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Accompanying the document

Second Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap

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1. INTRODUCTION

This Commission Staff Working Document (CSWD) accompanies the Commission's Second Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap (the Second Report)[1] and is organised in the same manner as the latter, thus addresses the benchmarks block by block.

While the Second Report identifies the areas in which Turkey has not yet fulfilled the requirements of the visa liberalisation roadmap (the Roadmap), and presents recommendations on the measures to be put in place in order to achieve this objective, this CSWD describes the measures taken by Turkey since the adoption of the first Commission's Report on progress by Turkey in implementing the requirements of its visa liberalisation roadmap (the First Report) on 20 October 2014[2].

In addition, this CSWD also provides some background information on certain aspects of the visa and asylum system of Turkey, as well as on irregular migration flows reaching the EU from Turkey. This information is meant to help better understand some of the recommendations included in the Second Report under block 2.

Finally the annex to this CSWD contains statistics and other information allowing to formulate an assessment of the impact which the application of the visa liberalisation to Turkish citizens may produce on the migratory situation in the EU.

2. BLOCK 1: DOCUMENT SECURITY

2.1. State of play in October 2014

The First Report stated that Turkey had already achieved a good level of progress in fulfilling the benchmarks of the first block of the Roadmap. In particular, it noted that Turkey already had a well-functioning civil registry system, and its authorities had been issuing since mid-2010 ICAO-compliant passports including chips bearing one biometric identifier of the holder

[1] Second report on Turkey's progress in fulfilling the requirements of its visa liberalisation roadmap COM(2016)140

[2] First report on Turkey's progress in fulfilling the requirements of the its visa liberalisation roadmap COM(2014) 646 final

(the digital picture), although passports of an older type, without biometric identifiers, were still in circulation.

Nevertheless the report noted also that several requirements of this block were not yet fulfilled and made several recommendations on measures to be taken by Turkey to achieve this result.

2.2. Main progress made since October 2014

The main developments in fulfilling the requirements under this block during the reporting period took place in the last months and can be summarised as follows.

- On 25 November 2015, on the basis of an earlier decision taken by the Turkish Government in line with indications given by the International Civil Aviation Organisation (ICAO), the few passports issued before 2010 still in use, that were machine readable but did not include any biometric features expired and were withdrawn from circulation. As a result, only electronic passports including a chip bearing the serial number of the passport and the facial image of its holder are now in circulation in Turkey.
- The Law on Civil Registration Services (no. 5490) was modified with an amendment that entered into force on 27 January 2016. As a result of this amendment, all new identity cards to be issued to Turkish citizens have to include biometric identifiers and have a maximum validity of 10 years. As the Directorate General of Civil Registration and Citizenship, waiting for approval of the amendment, and in order to speed up its implementation once adopted, had already taken the initiative to prepare 2 million polycarbonate-based ID cards ready to be issued, the first new identity cards including biometric data and having a validity of 10 years will start being issued as of March 2016. The distribution of the new cards to the entire Turkish population will take place gradually.
- On 17 February 2016 the Turkish National Police issued a Circular instructing its staff dealing with expired passports to systematically invalidate their pages and chips in order to avoid their possible re-use for forgeries. The Circular was elaborated in line with the Member States' best practices.

In addition to that, new measures, aimed at fulfilling some of the remaining requirements of the roadmap under this block, are under way. In particular:

- a project, funded by the EU through the Instrument for Pre-Accession Assistance (IPA) launched at the end of December 2015 is expected to enable Turkish authorities to produce and print the new Turkish passports elaborated in line with the EU standards required by the visa liberalisation roadmap. It is not yet known, however, when the new passports will start being issued.

3. BLOCK 2: MIGRATION MANAGEMENT

3.1. State of play in October 2014

The First report recognised that Turkey had already achieved a good level of progress in fulfilling the benchmarks of the second block of the Roadmap, notably in consideration of the following three main facts.

First of all, Turkey had adopted in April 2013 and, in April 2014 had started applying, the new Law on Foreigners an International Protection (n° 6458). This law has established a national asylum system inspired by the EU model and providing international protection to

asylum seekers without substantially treating in a different manner the asylum seekers and refugees depending on their European or non-European origin (irrespective of the fact that Turkey decided to maintain its geographic reservation on the Geneva Convention on Refugees of 1951, and that this reservation is formally reflected in the law). The law also introduced safeguards for the fair treatment of both regular and irregular migrants, including also judicial supervision and an appeal system in removal procedures, the possibility for irregular migrants to return to their origin country in an assisted and voluntary manner, and basic protection for migrants who are victims of trafficking in human beings.

Secondly, Turkey had given a clear demonstration of its respect for the principle of non-refoulement, by offering a safe harbour on its territory to more than 2.5 million persons fleeing the conflict in Syria, by admitting more than 200 000 international protection applicants from other countries, providing also to many of them (notably to more than 250 000 Syrians) full hospitality in 26 well organised refugee camps.

Thirdly, Turkey had recently strengthened its visa system, notably by restricting the conditions of access to the e-visa system. While initially the nationals of most of the countries under the visa requirement for Turkey[3] had been given the possibility to obtain an e-visa upon simple possession of a valid passport, in the first half of 2014 this possibility was restricted – for the countries representing typical sources of irregular migration[4] – to those applicants holding a valid residence permit or visa of a Schengen or of an OECD country in their passports.

Nevertheless the report also noted that Turkey could not yet fulfil all the benchmarks of this block and, accordingly, made several recommendations on measures to be taken by Turkish authorities to achieve this result.

3.2. Main progress made since October 2014

Since October 2014 Turkish authorities made substantial progress on several issues.

First of all, of particular relevance was the further strengthening of operational capacities of the **Directorate General of Migration Management** (DGMM).

- This new civilian specialised structure, the creation of which was decided in April 2013 by the Law on Foreigners and international protection (the Law), and which was assigned overall responsibility for the implementation of Turkish legislation related to foreigners, migrants and refugees (until then fulfilled by the Foreigners' Department of the Turkish National Police), has been growing quickly in the course of 2014 and 2015: around 3 000 specialised officers were recruited and trained, local branches were established, equipped and opened in all 81 provinces, an autonomous and integrated system of registration and monitoring of all foreigners present in the country (*Göc-net*) was developed and put into function. In May 2015 the capacity building process was completed, which made it possible to the Police to transfer to DGMM all its remaining competences[5].

[3] Information on the Turkish visa system can be found at the web-site of the Turkish Ministry of Foreign Affairs http://www.mfa.gov.tr/visa-information-for-foreigners.en.mfa
The nationals of Guyana, Cuba, Sri Lanka, Laos, Cambodia, Bhutan, North Korea, Papua New Guinea and of all the micro-states in the Pacific were never given the possibility to obtain e-visas, remained confined to the possibility to travel towards Turkey only by obtaining a visa from a Turkish embassy

[4] This restriction applied to the nationals of all the countries of Sub-Saharan Africa and some of North Africa (Egypt and Algeria) and of Southern and Eastern Asia (Afghanistan, India, Pakistan, Bangladesh, Vietnam, China).

[5] Information on DGMM activities and Turkey's migration and international protection policies can be found at DGMM http://www.goc.gov.tr

- DGMM is now effectively in charge of the management of all procedures foreseen by the Law, including the assessment of both the asylum and the readmission requests, with positive impact on the way in which these requests are being handled.
- DGMM has been increasing its capacity to collect statistical data on migration, including through cooperating with Frontex in the framework of the TU-RAN project.
- DGMM, which in May 2015 took up the responsibility on the management of the centers where the migrants arrested due to their irregular staying or entry in the country are submitted to administrative detention, pending the completion of their removal procedures launched and, is now implementing with the EU support an ambitious work programme aimed at enhancing the reception quality and the capacity of these centers. This is done in order to enhance the capacity of Turkey to host the intercepted irregular migrants in a decent manner, thus addressing the problems of overcrowding and inhuman treatment condemned in the past by the European Court of Human Rights. The ongoing expansion of the hosting capacities of the removal centres of Turkey is being promoted by DGMM also to anticipate the increased needs that it expects will be triggered by the forthcoming entry into force of the provisions related to third country nationals of the EU-Turkey readmission agreement, and in order to ensure the smooth application of the latter.

A second important development was visible in the area of **international protection**, with the adoption of several legal acts.

- The most important one was the regulation, issued on 22 October 2014, granting temporary international protection status to all refugees from Syria having fled into Turkey as a result of the situation in that country.
- In addition, on 15 January 2016, a regulation, giving the Syrians under temporary protection the right, within certain limits and at certain conditions, to obtain work permits allowing them to work legally in Turkey, was adopted.
- Meanwhile Turkey, using national funds and international aid, puts in place several initiatives aimed at providing assistance to its refugee population, with an increased focused on the Syrians residing outside of the 26 refugee reception centres established and run by the Turkish Government, notably to address the immediate needs of the most vulnerable among them, and to facilitate children access to schooling (a possibility which however is not yet granted to approximately a half of the latter, that is around to 400 000 children).
- In this context should also be noted that, since the end of 2014, all the applicants and beneficiaries of international protection in Turkey (including Syrians located outside of the 26 refugee camps established and run by the Government, as well as the non-Syrians) are given free access to health care in public health structures, with the relevant financial costs being covered by the Turkish authorities.

Thirdly, Turkish authorities stepped up its **cooperation on border management** with their Greek and Bulgarian counterparts. In particular:

- Turkish authorities started to cooperate in the implementation of an early warning and information system with Greek and Bulgarian authorities along their common land border in the Thracian region. This system –coupled with the increased efforts of border surveillance made on the two sides of the border- allowed to drastically reducing the possibility to cross irregularly the land border of the EU in the Thracian region.

- In addition, in May 2015 the three countries signed the international agreement establishing a common tripartite centre at the Capitan Andreevo border crossing point which, once set up, should strengthen the existing cooperation and expand it notably by facilitating the timely and effective exchange of police information in combating migrant smuggling. On 8 January 2016 the bill of ratification of the agreement was presented to the Turkish Parliament which adopted it in February; the agreement has not yet entered into force.
- Turkish authorities have also agreed to launch and are contributing to implement an EU-funded project supporting confidence building among the border authorities of the three countries.
- In October 2014 and April 2015 the Turkish and Hellenic Coast Guard organised for the first time meetings allowing to start discussions on the possibility to improve their cooperation. At the last meeting held in November 2015 between the two Coast Guards Commanders, it was agreed to enhance the direct contact of the Regional Commanders of the Turkish and the Greek Coast Guard, to hold two technical meetings per year and assign an *Attaché* to the Greek Embassy in Ankara in February 2016 (Turkey already assigned its *Attaché* in Athens in 2014).

Several measures were also taken to strengthen the **visa and border management system** and more generally to counter the possibility for nationals of third countries to irregularly enter or exit the Turkish territory.

- As of 8 November 2014 Turkish Embassies started using visa stickers including high security features, instead of visa stamps.
- As of 1 January 2015 the nationals of all 47 Sub-Saharan Africa countries – which are considered as potential sources of irregular migration– were deprived of the possibility to enter Turkish territory by obtaining a visa at the border. They may now only enter with a visa issued by a Turkish embassy or with an e-visa. The latter possibility is however restricted to a category of passengers fulfilling certain conditions, and notably that are holders in their passports of a valid visa or residence permit issued by an OECD or a Schengen country.
- On 24 September 2015 Turkey submitted to visa requirement the citizens of Libya, who until then were authorised to enter Turkey visa-free, thus aligning its visa system, on this point, to the Schengen visa list.
- On 8 January 2016 Turkey decided to introduce visa obligations for Syrians entering the Turkish territory via a seaport or an airport coming from a third country (while maintaining the visa-free regime for Syrians entering the Turkish territory directly across the common land border, not to put an obstacle to persons fleeing the situation in Syria). The decision taken on 8 January immediately contributed to reducing the tendency to use the Turkish territory for the purpose of irregular transit migration towards the EU which had been until then quite intensive notably among the Syrians located in Lebanon and Jordan. While 41 781 Syrians had entered Turkey between 1 and 7 January 2015 through seaports or airports, only 1 155 entries were recorded between 8 and 18 January after the new visa obligation had been introduced.
- On 5 February 2016 Turkey tightened visa requirements for Iraqi citizens. After that date all Iraqi citizens should apply to Turkish diplomatic missions abroad for visa to enter Turkey. Only Iraqi citizens holding valid Schengen/USA/UK/Ireland visa/residence permits are allowed to enter with an e-visa. Nevertheless, the entry through the Habur Land Border Crossing Point is allowed only to the holders of visas obtained from Turkey's diplomatic missions.

- A by-law regulating the carriers' obligations, introducing sanctions for carriers transporting passengers without valid travel documents, entered into force on 7 November 2015.
- An investigation allowed discovering and dismantling a criminal network operating around the Turkish embassy in Kabul which had managed for some time to sell authentic, or to produce forged, Turkish visas to many Afghans willing to abusively enter into Turkey for the purpose of irregular migration into Turkey or, through the Turkish territory, into the EU.
- In addition to that, considerable efforts were made by Turkish authorities to better protect the borders of Turkey from irregular entries. In particular, activities on ditch excavation, lighting, wire entanglement, trellis fence, road maintenance and construction and modular wall construction were carried out at the borders with Syria and Iraq. EU-funded projects, aimed at strengthening and modernising the capacity of Turkish authorities to control the borders with Iraq and Iran were also launched and have started being implemented.
- An Inter-service Committee to fight against Irregular Migration was established in 2015 with the objective to promote coordination among the various departments involved.
- On 4 February 2016 a specialised Unit on the Fight Against Migrant Smuggling and Human Trafficking was established within the Turkish National Police.
- Between December 2014 and March 2015, the Turkish Coast Guard launched the operation "Safe-Med", allowing to stop the irregular departures of migrants and refugees carried out by the use of so-called "ghost ships" which had taken place since June 2014 originating mostly from the South-Eastern coastal regions of Turkey adjacent to the seaport of Mersin.
- As of 14 January 2016, the Turkish Coast Guard started to be given access to the Ship Register System of Turkish Ministry of Transport, where information on all purchase, sale and cancellation procedures on ships taking place in Turkey is recorded. This represents a useful tool to prevent irregular departures organised from the Turkish coast towards the EU using stolen vessels, and to investigate smugglers' networks.
- In February 2016 Turkish authorities have proposed the negotiation of readmission agreements to 14 countries, which are typical source of irregular migration (Afghanistan, Algeria, Bangladesh, Cameroon, Congo, Eritrea, Ghana, Iran, Iraq, Morocco, Myanmar, Somalia, Sudan and Tunisia). The negotiations have however not yet started.
- In February 2016 Turkish authorities have identified 18 countries considered to be potential source of irregular migration whose nationals should be submitted to airport transit visas to fly through Turkey across its international airport transit areas. These visas would be issued by the Turkish Embassies. However, the decision to start applying this new visa obligation has not yet been taken.
- On 26 January 2016 the Turkish National Police has taken the decision to establish separate counters at 45 border crossing points, in order to carry out more accurate check on the e-visa holders. These new counters have not yet been established but work is under way. These counters will be managed by staff having received a specialised training, enhancing the capacity to detect false or forged OECD or Schengen visas or residence permits. More than 600 police officers have already received this training.

3.3. Focus on the irregular migration flows from Turkey towards the EU

Irregular departures of migrants and refugees from the Turkish territory towards the EU, at the land and sea borders, in the reporting period have continued growing in an exponential manner. While in 2013 and 2014 the number of persons arrived to the territory of the EU Member States directly from the Turkish territory were 25 121 and 52 994 respectively, the number in 2015 has escalated up to 888 457, which means a daily average arrival of 2 430 persons[6].

These irregular arrivals take place to an overwhelming extent (in 98 % of the cases in 2015) through short but dangerous journeys across the sea originating on the Turkish Aegean coast and reaching the nearby Greek islands (Lesvos, Chios and Samos in particular). The arrivals are continuing in 2016 at a very intense rhythm. A slightly diminished intensity is being registered since December, largely linked to the fact that in the winter season the weather conditions make the crossing by sea more dangerous, although the positive influence of the preventive and repressive efforts put in place by all Turkish law enforcement agencies should not be disregarded.

Journeys across the sea are carried out on dinghies, inflatable boats, speed boats and other means, with the support -and under the control- of criminal organisations operating on Turkish soil, and which have connections with partner gangs located in the countries of origin, transit and destination.

Of the 888 457 persons arrived to the EU from Turkey 498 040 (56%) were Syrians, 214 552 (24%) Afghans, 93 028 (10 %) Iraqis, 24 291 (3%) Pakistanis, 23 087 (3%) Iranians, 7 419 Moroccans (1%), 6 368 Palestinians, 4 538 Somalians, 3 689 Bangladeshis, 2 044 Lebanese, 1 416 Algerians etc.

The way in which these migrants embarked on and managed to carry out their journeys differs, depending on the visa regime applied by Turkey to their respective countries. The persons enjoying a visa-free regime or given the possibility to easily obtaining a Turkish visa, enter the Turkish territory regularly, and only become irregular migrants once they irregularly exit the Turkish territory, trying to enter the EU.

Turkish authorities have been struggling to prevent this phenomenon. As communicated by Turkish authorities to the Commission, in 2015, Turkish law enforcement agencies intercepted 204 200 persons trying to cross to the EU: 113 339 among them were apprehended at the land border, whereas 91.612 (six times more than the previous year) on the sea border.

DGMM statistics published on DGMM website state that in 2015 Turkish authorities apprehended 146 485 irregular migrants (i.e. persons having irregularly entered or staying irregularly in Turkey), around 2.5 times more than in 2014 (58 647) and that the main countries of origin concerned were Syria (73 422) Afghanistan (35 921), Iraq (7 247), Myanmar (5 464), Pakistan (3 792), Georgia (2 857), Islamic Republic of Iran (1 978), Eritrea (1 445), Uzbekistan (1 393), Turkmenistan (1 241) etc.

3.4. Focus on the Turkish visa system

In chapter 3 related to block 2 of the Second Report, when presenting considerations and recommendations on how Turkish authorities should consider revising their visa system, reference is made to (3.4.1) the discriminatory visa regime applied by Turkey to the EU

[6] All the figures mentioned in this paragraph are elaborations of the Commission services based on information provided by FRONTEX. All statistical data are indicative and subject to change.

Member States, (3.4.2) the difference between the visa regimes applied by the EU and Turkey to some third countries, and (3.4.3) the difference in the visa systems applied by Turkey to the countries that are the main source of irregular migration towards the EU across Turkey. Background information on these three points thereafter follows.

3.4.1. Discriminatory visa regime applied to the Member States

As opposed to the nationals of all the other EU Member States that are allowed to enter Turkey visa-free, the nationals of Austria, Belgium, Croatia, Cyprus, Ireland, the Netherlands, Poland, Spain and the United Kingdom may enter Turkey only with a visa.

The nationals of these Member States can easily enter Turkey through obtaining an e-visa system or upon arrival at the border gates of Turkey. However the citizens of Cyprus may only obtain the e-visa by registering themselves on the website established by the Turkish Government to manage the e-visa system as nationals of the "Greek Cypriot Administration of Southern Cyprus", which is not the right denomination of their country as accepted by the United Nations.

3.4.2. Differences between the visa regimes applied by the EU and Turkey to third countries

The countries whose nationals are required to hold a visa when entering the Member States and that have a visa waiver for Turkey are: Azerbaijan, Belarus, Belize, Bolivia, Georgia, Iran, Jordan, Kazakhstan, Kyrgyzstan, Lebanon, Mongolia, Morocco, Russian Federation, Syria (as of 8 January only upon direct arrival from the country, across the land border), Tajikistan, Thailand, Tunisia, Turkmenistan, Ukraine, and Uzbekistan.

Although in many cases the EU and Turkey impose visa obligations to enter their territories to the citizens of the same countries (Algeria and Egypt, the countries of Sub-Saharan Africa, and many countries in Southern and Eastern Asia, such as Afghanistan, India, Pakistan, Bangladesh, Vietnam, China), there is nevertheless a remarkable difference between the visa regime applied by Turkey and that of the EU.

The Turkish system is laxer because it offers the possibility to obtain an e-visa to those declaring to have a valid residence permit or the visa issued by a Schengen or an OECD[7] country, and to have a return ticket, hotel reservation, at least 50 $ per each day of intended stay, and that they are travelling for the purposes of tourism or business.

While these conditions seem strict, in fact they are not. The effective capacity of the e-visa applicant to fulfil them is not verified *ex-ante* through a thorough examination carried out by the consular staff of an Embassy, availing itself of all the time necessary for the examination and being entitled to request all additional documents needed. On the contrary, the e-visa is issued automatically by the system, on the basis of a simple declaration made on internet by the applicant. The only moment in which the effective capacity of the e-visa holder to fulfil the conditions can be verified is when he/she, upon arrival to Turkey, is examined by the Police officer located at a border crossing point. Usually, however, especially in heavily

[7] The e-visa regime was slightly modified on 01.02.2016. While, until that date, for the citizens of the countries mentioned in this page, the possession of a valid visa or residence permit of **any** OECD or Schengen country qualified for benefiting of the possibility to obtain an e-visa to enter Turkey, as of that date this privilege is restricted only to the holders of the residence permit or visas issued from **some** OECD countries, notably USA, United Kingdom, and Ireland in addition to those issued by Schengen countries.

frequented border crossing points, that police officer has only a very limited time to carry out what are likely to be very superficial examinations.

In this context, in order to mitigate the risks of the e-visa system, Turkish authorities have introduced measures enhancing the controls on e-visa holders upstream, In particular, Turkish authorities require visa holders who originate from countries that are typical sources of irregular migration to travel towards Turkey with an airline company having signed a specific agreement (currently signed only by Turkish and Pegasus airlines, but open in principle to any other company). By signing this agreement an airline company accepts the responsibility to verify before embarking that the passenger fulfils the conditions required by Turkey to obtain an e-visa, as well as to return him/her back to the point of origin in case the person is not admitted into Turkey.

3.4.3. Visa regime applied by Turkey to countries that are the main sources of irregular migration for the EU via the Turkish territory

The countries whose nationals were registered at the top of the list of those that used the Turkish territory as a springboard to irregularly migrate towards the EU are Syria, Afghanistan, Iraq, Iran, Morocco Pakistan, Bangladesh, Algeria, Somalia and Lebanon. Turkey applies to the nationals of these countries very different visa regimes:

- The nationals of Iran, Morocco and Lebanon have the right to enter Turkey visa-free.
- Nationals of Afghanistan, Pakistan, Bangladesh, Algeria and Somalia need a visa delivered by the Turkish Embassy to enter Turkey. Nevertheless, those with a valid residence permit or a visa of Schengen or OECD in their passport have the possibility to obtain an e-visa.
- During the reporting period the nationals of Iraq (without this possibility being limited to the holders of visa and residence permits of Schengen or OECD countries) had the right to enter Turkey through an e-visa provided that they entered through the Habur land border crossing point or through one of the following airports: Istanbul Atatürk, Sabiha Gökçen, Ankara Esenboğa, Adana Şakirpaşa, Gaziantep or Antalya. At other border crossing points the right to enter with the e-visa was restricted to the Iraqis holding a valid OECD/Schengen country[8] visa or residence permit on their passport. As indicated above, the visa regime for Iraqi citizens was tightened on 5 February 2016.
- During the reporting period, Syrians enjoyed visa-free entry to Turkey. As explained above, on 8 January 2016, the visa obligation was introduced on Syrians entering Turkey through a seaport or airport coming from a third country.

3.5 Focus on the Turkish asylum system

The Turkish asylum system is based on the Law on Foreigners and International Protection adopted in April 2013 and entered fully into force in April 2014. The Law provides for the following international protection statuses:

- refugee status (defined by article 61 of the Law, and accessible to persons subject as individuals to persecution as defined by the Geneva Convention on Refugees, and who are fleeing from events occurring in a European country),

- conditional refugee status (defined by article 62 of the Law, and accessible to persons subject as individuals to persecution as defined by the Geneva Convention on Refugees, and that are fleeing from events occurring in a non-European country),
- secondary protection (defined by article 63 of the Law, and accessible to persons, whether European or non-European, not qualifying for the previous two forms of protection, but who nevertheless may not be returned to their country of origin or of last transit, due to the generalised risk to be submitted to violence or mistreatment in those countries, or the impossibility to obtain international protection),
- temporary protection (defined by article 91 of the Law, and accessible to persons fleeing their country due to a situation of general insecurity, and reaching Turkey through a massive arrival) .

Syrians and foreigners living in Syria who fled to Turkey as a result of the war in that country were not given secondary protection on an individual basis, but have been given temporary protection status. The specific rights attributed to this status, which are not clearly defined by the Law, have been stipulated in a specific regulation issued by the Government on 22 October 2014. The status is granted upon simple verification of the Syrian origin. As of 31 January 2016 Turkish authorities have registered 2 582 600 persons (mostly Syrians, but in a few cases also some Palestinians that used to live in Syria) as beneficiary of temporary protection. The DGMM is in charge of the registrations.

All the other nationalities can become beneficiaries of international protection in Turkey only as a result of an individual application, followed by a screening and a positive decision. The DGMM is in charge of the implementation of the asylum procedures.

Turkish authorities have declared that they have received, respectively, 34 112 and 64 232 international protection applications in 2014 and 2015. The main countries of origin of the applicants were Afghanistan (9 812 and 11 405 in 2014 and 2015 respectively), Iraq (16 147 and 42 162), Iran (4 568 and 8 527).

Nevertheless, most of the asylum procedures initiated remained uncompleted. In 2014 only 106 refugee statuses were granted, and 749 applications were rejected, while 1 337 of the applications were considered withdrawn due to the disappearance of the asylum applicant (article 77 of the Law) and other reasons; the remaining 31 920 applicants did not receive any reply. Similarly, in 2015 3 356 conditional refugee statuses were granted, 8 secondary protections, while 751 requests were rejected and 16 059 were considered withdrawn, with the result that an additional group of 44 058 of international protection applications remained without reply.

The effective number of pending and unanswered international protection applications is higher because on 11 April 2014, when the law on foreigners and international protection started to apply, the UNHCR handed over to the recently established DGMM all the international protection applications which its mission in Turkey had collected while the country did not have its own national asylum system. The Commission services have not received clear statistical data on how many applications were handed over (reportedly around 100 000) and how many of those have been given by Turkish authorities a concrete follow-up until and how many are still pending.

In any case, based on information provided by Turkish authorities, the overall number of international protection applications registered, the assessment of which was pending in Turkey amounted on 31 January 2016 up to 140 496.

It is not clear why, out of the international protection applications registered, only a small number is effectively completed. It is evident that Turkish authorities are confronted with an

immense quantity of asylum applications, and a backlog which was already huge at the moment of the establishment of the DGMM. Probably, however this situation is not simply due to the difficulty of the provincial offices of DGMM –in charge of the asylum procedures, and which are operational only since May 2015- to screen and study with sufficient speed the international protection applications received, but it may also be due to a certain hesitation of the DGMM's central offices –that have the power to grant or reject the international protection status- to actually take the decisions granting the refugee statuses.

In any case it is obvious that the fact that so many thousands of persons are left without a clear indication about their fate hampers their capacity to normally settle down in Turkey, and contributes to pushing them to searching alternative countries of asylum, through the resettlement, for the happy few persons and nationalities to whom this opportunity is effectively open, or through irregular migration channels. It is to be noted that Afghans in Turkey are since several years notoriously not given any longer any effective possibility of resettlement.

The statistics mentioned above also draw attention to the fact that DGMM shows a tendency to use the secondary protection status in a very limited manner, despite the fact that so many international protection applicants are originating from countries and situations which should make them eligible to this kind of protection.

In that context, it should be noted that the fact that so many international applications introduced in Turkey remain undecided represents a facilitation for all the applicants who were not effectively in need of international protection and, after an irregular entry into Turkey for the purpose of irregular migration and their interception by the Turkish law enforcement agencies introduced their asylum claim only for the purpose to avoid administrative detention as irregular migrants and removal. For these persons, the fact that so many asylum procedures remain opened in Turkey for an undetermined period of time offers a possibility to enter the country irregularly and subsequently to have the time to carry out secondary movements from the country towards the EU.

Turkish authorities, in line with article 71 of the Law, try to prevent this phenomenon and require any international protection applicant to reside in a specific province, and not to leave it without permission. Systems of regularly reporting to the local police office are also in place in view of monitoring the continuous presence of the asylum applicant. In case the latter for some times fails to respect the reporting system, his/her international protection application is automatically considered withdrawn, and therefore from that moment the person, if intercepted by the Turkish authorities in any part of the country, is considered as an irregular migrant, with the possibility to examine in an accelerated manner his/her possible asylum application in case he/she reintroduces it to avoid being removed.

Although this system is in place, many manage to abscond. Partly as a result of the long waiting time, as well as of the limited opportunities for self-reliance and integration offered at local level, even many asylum applicants genuinely who are in need of international protection eventually decide to leave the province of assigned residence and to search an alternative place of residence within Turkey or an alternative asylum country.

4. BLOCK 3: PUBLIC ORDER AND SECURITY

4.1. State of play in October 2014

The First report noted that Turkey had already many strengths and assets in the areas concerned by the third block of the visa liberalisation roadmap. In particular Turkey had resourceful law enforcement agencies, was party to several international conventions allowing for police and judicial cooperation, and was committed to implement action plans contributing to improve its performance in the fight against organised crime and corruption.

Of particular relevance was also the fact that, as a result of the new legislation adopted between 2013 and 2014 and providing for more effective mechanism to combating money laundering and the financing of terrorism, the Financial Action Task Force (FATF) General Assembly had decided in October 2014 to take Turkey from the grey list of the countries not doing enough to prevent and cooperate against these crimes.

On the other hand, the report also noted that Turkey had still a lot to do in view of entirely fulfilling the requirements of this block. In particular most of the laws and international conventions and protocols indicated by the Roadmap under this block, and the implementation of which would be very useful in view of improving the police and judicial cooperation with the Member States and the EU agencies, had not yet been approved or ratified by Turkish authorities, although preparatory work had been done at technical level in several cases. Furthermore, Turkey had provided little information on how it was implementing its national plans on organised crime and corruption, and in any case appeared having done too little. The police and judicial cooperation offered to the Member States was in general not satisfying and in any case was uneven, with a clear discrimination towards Cyprus. The absence of a national legislation on personal data protection prevented the possibility to develop operational cooperation with Europol and Eurojust.

4.2. Main progress made since October 2014

In the reporting period could be registered some positive developments under this block, none of them of a strategic importance. In particular:

- Following its ratification on 29 September 2014, Turkey started to apply the Convention of Council of Europe (CoE) on Cybercrime on 1 January 2015. Some of the articles of the Conventions are however not yet adequately transposed in the Turkish national legal framework.
- On 19 February 2016, were ratified by Turkey the CoE Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, the CoE Convention on Action against Human Trafficking, the CoE Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, and the Additional Protocol to the CoE Convention on the transfer of sentenced persons. .
- A draft by-law aimed at inserting into Turkish legislation provisions on trafficking in human beings inspired by EU and CoE standards was prepared by Turkish authorities, submitted to the Commission for comments, and will soon be presented to the Parliament for approval.
- DGMM, which has already established a specialised department to deal with migrants that are victims of trafficking in human beings, has taken several measures in view of further training its staff to recognise and deal with trafficking cases, manages three shelters for victims in Istanbul, Ankara and Antalya, is preparing to open three additional shelters with EU financial support. The number of victims identified remains limited however.
- Work was carried out in the first half of 2015 by the Turkish authorities to draft a comprehensive legal act (so-called *Transparency Package*) aimed at giving a concrete follow up to at least some or part of the recommendations issued by the Group of

States against Corruption (GRECO) and the studies prepared in the framework of the implementation of the National Programme for Transparency and the fight against Corruption. The Package was not adopted however.

- Two subsequent drafts were presented by the Government to the Parliament in December 2014 and again early 2016 to establish legislation on personal data protection. Invited to comment on these drafts, the Commission stated that, regrettably, all the drafts included deficiencies making it impossible to qualify them as being in line with the EU ad CoE standards In particular, none of these drafts would have ensured, if adopted, the application of rules on personal data protection to all State bodies, including law enforcement agencies, or designed the authority in charge of supervising the implementation of the law in such a manner as to ensure its independence.
- More detailed information was provided to the Commission on the measures taken to implement the Action Plan for Combating against Organised Crime covering the period 2013-2015, enabling also to understand that, out of the 51 measures indicated in the Plan, 11 will be addressed by April 2016.
- Detailed information was also provided on the measures enacted by Turkey in view of better combating drug trafficking as well as to promoting demand reduction. These measures showed a strong commitment in implementing the National Strategy and the Action Plans against Drugs and Drug Addiction. In that context, it has to be noted however that, following the Prime Ministry's Circular of 13 November 2014, the task of ensuring the coordination between the Turkish institutions in the fight against drugs was transferred from the Turkish Monitoring Centre for Drugs and Drug Addiction (TUBIM) to the Ministry of Health. As a consequence of this, the multiannual National Strategy and the Action Plans against Drugs and Drug Addiction, the implementation of which was ongoing sine some years, was abolished, and replaced in 2015 with a new annual Fight against Drugs National Strategy and Action Plan Document.
- The agreement between Turkey and the EU on Turkey's participation in EMCDDA (European Monitoring Centre for Drugs and Drug Addiction) which was signed on 30 October 2007, was eventually ratified and notified by Turkish authorities, thus coming into force on 1 June 2014. Turkey has since then been participating in EMCDDA activities as a full member.
- Progress was also made towards strengthening the capacity of Turkey's Financial Crimes Investigation Board (MASAK) to discharge its duties by recruiting additional experts, modernising IT systems, and providing additional training to staff. In this context, in March 2015 an EU Twinning Project started aimed at building the capacities of MASAK. The project will helping MASAK to addressing the revised recommendations issued by FATF, and those listed in the Commission's report of October 2014, notably in view of conducting a national risk assessment allowing to identify threats and design ways to minimise them, assessing the effectiveness of the supervisory processes, and evaluating the competency of compliance officers working on anti-money laundering and financing of terrorism. This work should continue in 2016.

5. BLOCK 4: FUNDAMENTAL RIGHTS

5.1. State of play in October 2014

The First Report noted that Turkey had already well implemented most of the requirements of the visa liberalisation roadmap under this block.

This said, the report identified two main areas where work was still needed in view of fulfilling the requirements of block 4: first, in relation to the integration and non-discrimination of Turkish population of Roma and Roma-like origin; secondly, in relation to the legislation on terrorism and its implications for the fundamental rights of citizens.

5.2. Main progress made since October 2014

In the reporting period only very limited development could be registered. In particular:

- Turkish authorities have elaborated a "National Strategy on Social Inclusion of Roma Citizens" for the period 2016-2021 in line with the 2011 EU Framework, which will be implemented through two subsequent Action Plans (2016-2018 and 2019-2021) The Strategy however awaits approval from the Council of Ministers, while the Action Plans are still to be elaborated.
- Work was done to prepare a comprehensive draft law covering not only the issues of anti-discrimination and equal treatment, but also necessary amendments to the Law on the Human Rights Institution (which should monitor the implementation of its provisions).
- The Reform Action Group of 11 December 2015 announced the intention of the Government to prepare a draft law on the Establishment of the Law Enforcement Monitoring Commission, aimed at developing a complaint system on the actions of the law enforcement officials, and a draft was effectively prepared and submitted to the European Commission for comments. The European Commission noted that the draft law did not design the Monitoring Commission in such a manner as to ensure a sufficient degree of independence.
- The draft bill to ratify Protocol 7 to the European Convention on Human Rights (ECHR) was submitted to Parliament on 21 December 2015 and adopted in February 2016. It has not yet entered into force.

6. BLOCK 5: READMISSION OF IRREGULAR MIGRANTS

6.1. State of play in October 2014

The Commission's report of October 2014 welcomed the entry into force, that same month, of the provisions of the EU-Turkey readmission agreement related to the readmission of nationals of the two sides.

Nevertheless it also noted serious shortcomings in the implementation by Turkey of all the requirements of this block : in particular, in 2012, Turkey had unilaterally ceased to apply their readmission obligations towards Bulgaria foreseen by the border cooperation agreement of 1967; Turkey was implementing very poorly its readmission obligations towards Greece foreseen by their agreement for the cooperation against organised crime (with usually only a negligible number of Greek requests being accepted by Turkish authorities); the readmission of third country nationals under the EU-Turkey readmission were due to start to apply only as of 1 October 2017; meanwhile no specific measures seemed to have been put in place by Turkey for the collection of statistics and the adoption of internal procedures ensuring the smoothly implementation of readmission with the EU.

6.2. Main progress made since October 2014

The situation under this Block has improved in the course of 2015.

- First of all, at the EU-Turkey Summit of 29 November 2015, Turkish authorities committed to advance to 1 June 2016 the entry into force of the provisions related to the readmission of third country nationals of the EU-Turkey readmission agreement.
- In May 2015 DGMM took over the responsibility on the implementation of the readmission obligations of Turkey, creating a dedicated department in charge of the matter, which is now able to timely collect statistical data on readmission and which has drafted and communicated to the Commission copy of Turkey's internal readmission procedures.
- Since DGMM effectively took over responsibility on readmission matters, Turkish authorities have increased the number of positive replies given to Greek readmission requests. In 2015 the readmission of 5 148 irregular migrants was accepted by Turkish authorities out of the 12 149 which had been requested (42%).
- In the reporting period two meetings of the EU-Turkey Joint Readmission Committee took place in July 2015 and January 2016. These allowed to agree on the rules of procedures and to identify and discuss concrete issues with the implementation of the agreement.
- In this context, to improve effectiveness in the management of readmission requests, the EU side suggested the development of an electronic platform. A study visit was made by Turkish experts on 8-10 February 2016 to Georgia in order to observe and learn from the electronic platform used in that country for the implementation of the readmission agreement with the EU.
- At the bilateral Greece-Turkey meeting of 21-22 December 2015, the two sides discussed the shortcomings registered in the implementation of their bilateral protocol on readmission, and the Greek side proposed several measures allowing to improve the cooperation, such as for instance the need to speed up the reply to the readmission requests, to justify more clearly the negative, to open additional seaports for facilitating the delivery of the readmitted persons, and to place a Turkish liaison officer on the Lesvos island in order to witness the arrival to Greece of the irregular migrants departed from Turkey, thus simplifying their rapid readmission by Turkish authorities. Turkish authorities committed to study these proposals, but none of them has until now been given any practical follow up.

7. STATISTICAL DATA REQUIRED BY THE ROADMAP

The Roadmap requires the collection and monitoring of some statistical indicators. Their evolution in the last years is given below.

- ***The visa refusal rate for applicants from Turkey;***

The visa refusal rate in Turkey has been slightly but steadily decreasing.

- In 2010, 6.73 % of C-type visas requested were rejected (slightly above the average rate of refusal by Member State Embassies worldwide of 5.79 %).

- In 2011, 5,04 % of C-type visas requested were rejected (slightly less than the average rate of refusal by Member State Embassies worldwide of 5.5 %).
- In 2012, 4.51 % of C-type visas applied for were rejected (slightly less than the average rate of refusal by Member State Embassies worldwide of 4,77%).
- In 2013 4,7 % of C-type visas applied for were rejected (slightly less than the average rate of refusal by Member State Embassies worldwide of 4.8 %).
- In 2014, 4.4 % of C-type visas applied for were rejected (slightly less than the average rate of refusal by Member State Embassies worldwide of 5,1%).

➢ ***The rate of refused entry into the common Schengen area for Turkish citizens;***

The number of Turkish citizens refused entry into the Schengen area (thus, including Norway, Switzerland, Iceland, and excluding Bulgaria, Romania, United Kingdom, Ireland, Croatia) remained relatively stable, changing from 1 687 in 2011, to 1 766 in 2012, to 1 729 in 2013, 1 629 in 2014, 1 628 in 2015

➢ ***The number of Turkish citizens found to be illegally entering into or staying in the territory of the Member States;***

The number of Turkish citizens found to be illegally entering the territory of an EU Member State decreased from 700 in 2011, to 416 in 2012, to 317 in 2013, 402 in 2014, and 569 in the first eleven months of 2015

The number of Turkish citizens found to be illegally staying in the territory of an EU Member State was 7 803 in 2011, 7 220 in 2012, 6 744 in 2013, 7 452 in 2014 and 6 390 in the first eleven months of 2015.

➢ ***The total number of asylum applications from Turkish citizens in the EU Member States;***

The number of asylum applications from Turkish citizens has been decreasing since 2008. Application numbers fell from 7 115 in 2008, to 7 030 in 2009, 6 360 in 2010, 6 505 in 2011, 6 210 in 2012, and 5 635 in 2013, 5 175 in 2014 and 2 745 in 2015. Although the number is relatively high for a stable and democratic country such as Turkey, the trend for this requirement is positive.

However, the proportion of positive asylum decisions has increased from 11 % in 2008 to 27 % in 2014, which implies that the absolute number of Turkish nationals eventually recognised as being in need of international protection did not decrease.

➢ ***The number of readmission applications, including applications of third country nationals, submitted by the Member States to Turkey and which were rejected by the latter;***

The number of irregular migrants returned to Turkey in 2011, 2012, 2013, 2014 and 2015 by EU Member States, was, respectively, 2 643, 2 161, 1 777, 2 429 and 1 939, of whom 1 866, 1 666 and 1 445, 1373, 1229 were Turkish nationals.

The number of irregular migrants (mostly non-Turkish nationals) for whom the Greek authorities made readmission requests in 2011, 2012, 2013, 2014, 2015 and in the first month of 2016 was 18 758, 20 464, 3 741, 9 691, 12 149 and 508 respectively. The number of requests that the Turkish authorities rejected or did not positively reply to was always extremely high, amounting to 17 206 (91 %) in 2011, 19 641 (96 %) in 2012, 3 079 (90 %) in 2013, 9,221 (95%) in 2014. Recently the situation has started to improve, and the number decreased to 4 318 (61 %) in 2015 and 95 (18%) in the first month of 2016.

- ***The number of third-country nationals, arrived directly from the territory of Turkey, found trying to illegally cross the EU external borders or illegally staying within the EU***

The number of third-county nationals arriving directly from Turkish territory into the EU amounted to 57 077 in 2011, 37 321 in 2012, 25 121 in 2013, 52 994 in 2014 and 888 457 in 2015.

- ***The number of third-country nationals, arrived to the EU or trying to cross the external borders of the EU, coming directly from the territory of Turkey, that were found with illegal travel documents***

The number of people (including Turkish and third-country nationals) coming directly from Turkish territory who were found at any EU border crossing point with illegal documents amounted to 630 in 2011, 929 in 2012, 1 696 in 2013, 1 369 in 2014, 1 029 in 2015. The larger part of these people had arrived from Turkey by plane.

- ***The number of operations carried out by Turkish law enforcement agencies against criminal organisations dealing with trafficking of human beings and smuggling of migrants, as well as the number of apprehended traffickers and smugglers.***

Based on DGMM statistics, 1 484 migrant smugglers were arrested in 2012, 1 469 in 2013,1 506 in 2014 and 4 471 in 2015.

The reported number of apprehended traffickers in human beings was 13 (in 2012), 31 (in 2013), 36 (in 2014) and 14 (in 2015).

8. SUMMARY OF THE STATE OF PLAY IN IMPLEMENTING THE ROADMAP

This summary provides a synthetic assessment on the extent which, in February 2016, Turkey fulfils each requirement set out in the visa liberalisation roadmap.
The assessments are made by using one of the following alternative definitions:

- '*requirement fulfilled*';
- '*almost fulfilled*'(i.e. only some limited work still needs to be done to entirely fulfil the requirement
- *'fulfilled only partially, but with good prospects for further progress',* (i.e. much work still needs to be done, but the results achieved and the work done by the Turkish authorities are substantial, and developments so far are encouraging);

- '*only partially fulfilled*' (i.e. much work still needs to be done to fulfil the requirements of the benchmark, no particular positive developments to address them were observed
- '*requirement not fulfilled*'.(i.e. Turkey is far from meeting this benchmark).

The assessment is based on the developments registered in the CSWD. In all the areas where the Commission assesses that the requirements of a benchmark are not yet entirely fulfilled, the Second Report provides some recommendations on measures which, in the Commission's opinion, would help to address the weaknesses identified.

BLOCK 1: DOCUMENT SECURITY

1. ***Turkey should continue issuing machine readable biometric travel documents in compliance with ICAO standards and follow ICAO recommended practice, phasing out of any non-ICAO compliant passports, and gradually introducing international passports with biometric data, including photo and fingerprints, in line with the EU standards, especially Council Regulation 2252/2004;***

Fulfilled only partially but with good prospects for further progress'

2. ***Implement appropriate administrative measures ensuring the integrity and security of the personalisation and distribution and validation process for international passports and other breeder documents;***

Fulfilled

3. ***Establish training programmes and adopt ethical codes on anti-corruption targeting the officials of any public authority that deals with visas, breeder documents or passports;***

Fulfilled

4. ***Promptly and systematically report to Interpol/LASP database on lost and stolen passports;***

Fulfilled

5. ***Ensure a high level of security of breeder documents and ID cards and define strict procedures surrounding their application and issuance;***

Almost fulfilled

6. ***Regularly exchange passport specimens, visa forms and information on false documents, and cooperate on document security with the EU;***

Only partially fulfilled

7. ***Adopt and implement measures ensuring the integrity and security of the civil status and civil registration process, including the integration and linking of the relevant databases and the verification of scanned data against the civil status database, paying particular attention to the amendment of individuals' basic personal data.***

Fulfilled

3. BLOCK 2: MIGRATION MANAGEMENT

3.2.1. Border management

8. ***Carry out adequate border checks and border surveillance along all the borders of the country, especially along the borders with EU member states, in such a manner that it will cause a significant and sustained reduction of the number of persons managing to illegally cross the Turkish borders either for entering or for exiting Turkey;***

Fulfilled only partially but certain progress was observed

9. ***Adopt and effectively implement legislation governing the movement of persons at the external borders, as well as legislation on the organisation of the border authorities and their functions, in accordance with the 'National Action Plan for the Implementation of Turkey's Integrated Border Management strategy', approved on by Turkish authorities on 27th March 2006, and in line with the principles and best practices enshrined in the EU Schengen Border Code and the EU Schengen Catalogue****;*

Fulfilled only partially but certain progress was observed

10. ***Take the necessary budgetary and other administrative measures ensuring the deployment at the border crossing posts and along all the borders of the country, especially on the borders with the EU member states, of well-trained and qualified border guards (in sufficient number), as well as the availability of efficient infrastructure, equipment and IT technology, including through a more extensive use of surveillance equipment, in particular electronic means, mobile and fixed, video surveillance, infrared cameras and other sensor systems;***

Fulfilled only partially but with good prospects for further progress'

11. ***Enhance cooperation and information exchange between the staff and bodies in charge of border management, the custom service and the other law enforcement agencies, in view of enhancing the capacity to collect intelligence, to use human and technical resources efficiently, and to act in a coordinated manner;***

Fulfilled only partially but with good prospects for further progress

12. ***Establish training programmes and adopt ethical codes on anti-corruption targeting the border guards, customs and other officials involved in the border management;***

Fulfilled only partially but with good prospects for further progress'

13. ***Implement in an effective manner the Memorandum of Understanding signed with FRONTEX, including by developing joint cooperation initiatives and exchanging data and risks analysis;***

Fulfilled

14. ***Ensure that border management is carried out in accordance with the international refugee law, in full respect of the principle of non-refoulement and effectively allowing the persons in need of international protection to have access to asylum procedures.***

Fulfilled

15. ***Ensure adequate cooperation with the neighbouring EU Member States, aiming in particular at reinforcing the management of the borders with EU Member States.***

Fulfilled only partially but certain progress was observed

3.2.2. Visa policy

16. ***Enhance training on document security at the consular and border staff of Turkey, and develop and use the Turkish Visa Information System;***

Almost fulfilled

17. ***Abolish issuance of visas at the borders as an ordinary procedure for the nationals of certain non-EU countries, and especially for countries representing a high migratory and security risk to the EU;***

Almost fulfilled

18. ***Put in use the new Turkish visa stickers with higher security features, and stop using stamp visas;***

Fulfilled

19. ***Introduce airport transit visas;***

Almost fulfilled

20. ***Amend the rules on the basis of which Turkey allows the entry into its territory to the nationals of the main countries representing important sources of illegal migration for the EU, in the aim of making the access more difficult for those willing to enter the Turkish territory with the purpose to subsequently attempt to illegally cross the external borders of the EU;***

Fulfilled only partially but with good prospects for further progress

21. ***Pursue the alignment of Turkish visa policy, legislation and administrative capacities towards the EU acquis, notably vis-à-vis the main countries representing important sources of illegal migration for the EU;***

Fulfilled only partially but with good prospects for further progress'

22. ***Allow non-discriminatory visa-free access to the Turkish territory for the citizens of all the EU Member States.***

Not fulfilled

3.2.3 Carriers' responsibility

23. ***Adopt and effectively implement the legislation on carriers' responsibility defining sanctions.***

Fulfilled

3.2.4. International Protection

24. ***Adopt and effectively implement legislation and implementing provisions, in compliance with the EU acquis and with the standards set by the Geneva Convention of 1951 on refugees and its 1967 Protocol, thus excluding any geographical limitation, so as to ensuring the respect of the principle of non-refoulement, taking into account also the European Convention on Human Rights, the possibility to lodge an asylum request and to obtain the refugee status protection or a subsidiary form of protection for any person in need of international protection, and allowing the UNHCR to effectively fulfil its mandate on the Turkish***

territory without restrictions;

Fulfilled only partially but with good prospects for further progress'

25. ***Establish a specialised body responsible for the refugee status determination procedures with the possibility for an effective remedy in fact and law before a court or tribunal as well as for ensuring the protection and assistance of asylum seekers and refugees and provide that body and its staff with adequate working capacity and training;***

Fulfilled

26. ***Provide adequate infrastructures and sufficient human resources and funds ensuring a decent reception and protection of the rights and dignity of asylum seekers and refugees;***

Fulfilled only partially but with good prospects for further progress'

27. ***Persons who are granted a refugee status should be given the possibility to self-sustain, to access to public services, enjoy social rights and be put in the condition to integrate in Turkey.***

Almost fulfilled

28. ***Adopt and implement legislation providing for an effective migration management and including rules aligned with the EU and the Council of Europe standards, on the entry, exit, short and long-term stay of foreigners and the members of their family, as well as on the reception, return and rights of the foreigners having been found entering or residing in Turkey illegally;***

Almost fulfilled

29. ***Set up and start to apply a mechanism for the monitoring of migration flows, with data both on regular and illegal migration; establish bodies responsible for collection and analysis of data on migration stocks and flows; and develop a situational picture on illegal migration flows at national, regional and local level, as well as on the different countries of origin of the illegal migration, including implementation of risk analysis and intelligence;***

Fulfilled only partially but with good prospects for further progress'

30. ***take measures improving the capacity to investigate cases of organised or facilitated illegal migration;***

Almost fulfilled

31. ***Effectively seek to conclude and implement readmission agreements with the countries that represent sources of important illegal migration flows directed towards Turkey or the EU Member States;***

Fulfilled only partially but with good prospects for further progress'

32. ***Ensure sufficient financial and human resources for effective migration management, including also adequate training programs;***

Fulfilled

33. ***Ensure effective expulsion of illegally residing third-country nationals from its territory;***

Almost fulfilled

34. ***Establish the conditions allowing a voluntary return to the third country nationals expelled from its country and willing to use this modality ;***

Fulfilled only partially but with good prospects for further progress'

35. ***Provide adequate infrastructure (including detention centres) and strengthen responsible bodies to ensure effective expulsion of illegally residing and/or transiting third country nationals from the Turkish territory, while offering all the needed legal aid, as well as social and psychological assistance, and decent and fair detention conditions and removal procedures, to the returnees.***

Fulfilled only partially but with good prospects for further progress'

4. BLOCK 3: PUBLIC ORDER AND SECURITY

4.2.1. Preventing and fighting organised crime, terrorism and corruption

36. ***Continue and complete implementation of its National Strategy and Action Plan for the fight against organised crime (in particular cross-border aspects) and ensure adequate human and financial resources for its implementation;***

Only partially fulfilled.

37. ***Sign and ratify the Council of Europe's Convention on Action against Human Trafficking as well as adopt and effectively implement legislation, including provisions aligned on the standards set by this Convention as well as by the EU acquis related to the prevention of the trafficking in human beings, the prosecution of traffickers, and the protection and assistance of their victims;***

Almost fulfilled

38. ***Provide adequate infrastructures and sufficient human resources and funds ensure decent reception and protection of the rights and dignity of victims of trafficking, and supporting their social and professional reintegration;***

Fulfilled only partially but with good prospects for further progress'

39. ***Ratify the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS 198) and transpose its provisions into the internal legislation and adopt and effectively enact legislation allowing to meet the requirements of this Convention as well as the recommendations of the Financial Action Task Force (FATF) on establishing a system on the freezing of assets and a definition of the financing of terrorism;***

Almost fulfilled

40) ***Ratify the Council of Europe Convention on Cybercrime and adopt legislation and implement measures allowing to enact this Convention;***

Almost fulfilled

41) ***Continue implementing the National Strategy and the Action Plans against Drugs and Drug Addiction and develop cooperation with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA);***

Almost fulfilled

42) ***Continue implementing the National Strategy and the Action Plan on Fight against***

Corruption and the recommendations of GRECO (I, II and III. Evaluation Round).

Only partially fulfilled

4.2.2. Judicial cooperation

43) ***Implement and comply with international conventions concerning judicial cooperation in criminal matters (in particular the Council of Europe Conventions on Extradition (no 24 of 1957, including the not yet implemented Additional Protocols of 1975, 2010 and 2012), Mutual Assistance in Criminal Matters (no 30 of 1959, including the not yet implemented Additional Protocol of 2001), and the Transfer of Sentenced Persons (no 112 of 1983, including the not yet implemented Additional Protocol of 1997);***

Fulfilled only partially but with good prospects for further progress'

44) ***Take measures aimed at improving the efficiency of judicial cooperation in criminal matters of judges and prosecutors with the EU Member States and with countries in the region;***

Fulfilled only partially but with good prospects for further progress'

45) ***Develop working relations with Eurojust***

Only partially fulfilled

46) ***Continue implementing the 1980 Hague Convention on civil aspects of the international child abduction, and accede to the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, as well as to the 2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance;***

Partially fulfilled

47) ***Provide effective judicial cooperation in criminal matters to all the EU Member States, including in extradition matters inter alia by promoting direct contacts between central authorities.***

Only partially fulfilled

4.2.3. Law enforcement cooperation

48) ***Take necessary steps to ensure effective and efficient law enforcement cooperation among relevant national agencies - especially border guards, police, customs officers, through full inter-agency collaboration in the field of intelligence and information exchange - as well as cooperation with the judicial authorities;***

Almost fulfilled

49) ***Reinforce regional law enforcement services cooperation and implement bilateral and multilateral operational cooperation agreements, including by on time sharing of relevant information with competent law enforcement authorities of EU Member States;***

Almost fulfilled

50) ***Improve the operational and special investigative quality and capacity of law***

enforcement services to more efficiently serious cross-border crime, including identity and travel document fraud;

Fulfilled

51) ***Effectively cooperate with OLAF and Europol in protecting the euro against counterfeiting;***

Fulfilled

52) ***Strengthen the capacities of the Turkish Financial Crimes Investigation Board (MASAK) and develop its cooperation with other Financial Intelligence Units within the EU Member States;***

Almost fulfilled.

53) ***Continue implementing the Strategic Agreement with Europol;***

Almost fulfilled

54) ***Agreement with Europol.***

Not fulfilled

4.2.4 Data protection

55) ***Sign, ratify and implement relevant international conventions, in particular the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data of 1981 and its Additional Protocol no 181;***

Fulfilled only partially but with good prospects for further progress'

56) ***Adopt and implement legislation on the protection of personal data in line with the EU standards, in particular as regards the independence of the authority in charge of ensuring the protection of personal data.***

Not fulfilled

5. BLOCK 4: FUNDAMENTAL RIGHTS

5.2.1. Freedom of movement of the citizens

57) ***Ensure that freedom of movement of citizens of Turkey is not subject to unjustified restrictions, including measures of a discriminatory nature, based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation. Carry out related full investigations when needed;***

Fulfilled

5.2.2. Conditions and procedures for the issue of identity documents

58) ***Provide information about the conditions and circumstances for the acquisition of Turkish citizenship***

Fulfilled

59) ***Provide information about the conditions for changing personal data;***

Fulfilled

60) ***Ensure full and effective access to travel and identity documents for all citizens including women, children, people with disabilities, persons belonging to minorities, internally displaced people, and other vulnerable groups;***

Fulfilled

61) ***Ensure full and effective access to identity documents for the refugees and stateless persons residing in Turkey.***

Fulfilled

62) ***Provide accessible information on registration requirements to foreigners wishing to reside in Turkey, and ensure equal and transparent implementation of respective legislation.***

Fulfilled

5.2.3. Citizens' rights and respect for and protection of minorities

63) ***Develop and implement policies addressing effectively Roma social exclusion, marginalisation and discrimination in access to education and health services, as well as its difficulty to access to identity cards, housing, employment and participation in public life;***

Fulfilled only partially but with good prospects for further progress

64. ***Ratify Additional Protocols Nos 4 and 7 to the European Convention on Human Rights (ECHR);***

Fulfilled only partially but with good prospects for further progress

65) ***Revise - in line with the ECHR and with the European Court of Human Rights (ECtHR) case law, the EU acquis and EU Member States practices - the legal framework as regards organised crime and terrorism, as well as its interpretation by the courts and by the security forces and the law enforcement agencies, so as to ensure the right to liberty and security, the right to a fair trial and freedom of expression, of assembly and association in practice.***

Partially fulfilled

6. BLOCK 5: READMISSION OF IRREGULAR MIGRANTS

66) ***Fully and effectively implement the readmission obligations existing with the Member States;***

Only partially fulfilled

67) ***Ratify the EU-Turkey readmission agreement initialled on 21 June 2012;***

Fulfilled

68) ***Fully and effectively implement the EU-Turkey readmission agreement in all its provisions, in such a manner as to provide a solid track record of the fact that readmission procedures function properly in relation to all Member States;***

Only partially fulfilled

69) ***Establish and implement internal procedures allowing for the rapid and effective identification and return of Turkish citizens, third-country nationals and stateless persons who do not, or no longer, fulfill the conditions for entry to, presence in, or residence on the territories of one of the Member States, and for the facilitated transit of persons to be returned to their country of destination, in a spirit of cooperation;***

Almost fulfilled

70) ***Strengthen the capacity of the competent authority to process readmission applications within the timeframe given in the readmission agreement and reduce the number of pending readmission requests, including those related to third country nationals;***

Fulfilled only partially but with good prospects for further progress'

71) ***Ensure that applications for readmission are processed in compliance with the domestic and the EU data protection requirements;***

Fulfilled only partially but with good prospects for further progress'

72) ***Compile and share in a timely manner with the competent authorities of Member States and the European Commission detailed statistics on readmission;***

Fulfilled only partially but with good prospects for further progress'

ANNEX

ASSESSMENT OF THE MIGRATORY IMPACT OF VISA LIBERALISATION

8.1. INTRODUCTION

8.1.1. Background

According to the Visa Liberalisation Roadmap (VLR) methodology, the Commission committed to assess the possible migratory and security impacts of the future visa liberalisation for Turkish citizens travelling to the EU, i.e.. to foresee whether the lifting of visa obligations, by facilitating the capacity of Turkish citizens to enter unimpeded in the Schengen area, would be likely accompanied by an increase, respectively, of the irregular migration and of the criminality inside of the EU.

These two assessments were not been provided on the occasion of the adoption of the First Report issued in October 2014, because at that moment the conclusion of the visa liberalisation appeared to be still a relative remote target.

The assessment of the possible migratory impact is provided now, in view of the acceleration of the visa liberalisation process welcomed at the EU-Turkey Summit of 29 November 2015.

The assessment of the security impact will be provided on the occasion of the adoption of the next report on Turkey's fulfilment of the requirements of its visa liberalisation roadmap, which is due for autumn 2016.

8.1.2. Methodology

This assessment has been primarily based on inputs provided by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) the European Asylum Support Office (EASO), and information gathered from EUROSTAT, Turkish and Member States' authorities. The present document also relies on a combination of other official and non-official Turkish and international sources.

Based on these contributions, the present assessment starts by describing the main phenomena and key trends registered in the areas of migration in relation to Turkey; it concludes with some reflections on the possible impact of a visa-free regime for the Schengen area, reflecting the situation in February 2016..

8.2. ASSESSMENT OF MIGRATORY IMPACTS

8. 2.1. Regular and irregular migration: trends and possible impacts of a visa-free travel

8. 2.1.1. General overview

Notably as a result of Labour Export Agreements signed by Turkey with several Member States between 1961 and 1967, in the sixties and seventies, Turkish citizens have emigrated in great number to the EU countries primarily for work reasons and subsequently for family reunification targeting in particular Germany, Austria, the Netherlands, Belgium, France and

Sweden. Having successfully settled down in these countries and others, Turkish citizens represent nowadays the biggest community of foreigners residing within the EU.

Later, following the changes introduced in the admission policies of most EU countries in the course of the seventies, Turkish emigration flows directed towards the EU countries were reduced rapidly end and are currently quite limited. This declining trend was also encouraged by the fact that, notably as of the year 2000, the Turkish economy started to progressively grow and to create huge number of job opportunities, which substantially shifted the still intact Turkish migratory potential from international towards internal targets, notably towards fast growing Turkish cities like Istanbul.

The attraction exercised by the growing internal Turkish market was so strong that even some of the Turkish migrants living in the EU or their descendants decided to temporarily or permanently return to Turkey, or at least to engage in forms of circular migration.

Nevertheless, in parallel, an important flow of Turkish citizens continued to leave Turkish territory towards -and to be admitted by- several EU countries by applying for and obtaining international protection.

This phenomenon reached its peak in the eighties, with a peak in 1989 when approximately 45 000 applicants were registered (essentially in Germany and France). This was clearly linked to the dramatic events occurring in Turkey in that decade, notably the instauration of a military authoritarian regime in the country in 1980, using in a disproportionate manner its force to quash any political and social opposition force, and to repress the autonomist requests of the Turkish citizens with a Kurdish background of the South-East provinces of the country, including the violent insurrection of the PKK (the "Partiya Karkerên Kurdistanê", *alias* the Kurdistan Workers' Party) which started in 1984.

Later, the number of Turkish asylum seekers registered by the Member States continued to be high until it declined sharply starting as of the year 2004 when it fell to around 5 000 (versus 23 000 registered still in the previous year). This was a clear result of the democratisation, liberalisation and stabilisation experienced by the country in the course of the same years. However, despite this reduction asylum requests from Turkish citizens continue to be registered until now by the Member States.

8.2.1.2 Regular migration facts

The first table below from Eurostat, although incomplete due to the lack of information from several Member States, presents the number of Turkish citizens regularly residing within the EU. This table shows that Turkish citizens are essentially concentrated in Germany, although a considerable number is registered also in the Netherlands and Belgium.

Table 1 : Turkish citizens having a residence permit allowing to reside legally in the EU

GEO/TIME	2008	2009	2010	2011	2012	2013	2014
Belgium	39.954	39.564	39.551	40.847	40.560	39.228	37.923
Bulgaria	2.538	2.616	2.686	2.737	3.194	4.263	7.229
Czech Republic	733	810	892	967	992	1.054	1.450
Denmark	28.843	28.897	28.972	29.150	29.000	28.755	28.851
Germany	1.830.095	1.789.159	1.762.822	1.731.688	1.710.882	1.663.936	1.424.294
Estonia	:	:	:	:	:	105	143
Ireland	862	989	1.047	1.044	1.027	1.030	1.078
Greece	:	:	:	:	:	:	:
Spain	2.078	2.291	2.496	2.615	2.882	3.124	3.154
France	:	:	:	:	:	:	:
Croatia	:	:	:	:	:	:	:
Italy	14.562	14.025	14.981	15.858	16.354	17.711	19.951
Cyprus	:	:	:	:	:	:	:
Latvia	:	:	:	:	76	78	71
Lithuania	:	:	:	:	:	:	44
Luxembourg	:	:	:	:	:	:	:
Hungary	1.154	1.188	1.701	1.731	1.657	1.727	1.741
Malta	197	:	:	:	:	:	:
Netherlands	93.746	92.698	90.837	88.028	84.830	81.934	80.054
Austria	108.970	110.163	:	:	113.060	113.866	:
Poland	240	332	:	:	:	:	:
Portugal	310	286	322	404	440	537	431
Romania	2.195	2.250	:	:	3.179	7.950	8.143
Slovenia	71	58	78	89	87	83	96
Slovakia	171	232	350	381	205	214	190
Finland	3.182	3.429	3.809	3.973	4.159	4.272	4.398
Sweden	10.026	10.218	10.840	11.902	12.352	12.517	12.398
United Kingdom	:	:	:	:	:	:	:

The table indicates a slight decrease of the Turkish community in the EU, but, in doing this, the table is however potentially misleading, because first of all it does not include statistical data from all the Member States, and secondly it indicates only the Turkish citizens having the residence permit in a Member States, failing to mention also the number of Turkish citizens having lost their citizenship to obtain the citizenship of a Member State.

Information on the Turkish citizens who obtained the citizenship of a Member State is provided in the table below. The table indicates that the number of naturalisations is usually very high with the majority of the cases being traditionally registered in Germany.

Table 2: Citizenship of Member States granted to Turkish citizens (2008-2013)

GEO/TIME	2008	2009	2010	2011	2012	2013
European Union	49.954	51.829	51.117	51.115	55.868	46.476
Belgium	3.182	2.763	2.760	2.359	2.517	1.857
Bulgaria	29	3	3	2	195	32
Czech Republic	3	1	:	1	4	6
Denmark	588	518	246	235	300	166
Germany	24.449	24.647	26.220	28.125	33.266	27.986
Estonia	0	0	0	0	0	0
Ireland	36	37	64	122	178	147
Greece	212	175	71	49	70	167
Spain	24	28	22	34	29	57
France	10.202	9.259	9.667	8.277	6.920	5.873
Croatia	0	2	2	2	5	0
Italy	299	273	228	193	269	342
Cyprus	35	84	27	301	139	72
Latvia	0	0	0	:	1	1
Lithuania	0	0	0	0	1	2
Luxembourg	8	14	18	3	10	4
Hungary	13	10	9	12	8	20
Malta	4	2	13	2	13	6
Netherlands	3.147	4.167	4.984	5.029	4.337	2.897
Austria	1.664	1.242	937	1.178	1.198	1.106
Poland	36	35	33	54	72	66
Portugal	9	17	9	3	6	13
Romania	54	54	:	:	:	43

Slovenia	:	1	0	0	0	1
Slovakia	1	0	1	1	3	1
Finland	195	94	132	166	278	271
Sweden	1.125	1.200	1.049	1.343	1.325	1.156
United Kingdom	4.639	7.203	4.622	3.624	4.724	4.184

While the stock of Turkish citizens legally residing in the EU is steadily decreased by the naturalisations, at the same time it is continuously increased thanks to new residence permits issued every year.

This information is provided by the table below. The first table shows the overall new residence permits issued to Turkish citizens in the last years. The following tables indicate the specific reasons for their issuance.

The tables indicate that the number of Turkish citizens having obtained residence permits in the EU has remained apparently stable in the last years if considered at overall EU level and without distinguishing among the various kinds of residence permits, but in fact their number has rather progressively declined in most of the EU Member States, especially the permits requested for remunerated activities. This general decline has been balanced and compensated only by the increase of residence permits issued in Germany for family reunification reasons and in Poland for education reasons.

Table 2: All first residence permits granted to Turkish citizens (2008-2014)

GEO/TIME	2008	2009	2010	2011	2012	2013	2014
European Union	61.061	58.930	55.457	52.096	59.060	59.666	56.252
Belgium	3.222	3.650	3.730	3.417	2.434	2.064	1.953
Bulgaria	1.361	1.836	1.510	1.335	1.578	1.044	2.347
Czech Republic	490	485	610	622	724	843	658
Denmark	1.163	920	853	637	530	713	572
Germany	11.718	12.072	11.722	10.663	18.865	18.601	18.934
Estonia	23	95	85	66	56	55	74
Ireland	214	191	185	178	176	227	256
Greece	256	275	234	151	123	159	167
Spain	654	638	615	931	826	809	678
France	8.093	7.586	6.690	6.453	6.685	6.965	6.214
Croatia	:	:	:	:	:	27	71
Italy	3.593	3.971	2.881	3.176	2.743	2.467	1.976
Cyprus	58	91	32	33	19	12	26
Latvia	82	52	43	121	124	131	77

Lithuania	402	235	41	48	42	43	78
Luxembourg	:	41	31	43	77	75	58
Hungary	1.324	684	746	890	957	994	1.002
Malta	189	102	78	82	74	171	117
Netherlands	5.031	4.567	4.347	3.776	3.672	4.480	3.943
Austria	4.289	4.639	5.025	4.763	4.581	4.036	2.335
Poland	897	959	1.814	2.484	2.812	4.436	4.581
Portugal	152	234	347	376	464	403	457
Romania	4.024	2.180	1.062	1.012	1.284	1.261	1.129
Slovenia	47	83	101	158	191	84	243
Slovakia	163	153	175	128	181	176	208
Finland	751	617	558	609	592	662	536
Sweden	2.428	3.123	3.190	2.944	2.819	2.059	2.174
United Kingdom	10.437	9.451	8.752	7.000	6.431	6.696	5.544

Table 3: First permits granted to Turkish citizens for family reunification reason (2008-2014)

European Union	29.303	28.902	27.544	24.377	29.357	29.045	27.340
Belgium	2.121	2.526	2.515	2.328	1.576	1.278	1.184
Bulgaria	277	336	476	480	527	430	530
Czech Republic	68	61	86	80	82	103	83
Denmark	396	437	414	216	193	359	286
Germany	8.488	8.841	8.461	7.349	12.938	13.226	13.635
Estonia	16	16	8	12	4	7	16
Ireland	71	52	41	37	39	32	31
Greece	84	73	61	71	46	60	62
Spain	130	139	152	191	134	150	141
France	5.396	4.857	4.030	3.944	4.194	4.172	3.419
Croatia	:	:	:	:	:	12	13
Italy	448	404	1.065	831	716	634	492
Cyprus	0	3	2	2	0	3	10
Latvia	35	14	4	25	22	16	21
Lithuania	14	19	17	24	15	13	18
Luxembourg	:	25	23	23	40	32	26

Hungary	235	43	85	112	105	98	98
Malta	31	14	18	11	10	32	15
Netherlands	3.404	3.174	2.803	2.554	2.540	2.903	2.285
Austria	3.572	3.417	3.183	2.260	2.324	2.174	1.869
Poland	285	294	103	125	124	86	39
Portugal	13	13	15	13	12	18	35
Romania	697	621	473	489	476	510	361
Slovenia	8	7	7	5	6	9	13
Slovakia	26	16	31	21	22	19	23
Finland	296	294	275	293	313	325	309
Sweden	1.386	1.510	1.613	1.544	1.640	1.175	1.265
United Kingdom	1.806	1.696	1.585	1.340	1.259	1.181	1.074

Table 4: First permits granted to Turkish citizens for education reasons (2008-2014

GEO/TIME	2008	2009	2010	2011	2012	2013	2014
European Union	13.836	15.820	14.320	15.542	15.016	15.672	14.394
Belgium	393	427	338	328	294	308	286
Bulgaria	635	1.087	963	659	764	335	278
Czech Republic	320	338	482	506	526	613	466
Denmark	634	296	306	331	215	232	181
Germany	1.571	1.737	1.410	1.456	1.494	1.572	1.353
Estonia	0	71	74	50	45	40	53
Ireland	63	54	78	72	71	109	109
Greece	132	159	126	61	46	55	25
Spain	367	351	369	605	585	501	432
France	526	650	901	938	885	1.025	1.012
Croatia	:	:	:	:	:	2	28
Italy	961	1.669	438	1.632	1.541	1.254	1.154
Cyprus	2	5	0	0	3	1	0
Latvia	29	29	33	54	60	93	38
Lithuania	17	16	13	8	14	16	37
Luxembourg	:	5	5	4	10	7	4
Hungary	627	509	565	688	775	767	745
Malta	8	4	1	2	0	57	50

Netherlands	540	655	678	624	557	712	592
Austria	415	631	899	990	657	492	356
Poland	73	82	701	1.762	2.425	3.824	4.154
Portugal	129	210	297	324	412	268	26
Romania	161	256	186	186	289	416	412
Slovenia	28	57	79	142	174	39	208
Slovakia	87	81	99	82	118	122	140
Finland	183	190	168	221	176	210	135
Sweden	525	703	681	512	453	395	375
United Kingdom	5.410	5.548	4.430	3.305	2.427	2.209	1.773

Table 5: First permits granted to Turkish citizens for remunerated activities reasons (2008-2014)

GEO/TIME	2008	2009	2010	2011	2012	2013	2014
European Union	10.576	7.351	6.479	4.968	4.846	5.309	5.036
Belgium	336	208	233	247	231	178	189
Bulgaria	441	400	56	18	64	19	39
Czech Republic	90	80	38	18	85	92	65
Denmark	127	127	123	87	118	120	103
Germany	921	674	515	524	1.027	1.024	1.132
Estonia	7	8	3	3	7	6	5
Ireland	43	36	39	47	46	55	69
Greece	26	25	20	13	18	24	65
Spain	103	101	77	120	85	137	87
France	849	675	461	381	256	370	497
Croatia	:	:	:	:	:	13	30
Italy	884	982	966	298	216	290	164
Cyprus	4	9	4	17	3	5	0
Latvia	13	6	4	42	40	20	6
Lithuania	371	200	11	15	13	14	22
Luxembourg	:	10	2	5	13	21	18
Hungary	397	83	44	57	51	62	61
Malta	27	28	17	18	20	74	42
Netherlands	470	515	652	397	324	388	415

Austria	136	102	117	115	117	131	110
Poland	456	493	939	496	209	426	318
Portugal	8	4	14	5	11	13	20
Romania	2.963	1.155	362	307	397	262	265
Slovenia	11	18	12	9	9	35	21
Slovakia	41	30	28	19	40	34	38
Finland	232	101	76	77	73	87	63
Sweden	135	473	793	804	598	386	479
United Kingdom	1.485	808	873	829	775	1.036	828

8.2.1.3 International Protection facts

The table below provided by Eurostat shows the number of international protection applications lodged by Turkish citizens in the Member States in the last years. It shows the continuous decline of the number of the requests, with the majority of them being introduced in Germany and France, followed at great distance by Italy, Austria and United Kingdom.

Table 6: International protection applications introduced by Turkish citizens in Member States (2008-2015)

GEO/TIME	2008	2009	2010	2011	2012	2013	2014	2015
European Union	7.115	7.030	6.360	6.505	6.210	5.635	5.175	2.745
Belgium	345	280	305	520	465	320	280	305
Bulgaria	10	25	10	5	5	5	10	0
Czech Republic	250	65	50	30	10	15	10	:
Denmark	40	30	45	25	55	15	15	:
Germany	1.775	1.845	1.710	1.895	1.760	1.770	1.805	1.765
Estonia	0	0	0	0	5	0	0	:
Ireland	5	0	0	0	0	5	0	:
Greece	55	70	70	35	30	30	40	:
Spain	25	15	20	10	20	5	0	:
France	2.935	2.610	1.975	2.200	2.450	1.930	1.620	:
Croatia	:	:	:	:	:	5	5	:
Italy	500	500	855	660	480	495	410	:
Cyprus	65	80	120	35	25	5	5	:
Latvia	0	0	0	5	0	0	0	:

Lithuania	5	0	0	0	0	0	0	0
Luxembourg	0	5	20	20	10	5	10	:
Hungary	75	115	60	25	30	85	115	290
Malta	0	0	0	0	0	0	0	:
Netherlands	115	85	105	110	105	70	60	70
Austria	415	555	370	415	275	300	205	:
Poland	20	10	20	15	10	15	0	:
Portugal	0	0	0	0	0	0	0	:
Romania	80	85	70	30	20	25	30	:
Slovenia	75	15	30	50	25	10	10	5
Slovakia	5	5	10	15	15	5	0	:
Finland	60	125	105	70	60	65	45	55
Sweden	260	270	225	135	150	175	185	250
United Kingdom	:	235	185	195	210	280	310	:

The following tables show the number of positive first instance decisions issued to Turkish asylum applicants as well as the overall number of decisions (both positive and negative). .

Table 7: First instance positive decisions on international protection applications introduced by Turkish citizens in Member States (2008-2015)

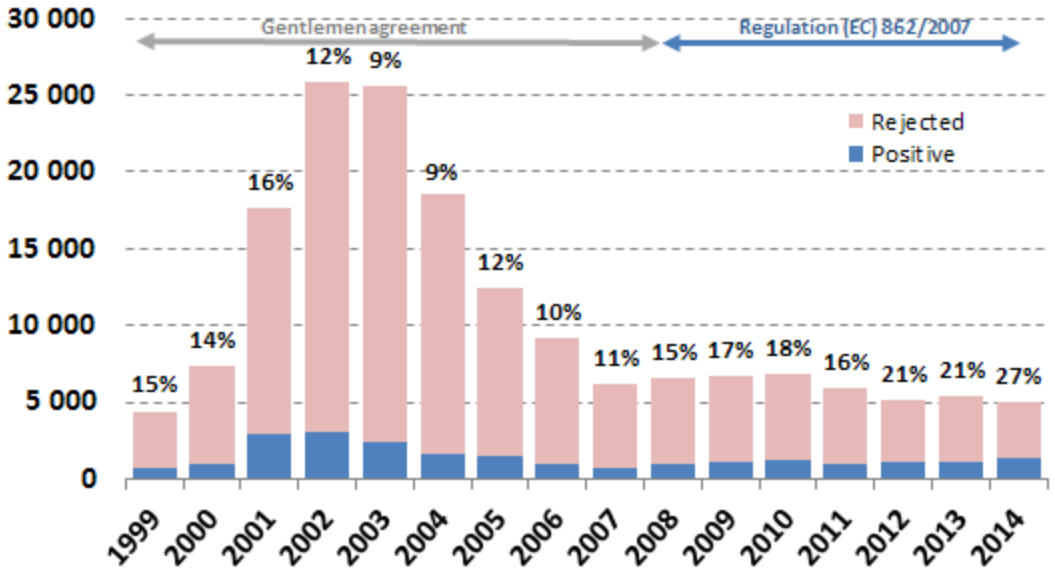
GEO/TIME	2008	2009	2010	2011	2012	2013	2014	2015
European Union	675	810	990	790	905	945	970	145
Belgium	40	85	65	40	75	95		:
Bulgaria		5	5	0		0		0
Czech Republic	0		10					:
Denmark	5		30					:
Germany	130	225	295	155	125	125	130	130
Estonia	0	0	0	0	0	0	0	:
Ireland	5	0		0	0		0	:
Greece				0	15			:
Spain				0			0	:
France	180	125	125	75	160	240	285	: 5
Croatia	:	:	:	:	5	0		
Italy	135	235	325	350	335	335	325	:
Cyprus	0	20	20	15			0	:
Latvia	0	0	0	0		0	0	:
Lithuania	0	0	0	0	0	0	0	0
Luxembourg	0	0		0	0			:

Hungary			0	15	5			
Malta	0	0	5	0	0	0	0	:
Netherlands	15	10	20	20	30	15	15	:
Austria	105	70	70	55	35	35	:	:
Poland	5					5	5	
Portugal	0	0	0		0	0	0	:
Romania								:
Slovenia			0				0	0
Slovakia	0		0					:
Finland	10			10	20	20	25	
Sweden	20	20	20	10	30	25	5	5
United Kingdom	30	25	40	45	35	40	75	:

According to the historical data available from Eurostat, most applications from Turkish citizens resulted in a negative outcome. Indeed, between 1999 and 2011, the share of positive decisions on Turkish applications ranged between 9 % and 18 %. However since 2012, there has been an increase in the share of positive decisions with rates of 21 % in 2012 and 2013 rising to 27 % in 2014.

Nevertheless it should be borne in mind that the recognition rate varies quite widely between Member States. The latter also followed quite different approaches in choosing the kind of international status to grant to Turkish applicants, something which may also reflect differences in the profile of the applicants.

Table 8 : First instance decisions and recognition rates issued to Turkish applicants, by year, 1999 – 2014



8.2.2 Irregular migration trends

Table 9 : Turkish citizens found to be illegally present in the EU

GEO/TIME	2008	2009	2010	2011	2012	2013	2014
EU	13.910	11.760	10.720	10.385	9.290	8.795	8.270
Belgium	220	300	250	215	300	260	265
Bulgaria	285	335	280	180	190	160	215
Czech Republic	45	50	45	45	40	55	55
Denmark	20	15	40	20	30	15	15
Germany	6.675	5.610	5.565	5.950	5.400	5.100	4.200
Estonia	0	0	0	5	5	5	10
Ireland	5	15	10	5	5	10	5
Greece	235	380	325	160	165	110	155
Spain	50	50	60	55	40	30	35
France	2.760	1.465	1.330	1.185	1.165	965	1.440
Croatia	:	:	:	:	:	100	55
Italy	275	160	145	80	90	70	65
Cyprus	155	130	100	95	70	50	20
Latvia	5	0	0	0	0	5	0
Lithuania	45	50	15	10	10	5	10
Luxembourg	:	0	0	0	0	0	5
Hungary	90	115	150	180	200	170	310
Malta	5	20	10	5	5	15	10
Netherlands	510	360	335	185	:	:	:
Austria	595	685	695	790	540	640	400
Poland	65	95	85	145	110	85	120
Portugal	:	15	5	5	5	5	5
Romania	1.110	1.030	515	375	240	275	210
Slovenia	135	35	60	40	110	40	20
Slovakia	10	25	5	25	15	15	0
Finland	70	110	115	95	85	100	95
Sweden	:	230	210	115	80	90	195
United Kingdom	545	480	375	415	380	525	410

Refusal of entry

The table below shows that over the past six years the number of refusals on entry issued to Turkish nationals has been declining and has reached a level of approximately 3 000, which is very low compared to all other nationalities. The top two reporting countries for refusing entry to Turkish nationals are Bulgaria and Greece, which share land and sea borders with Turkey. Germany is the third in line, with refusals issued at its air borders. To be noted that, as an average, out of 10 entries refused to Turkish citizens at the EU external borders in 2014, six were at land border crossing points (BCPs), three at air BCPs and one at sea BCPs. In 2014, six out of 10 refusals of entry of Turkish citizens were due to '*No valid visa or residence permit*'

Table 10: Refusal of entry into the EU opposed to a Turkish citizen (2008-2015)

GEO/TIME	2008	2009	2010	2011	2012	2013	2014
European Union	5.850	4.735	4.290	3.595	3.490	3.290	3.210
Belgium	85	205	120	135	140	110	80
Bulgaria	1.855	1.525	1.500	1.400	1.155	935	970
Czech Republic	20	15	30	65	20	15	35
Denmark	5	0	0	5	5	0	5
Germany	980	420	445	280	370	370	295
Estonia	45	40	30	20	10	10	15
Ireland	20	25	25	30	15	5	5
Greece	235	230	205	220	355	520	485
Spain	30	25	40	30	60	25	0
France	285	315	155	160	175	160	125
Croatia	:	:	:	:	:	635	490
Italy	275	155	150	100	90	125	85
Cyprus	10	20	25	10	15	15	15
Latvia	50	25	20	15	30	20	10
Lithuania	10	5	5	5	5	5	0
Luxembourg	0	0	0	0	0	0	0
Hungary	230	260	360	285	250	260	265
Malta	5	5	0	0	15	5	5
Netherlands	75	140	110	145	100	75	90
Austria	150	65	30	55	20	15	15
Poland	50	35	25	30	35	25	25

Portugal	0	0	5	10	5	10	5
Romania	865	725	545	200	185	190	125
Slovenia	315	185	190	180	215	155	300
Slovakia	0	5	0	0	0	0	0
Finland	5	25	5	10	5	5	5
Sweden	0	5	0	0	5	0	5
United Kingdom	250	290	265	230	220	235	245

Illegal border crossing

The number of Turkish nationals detected for illegal border-crossings between BCPs has been on the decrease. Frontex Risk Analysis (FRAN) data show that the number of detections went down by half in six years, i.e. from 749 in 2009 to 402 in 2014. The last year (2015) is showing a similar trend line to the previous one. Beside the downwards trend, the figures are low compared with the overall number of detections at the EU's external borders.

The Member State with the highest share of detections of Turkish nationals is Hungary. A high percentage of these illegal border-crossing detections occurred at the Hungarian- Serbian land border. This is mainly due to air route options to Western Balkan countries, to which Turkish citizens travel visa-free, and from where they subsequently cross the border irregularly to reach Member States.

Table 10 : Turkish citizens found illegally crossing the external borders of the EU (2011-2015)

	2011	2012	2013	2014	2015 (Jan-Nov)
Hungary	98	63	22	49	112
Bulgaria	63	53	57	57	32
Croatia	0	0	5	23	24
Cyprus	48	28	19	5	8
Poland	3	6	8	7	5
Italy	129	55	9	11	3
Slovakia	0	7	5	2	0
Finland	0	2	0	0	2
Lithuania	0	0	0	0	1
Romania	1	3	03	1	0
Slovenia	122	92	31	0	0

EU total	700	416	317	402	569

Use of fraudulent documents

Turkish nationals are not among the top nationalities reported for document fraud detections by EU Member States and Schengen Associated Countries. Nevertheless, data show that there was an increase in the number of Turkish nationals reported for document fraud cases, i.e. from 341 in 2014 to 463 in 2014.

In 2014, the main form of violation of rules related to travel documents concerning Turkish nationals registered was the misuse of counterfeited Turkish passports, followed by use of genuine Turkish passports with a counterfeit bio-data page. These detections were mainly made while on Turkish citizens travelling by plane to the EU from a third country. The most reported last embarkation airports were Rio de Janeiro and Istanbul Atatürk international airports. This *modus operandi* of Turkish nationals trying to conceal their real identity could indicate that they attempt to circumvent national stop lists and SIS II entry bans or attempt to enter under different identity.

Return

Throughout the same period, the number of illegal stay detections was generally double the number of return decisions. However, the most important element is the ratio between return decisions issued and effective returns made. This suggests that half of those detected for illegal stay leave voluntarily and/or are not issued with a return decision.

The norm as indicated by FRAN data is that there are more return decisions issued than effective returns made. Having said that, the ratio for Turkish nationals is almost 1:1, which indicates that Member States and Schengen Associated Countries successfully return almost all Turkish nationals who were issued with a return decision.

Table 11 : Turkish citizens having received an order to leave a Member State (2008-2014)

GEO/TIME	2008	2009	2010	2011	2012	2013	2014
European Union	15.705	15.180	11.885	10.940	10.635	10.205	9.830
Belgium	800	655	670	1.145	1.320	1.275	940
Bulgaria	285	335	280	180	190	160	215
Czech Republic	50	45	40	25	25	15	15
Denmark	:	:	:	45	80	40	25
Germany	1.350	1.535	1.410	1.175	1.000	980	845

Estonia	0	0	0	5	5	5	10
Ireland	0	5	0	5	5	0	5
Greece	255	500	415	160	230	165	155
Spain	335	305	100	115	60	35	30
France	5.105	4.205	3.640	2.880	2.690	2.935	2.680
Croatia	:	:	:	:	:	115	80
Italy	275	160	145	80	90	70	65
Cyprus	115	55	30	35	45	70	35
Latvia	5	5	0	5	35	50	25
Lithuania	45	35	15	10	10	0	10
Luxembourg	:	0	0	:	5	10	25
Hungary	150	185	235	440	215	165	235
Malta	5	20	10	5	5	15	10
Netherlands	3.845	4.095	2.925	2.575	3.100	2.770	3.415
Austria	680	775	320	510	290	245	0
Poland	50	65	90	140	40	15	65
Portugal	5	15	5	5	5	5	5
Romania	1.320	1.290	700	575	390	345	280
Slovenia	135	35	60	40	110	40	20
Slovakia	5	20	5	10	5	10	5
Finland	70	70	165	120	110	90	70
Sweden	285	300	240	245	200	170	230
United Kingdom	545	480	375	415	380	525	410

Table 12 : Turkish citizens having left a Member State as a result of the order to leave it (2008-2014)

GEO/TIME	2008	2009	2010	2011	2012	2013	2014
European Union	8.430	6.735	5.380	4.890	3.980	3.350	2.790
Belgium	105	85	80	105	145	160	135
Bulgaria	50	70	30	50	60	45	55
Czech Republic	10	10	10	5	:	0	0

Denmark	25	35	15	10	45	45	25
Germany	1.505	1.040	1.030	950	775	510	395
Estonia	0	0	0	5	5	5	10
Ireland	0	5	0	5	0	0	0
Greece	275	375	305	185	140	145	80
Spain	305	245	55	80	25	35	20
France	1.485	910	800	705	685	545	510
Croatia	:	:	:	:	:	90	60
Italy	60	40	30	15	20	20	20
Cyprus	110	95	40	65	55	50	30
Latvia	5	5	0	5	35	50	25
Lithuania	45	45	10	5	5	0	10
Luxembourg	:	0	0	0	0	0	0
Hungary	80	105	100	330	155	115	170
Malta	5	5	10	5	5	15	10
Netherlands	1.045	935	815	515	395	325	350
Austria	380	250	305	265	145	135	80
Poland	45	35	25	20	20	15	15
Portugal	0	0	0	0	0	0	0
Romania	1.345	1.200	625	540	380	325	280
Slovenia	135	55	40	120	85	60	15
Slovakia	0	10	5	5	5	5	5
Finland	20	30	40	80	50	45	45
Sweden	190	175	160	110	95	70	55
United Kingdom	1.215	980	865	715	640	620	545

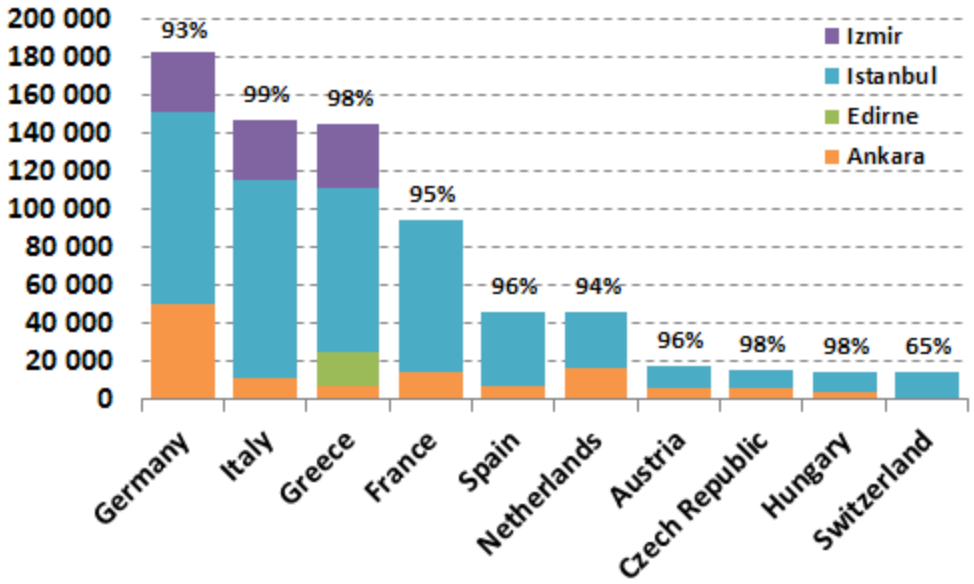
Visa issuing trends

Turkish nationals are consistently among the top five nationalities in terms of the number of short-term visas issued by Schengen States. In 2014, more than 770 000 visas were issued to Turkish citizens, up from 740 000 during 2013. The visa refusal rate in Turkey was 4.4%, which is below the average. The refusal rate among the various Schengen countries, nevertheless, slightly differs, which may be linked to the difference of the profiles of the visa applicants, with a tendency to have lower rates in the Member States with larger communities of Turkish nationals residents.

Table 13 : Refusal rate for Schengen short stay visa applications in Turkey compared with the worldwide average (2010-2014)

Short-stay visas (C visa) refused out of all those applied for at EU MS consulates	2010	2011	2012	2013	2014
Turkey	6,7 %	5,1%	4,5%	4,7%	4,4%
Worldwide average	5,8 %	5,5 %	4,8%	4,8%	5,1%

Table 14 : Uniform Schengen Visas issued by consulates and rates of visas issued (of those applied for) in Turkey, by issuing Schengen State, in 2014



Conclusions

There are a numbers of factors which suggest that, if and once the visa liberalisation process will be completed, the number of Turkish trying to migrate irregular in the EU would increase. This would be an obvious consequence taking into consideration the following factors.

- First of all, all visa applicants whose visa applications are currently refused because Member States have serious doubts about their intention to return, and more importantly those who do not even apply for a visa because they think their applications would be refused, as well as those that are currently entering the Schengen area irregularly, would be able to enter the Schengen area without a visa in a legal manner and some of them will probably use this possibility to over-stay and thus become an irregular migrant. Due to the deterrent effect of the visa procedure, especially the second category could be considerable, but due to the obvious lack of data, there is no estimation for the volume of this group.
- The number of persons introducing an unfounded asylum request would probably increase, due to the facility in a visa-free regime for any Turkish citizen to enter the territory of the EU and lodge an asylum request.
- Once the possession of a Turkish passport will allow visa-free entry into the Schengen area, furthermore, a substantial increase of the number of non-Turkish nationals

(especially foreigners living in Turkey, who are many) making attempts to cross into the Schengen area using forged or fraudulent Turkish travel documents can be expected.

However, there are also a number of factors suggesting that this impact would be of a limited dimension.

- First, Turkish citizens are since many years not so inclined to international migration. Although the unemployment rate is slightly above 10 % and many Turkish citizens have relatives and friends within the EU and some of them may be tempted to join them with any possible mean (including irregularly), nevertheless the overall level of welfare in the country is no longer as low as it used to be[9].
- Secondly, for most of the Turkish citizens willing to leave their home area in search of an alternative work and living place, the possibility to emigrate within Turkey would result preferable to the possibility to emigrate abroad, as the latter usually represents a more difficult challenge.
- Thirdly, Turkish citizens since many years are not so inclined to leave their country in search of international protection, as the country has gone through an important social, political and institutional progress. In the light of this progress, besides, the European Commission has decided to propose in September 2015 to the Council and the Parliament to adopt a directive to consider Turkey as a safe origin country[10].
- Although it is possible that the number of Turkish citizens applying for international protection in the EU may increase as a consequence of the situation of tension still existing in the South-East regions of the country (which unfortunately worsened again since the end of the peace process in June 2015) and by other factors linked to the internal political dynamics of the country (notably the growing pressures felt since 16 December 2013 by judges, prosecutors and journalists), nevertheless even these factors –unless the situation will further deteriorate - are not deemed to be able to substantially change the overall trend leading towards the reduction of asylum applications introduced by Turkish citizens.

In conclusion, the visa liberalisation process may have some migratory impact on the EU, and most particularly on the Member States having already a large Turkish diaspora, nevertheless this impact is likely to be contained.

In any case, the impact of these factors at the point where visa liberalisation would be in place would also be heavily influenced by the effective implementation of the EU-Turkey Readmission Agreement and by the quality of the cooperation established between Turkish and Member States' law enforcement agencies in combating migrant smuggling and passport forgery.

[9] The gross domestic product per capita in 2014 at current prices -7 819 EUR- was higher than that of any other candidate country and was around the double of several of them.

[10] Proposal for a Regulation of the European Parliament and of the Council establishing an EU common list of safe countries of origin for the purposes of Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection, and amending Directive 2013/32/EU - COM(2015) 452 of 9 September 2015.