting between the Ministers of the Interior in Belgrade on 14 July 2014, Meeting between the Minister of the Interior and the Prime Minister of Serbia in Belgrade on 15 July 2014.

Austria

After the introduction of the Western Balkan countries on the safe country of origin list³⁵ in 2009, the number of applications generally subsided. A significant rise in the number of Kosovar applicants was, however, noticed in 2013, compared to 2012. Similarly a sudden increase of the numbers of Kosovar applicants was reported in the last two quarters of 2014.

The flow of Western Balkan countries in Austria is characterised by a surge in the influx of Kosovar applicants

Figure 18: Western applicants from WB Countries in Austria, 2008-2014



Although the number of Kosovar applicants received in Austria is far lower than the volume registered in Hungary, given the proximity between the two countries and the high absconding rate in the latter, a number of the applicants registered in Austria have already applied for international protection in Hungary.

All Western Balkan countries are listed as safe countries of origin. Accelerated procedures are not automatically applied depending on the applicant's country of origin, but can be used depending on the individual circumstances of the case.

With the establishment of the Federal Office for Immigration and Asylum (FOIA) on 1 January 2014, the number of staff has increased steadily in view of the additional competences of the FOIA in the field of migration as well as the increased number of applications for international protection received.

From the end of 2014 to the beginning 2015, the average processing time for the accelerated procedure of Western Balkan applicants, and Kosovars in particular, was reduced to less than 12 days.

No changes were implemented as regards general benefits and allowances granted to Western Balkan applicants. Regardless of their country of origin, each applicant receives benefits and allowances as long as the conditions of national law apply.

New synergies in relation to forced return have been gained with the establishment of FOIA; the Department of Dublin and International Relations is now competent for the procurement of travel documents for the return, and a good cooperation with the national

³⁵ On the basis of § 19 par. 5 of the Act on the Procedures before the Federal Office for Immigration and Asylum the regulation on safe countries of origin.

representation of the Western Balkan countries in Austria for the issuance of Emergency Travel Documents has been established. Furthermore, the newly created Unit for Operational Matters is competent for organising returns, *i.e.* the organisation of charter flights (national and with other EU Member States). Returns can therefore be implemented more efficiently through the centralised organisation of return within this unit. Regarding Kosovo, intensified measures were undertaken and, since February 2015, regular return flights have been set up every second week through charter flights to Kosovo³⁶.

Some measures aimed at voluntary returns have also been put in place. In particular, the reintegration support for applicants from Albania, Bosnia and Herzegovina, Montenegro and Serbia was cut to 50 euros in November 2014. Given the influx of Kosovar applicants, a similar measure was taken bringing the reintegration support down from 370 euros prior to November 2014 to a maximum of 50 euros.

Several high-level visits involving interior ministries with all of the six Western Balkan countries³⁷ have taken place; the most recent visits (February 2015) took place in Kosovo and Serbia.

In February 2015, Austria also started an awareness campaign in Kosovo informing the citizens that economic reasons were not recognised as grounds for international protection. In this framework, a full-page appeal was published in Kosovo's biggest daily newspapers in Albanian for one month and was also disseminated on the website and the Facebook page of the Kosovar Ministry of Diaspora. Some information sheets were also distributed in Regional Directorates, Initial Reception Centres of the FOIA and the Federal Reception Centres throughout Austria. In addition, all Austrian charter return flights to Kosovo were publicised in the media in Austria and Kosovo. The arrival of a charter flight to Kosovo on 24 February 2015 was widely covered in the media and included interviews of returnees upon their arrival³⁸.

Sweden

Although an increased level of Western Balkan applicants mainly attributable to larger numbers of applicants from Albania, Kosovo and Serbia were registered in the second half of 2013 and 2014, the number of Western Balkan applicants in Sweden remains lower than the level recorded in 2010 or 2011. This is why the Swedish Migration Agency (SMA) measures related to the Western Balkan applicants remained largely unchanged since July 2013. However, since February 2015 the SMA has processed applications from Kosovar applicants with a Eurodac hit in Hungary under the normal procedure rather than the Dublin procedure as a solidarity and efficiency measure. This means that Sweden takes responsibility for

³⁶ Including both Frontex JRO and national charter flights.

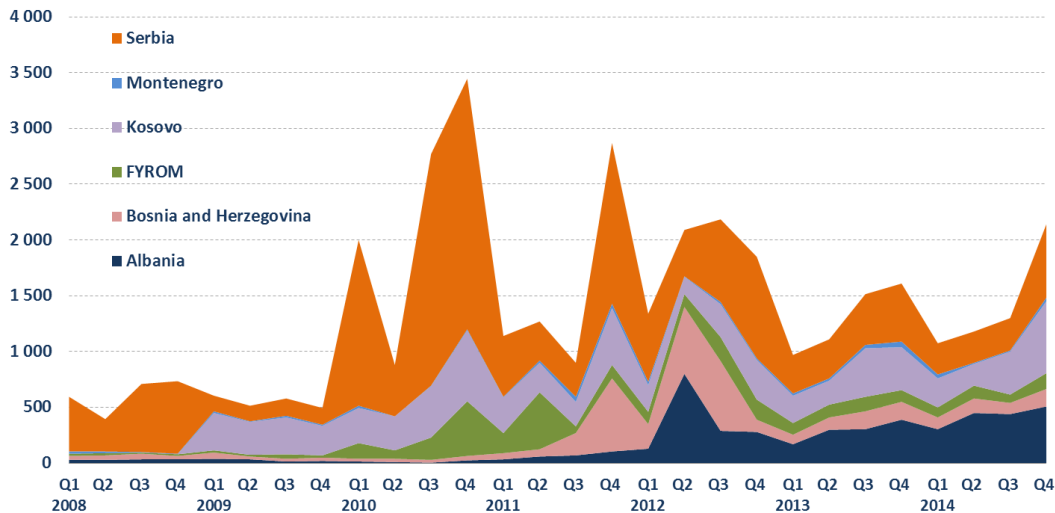
³⁷ **Albania:** On 16-17 October 2013 Forum Salzburg Ministerial Meeting in Bucharest between Interior Ministers, 28 May 2014 and 14 November 2014: meetings between the Director General for Public Security and Director general of Albanian State Police; **Bosnia and Herzegovina:** On 16-17 October 2013 Forum Salzburg Ministerial Meeting in Bucharest between Austrian Interior Minister and BiH security Minister, 24 April 2014: Austrian Interior Minister meeting with BiH Security Minister in Sarajevo during the IPA 2010 Project Closing Conference; the Former Yugoslav Republic of Macedonia: 16-17 October 2013 Forum Salzburg Ministerial Meeting in Bucharest between Interior Ministers, 26-28 May 2014: Director General for Public Security met the Former Yugoslav Republic of Macedonia Police Director; **Kosovo:** 26 May 2014: meeting between General Director for Public Security and General Director of Police, 12 February 2015: meeting between Interior Ministers in Vienna, 18-20 February 2015: meeting between Austrian Interior Minister and Kosovo Premier Minister and President; **Montenegro:** 19 February 2015: meeting between Interior Ministers; **Serbia:** 16-17 October 2013 Forum Salzburg Ministerial Meeting in Bucharest between Interior Ministers, 28 October 2013: General Director for Public Security State Secretary of interior Ministry in Vienna, 22 May 2014: meeting between General Director of Public Security and Police Director in Vienna, 18-19 February 2015: meeting between Interior Ministers.

³⁸ Films made by the media are available on the channel of the Kosovar Ministry of European Integration at the following address: <https://www.youtube.com/user/meikosovo>. Interviews and the general information on returnees as well as the migration process as such were on all TV channels and other online and printed media on the same day.

Dublin cases regarding Kosovars who applied previously for asylum in Hungary, makes largely negative decisions and directly returns them to Kosovo, rather than following the Dublin transfer process.

Although increasing, the inflow of Western Balkan applicants in Sweden remains below the levels reached in 2010 and 2011

Figure 19: Western applicants from WB Countries in Sweden 2008-2014



Although Sweden does not use the concept of safe countries of origin, asylum applications from the Western Balkan region are processed under accelerated procedure. According to the Swedish aliens act, Chapter 8 section 6, an asylum claim may be assessed under an accelerated procedure if it is deemed by the SMA to be manifestly unfounded.

Given the rising number of asylum applications received, in particular from Syria, the number of staff of the SMA has increased from 4 257 in July 2013 to 5 306 in February 2015. Considering only the staff from the asylum application and examination units, the SMA has increased the staff of these units from 1 068 members in July 2013 to 1 350 as of February 2015.

In order to improve processing times, in April 2014 the SMA set up specific teams to focus on cases that were expected to result in immediate enforcement. Given that the vast majority of applicants from the Western Balkans are considered to be manifestly unfounded, this method is deemed to be particularly effective in shortening the processing time of Western Balkan applicants.

As regards returns no changes were implemented recently although it should be noted that since December 2011 it is no longer possible for Kosovar returnees to apply for a reestablishment support while for returns to Serbia and the former Yugoslav Republic of Macedonia there is no assistance except for the journey back home. The journey itself (to whichever country) is paid only if the returnee has no money, which is almost always the case.

Provisions regarding the use of SIS entry bans also remain unchanged. Swedish authorities adopted a decision to prohibit re-entry into Sweden for persons whose asylum application

has been rejected as manifestly unfounded. These rejected applicants will be banned from entering Sweden and the countries of the Schengen zone for up to five years³⁹.

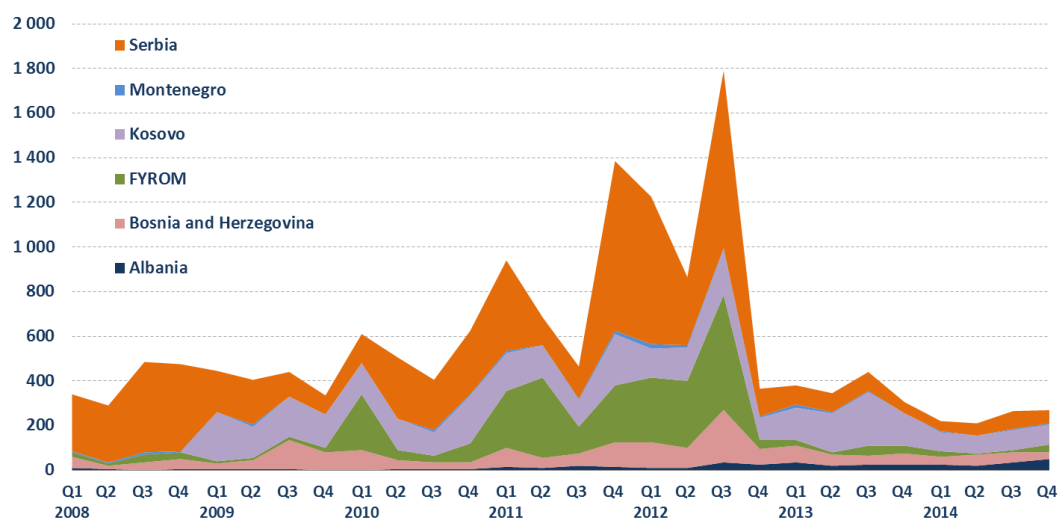
Although no information on efficiency measures is regularly collected by the SMA, it would appear that the use of accelerated procedure and the re-entry ban, as well as the promotion of voluntary return and measures relating to forced returns, seem to play an important role in lowering the number of manifestly unfounded applications regardless of the country of origin of the applicants.

Switzerland

Since measures implemented by Switzerland following the high number of applications for international protection of Western Balkan applicants received in Q3 2012, the level of such applications registered has been particularly low. This may indicate that the set of measures implemented remain particularly effective and have sent a strong message to potential applicants from the Western Balkan countries.

Since measures taken in 2012, the number of Western Balkan applicants in Switzerland has remained low

Figure 20: Western applicants from WB Countries in Switzerland 2008-2014



While the steps put in place by Switzerland to address the large number of Western Balkan registered in Q3 2012 are fully detailed in the Western Balkan report, these can be summarised as follows:

- The introduction of a 48-hour procedure in August 2012. The main goal was to process asylum applications from European safe countries of origin efficiently so that decisions could be taken quickly. A decision is made within 48 hours from the individual's first application in all cases in which the legal post-interview statement of the reasons for the asylum application is available and where no further information is required. All the procedural guarantees, particularly the possibility of appeal through the Federal Administrative Court, remain in place.
- After introduction of the 48-hour procedures, daily allowances⁴⁰ and return assistance were also curtailed⁴¹: asylum seekers in the accelerated procedure

³⁹ Cf. Swedish Migration Board Website, http://www.migrationsverket.se/info/487_en.html#h-Reentryban, accessed 8.10.2013.

receive accommodation, medical treatment and other social benefits - for example schooling for children - in the (reception) centre, where applicants are required to stay until the end of the procedure. They do not receive cash benefits.

- Rejected applicants from visa-exempt countries who fail to leave the country by the deadline will normally have a travel ban imposed. The same applies to people who have disrupted public safety, those who have made multiple applications without good reason, and in cases of blatant abuse.

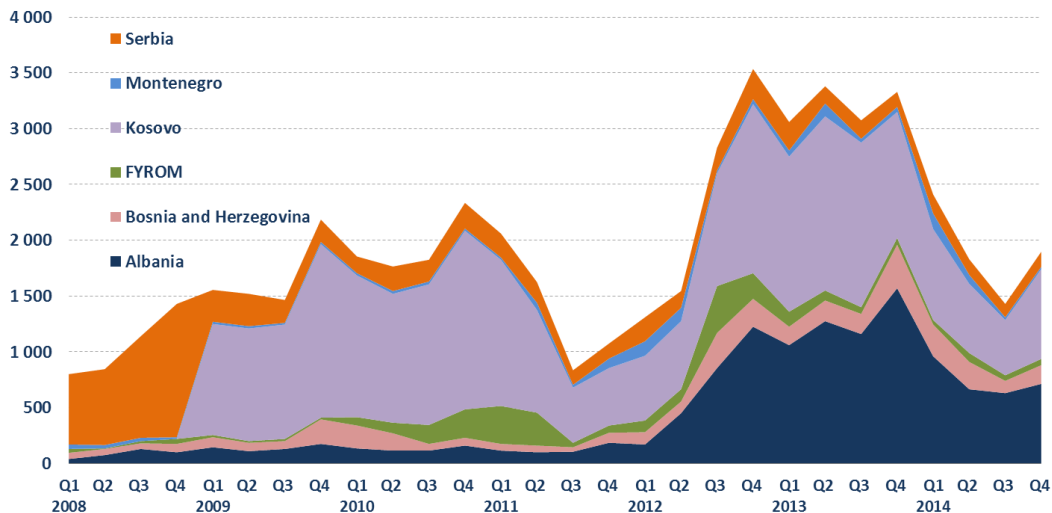
According to Swiss authorities, the combination of the inclusion on a list of safe countries of origin, use of accelerated procedure, caseload prioritisation and reduction of benefits and allowances, as well as communication about them, yielded the best results. Measures related to returns or high-level visits and information campaigns in the countries of origin were, however, considered to have had only some effect.

France

In France, the inflow of Western Balkan applicants mainly consisted of Kosovar applicants until 2012. During 2013, a large increase in the number of Albanian applicants was also recorded. Although the number of Western Balkan applicants have increased during the last two quarters of 2014, the volume of applicants remains lower than 2013. In the last month of 2014, a noticeable increase in the number of Kosovar applicants was recorded.

In France, the recent flow of Western Balkan applicants consisted mainly of Albanians and Kosovars

Figure 21: Western applicants from WB Countries in France, 2008-2014



Since 2011, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Serbia and Montenegro are on the list of safe countries of origin⁴⁰ while Albania was only put on the safe country list of origin in December 2013. Although Kosovo was initially added to the list through a decision by the OFPRA management board on December 2013, it was withdrawn from that list in October 2014 by a Conseil d'Etat decision.

⁴⁰ Email correspondence with the Swiss Office for Migration on 13.9.2013.

⁴¹ According to Swiss Government Press release from 21.8.2012 people from the visa-exempt Balkan states have been excluded from the payment of a return allowance since the visa obligation was lifted. This measure has been implemented since April 2012, except for vulnerable persons and special cases. Press release from Swiss Government released on 21 August 2012, <http://www.bfm.admin.ch/content/bfm/en/home/dokumentation/medienmitteilungen/2012/2012-08-21.html>, accessed on 25.9.2013.

⁴² Bosnia and Herzegovina is on the list since 2005, Former Yugoslav Republic of Macedonia since 2006, Serbia since 2009, and Montenegro since 2011

In line with the changes affecting the safe countries of origin list, cases of applicants from Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia are processed under accelerated procedure. Regarding cases of Albanian applicants, accelerated procedure is used since December 2013, while cases of Kosovar applicants were processed in accelerated procedure between December 2013 and October 2014.

When their case is examined in priority, an applicant has access to different reception conditions than when they are examined under normal procedure. Whereas they are granted a daily allowance and access to healthcare/schooling, they are not entitled to the regular accommodation centres during first-instance procedures (owing to the fact that the case must be examined within 15 days); at appeals level, the reception conditions are withdrawn. This situation is therefore applicable to applicants from Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania (since December 2013) and Kosovo (between December 2013 and October 2014).

Case workers specialised in Albanian and Kosovar applications also provide support to their colleagues processing these cases and assessment methodologies have been developed for applications from these two countries.

OFPPA usually organises the processing of its caseloads according to four geographical divisions (Africa, Asia, America and Maghreb, Europe). Since the beginning of 2014, however, the applications from Albanians and Kosovars (along with Congo (DR), Bangladesh and Armenia) have been shared among the four processing departments, which improves processing times.

Several high-level visits⁴³ were organised with the authorities of the countries of origin to Albania, Kosovo, Montenegro and Serbia.

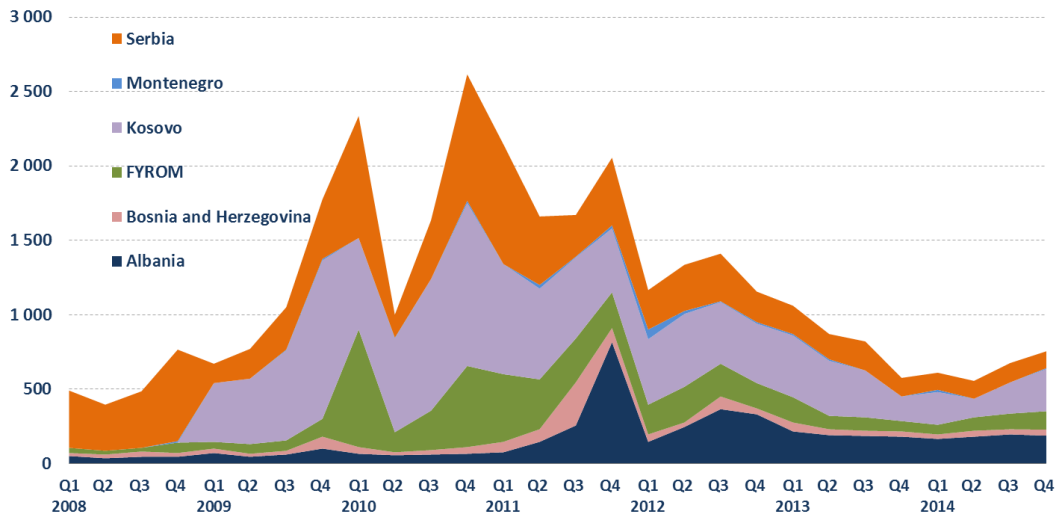
France considers the inclusion on the list of safe countries of origin and use of accelerated procedures as the most important measures in relation to Western Balkan applicants. Also, in the case of Albania and Kosovo, prioritisation via mutualisation helped further reduce processing times for applicants from these two countries.

⁴³ Albania: Visit of the French and German Ministers of Interior in July 2014; Kosovo: Visit of the head of the Communication and Information Office at the ministry of European integration of Kosovo in June 2014, Meeting between the French Minister of interior with the Kosovar Ministry of Interior of Kosovo in March 2015, meeting between the French Director General for Foreign National in France with the Minister of Interior of Kosovo in March 2015

Belgium

Despite a slight increase in the second half of 2014, Western Balkan applications in Belgium stayed well below the levels reached in 2010, 2011 and 2012

Figure 22: Western applicants from WB Countries in Belgium, 2008-2014



Until 2010, Belgium was mainly attractive for applicants from Kosovo, the former Yugoslav Republic of Macedonia and Serbia, when the flow from these countries stabilised but was joined by a new influx from Albania, determining a peak in applications overall in Q3 2011. Since 2013, the volume of Western Balkan applicants registered in Belgium has reduced significantly. Although the number Western Balkan applicants increased in the second half of 2014, the level recorded remains well below that of 2010 and 2011.

A new list of safe country of origin containing all six Western Balkans countries came into force on 14 May 2014. As regards Albania, however, in view of the relatively high number of Albanians granted international protection (on the basis on very specific cases of vendetta) prior to the introduction of the list of safe countries of origin in 2012, the Belgian Council of State partially annulled the Royal Decrees of 2012 and 2013 which included Albania on the list of safe countries of origin. Further to this decision, Albania remains on the list of safe countries of origin but cases of Albanian applicants are processed under normal procedure rather than the safe country of origin procedure. Aside from this, all Western Balkan countries are processed under an accelerated procedure. While the average processing time after the lodging of an application is about 70 days, it is about 33 days for applicants from Kosovo, Serbia, and the former Yugoslav Republic of Macedonia and about 44 days for applicants from Albania and Montenegro⁴⁴.

In terms of benefits and allowances, all asylum seekers receive material assistance (reception and guidance) during their procedure but no financial support.

⁴⁴ The average processing time after the lodging of the application (in calendar days): Albania: 43 days, Bosnia and Herzegovina: 39 days, Kosovo: 33 days, Montenegro: 45 days, Serbia: 33 days, Former Yugoslav Republic of Macedonia: 32 days, average processing time (all countries): 70 days.

The average processing time after the transfer of the application from the Immigration Department to the CGRS (in calendar days): Albania: 34 days, Bosnia and Herzegovina: 32 days, Kosovo: 24 days, Montenegro: 35 days, Serbia: 25 days, Former Yugoslav Republic of Macedonia: 24 days, average processing time (all countries): 54 days

The implementing protocol of the EU readmission agreement between Belgium and Bosnia and Herzegovina was signed on 5 December 2013. Similarly the implementing protocol of the Benelux readmission agreement was signed with Kosovo on 12 May 2014. Shortly after visa liberalisation, and since 1 January 2013 in the case of Kosovo, all financial return allowances for Western Balkan countries stopped. Concerning forced returns, there has been an increased use of Joint Return Operations organised by other Member States and coordinated by Frontex. National secured flights are still organised to Albania, Kosovo and Serbia.

Regarding entry bans, no specific measures aimed at Western Balkan nationals were taken. Entry bans were introduced to national legislation in the beginning of 2012 while the implementing protocol went into force on 2 July 2012. An information campaign targeting police and municipalities was set up in the second half of 2013. 860 Schengen Information System (SIS) entry bans were issued in 2013.

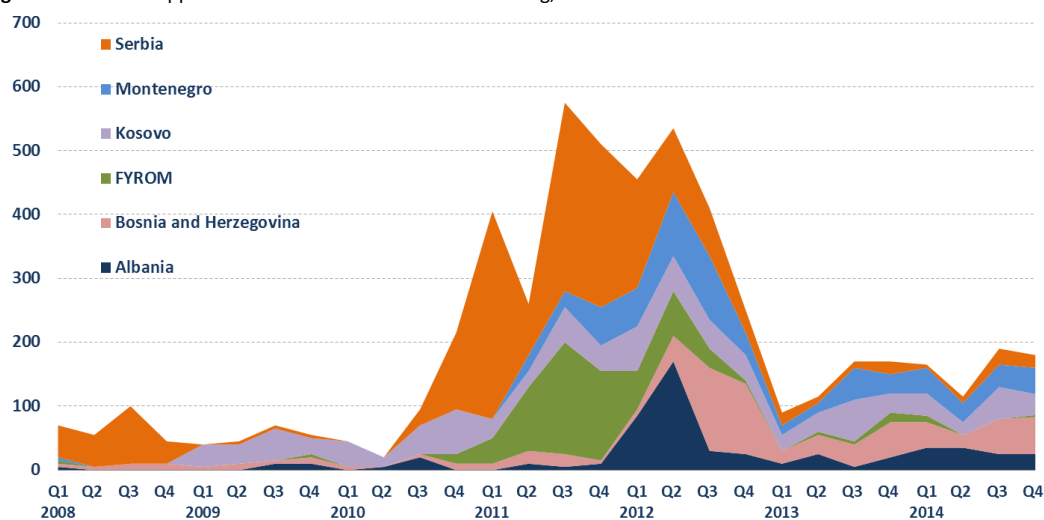
A number of high-level meetings with authorities from Albania, Kosovo and Serbia have taken place. These visits⁴⁵ are always accompanied by interviews and conferences with media focusing on dissuasive messages to prevent irregular migration. No long-term information campaigns have taken place in Western Balkan countries since July 2013 although a new campaign will take place in Albania during 2015.

While Belgium considers the combination of all the abovementioned measures resulted in a drop in applications from WB countries, the reduction in benefits and allowances as well as high-level visits were rated as the most effective ones, while the issuance of SIS entry bans was rated as only moderately effective.

Luxembourg

Since Q4 2012, the number of Western Balkan applicants in Luxembourg remained below 200 per quarter

Figure 23: Western applicants from WB Countries in Luxembourg, 2008-2014



Applications from Western Balkan citizens started decreasing in the second half of 2011 - possibly as a result of having added Serbia to the safe country of Origin list in April 2011 and

⁴⁵ Albania: 19-21 January 2015: Secretary of State for Asylum and Migration; Kosovo: 17-19 July 2013: Director General Immigration Office, 2-4 March 2015: State Secretary for Asylum and Migration; Serbia: 20 April 2015: State Secretary for Asylum and Migration.

having shortened processing times by hiring new staff at the end of 2011. Numbers of Serbian asylum seekers did not rise subsequently. However, the number of WB applicants remained high as Serbian applicants were replaced by nationals from Albania, Montenegro and, to a lesser extent, Bosnia and Herzegovina. After the seasonal peak of Q3 2012, the number of Western Balkans applicants have fallen and remained at a low level (below 200 Western Balkan applicants a quarter).

With the introduction of Kosovo to the list of safe countries of origin in June 2013, all six Western Balkan countries are on the list of safe countries of origin⁴⁶ of Luxembourg. Therefore, the Refugee Status Determination (RSD) for Western Balkan applicants may be done with an accelerated procedure, although each application in Luxembourg is subject to an individual assessment before an accelerated procedure is triggered. While the average processing time⁴⁷ of an asylum application in Luxembourg is about 10 months, it was significantly shorter for Western Balkan applicants⁴⁸ and ranged between 3 and 7 months.

Aside from the changes pertaining to the list of safe countries of origin, Luxembourg has not implemented new measures regarding applicants from the Western Balkan region. In view of the high number of applicants from the Western Balkans received in 2011 and 2012, Luxembourg had, however, taken a number of steps to reduce the inflow, such as: increase staff (in November-December 2011 and in November 2012-January 2013); reduce benefits (in 2012) for instance “pocket money” (a subsistence allowance) whereby the (monthly) amount was cut for all asylum seekers to one-fifth of the former amount⁴⁹; promote voluntary return by providing information sheets on the option of voluntary return to applicants from the Western Balkans from the beginning of the asylum procedure.

For rejected asylum seekers, Luxembourg issues an entry ban in every case of forced return and against asylum seekers who are coming back to Luxembourg after having been returned (voluntarily or forced) to their country of origin. These entry bans are entered in the Schengen Information System for 3 years.

⁴⁶ Albania, Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia and Montenegro are on the list since May 2006, Serbia entered the list since April 2011 and Kosovo in June 2013.

⁴⁷ Implicit withdrawals excluded.

⁴⁸ around 3 months for applicants from Albania, Bosnia and Herzegovina and Montenegro, 4 months for Serbian applicants, 5 months for applicants from Former Yugoslav Republic of Macedonia and 7 months for applicants from Kosovo.

⁴⁹ In addition to lower cash benefits people receive material benefits through vouchers. The monthly allowance for adults was reduced from 122,09 € to 25€.

EPS Addendum

To remedy the late timeliness of information on international protection statistics submitted by EU+ countries to Eurostat under article 4 of Regulation (EC) 862/2007, EASO implemented an operational data collection on international protection statistics also known as the Early warning and Preparedness System (EPS). The second stage of this collection has been in place since March 2014 and supplements information collected by Eurostat. It focuses on the first instance of the EU+ countries' asylum systems and consists of the following four indicators:

- Asylum applicants, which provides a measure of the new inflow into the first instance of the asylum system;
- Pending cases under first instance determination, which provides an indication of the pressure on the first instance determining authority at the end of each reporting month;
- Withdrawn asylum applications during first instance determination, which indicates the number of applications abandoned implicitly or explicitly;
- First instance decisions, which gives an idea of the processing capacity of the first instance determination body.

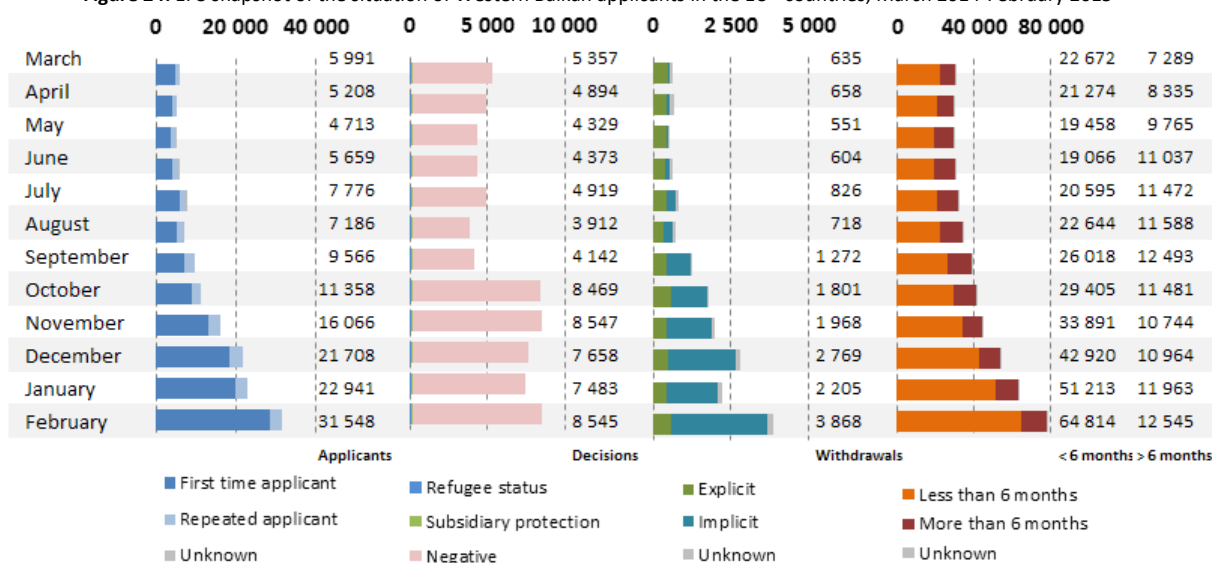
While the EPS allows for a more timely exchange of information at EU+ level, it should be borne in mind that figures submitted by EU+ countries in this framework are provisional. As such, differences may arise between this set of information and the official statistics provided by national authorities to Eurostat.

Reviewing the information gathered in the framework of the EPS collection between March 2014 and February 2015 for Western Balkan applicants highlights interesting features.

The evolution of the first instance indicators in the past 12 months available (figure 24) highlights that despite the large number of withdrawn applications (17 875 withdrawals) and decisions issued in the past 12 months (72 628 decisions), both parameters have been far lower than the inflow of applicants (149 720 applicants) contributing to the swift build-up of the stock of pending cases.

The first instance of EU+ countries' asylum systems are affected in different ways by the Western Balkan inflow of applicants

Figure 24: EPS snapshot of the situation of Western Balkan applicants in the EU+ countries, March 2014-February 2015



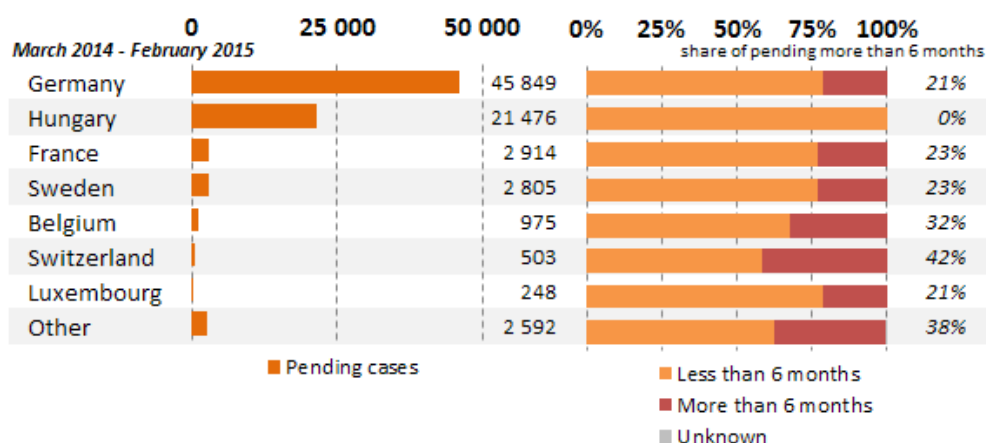
In spite of all measures undertaken by EU+ countries to shorten the processing times of Western Balkan applications, the proportion of cases pending more than 6 months remains significant. At the end of August 2014, before the inflow of Western applicants started to rise, 11 588 cases or 34 % of all cases pending in first instance had been awaiting a decision for more than 6 months. Further to the large increase in the number of applicants between September 2014 and February 2015, this proportion dropped to 16 % by the end of February 2015 but the number of cases pending more than 6 months rose to 12 545.

By the end of February 2015, more than one out of five WB cases had been pending for more than 6 months in the main countries receiving Western Balkan applicants except Hungary.

Of these, virtually all the cases had been pending for less than 6 months, which mirrors the surge of Kosovar applicants starting in September 2015 (i.e. less than 6 months ago). Although 21 476 pending cases were reported by Hungary, it is likely that the actual number of pending cases is lower due to implicit withdrawals. In order to cope with the inflow of Kosovar applicants, the OIN shifted resources to the registering of applicants and it is therefore possible that a number of persons who meet the criteria for implicit withdrawal have not yet had their case discontinued or rejected due to the internal reorganisation.

Despite measures taken in EU+ countries, a number of Western Balkan applicants await a first instance decision on their case for more than 6 months

Figure 25: Stock of Western Balkan cases pending in first instance in the EU+, February 2015

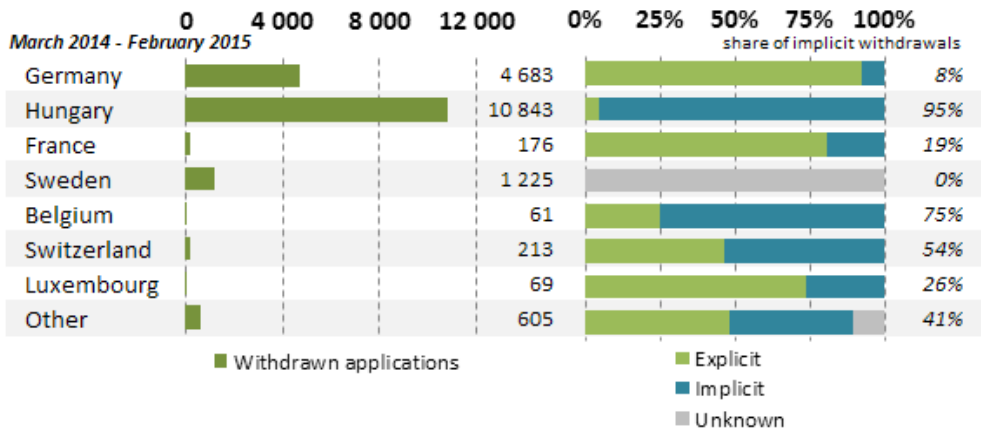


The flow of Western Balkan applicants is also characterised by a singular pattern of withdrawn applications (figure 27). In the last 12 months, Hungary reported the majority of withdrawn applications with 10 843 withdrawals (out of 17 875 withdrawals registered in the EU+) 95 % of which were implicitly withdrawn⁵⁰.

⁵⁰ In Hungary, an application for international protection is considered implicitly withdrawn when the applicant does not appear in the reception centre after registration at the border or when an applicant has not appeared for the interview after having received the second summons.

Hungary reported the largest number of withdrawn applications and the highest proportion of implicit withdrawals from Western Balkan applicants

Figure 26: Western Balkan applicants withdrawn applications in the EU+, March 2014- February 2015



Combined with other information on Eurodac hits and Dublin requests it appears that almost all Kosovars who applied in Hungary subsequently swiftly absconded from the reception centres and travelled to other countries such as Austria, Germany or Sweden where they applied once more for international protection.

Among main receiving countries, the proportion of decisions on Western Balkan cases in accelerated procedure ranged between 0 % and 74 %

Figure 27: First instance decisions on Western Balkan applicants by type of decisions and procedures

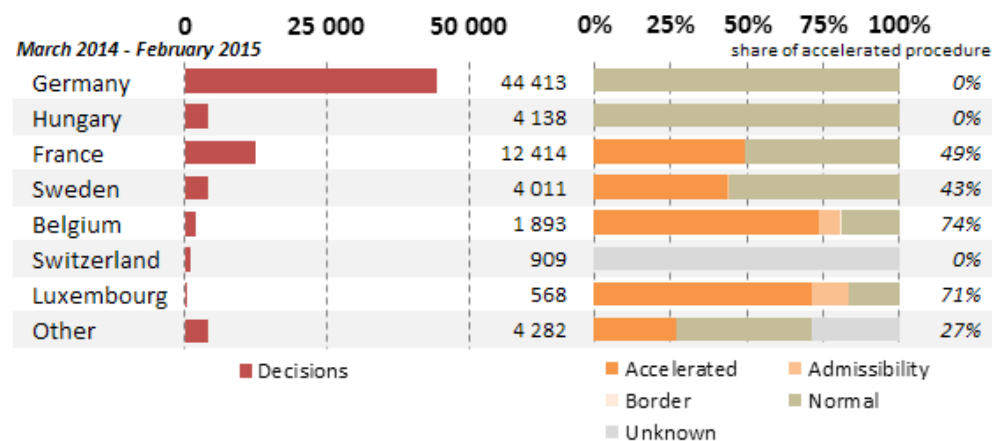


Figure 27 summarises the number of decisions issued on Western Balkan applicants in the last 12 months by type of procedure used. These figures refer to types of procedure established in national law. Given that EU+ countries have not necessarily accelerated, border or admissibility procedures defined in national law, or might not have the capabilities to report on such procedures in the framework of the EPS collection, the figures presented here are not fully comparable across EU+ countries and do not reflect prioritisation measures (where the normal procedure is used but is focused on certain nationalities). However, it would appear that the countries with the largest proportion of decisions issued under accelerated procedures (Belgium and Luxembourg) in the past 12 months were also among the least affected by the current surge of Western Balkan applicants. Significantly, although Hungary is the second main receiving country of Western Balkan countries from March 2014-February 2015 with 44 474 applicants, over the same period only 4 138 decisions were issued. By comparison, Germany, which received 77 472 applicants, issued 44 413 decisions.

As discussed in figures 2 and 6, Western Balkan applicants exhibit a large number of repeated applicants, *i.e.* an applicant who has lodged a further application for international protection, in the reporting EU+ country, after a final decision has been taken on a previous application in the same EU+ country. Given the situation in the region of origin is stable, it seems unlikely that these repeated applications are lodged on the basis of on new grounds.

In addition to the large share of repeated applications in the same reporting country substantiated by EPS and Eurostat collection, there also are indications of applications from Western Balkan nationals being lodged in several EU+ countries. Unfortunately, the Dublin statistics collected under Regulation 862/2007 are not disaggregated by citizenship and it is therefore not possible to quantify the extent of this phenomenon or its effects on the Dublin system. A side-effect of this tendency to apply in several EU+ countries is that the number of Western Balkan applicants in the EU+ is overestimated due to multiple counting.

These elements combined with the seasonality of the flow shown by certain Western Balkan countries might signal a circular pattern whereby an applicant who has not been granted protection in the EU+ and was returned to their country of origin enters the EU+ and applies for international protection again a year later. This assumption could, however, only be confirmed by a longitudinal analysis of Western Balkan applications in the EU+ or better information on Dublin statistics.

Although this document is primarily focused on the first instance of the asylum procedure, the input provided by EU+ countries on the numerous measures undertaken to influence the pull factors highlighted the importance of the return process for failed asylum applicants. Even if many mechanisms are introduced to reduce the processing times of Western Balkan applicants and swiftly make decisions, these can be made irrelevant if the effective return of those receiving negative decisions is lacking. Again, this aspect cannot be extensively analysed at EU+ level as the only available information on return collated at EU+ is not limited to failed asylum applicants but encompasses all third-country nationals found to be illegally present on the territory of the reporting country.

In order to shed some lights on these areas, EASO is currently developing Stage III of EPS, which will include indicators on access to procedure, reception, Dublin and return.

General conclusion

From the analysis provided above, it would appear that the conclusions drawn in the previous Western Balkan report remain generally valid.

Despite the vast majority of claims being considered as unfounded by EU+ countries, the Western Balkans flow has become an increasingly important part of the asylum caseload at EU level. Although this flow is restricted to a limited number of EU+ countries, it greatly affects the capacity of their asylum systems and delays the treatment of applications from nationals of other countries of origin in need of protection.

While the flow of citizens from Serbia, the former Yugoslav Republic of Macedonia and to a lesser extent Bosnia and Herzegovina are highly seasonal and have in the past determined the overall seasonality of the Western Balkan flow, the increase of Kosovar applicants which started in autumn 2014 has developed to such extent that this seasonal pattern has been disrupted. In February 2015, more than 23 500 Kosovar applicants, mainly ethnic Albanians, were registered in the EU+.

Though Western Balkan applicants face one of the lowest recognition rates of any countries of origin, this rate varies depending on the destination country and country of origin. There appears to be no correlation between the propensity to apply for asylum and the recognition rate in the receiving country.

There have not been significant changes in the main push factors behind the decision of some WB citizens to apply for international protection in the EU+: societal problems of specific groups closely linked to unemployment and poverty, problems in accessing the labour market, blood feuds and vendetta (for Albanian applicants only) and insufficient social infrastructure and services remain the principal reasons prompting WB nationals to migrate to more developed countries in search of better life.

Regarding the principal factors determining the choice of the destination countries, replies to the questionnaires have highlighted some divergences with the initial report: while in the latter, the linked issues of long processing times and cash benefits were seen as the most important factors attracting Western Balkan applicants, according to the update questionnaire, access to health care now ranks as a major new factor in addition to those of a more economic nature (allowances and benefits or possibility to find employment legally or illegally). In this context, it should be borne in mind that, since the last report, several EU+ countries have implemented a set of measures aimed at shortening processing times and/or curtailing benefits relating to the asylum or return procedure. The presence of an existing diaspora was also confirmed as an important factor in the choice of the destination country.

From the list of measures undertaken in various EU+ countries, according to the possibilities provided by their national law, it appears that the shorter the duration of the asylum procedure (from application to final decision and return) and the lower the cash benefits provided during it, the more clear is the effect on subsequent numbers of presumably unfounded applications for asylum. Despite the measures noted as having been undertaken by EU+ countries to reduce the processing time of Western Balkan applicants, EPS figures indicate that these have yet to take effect since pending case numbers continue to rise and, for a substantial proportion of the Western Balkan applicants, more than 6 months is needed to receive a first instance decision.

Other measures, such as information campaigns and voluntary or forced return programmes, are judged by EU+ destination countries to also have a role to play (depending

on the specificities of the influx – for example when peaks appear to be caused by rumour or misinformation in the source country) but are less obviously responsible for subsequent reductions in applications.

