



Brussels, 5.12.2022  
SWD(2022) 405 final

**COMMISSION STAFF WORKING DOCUMENT**

*Accompanying the document*

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND  
THE COUNCIL**

**FIFTH REPORT UNDER THE VISA SUSPENSION MECHANISM**

{COM(2022) 715 final}

## Table of contents

<b>1.</b>	<b>Albania</b> .....	<b>1</b>
1.1.	Additional information regarding actions taken in the area of migration, asylum and cooperation on readmission .....	1
1.2.	Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission.....	2
1.3.	Additional information regarding actions taken in the areas of justice and security .....	2
<b>2.</b>	<b>Bosnia and Herzegovina</b> .....	<b>5</b>
2.1.	Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission .....	5
2.2.	Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission.....	6
2.3.	Additional information regarding actions taken in the areas of justice and security .....	7
<b>5.</b>	<b>Serbia</b> .....	<b>17</b>
5.1.	Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission .....	17
5.2.	Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission.....	19
5.3.	Additional information regarding actions taken in the areas of justice and security .....	19
<b>6.</b>	<b>Georgia</b> .....	<b>22</b>
6.1.	Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission .....	22
6.2.	Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission.....	23
6.3.	Additional information regarding actions taken in the areas of justice and security .....	24
<b>7.</b>	<b>Moldova</b> .....	<b>27</b>
7.1.	Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission .....	27
7.2.	Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission.....	28
7.3.	Additional information regarding actions taken in the areas of justice and security .....	29
<b>8.</b>	<b>Ukraine</b> .....	<b>32</b>
8.1.	Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission .....	32
8.2.	Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission.....	33
8.3.	Additional information regarding actions taken in the areas of justice and security .....	34

## **1. Albania**

### **1.1. Additional information regarding actions taken in the area of migration, asylum and cooperation on readmission**

Member States` cooperation with Albania on returns and readmission is reported as very good where the competent authorities of Belgium, Bulgaria, Croatia France and Sweden reported strict application of the readmission agreements by Albania. The last Joint Readmission Committee meeting between Albania and EU was held on February 2022.

As regards operational cooperation with Member States<sup>1</sup> in the field of border management, migration and asylum, Belgium reported very good cooperation and information sharing on a monthly basis with the Albanian Embassy monitoring the numbers of applications for international protection via regular contacts with air companies (not only in relation to the fight against illegal migration, but also with regards to the measures imposed in the fight against the COVID-19 pandemic).

Together with the Netherlands, Belgium supports a project of the International Organization for Migration (IOM) ‘Awareness Raising and Information for Safety and Empowerment for All - Albania / ARISE-ALL’. The project started in early 2021. The preparatory activities (elaboration of the communication strategy, selection of the influencers) were completed and the launching event of the implementation of activities took place in November 2021. The project will last 24 months. It will be a multi-channel campaign that will contribute to the change of behaviour of groups with high potential to migrate irregularly as well as key ‘enablers’ (family, friends etc.).

Germany provided a scholarship for an Albanian Police Officer at the German Police College – for Master's degree, as well as equipment for border surveillance and migration management. France appointed an Immigration Liaison Officer in Albania to carry out regular advisory tasks to airlines and shipping companies in order to assist them in their task of monitoring the conditions of entry into the Schengen area. Croatia reported good cooperation with Albanian authorities and participated in the joint Frontex operation in Albania ‘Joint Operation Albania Land 2021’.

In January 2022, Albania cooperated with Frontex in the organisation of the first ever Frontex-led return operation. This operation brought over 40 Albanian nationals back to their home country, from several EU Member States. The presence of Frontex in Albania enables strengthened monitoring of compliance with fundamental rights at border crossing points. In February 2022, three Frontex Fundamental Rights Monitors visited the border crossing points in Kakavija and Kapshtice and met with the country’s Ombudsman.

---

<sup>1</sup> For this staff working document, the term ‘Member States’ refers to Member States applying Regulation (EU) 2018/1806 (‘the Visa Regulation’), i.e. all current Member States (except Ireland) and Schengen Associated Countries.

As regards information campaigns, relevant examples include: an information and awareness-raising project<sup>2</sup> targeting specific groups with a high potential to migrate irregularly and warning about the risks of irregular migration, which continues to be implemented by IOM, Belgium and the Netherlands with funding from the EU Fund for Asylum, Migration and Integration; as well as a follow-up campaign on the ‘prevention of unsafe migration from Albania to the Member States of the European Union’ funded by the Netherlands.

## **1.2. Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission**

After several years of a steady declining trend, the number of applications for international protection of Albanian nationals in Member States in 2021 saw a significant rise of 34%. Similarly to 2020, France remained the most affected EU Member State, receiving 54% of the applications for international protection lodged by Albanian nationals, followed by Germany (17%) and Greece (13%). The levels remain below the pre-COVID-19 peaks.

As regards refusals of entry, Croatia (30%), Italy (20%), (Hungary (17%), and Greece (8%) reported more than half of all refusals. Most were issued to travellers due to lack of appropriate documentation to justify the purpose and conditions of stay (42%). An important share of entries were, furthermore, refused on the basis of alerts issued in the Schengen Information System (SIS) or national register for the purposes of refusing entry (22%) and of travellers posing a risk to public policy, internal security, public health or the relations of a Member State of the European Union (22%).

The number of Albanian nationals found to be irregularly staying in Member States annually has been in the 30-40 thousand range in the last five years. Greece (26%) and Germany (19%) remained the most affected EU Member States, similarly to 2020, followed by France (18%) and Hungary (13%).

As regards return decisions, Greece alone reported 39% of all return decisions at EU level. Other main reporting countries included France (23%), Germany (11%), and Italy (8%). The number of total returns of Albanian nationals has been decreasing since 2016 and the trend continued in 2021 (-8%). In 2021, Greece alone returned 36% of all returnees from Member States, followed by France (24%) and Germany (11%).

## **1.3. Additional information regarding actions taken in the areas of justice and security**

As regards cooperation with Member States in the field of security, in May 2021 Bulgarian Director of the Combat against Organised Crime Directorate held a meeting with the Albanian Ambassador discussing weapons retained in Kosovo\* with suspected origin from Bulgaria. The information requested by the Bulgarian government has not been received yet. In November 2021, Czechia provided trainings to Albanian police authorities in improving project management for the use of funds in the field of science, research and innovation. A follow-up course is scheduled in 2022. Germany organised instruction and qualification

---

<sup>2</sup> “ARISE-ALL / Awareness and Information for Security and Empowerment for All - Albania”.

\* *This designation is without prejudice to positions on status and in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence*

course on technical equipment for disaster management and rescue operations donated in 2019 and contributed to police capacity building launching the database 'Securius'.

France reported extensive bilateral cooperation with Albania on internal security, professional culture and corruption. France provided several trainings of Albanian police border officers for detection of suspicious behaviour in the field of trafficking (heroin) and mass burglary. The Netherlands estimated the cooperation with Albanian police and justice authorities was very fruitful. Dutch and Albanian counterparts have worked together within the framework of several Dutch investigations related to combatting organised crime and money laundering. The Netherlands is also a participant through the Centre for International Legal Cooperation in the project funded by the EU (IPA), German and Italian governments on 'Countering Serious Crime in the Western Balkans'. In the framework of this project a Dutch Prosecutor is seconded to Albania to work with the Albanian prosecution and police offices in fighting serious crimes. The Netherlands reported several other projects with their Albanian counterparts on promoting justice transparency and accountability, raising awareness and accountability in money laundering and enhancing the judicial reform process in Albania.

The Swedish Police Authority has participated in a justice chain cooperation on juvenile justice in Albania since 2018. The programme, funded by the Swedish International Development Cooperation Agency focused on transparency, cooperation, human rights, anti-corruption, gender perspective and commitment. After four years of cooperation - clear changes in the handling of juveniles in the justice system and an interest in continuing the processes reform were noticed.

During the first 9 months of 2021, the Albanian Liaison Prosecutor to EUROJUST registered 20 new cases and three new Joint Investigation Teams agreements. In 2021, the Albanian Liaison Prosecutor registered 21 new cases, while Eurojust National Members registered 30 new cases involving Albania. These relate mainly to drug trafficking, organised crime, migrant smuggling and document forgery.

As regards the fight against illicit trafficking, in 2021 a total of 1 134 criminal offenses were detected, related to the trafficking of persons, minors, vehicles, weapons and ammunition, works of art, explosives poisonous and radioactive substances and assistance for irregular border crossings, and 146 police operations were carried out (13 more than 2020).

Compared to 2020, Albania reported an increase in police operations, criminal proceedings and Joint Investigation Teams in cooperation with international partners in areas related to organised crime.

As regards the fight against corruption and organised crime, 586 police operations took place, of which 95 in cooperation with international partners, in the fields of narcotics, illicit trafficking, economic and financial crime, crime against persons and property and cybercrime. This represents an 18% increase in operations compared to the same period in 2020. In 2021, 50 criminal groups active in the field of narcotics, illicit trafficking, cybercrime, financial and economic crime, and property crime were dismantled, four more than in 2020. There was also an increase in seizures of criminal assets in the same period,

more than doubled compared to 2020 (EUR 71.4 million were seized in 2021 compared to EUR 19.7 million in 2020). These aspects are covered in more detail in the Enlargement country report.

As regards the fight against terrorism, the Albanian police referred ten cases of terrorist offences and financing of terrorism to the Special Prosecution Office and the judicial district prosecution offices in 2021, involving 11 suspects. There were no court convictions for terrorist offences or terrorism financing in 2021. The authorities repatriated six adult women and 18 minors from the camps in Syria in October 2020 and August 2021.

In 2021, Albania established the Agency of Special Citizenship Programs under the Ministry of Interior with the aim of setting up special citizenship programs. As of April 2022, the Government has approved two Decisions of the Council of Ministers, one on the rules for the acquisition of citizenship in the field of Art and Culture, and one in the field of Education, Science and Sport.

## **2. Bosnia and Herzegovina**

### **2.1. Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission**

The Ministry of Security of Bosnia and Herzegovina coordinates activities on the implementation of integrated border management strategy and action plan, for the period 2019-2023. The report on the implementation of the strategy in 2019 and 2020 was adopted by the Council of Ministers in June 2021.

Bosnia and Herzegovina is working, with the assistance of IOM Development Fund, on the creation of an Advanced Passenger Information/Passenger Name Record system. The International Organization for Migration (IOM) provided also financial support to Bosnia and Herzegovina, through the IPA Project ‘Special Measures to Support Response to the Refugee and Migration Situation in Bosnia and Herzegovina’.

Bosnia and Herzegovina reported persistent issues in dealing with irregular migrants, in particular communication problems and the very frequent lack of identification documents. The costs of interpretation are a heavy burden; the use of translation applications in most basic contacts provide only a partial solution.

In 2021 significant reinforcement of police were deployed to support the Border Police in surveillance and protection of the State border.

Member States report good cooperation with Bosnia and Herzegovina in the area of migration, including as regards returns and readmission of nationals of Bosnia and Herzegovina, despite restrictions due to COVID-19. A readmission agreement with Pakistan was signed in November 2020 and entered into force in July 2021, but obstacles remain in its implementation.

As regards cooperation with Member States in the field of migration in 2021, Bosnia and Herzegovina engaged in cooperation activities with Croatia, France, Germany and the Netherlands. For example, Germany cooperated with Bosnia and Herzegovina and continued to provide support through training in and technical expansion of existing GPS tracking systems and equipment for border surveillance.

Croatia participated in the work of the Police Cooperation Joint Contact Centre in order to intensify cooperation with Bosnia and Herzegovina on migration management. France provided IT equipment and training for immigration officers of Bosnia and Herzegovina on networks of human traffickers and migrant smugglers that could potentially pose a threat to the security of the country and neighbouring countries. The Netherlands continued their participation in a project funded by the Centre for International Legal Cooperation on strengthening asylum and migration management of Bosnia and Herzegovina.

As regards other aspects of international cooperation, activities on the implementation of the Convention on Police Cooperation in Southeast Europe continue. Agreements with Croatia, Montenegro and Serbia on blocking secondary roads for the crossing of motor vehicles across the common state borders were fully implemented. Bosnia and Herzegovina also signed the amendments to the agreements on border crossings and border traffic with Montenegro, the

annex to the agreement on conducting border checks at joint border crossings with Montenegro; and the agreements on border crossings and border traffic with Serbia.

Also as part of implementation of the Convention on police cooperation in Southeast Europe, joint patrols with Montenegro and Croatia restarted in the end of July 2021, after a pause caused by COVID-19 pandemics. Bosnia and Herzegovina is working on an additional protocol on joint mixed patrols with Austria, with intended focus on combating irregular migration.

## **2.2. Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission**

In 2021, the number of persons irregularly entering Bosnia and Herzegovina was comparable to the previous year, and much lower than in 2018 and in 2019. In 2021, the authorities detected 15 812 arrivals. Out of 14 688 persons expressing intention to claim asylum in Bosnia and Herzegovina, 167 persons applied for international protection, while 154 asylum requests were pending from 2021.. Of them, five persons were granted refugee status and 28 persons were granted subsidiary protection.

In 2021, Member States continued their cooperation in readmission with Bosnia and Herzegovina and reported overall good implementation of the EU readmission agreement. There were however several issues reported by Croatia and Sweden in relation to the readmission of third country nationals.

The number of applications for international protection lodged by nationals of Bosnia and Herzegovina has been declining since 2014. However in 2021, it marked a considerable rise of 78% compared to 2020. In 2021, Germany received 57% of applications lodged by nationals of Bosnia and Herzegovina, followed by France (32%), and Italy (6%).

As regards refusals of entry issued to nationals of Bosnia and Herzegovina, 65% of all reported refusals occurred in Croatia, followed by Slovenia (19%), Hungary (8%), and Germany (5%). The majority of refusals were due to lack of appropriate documentation to justify the purpose and conditions of stay (60%). The rest of the refusals were issued to travellers posing a risk to public policy, internal security, public health or the relations of a Member State (15%) and on the basis of alerts issued in the SIS or national register (9%).

As regards the number of nationals from Bosnia and Herzegovina found to be irregularly staying in Member States, in 2021, Germany (35%) and Slovenia (22%) continued to be the most affected countries, similarly to 2020, followed by Hungary (12%) and France (10%).

The number of return decisions issued by Member States slightly increased in 2021 (1%) with Germany (23%), France (21%) and Croatia (20%) who ordered more than half of the returns while the total returns of Bosnia and Herzegovina nationals decreased (-11%). Croatia (26%), Germany (19%) and Austria (18.3%) reported more than half of all returns of nationals of Bosnia and Herzegovina, followed by France (16%) and Sweden (10%).

In particular, Croatia signalled that, in the context of accelerated readmission procedures, Bosnia and Herzegovina does not respect the 24-hour deadline for accepting the request for



return, requiring Croatia to temporarily accept the migrants. In 2021, out of 17 000 identified cases of irregular immigration to Croatia via Bosnia and Herzegovina, only 376 were readmitted. The reason for this is that Bosnia and Herzegovina only accepts documents issued by its official bodies as evidence (e.g. certificates of expressed intention for asylum in Bosnia and Herzegovina, entry stamp, ID cards of asylum seekers, etc.).

Sweden, however, reported two categories of cases where there are difficulties in identification, issuance of travel documents and return, such as children without birth certificate and the persons that renounced at Bosnian citizenship.

### **2.3. Additional information regarding actions taken in the areas of justice and security**

The Agency for the Prevention of Corruption and Coordination of the Fight Against Corruption (APIK), created in 2009, assists the anti-corruption bodies at entity and cantonal level. The Agency considers that the efforts to achieve increased efficiency of those local bodies were successful in Sarajevo Canton, Brčko District, partly successful in Tuzla and Zenica-Doboj cantons and there were signs of progress in Una-Sana and Central Bosnia cantons. The Agency considered that there was no progress in seven other jurisdictions.

In October 2020 the Regional Anti-Corruption Initiative (RAI) and APIK concluded a memorandum of understanding and cooperation to strengthen whistle-blowers' protection by reforming the legislative and institutional framework, in line with the EU Directive on the protection of whistle-blowers. A legislative gap analysis was finalised in 2021.

The Public Procurement Agency received and treated a total of 110 submissions with indications of corrupt behaviour in 2021. The Agency prepared legislative amendments on public procurement which were adopted by the Council of Ministers and sent for parliamentary procedure in February 2021 the government accepted the proposal and send it to the Parliament. The proposal of the law introduces a public procurement officer, models exemptions according to EU directives, prescribes preliminary market checks and obligatory division into lots, improves provisions on personal capacity, envisages disqualification due to conflict of interest and corruption according to EU directives, specifies provisions on active legitimacy and deadlines, and the action of the contracting authority on appeals. Adoption in Parliament remains pending.

The Chief Prosecutor of the Prosecutor's Office of Bosnia and Herzegovina is also the Head of the Counter Terrorism Task Force, a coordination body consisting of heads and representatives of the police and security agencies from the state and entity levels. The task force met three times in 2021. In 2021 five people were judged for organising a terrorist or illegal paramilitary groups and one person was judged for acts of terrorism.

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina held three meetings in 2021. The number and the large autonomy of local prosecutor offices make country-wide cooperation very difficult. When it comes to cooperation between prosecutors' offices and police bodies at the operational level, 17 operational forums are established and functioning independently.

As concerns the fight against organised crime, the State Investigation and Protection Agency (SIPA) is the State-level body providing assistance and cooperation to law enforcement agencies at entity and cantonal level. As for the prosecution, the large autonomy of local police forces makes the cooperation difficult and diminishes the efficiency. In 2021 only 58 people were judged for participating in organised crime activities. SIPA is also involved in the fight against terrorism.

Due to the number of institutions and their large autonomy, there is not only a considerable lack of state coordination on all security and law enforcement issues, but also unavoidable cases of conflicts of jurisdiction and redundant use of resources.

As regards cooperation with Member States in the field of security, Germany provided material assistance to Bosnia and Herzegovina law enforcement agencies (Police Capacity Building) in 2021, including protective equipment related to COVID-19 and IT equipment. Czechia cooperated with Bosnia and Herzegovina in a project on detecting and disposing of ammunition from rivers and lakes where Czech police divers participated in demining dangerous areas in Bosnia and Herzegovina. Furthermore, Czechia provided a training programme for families, educators, journalists and general public on building resilience to disinformation. The Netherlands reported cooperation with the police agencies of Bosnia and Herzegovina in strengthening the fight against corruption between November 2019 and April 2022, based on a project implemented by the Centre for International Legal Cooperation. Under that project, a senior Dutch prosecutor was seconded to the Cantonal Prosecutor's Office in Sarajevo as advisor on corruption and organised crime cases. The immigration liaison officer from the Dutch police stationed in Zagreb also covers trafficking in human beings and smuggling of migrants in Bosnia and Herzegovina.

### **3. Montenegro**

#### **3.1. Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission**

Member States report good cooperation on readmission with Montenegro and an adequate implementation of the EU readmission agreement. During the last Joint Readmission Committee meeting held in November 2021, the Member States reported a smooth cooperation with the Montenegrin authorities, most Member States confirming compliance with the time limits as stipulated in the EU Readmission Agreement.

As regards operational cooperation with Member States in the field of border management and migration, Montenegro has engaged in joint activities with Croatia, France, Germany and the Netherlands. Croatia cooperates with Montenegro bilaterally as well as through the participation of the Croatian Police in the Frontex joint operation in Montenegro. The Ministry of Interior of Croatia cooperates with the Ministry of Interior of Montenegro in the area of Prevlaka peninsula, the so-called ‘Zona’, an area under temporary special monitoring and sailing regime. In 2021, the cooperation was carried out by planning and conducting joint patrols at sea. Despite the fact that some planned training measures could not take place due to the COVID-19 pandemic, the cooperation is assessed as good.

In 2021, the French authorities launched three projects on migration management in Montenegro training officials from the Department for Combating Organised Crime and Corruption on dismantling organised migrant smuggling networks and investigating techniques used to combat this phenomenon. France provided also training for the staff of a new airline on cross-border regulation, in particular concerning traveling to France or the Schengen area. Germany provided equipment for border surveillance, transport vehicles to transport persons who have been taken into custody, summer uniforms for border officers; tactical uniforms for Mobile Units. Additionally, in 2021, the Netherlands supported the Balkan Refugee and Migration Council.

#### **3.2. Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission**

In 2021 the number of applications for international protection by Montenegrin nationals in Member States significantly rose (65%) and interrupted the continued decreasing trend since 2015. The most affected Member State was Germany (68%), followed by France (20%), Italy (5%), and Sweden (3.6%).

As regards the number of refusals of entry, as in the previous years, Croatia (39%) and Hungary (27%) were the most affected countries in 2021, followed by Slovenia (11%) and Germany (10%). 41% of the refusals resulted from a lack of documents to justify the travellers’ purpose and conditions of stay. These were followed by refusals issued on the basis of alerts registered in the SIS or national register (19%). A considerable number of refusals was issued to travellers representing a risk to public policy, internal security or public health (17%), and the travellers who had already stayed on the territory of a Member State for the permitted 90 days in the preceding 180-day period (15%).

As regards the number of Montenegrin nationals found to be irregularly staying in Member States, in 2021, Hungary was the most affected Member State (44% of the total), followed by Germany (29%), France (8%), and Slovenia (6%).

As regards return decisions, Germany (33%), France (18%), Austria (17%), and Sweden (10%) ordered most of the returns at EU level. The number of the total returns continued to decrease following the trend in the last five years (-12%) with Germany (29%) and Austria (21%) who reported most effective returns of nationals of Montenegro in 2021, followed by Sweden (15%) and Luxembourg (11.5%).

### **3.3. Additional information regarding actions taken in the areas of justice and security**

As regards cooperation with Member States in the field of security, Germany provided capacity building assistance to the Montenegrin police in the form of vehicles, language courses, surveillance equipment, IT equipment, mobile phones and analysis software. The Netherlands continued to cooperate with Montenegro on mutual legal assistance activities - a human rights project 'MATRA' covering also Serbia and a 52 months-project on strengthening the probation and the system of alternative sanctions in Montenegro and Serbia. In addition, Latvia participated in the 'Online Intensive Programme in European Law and Economics for European Neighbourhood Policy Countries, Central Asia and Western Balkans' – a project of the Riga Graduate School of Law providing interdisciplinary training on legal, political and economic functioning of the EU.

With regard to the activities of the Special State Prosecutor's Office, in 2021 three indictments were lodged with the Higher Court of Podgorica against nine individuals and 11 indictments against 68 persons and 21 legal entities. Financial investigations have been launched in seven cases against 40 individuals and six legal entities (compared to four cases against 30 individuals and two legal entities in 2020).

In 2021, 21 plea bargain agreements were concluded in four cases with 21 individuals and nine legal entities; out of this, 16 agreements were adopted by the court ruling, one agreement was rejected, and four agreements are pending the court's ruling. In 2021, the High Court of Podgorica issued three final and enforceable judgements, resulting in suspended sentence and imprisonment served in residential premises.

The Special Prosecutor's Office has launched investigations leading to arrests into two high-level corruption and organised crime cases. On 17 April 2022, the former President of the Supreme Court was arrested on charges of suspicion of abuse of office and of creating a criminal organisation. On 10 May 2022, the President of the Commercial Court was arrested on suspicion of forming an organised criminal, embezzlement, and abuse of office.

With regard to the fight against corruption, in 2021, the Anti-corruption agency instituted 1 164 proceedings before misdemeanour courts, which is more than twice compared to 2020 (510 proceedings). 808 proceedings were completed (including those from previous years) and sanctions were imposed in 88.6% of the cases. In 2021, the Agency issued 136 direct misdemeanour orders (compared to 42 in 2020). The total amount of fines, including direct misdemeanour orders, amounted to EUR 149 242 (compared to EUR 89 659 in 2020). In

2021, the ACA requested seizure of material gain before the competent courts in one case, and the courts approved confiscation in two cases.

Furthermore, between January and March 2022, the Agency instituted 298 proceedings before misdemeanour courts. 233 proceedings were completed (including those from the previous period) and sanctions were imposed in 92% of the cases.

In 2021, the Agency issued 186 opinions (compared to 135 in 2020) on incompatibility of functions and conflict of interests. 26 public officials (compared to 41 in 2020) resigned, whilst two were dismissed. Furthermore, between January and March 2022, 62 opinions on incompatibility of functions were issued, one public official resigned, and one was dismissed.

In 2021, the ACA received 10,657 income and asset declarations (compared to 8 108 in 2020). Some 974 reports (compared to 966 in 2020) were verified by the Agency, exceeding its annual plan by more than 10%. In 2021, the Agency initiated 295 administrative proceedings (compared to 138 in 2020) and violations of the Law were found in 160 cases (compared to 60 in 2020). Sanctions were imposed in nine cases (2020:10). Moreover, between January and March 2022, the Agency received 7 214 income and asset declarations and verified 90.7% of the reports. Some 380 administrative proceedings were initiated, and violations of the Law were found in 62 cases.

In 2021, the Agency concluded the additional checks of 20 high-level officials and continued to monitor the lifestyle of public officials, using publicly available data and media reports. The ACA also initiated procedures for examining the lifestyle of three public officials and one case was submitted to the prosecution services. Further work is needed to effectively address the April 2021 EU peer review recommendations on conflict of interest and incompatibility of functions and asset declarations.

Concerning funding of political parties and electoral campaigns, in line with its competences, the Agency oversaw all local elections held in 2021. 36 irregularities in the reports of political entities were registered. In 2021, out of 141 misdemeanour proceedings issued by the Agency (compared to 62 in 2020), 128 concerned electoral campaigns.

The Special Prosecutor' Office conducted 26 financial investigations regarding 156 people and 11 legal entities in 2021, a stable number compared with the 25 financial investigations launched in 2020. In most cases, financial investigations are launched after the criminal investigation, with the aim to proceed to an extended confiscation. The strengthened capacity of the Asset Recovery Office (ARO), established in the Police Directorate within the unit in charge of international police cooperation, led to an increase in the number of assets detected and traced. Despite this positive trend, there was no court order on final asset confiscations pronounced in 2021 (compared to 15 in 2020). Two decisions on temporary seizures were issued, including real estate.

In 2021, the Special Prosecutors Office conducted 13 investigations in organised crime cases (from 25 in 2020), targeting 103 people. Some 13 indictments were lodged for organised crime-related offences (from 29 in 2020) against 70 people.

Regarding the fight against money laundering, no clear timeline has been given by Montenegro Authorities for adopting the new Law on the prevention of money laundering

and terrorism financing aligning with the fifth EU Anti Money Laundering Directive and International Restrictive Measures.

As regards Montenegro's citizenship by investment scheme, the nationalities of successful applicants (for the January – December 2021 reporting period) include Russia (176 successful applicants), Lebanon (19), Egypt (14), Pakistan (12), China (6), Turkmenistan (5), Turkey (4), Belarus (3), Ukraine (2), Saudi Arabia (2), USA (1), Kazakhstan (1) and Iran (1).

## **4. North Macedonia**

### **4.1. Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission**

Member States' cooperation with North Macedonia on returns and readmission was very good. Germany reported a decrease in the rate of negative replies of readmission requests sent to North Macedonia, noting however that further improvements are needed. Some of those readmission requests are coming from persons declaring wrong identity or unregistered children born from undocumented parents from North Macedonia. The last Joint Readmission Committee meeting between North Macedonia and the EU was held in June 2022.

As regards operational cooperation with Member States in the field of migration management, Croatia provided continuous bilateral support to North Macedonia and reported good cooperation in the area of migration. Germany provided equipment for border surveillance; vehicles; border control stamps; tactical vests; laptops with software package for further education and training needs; projectors for further education and training needs; as well as a training system for the previously established need of the Department for Border Police. In addition, Germany organised a qualification course for document and identity checks and issuance of personal document identifiers for 20 border officers of North Macedonia. France reported cooperation in training on migration control for the airport officers dedicated to check-in and checks of passenger entry documents at Skopje airport with destination the Schengen area. Additionally, in 2021, France provided a training course to the Border Police on the fight against document fraud, carried out by the Internal Security Service of the French Embassy in Skopje and for some of them in cooperation with Frontex.

The Netherlands provided capacity-building support to prevent migrant smuggling and other transnational organised crime in North Macedonia, as well as to enhance border security. The overall objective was to increase the national law enforcement officials' knowledge and skills in the areas of, *inter alia*, information collection and analysis, identification of smuggling cases, investigation methods and techniques to respond to migrant smuggling and other transnational organised crime; to improve inter-institutional cooperation skills pertaining to countering transnational organised crime, including smuggling of migrants. The Dutch authorities also provided copies of the Passport Examination Procedure Manual to the national law enforcement authorities. Another major project initiated by the Netherlands in 2021 concerns strengthening the capacities of the Financial Intelligence Office of North Macedonia, including upgrading the current static webpage into a dynamic, user accessible web platform; updating indicators for identifying suspicious activities related to financing of terrorism; engaging experts to recommend and prepare a legal framework to regulate virtual currencies in accordance with Financial Action Task Force recommendations and EU directives; adapting new methodology and improving the Financial Intelligence Unit's IT system for conducting Strategic Analysis. A study visit to the Netherlands' Financial Intelligence Unit's was organised.

Poland reported that the Polish Border Guard continued to participate in the Police Support Mission of North Macedonia in the section of the state border between North Macedonia and Greece.

The activity funded by IPA II to upgrade the IT and communication structure to improve the identification and registration process of mixed migrant flows was launched in 2019 and continued to be implemented successfully in 2021, with the support of Frontex.

#### **4.2. Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission**

After six years of steady decrease, in 2021, the number of applications for international protection by citizens of North Macedonia marked a record increase of almost 300%. In 2021, Germany continued to be the most affected Member State receiving the highest number of applications for international protection (85% of the total), followed by France (8%) and Belgium (3%).

Relating to the number of refusals of entry, Hungary (29%), Croatia (19%) and Slovenia (17%) reported most cases in 2021. Besides the biggest share of refusals issued because of lack of appropriate documents to justify the purpose and conditions of stay (26%) and the alerts registered in the SIS or national register (25%), travellers from North Macedonia were mostly refused entry for posing a risk to public policy, internal security or public health (23%, stemming partly from the COVID-19 pandemic) and for having already stayed on the national territory of Member States for the permitted 90-day stay (19%).

As regards the number of nationals of North Macedonia found to be irregularly staying, in 2021, similarly to 2020, Germany was the most affected Member State (38%), followed by Hungary (30%) and Slovenia (15%).

Germany (46% of the total), France (13%) and Austria (7.5%) reported most return decisions of nationals of North Macedonia in 2021. As regards total returns, 2021 marked another important decrease in returns of nationals of North Macedonia (-31%) which is however almost twice smaller than the one recorded in 2020 (-57%). Germany reported most of the returns (36%), followed by France (14%), Austria (13%) and Sweden (9%).

#### **4.3. Additional information regarding actions taken in the areas of justice and security**

As regards cooperation with Member States in the field of justice and security, Bulgaria continued to exchange information on persons involved in drug trafficking, smuggling and illegal production of cigarettes and money laundering. It also participated in a joint police-customs operation coordinated by Europol to counter the illegal trafficking of weapons, drugs, smuggling of migrants and the use of forged documents. Due to the current administrative reforms in North Macedonia, the contacts in the field of cybercrime and operational international cooperation have been put on hold. France provided behavioural training courses for border police officers in North Macedonia. Germany provided capacity building assistance to the police of North Macedonia in the form of police emergency vehicles, language training courses and office equipment.



Czechia provided training in improving professional competences and skills of the special police 'Tigar' unit of North Macedonia between October and November 2021, as well as equipment.

The Netherlands engaged in a number of operational activities with North Macedonia, including activities and training courses aimed at strengthening the resilience of local communities to gender-based violence and domestic violence, anti-corruption trainings prevention of organised crime.

Additionally, the Netherlands and North Macedonia conducted mutual legal assistance activities in the form of several regional projects. In the framework of the project 'Countering Serious Crime in the Western Balkans' funded by the German and Italian governments, a Dutch Prosecutor is seconded to North Macedonia to work with the local prosecution and police offices in fighting serious crime. The Netherlands reported several other projects with their counterparts in North Macedonia on promoting justice transparency and accountability, increasing the overall usage rate of mediation and an alternative dispute resolution mechanisms, enhancing the judicial reform process in North Macedonia and rule of law capacity building.

As regards corruption, in 2021, indictments were filed against 29 persons, first instance verdicts were reached for 35 persons and second instance verdicts were reached for 24 persons. As regards terrorism, in 2021, indictments were filed against six persons, first instance verdicts were reached for 15 persons and second instance verdicts were reached for 13 persons.

As regards the fight against corruption and organised crime, during the reporting period, the National Coordination Centre for Fighting organised crime and corruption acted on 539 requests and performed checks on 1 330 natural persons, 131 legal entities and 1 334 motor vehicles. Its operations in 2021 allowed swifter information and data exchanges between participating institutions, including in the area of international police cooperation, as well as further coordination between participating institutions in case of overlapping investigations.

In May 2021, a large criminal network involved in investment fraud and money laundering was dismantled as a result of a cross-border operation supported by Europol and Eurojust. The German-led investigation involved law enforcement and judicial authorities from Bulgaria, Israel, Latvia, North Macedonia, Poland, Spain and Sweden. As a result, 11 people were convicted, nine sites were searched and assets were confiscated for a total of about EUR 2 million.

As regards money laundering, in 2021, indictments were filed against 8 persons, first instance verdicts were reached for 7 persons and second instance verdicts were reached for 2 persons.

North Macedonia participated in 17 EMPACT operations with regard to the fight against trafficking of human beings, firearms, drugs, vehicles and waste, as well as irregular migration, document fraud, combatting money laundering, counter-terrorism and combatting terrorist propaganda.

As regards the acquisition of citizenship for special economic interest, during the reporting period, the successful applicants' nationalities include Nigeria, Russia, Sudan, India, Iraq,

Yemen, Lebanon, Libya, Pakistan, Saudi Arabia, Syria, and Uzbekistan. In 2021, there were 15 successful applications and four rejected applications.

## **5. Serbia**

### **5.1. Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission**

The COVID 19 pandemic considerably affected the work of all law enforcement agencies, including border police, however without disrupting their activities.

The Twinning project ‘Development of the Schengen Action Plan’ continued to be implemented by the Ministry of the Interior, in partnership with Lithuania and Hungary between February and December 2021. The project evaluated Serbia’s legal framework Serbia and its conformity with the Schengen acquis and contributed to the alignment of the legal provisions of the Republic of Serbia with the Schengen acquis. A Proposal of the Schengen Action Plan for accession to the Schengen area has been drafted, including elements on Border management, Return and readmission, Schengen Information System (SIS), Visa policy, Police cooperation, Data protection, Legislation on firearms and Judicial cooperation.

The regulation on the conditions to be met by the border crossing point in terms of premises, devices, equipment, infrastructure, sufficient number of employees and other material and technical means necessary for the functioning of the border crossing point was adopted on 1 October 2021. The programme of professional training of participants in basic police training for the position of border policeman was adopted in January 2021. In September 2021, the Ministry of Interior submitted the programme to Frontex to determine its compliance with the Common Core Curriculum in September 202.

Within the project ‘EU Support for Efficient Border Management’, the report on the implementation of the 2017–2020 Integrated Border Management Strategy was prepared. The project included a comparative analysis of the most important European legal framework for integrated border management (IBM) to identify and define the obligations to be included in the new IBM strategy. The current IBM strategy has been compared to the Technical and Operational Strategy for Integrated Border Management (Frontex), while the activities to be changed have been defined. At the same time, the Action Plan for Chapter 24 of the Republic of Serbia and the reports prepared by the Coordination Body for Border Crossing Points of the Government of the Republic of Serbia were analysed to define the activities that need to be further elaborated in the new Strategy.

In August 2021, a special Working Group was established and tasked with drafting the Integrated Border Management Strategy in the Republic of Serbia 2022–2027. As first stage, the draft text of the Integrated Border Management Strategy in the Republic of Serbia and Action Plan for the period 2022–2024 has been prepared. The process of adoption is ongoing.

In February 2021, a Working Group was established to draft the text of the Draft Law on Amendments to the Law on Asylum and Temporary Protection. The work of this body is ongoing.

The twinning project ‘Support to the preparation for participation in the EUROSUR network and EURODAC system’ was carried in 2021 and ended in June 2022. The beneficiary of the

project is the Ministry of the Interior of the Republic of Serbia, while the twinning partners are Sweden and Lithuania. The results are among others a roadmap for EUROSUR, including the proposal for establishing the National Coordination Centre (NCC) within the Operational Centre of the Border Police and a roadmap for EURODAC. The existing Operational Centre of the Border Police Directorate will most likely become the NCC.

Serbia was one of the participants in the global program ‘Migration for Development’ implemented by the German Federal Ministry for Economic Cooperation and Development, supporting efforts to improve living conditions and prospects of people to stay in their country, both now and in the future. The support is intended not only for the local population and internally displaced persons but also for those returning from Germany or third countries.

In 2021 37 police officers were trained to use the system for fingerprinting of migrants (‘Papillon’). 327 agents of the border police were also trained by e-learning. In total 7 981 irregular migrants were registered in the AFIS database in 2021.

The Commission for monitoring the visa-free regime with the European Union was established in its fifth mandate for a period of two years on 6 May 2021. The task of the Commission is to monitor and reduce the number of unfounded asylum applications in the EU.

In the reporting period, from January to December 2021, the strategy for reintegration of returnees under the readmission agreement continued to be implemented.

In 2021, about 1 000 information booklets dedicated to the rights and obligations of returnees under readmission agreements were distributed. The same number of information booklets on free legal aid was also distributed. About 400 flyers of the German Info Centre for Migration, Vocational Education and Career were distributed.

As regards the reintegration of returnees, 120 municipalities and cities revised existing local action plans to introduce the category of returnees. The government provides financial resources for the local self-governments to implement measures and activities to address the problem of returnees. Additionally, the Ministry of the Interior, within its competence, actively participates in the implementation of the Strategy for Reintegration of Returnees under the Readmission Agreement, especially those from vulnerable minorities.

The Returnee Reintegration Strategy Implementation Team did not hold meetings in 2021.

The foreign citizens staying in Serbia and having the status of irregular migrants, asylum seekers or rejected asylum seekers are regularly informed about the possibilities of assisted voluntary return by the Commissariat for Refugees and Migration officials in cooperation with IOM officials.

France cooperated with Serbia to train airport border personnel in knowledge on requirements to enter Schengen area and France, in order to prevent the departures of persons who would be denied access and would have to be returned.

## **5.2. Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission**

The number of applications for international protection by Serbian nationals has been decreasing since 2014, however as for the rest of the Western Balkans partners, 2021 changed the trend and marked an important increase (22%). Germany remained the Member State with the highest number of applications lodged (54% of the total), followed by France (31%) and Belgium (4%).

As regards refusals of entry of Serbian nationals, Hungary was the most affected country, reporting half of the total cases in 2021 (53%), followed by Croatia (14%), Bulgaria (11%) and Slovenia (8.5%). The main reasons for refusing entry related to stays of Serbian nationals on the national territory of Member States over the permitted 90-day stay (28%), followed by a lack of appropriate documentation justifying the purpose and conditions of stay (24%). Considerable number of refusals of entry were issued to travellers posing a risk to public policy, internal security or public health and because of alerts registered in the SIS or national register (20% each).

As regards the number of Serbian nationals found to be irregularly staying, Hungary (48%) and Germany (26%) were the most affected countries in 2021, followed by Austria (9%).

In 2021, Germany (25%), Austria (21%) and France (19%) ordered most returns of Serbian nationals. The number of the total returns decreased (-15%) which is an improvement compared to 2020 (-38%) with Austria (31%), Germany (23%) and France (12%) who returned to third countries most of the Serbian nationals.

## **5.3. Additional information regarding actions taken in the areas of justice and security**

In 2021 the fight against organized crime intensified, with no less than 660 police operations. In the field of cooperation within the EMPACT, a Working Group was established within the Ministry of the Interior to align with the instruments of police cooperation and further develop international cooperation through the implementation of the EU Policy Cycle (EMPACT). Serbian police participated in several international operations in line with the activities within EMPACT Operational Action Plans, including in the field of fight against trafficking in arms, drug smuggling and sexual exploitation of migrants.

Serbian police joined a new analytical project in the field of combating serious and organised crime that supports prevention and combating crimes of intellectual property, counterfeiting products and piracy.

As concerns the fight against Trafficking in Human Beings, the proposal of the Action Plan for the period 2021–2022 for the implementation of the Strategy for Prevention and Suppression of Trafficking in Human Beings, Especially Women and Children and Protection of Victims 2017–2022 was prepared and a public debate held. A special Department for the Suppression of Trafficking in Human Beings and Smuggling of People has been established within the Criminal Police Directorate, Service for Suppression for Organised Crime (SSOC). In 2021, a total of 17 criminal charges were filed against 27 persons suspected of trafficking in human beings.

In 2021, Serbia continued efforts to combat the illegal manufacturing, possession and trafficking of weapons and explosives. 1 909 firearms, 57 244 pieces of ammunition, 167 bombs and 34 other explosive devices were seized. A total of 1 633 persons were charged for weapon offenses.

As concerns the fight against cybercrime, Serbia continued to implement the Strategy and Action plan for fight against cybercrime, for the period 2019-2023. A particularly strong effort targeted the illegal pornography sites exploiting minors. A great number of trainings to fight cybercrime were carried out, including some supported by TAIEX.

As concerns the fight against corruption, Serbia is implementing an operational plan for Preventing Corruption in Areas of Special Risk. The plan was adopted by the government on 30 September 2021, for the period 2021-2022. The Government established a Coordination Body for its implementation in November 2021. The work on a new National Anti-Corruption Strategy is beginning. Serbia has taken a number of steps to implement the recommendations of the Group of States against Corruption (GRECO) related to the fourth round of evaluation, including constitutional changes and amendments to the law on the prevention of corruption.

With regard to sectors particularly vulnerable to corruption, in September 2021 Serbia adopted the Operational Plan for the Prevention of Corruption in Areas of Special Risk. The plan covers public procurement, police, customs, local self-government and the privatisation process. Its implementation is coordinated through a Coordination Body, established by a Government decision in November 2021, and chaired by the Prime Minister. The Coordination body is yet to hold any meetings.

In addition, the Ministry of Education adopted in October 2021 a specific operational plan for the fight against corruption in the field of education. In December 2021, the Ministry of Health adopted an operational plan for the fight against corruption in the sector of health, with timelines for 2022. An operational plan for the fight against corruption in the sector of taxation was also adopted in December 2021, focusing on a one-year timeline for implementation.

As concerns the fight against terrorism, Serbia continued to implement the Joint Action Plan on Counter-Terrorism for the Western Balkans. Radical/extremist propaganda materials were regularly seized and illegal content eliminated from social media and other internet sites. Numerous trainings were carried out, especially focusing on early detection of radicalization. Serbia also implemented a series of actions in education sector, to prevent extremism and radicalization in schools and universities. Serbia is working on an updated counter terrorism and prevention of violent extremism strategy. A baseline study on all forms of radicalisation and violent extremism present in Serbia is not finalized yet.

As concerns the fight against money laundering and terrorism financing, the Serbian government carried out a national risk assessment, which was finalized in September 2021. The main conclusions were that the overall money laundering risk in Serbia is 'medium' and overall terrorism financing risk assessment is 'medium low'. Serbia is currently preparing an updated 2022-2024 Action Plan accompanying the national AML/CFT Strategy.

The cooperation with EUROPOL continued and improved. In 2021, the three joint investigation teams, which had been established in the previous period, continued operating against respectively investment fraud, drug production and drug smuggling. The system of exchange of information SIENA was regularly used. Cooperation with CEPOL continued, including by training and exchange programs.

## **6. Georgia**

### **6.1. Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission**

In order to prevent irregular migration and asylum system abuse of Georgian citizens a new law on Georgian citizens leaving and entering Georgia' entered in force on 1 January 1 2021. Additionally the criminal code was reformed imposing criminal responsibility for creating/organising conditions for illegal stay of citizens of Georgia in the foreign country, for financial gain or other material benefits, and/or facilitating/organising the provision of false information on the alleged violation of the rights and freedoms of the Georgian citizen for requesting asylum in a foreign country.

In order to mitigate the flow of Georgian irregular migrants, bilateral cooperation with EU Member States was also enhanced, including by deployment of Georgian police officers abroad and by organisation of trainings, especially on detection of document fraud and other suspicious activities at the border crossing points. There were also deployments of law enforcement agents from EU Member States in Georgia. In 2021, several measures were taken to improve conditions of the irregular migrants at the temporary accommodation centres; in particular additional accommodation space (quarantine rooms) was added in order to reduce the spread of COVID-19.

In order to improve communication on rules of travel to EU Member States, the Ministry of Foreign Affairs, in cooperation with the International Centre for Migration Policy Development (ICMPD), upgraded the mobile application on visa free travel to the EU, taking over this task from the Ministry of Justice. The modified application was introduced on 11 June 2021. It is available for users located in Georgia; the work on global availability is ongoing. Information about the new application has been disseminated through the social media, published on the official web-page of the Ministry and also by distribution of leaflets by key public administration agencies.

In 2021 the Ministry of Foreign Affairs launched its preliminary works on the information campaign to celebrate the 5th anniversary of visa-free travel to the EU.

As concerns border protection, one border sector was built in 2021. In addition to that, the border protection police acquired two mobile surveillance vehicles equipped with a sophisticated surveillance system. The development of GBP aviation continued with the planned transfer of two helicopters from Latvia to Georgia, supported financially by the EU via ICMPD. The modernization of the fleet of the Georgian Coast Guard (GCG) continues, with the launching of the acquisition process of new fast response boats.

In 2021 the EU funded border safety and security equipment including passport readers, document inspection equipment, vehicles, mobile radio communication units and facial recognition cameras.

The Ministry of Interior carried out in 2021 a comprehensive analysis of the border protection operations and produced a unified risk analysis system; the purpose was to be able to better identify threats and weak spots in advance, allowing a faster response. Georgia uses two



separate risk analyses systems – one for border management and one for migration management. The introduction of one single efficient new risk analysis system for border and migration management is not considered at this stage.

Furthermore, since 2019 Georgian Police officers have been monthly deployed to most affected EU Member States' airports within the framework of Frontex Joint Operations. Cooperation with Frontex intensified in 2021, with the deployment of Georgian law enforcement agents on airports in selected EU Member States. After a pause in 2020, due to the COVID 19 pandemic, in 2021 Georgian law enforcement agencies participated again in other common activities with Frontex, both on land and at sea. One of the results of this cooperation was the safe return of 890 Georgian citizens from the EU.

In 2021 law enforcement agents detected 63 cases of fraudulent documents, prevent 63 irregular border crossings, refused entry in 8544 cases and detected various violations of the visa regime in 6117 cases.

In March 2021 Georgia became an observer in the European Migration Network (EMN).

## **6.2. Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission**

In 2021 Georgia received 743 asylum-seekers. The main countries of origin were Turkey, Iran, Russia, Jordan and Afghanistan. At the end of 2021 there were 1 227 beneficiaries of international protection in Georgia, including 493 refugees and 734 humanitarian status holders.

The last EU-Georgia Joint Readmission Committee was held in November 2021, where the EU commended Georgia for the very good cooperation and efforts to prevent irregular migration.

After the downward trend in 2020, the number of applications for international protection increased by 69% in 2021. France was the most affected EU Member State recording 38% of the applications for international protection lodged by Georgian nationals, closely followed by Germany (29.6%) and Italy (9%).

The decrease in refusals of entry of Georgian nationals in 2020 was followed by a new rise of 50% in 2021. Poland (48%), Bulgaria (12%) and Germany and Portugal (5% each) reported most of the cases. The refusals were largely issued to the traveller being a person for whom an alert had been issued in the SIS or in the national register (40%) and on the basis of lack of proper documents that justified the purpose and conditions of stay (30%). 16% of the refusals of entry were issued to travellers posing a risk to public policy, internal security or public health.

As regards irregular stayers from this country, 2021 marked a record with the highest number of detections of Georgian irregular stayers in the Schengen Area (28% more than in 2020). Germany reported 37% of the irregular stays of Georgian nationals, followed by France (27%) and Greece (8%).

The number of return decisions reported by EU Member States in 2021 was lower (-13%) than in 2020, changing the overall upward trend for this indicator in the previous years. In 2021, France (30%), Germany (17%), Cyprus (13%) and Greece (11%) had the highest share of decision orders at EU level.

Despite the decrease in total returns (-13%) due partly to the effects of the COVID-19 pandemic, an assessment of the evaluation of total returns of Georgian nationals over a longer timeframe suggests that the trend may continue to rise over the next few years. As regards effective returns, in 2021 Germany reported most of the returns of Georgian nationals (24%), followed by France (19.3%) and Greece (15%).

### **6.3. Additional information regarding actions taken in the areas of justice and security**

The National Strategy for Combating Organised Crime for 2021-2024 and its Action Plan for 2021-2022 were adopted on 14 September 2021. The strategy focuses heavily on repression of large and well-structured groups of organised crime, so-called ‘legalised thieves’ or ‘thieves who are law’ (vory v zakone). A new element was the introduction of public awareness campaigns in order to try to prevent juveniles from joining organised crime groups.

The National Drug Observatory was established in January 2020 by the Order of the Minister of Justice analyses the drug situation in the country. It operates under the Inter-Agency Coordinating Council for Combating Drug Abuse and it is chaired by a representative of the Ministry of Justice. NDO is composed of experts of prevention, treatment and rehabilitation, harm reduction, supply reduction, addictology, sociology or epidemiology and representatives from the state agencies. It cooperates with the European Monitoring Centre for Drugs and Drug Addiction. In 2021, the Observatory elaborated its second National Drug Situation Report, providing information to the government on the current situation and proposed actions concerning illegal drugs.

As concerns the fight against corruption, on 16 March 2021 the functions of coordination in this field were transferred from the Ministry of Justice to the administration office of the government (AOG), answering directly to the Prime Minister. On 9 June 2021 the Anti-Corruption Secretariat was established within the AOG, to exercise the functions of the Secretariat of the Anti-Corruption Council, develop the new anti-corruption strategy and its action plans, and then monitor their implementation.

In April 2021, GRECO made public its Second Compliance Report of Fourth Evaluation Round on Georgia, to assess Georgia’s implementation of recommendations on combatting corruption. According to the report, Georgia has largely implemented most of GRECO recommendations issued in 2017; additionally, compared to the previous report, the status of implementation of 3 recommendations has improved. In its report GRECO welcomed Georgia’s progress, such as growing transparency of the legislative process, the creation of the Parliament’s Ethics Council, ethics trainings for MPs, improved regulations under the rules for appointing judges, the improved reasoning of decisions on appointing judges and possibility to appeal such decisions, the upgraded Norms of Judicial Ethics, enhanced disciplinary proceedings against judges, practical steps toward the implementation of the

Code of Ethics for Prosecutorial Service, and improved Rules on Recruitment and Promotion of Prosecutors.

In December 2020, the Secretariat of the Anti-Corruption Interagency Coordination Council of Georgia (Ministry of Justice) started the preparation process of development of a new Anti-Corruption Strategy and Action Plan for 2021-2022. In the first phase, the Secretariat requested initiatives from the Anti-Corruption Council (Council) member civil society organizations as well as donor organizations involved in the process. In collaboration with the USAID project Good Governance Initiative (GGI), workshops were held with representatives of 16 municipalities to identify challenges and priorities at the local level. The Secretariat has also started the process of situation analysis.

In March 2021, in accordance with the amendments to the Law of Georgia on Conflict of Interest and Corruption in Public Institutions, the organizational and analytical support to the Anti-Corruption Council of Georgia, the functions of the Secretariat were transferred from the Ministry of Justice of Georgia (MoJ) to the Administration of the Government of Georgia (AoG), in order to place the anticorruption policy coordination mechanism under the direct supervision of the Prime-Minister of Georgia.

Following the amendments to the law, the AoG has commenced procedures for the establishment of the Anti-corruption Secretariat. In June 2021 the Anti-Corruption Secretariat was established within the AoG to ensure sufficient resource allocation for the implementation of the anti-corruption strategy and action plan.

In 2021, 218 investigations were launched, 197 individuals were prosecuted and 117 individuals were convicted in connection to corruption. Out of the 2021 prosecutions and convictions, 14 high-ranking officials, including the deputy minister, deputy district prosecutor, head and deputy head of the legal entity of the public law, governors, deputy governors, deputy mayor and members of the local councils (at the time of committing the crime) were prosecuted and 7 were convicted for corruption.

Throughout 2021, including in cooperation with the EU and Council Europe, the Prosecution Service of Georgia (PSG) continued efforts for building the capacity of anticorruption investigators and prosecutors. In the framework of the CoE/EU Partnership for Good Governance (PGG II) Project on “Enhancing the Systems of Prevention and Combating Corruption, Money Laundering and Terrorist Financing in Georgia” a training course on fight against corruption was conducted for 25 prosecutors and PSG investigators. The course covered the topics such as investigation and prosecution of corruption, asset tracing, freezing and confiscation, international cooperation, corporate criminal liability, investigative techniques, collection and admissibility of evidence.

In addition, in the framework of the same project, the training on covert investigative techniques and collection of information was conducted for 12 prosecutors and PSG investigators.

Apart from the above-mentioned trainings, 5 prosecutors and PSG investigators participated in two training events on investigation and prosecution of corruption.

In 2021 Georgia signed agreements of cooperation on combatting crime and police cooperation with Czech Republic and Lithuania. At the end of the year Georgia had therefore such agreements with following 17 EU Member States: Austria, Bulgaria, Czech Republic, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Spain and Sweden.

Georgia keeps also expanding the network of police attachés. In December 2021 Georgia maintained police attachés in following 11 EU Member States: Austria (also covers Hungary), Belgium (liaison officer to NATO, also covers Luxemburg), Czech Republic, France, Greece, Germany, Italy, Netherlands (also liaison officer to Europol), Poland (also covers Estonia, Latvia and Lithuania), Spain and Sweden (also covers Denmark, Norway and Finland). Following 10 EU Member States deployed police attachés/liaison officers to Georgia: Austria, Bulgaria, France, Germany, Greece, Italy, Latvia, Poland, Spain and Sweden. In addition, police attachés/liaison officers from Belgium and Netherlands cover Georgia from third states.

In the framework of the CoE/EU Partnership for Good Governance Project on ‘Enhancing the Systems of Prevention and Combating Corruption, Money Laundering and Terrorist Financing in Georgia’ the special training course on fight against corruption was conducted for 25 prosecutors and PSG investigators. The course covered the topics such as investigation and prosecution of corruption, asset tracing, freezing and confiscation, international cooperation, corporate criminal liability, investigative techniques, collection and admissibility of evidence. In addition, in the framework of the same project, the training on covert investigative techniques and collection of information was conducted for 12 prosecutors and PSG investigators.

As regards anti-money-laundering, Georgia still need to take the relevant measures to address the deficiencies highlighted in the 2017 MONEYVAL in particular to ensure a better assessment of the ML/TF risks it is facing, notably linked to the use of cash and the lack of transparency of legal entities, linked to the absence of proper mechanisms allowing to identify beneficial ownership of legal entities established in Georgia.

## **7. Moldova**

### **7.1. Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission**

As regards document security, with the expiration of the last non-biometric passports on 1 January 2021, citizens of Moldova held only biometric passports. On 31 December 2021 a total of 2 409 271 citizens of Moldova had valid biometric passports.

As regards border protection, Moldova continues to implement the national strategy on integrated border management for 2018-2023 and its action plan for 2021-2023. The current action plan prioritises the development of the system for coordination of border security and inter-institutional cooperation between law enforcement agencies, as well as an increase of capacities for border control, prevention and combating of cross border crime. Additional effort on recruitment and training, in order to increase the numbers of agents and improve their qualification is also included. The communication system TETRA used by the border police was extended. The agency received also additional equipment, including cars, intervention boats, air cushion crafts and unmanned aerial vehicles (UAV).

Moldova border police continued common patrols with relevant services of neighbouring countries. In 2021 there were 168 joint patrols with Romania and 163 joint patrols with Ukraine, including at the Transnistrian segment of the Moldova-Ukraine state border.

In 2021 the border police put a strong accent on integrity training of the employees. 132 agents were trained on integrity and anticorruption in the framework of 8 training courses, reminding participants of the rules of the 2017 code of ethics and deontology of public servants and the 2016 code of ethics and behaviour of customs officers.

As regards cooperation with Member States, on 28 May 2021 Lithuania, under the Grant Contract between the International Centre for Migration Policy Development (ICMPD), the State Border Guard Service (SBGS) and the General Inspectorate of the Border Police of the Ministry of Internal Affairs of the Republic of Moldova, started implementing an action ‘Enhancing capacities of Border Police forces to detect forged identity and travel documents for preventing and combating irregular migration and trafficking in human beings’. The expected date of the implementation of the action is 30 November 2022. In addition, Lithuania implemented measures in the framework of the Bilateral Cooperation Plan for 2021-2022 between SBGS and the General Inspectorate of the Border Police of the Ministry of Internal Affairs of the Republic of Moldova consisting of a meeting of the heads of border guard institutions on management of the flows of irregular migrants, IT solutions and use of drones / anti-drones in border management; and an expert meeting on exchange of experience in border security.

Latvia reported very good cooperation with the Moldovan Border Police based on the Cooperation Agreement. The Latvian State Border Guard in accordance with the agreement provides expertise and exchanges best practices with the Moldovan side on border management issues, risk analysis, developing IT systems documents inspections, trainings and other activities. In order to raise the capacity of Georgian and Moldovan border guard

agencies, the State Border Guard implemented capacity building projects, which were aimed at improving their capacity in the field of dog handling (K9). Since November 2021, the State Border Guard of Latvia posted an Immigration Liaison Officer (ILO) in Ukraine, who is also responsible for Moldova and Belarus. The ILO maintains cooperation with the Moldovan public agencies and implements exchange of information with other EU ILOs posted in Ukraine, Moldova and Belarus, as well as with public agencies involved in combating irregular migration. In October 2021, the Head of the State Border Guard of Latvia and the Chief of Moldovan Border Police agreed on plans for further cooperation.

France engaged in cooperation actions on capacity building covering a study visit to Nice airport by the Air and Border Police of the Republic of Moldova for senior Chisinau Border Police officers on aviation safety, border control, technical and technological means, training of officers and use and implementation of Advanced Passenger Information System (APIS). Germany continued the English language course for first line officers at the airport Chisinau to CEF level 'B2' and provided a service vehicle for the document verification unit.

## **7.2. Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission**

In 2021 Moldova identified 2 736 cases of illegal stay and/or employment by foreigners, mostly from Ukraine, Russia, Romania, Turkey and Israel. 1 250 decisions on withdrawal of the right to stay were issued and 347 foreigners received return decisions. There were 48 cases of escorted removals.

In 2021 the Bureau for Migration and Asylum received 75 asylum applications. 59 decisions on asylum applications were issued, of which 13 for granting refugee status, 8 for granting humanitarian protection and 38 for rejecting asylum applications. Examination of the remaining applications continued. In 2022 the number of asylum seekers in Moldova grew considerably as a result of Russia's aggression against Ukraine – by mid-June there were 7898 asylum applications in Moldova.

On 31 December 2021 there were 437 persons in the asylum system of the Republic of Moldova, of whom 77 were at the stage of examining asylum applications, 173 had refugee status and 187 were beneficiaries of humanitarian protection. 168 applications for recognition of statelessness status were submitted in 2021. The rate of recognition of stateless status was 33%. On 31 December 2021 there were 288 applicants in the procedure for recognition of statelessness status.

As regards applications for international protection, Germany (63% of the total) and France (23%) received the majority of the applications in 2021, followed by Belgium (6%) and Austria (2%).

As regards the number of Moldovan nationals being refused entry, Romania remained the most affected country accounting for 57% of all refusals of entry, followed by Hungary (22%) and Poland (15%). 53% of refusal were due to the lack of appropriate documentation to justify the purpose and conditions of stay. The second biggest share of refusals were related to alerts issued in the SIS or in the national register (24%), followed by 10% of

refusals issued to travellers who have already stayed on the national territory of Member States for the permitted 90-days and 8% of refusals motivated by a risk to public policy, internal security, public health or the relations of one or more Member States.

As regards the number of nationals of Moldova found to be irregularly staying in the EU Member States in 2021, it marked a triple expansion. Hungary was the most affected country, accounting for 70% of the total which is the highest number that has ever been recorded by the country, followed by Germany (12%) and France (7%).

In 2021, France reported the highest number of return decisions of Moldovan nationals (34.6% of the total), followed by Germany (22%) and Czechia (14%). The decreasing trend of 2020 continued in 2021 with a decrease in total returns (-14%). Germany (23%) and France (21%) carried out most of the returns, followed by Hungary (18%) and Poland (7%).

The last meeting of the EU-Moldova Joint Readmission Committee was held virtually in November 2020. Member States confirmed that relevant provisions of the EU Readmission Agreement are generally well respected.

### **7.3. Additional information regarding actions taken in the areas of justice and security**

As concerns the fight against organised crime in 2021 a total of 18 criminal organisations were investigated and 44 of their members were arrested. Most investigations concerned cases of blackmail/extortion, fraud and drug trafficking.

As concerns the fight against drug production and trafficking, in 2021 a total of 598 people were prosecuted and 8 laboratories producing illegal drugs were dismantled.

As concerns the fight against money laundering, since February 2018 this activity is the responsibility of the Office for Prevention and Fight against Money Laundering (OPFML). It supervises and coordinates the 2020-2025 national Anti-Money Laundering and Countering the Financing of Terrorism strategy, which started to be implemented in the beginning of 2021. In 2021 amended AML rules extended the supervision, which previously concerned only banks, to non-bank payment service providers, foreign exchange offices and hotels. Legislation was also modified to oblige all legal persons to provide and publish information on effective ownership.

As concerns the fight against trafficking in human beings, on 10 November 2021 Moldova adopted a new Action Plan for 2021-2022 to implement the 2018-2023 National Strategy for Preventing and Combating Trafficking in Human Beings. The new plan contains actions to implement the recommendations of the international evaluation mechanisms, including those made by Group of Experts on Action against Trafficking in Human Beings (GRETA). The new plan gives major importance to the development of services for victims of trafficking and vulnerable groups, including migrants and asylum seekers, as well as to the systematic and continuous training of investigators, prosecutors and judges to deal with human trafficking cases.

During 2021, a total of 63 criminal cases were filed regarding trafficking in human beings, 50 concerning adults and 13 concerning children. A total of 357 victims were identified, 335

adults and 22 children. Most victims (90%) were trafficked for labour exploitation, with the remaining being destined either to sexual exploitation or begging.

In 2021 Moldova continued to implement the cooperation agreement with Europol. The SIENA information exchange application was widely used.

In 2021 the cooperation with Eurojust continued through the EUROJUST Contact Point. Four Joint Investigation Teams (JIT) have been set up with EU Member States (Bulgaria, France, Italy and Romania); two more were created with Montenegro and Ukraine. The JITs targeted criminal cases regarding money laundering, cybercrime, trafficking in human beings, sexual exploitation, labour exploitation and drug smuggling. As a result, some large scale police operations were carried out together by Moldova and EU Member States in 2021 and in the beginning of 2022, most of them targeting the groups trafficking human beings for labour exploitation.

Several Member States reported extensive joint activities with Moldova in the field of justice and security. In 2021, a German Immigration Liaison Officer (ILO) followed Moldova being deployed in a neighbouring country. Germany continued the Police Capacity Building program by providing training courses and scholarship to Moldovan officials. Furthermore, Germany reported a second exchange of experience with 12 senior MDA officers on the topic of 'Fighting corruption and modern methods for building professional integrity'. France signalled that Moldovan organised crime groups are mainly involved in jackpots on its territory and initiated cooperation actions. Among other initiatives, France delivered a presentation of the organisation and missions of the French Internal Security Forces for staff to the Moldovan Border Police in order to assist them in clearly identifying their potential French partners in the context of international police cooperation, and more particularly in the fight against trafficking between Moldova and France.

Lithuania continues its support to transportation safety of Moldova. In 2021, Lithuanian Transport Safety Administration and Moldovan Ministry of Infrastructure and Regional Development participated in common project 'Safe and interoperable transport system in Moldova (III)'. The project is funded by the Development Cooperation and Democracy Support Program of the Ministry of Foreign Affairs of the Republic of Lithuania. In the frame of the aforementioned project the meetings were held in Lithuania and Moldova where the experts discussed the assurance of safe, efficient and interoperable road, railway, civil aviation and maritime transport system. A visit to Lithuanian State Port of Vilnius was arranged to present the implementation of international maritime treaties and conventions in the field of maritime safety to Moldovan specialists.

Latvia report that State Police investigators have established close cooperation in specific criminal cases with their respective counterparts in Moldova. State Police College has cooperation agreement with Moldova Interior Ministry Academy 'Stefan cel Mare' and cooperates in the fields of scientific research, improvement of the quality of professional activities, exchange programs for teachers and police cadets, as well as in the organisation of joint cultural and sports activities. Latvia participated in several projects on judicial cooperation and assistance provided to Moldova. The first project 'Strengthening the capacity of the Legal Department of the Constitutional Court of the Republic of Moldova' of the



Constitutional Court of the Republic of Latvia aims at strengthening the professional expertise of the lawyers of the Constitutional Court of Moldova and the ability of the courts to conduct constitutional examination consistently, to apply international human rights norms. The second project ‘Online Intensive Programme in European Law and Economics for European Neighbourhood Policy Countries, Central Asia and Western Balkans’ of the Riga Graduate School of Law provides interdisciplinary training on the legal, political and economic functioning of the EU.

Sweden continues to engage in bilateral development cooperation to support police reform in line with the Moldovan Police Reform Strategy (2016-2020), including on community policing and basic tactics in policing. The cooperation has focused on capacity building and transfer of know-how, in order to ensure that the Moldovan Police have a competent and sufficient set of instructors to maintain and disseminate these core policing capacities throughout the country, with the aim of bringing citizens’ needs to the forefront of police work, ultimately increasing the public trust in the police. In terms of community policing, the model suggested to gather, compile, analyse and react to the input from citizens, as regards their security concerns. The model builds on existing local structures to form so called ‘local security councils’, thus gathering local stakeholders to find joint solutions to identified crime-related problems.

In 2021, Moldova also received support from the Swedish Police Authority on institution-building to enhance democratic policing which is governed by the different needs of the citizens based on gender and age. This human rights based approach, in addition to the rule of law, is decisive for the activities promoted within the police organisation, as well as in activities involving citizens directly, for example when implementing community policing and applying basic tactical methods in everyday police work.

## **8. Ukraine**

### **8.1. Additional information regarding the actions taken in the area of migration, asylum and cooperation on readmission**

Ukraine made a significant effort to inform its citizens about their rights and obligations under the EU-Ukraine visa-free regime and the various aspects of EU migration legislation. News and announcements on those topics are regularly published on web portals of the Ukrainian News Agency and broadcasted by Ukrainian public TV. The State Migration Service conducted in 2021 information campaigns on this topic, especially before public holidays, when there is a greater number of departures abroad. In addition, the information campaign ‘Safe Migration’ take place on a permanent basis, via websites and publications. Posters with explanations of the rules of travel under the visa liberalization are posted in all SMS territorial subdivisions where citizens obtain passports.

As concerns document security new draft legislations on passports (terms of validity, reasons for exchange grounds for invalidating) and on use of stolen/forged documents (liability for theft, appropriation, sale and/or forgery) were presented to the Parliament for adoption. Legislative procedure is ongoing.

Ukraine systematically provides data on invalid, lost and stolen travel documents to Interpol. As of 1 January 2022, the Interpol database contained 358 695 records of Ukrainian documents, including 278 009 invalid documents and 80 686 lost and stolen documents (138 559 records were put into the Interpol databases in 2021).

As concerns the border control Ukraine uses the National System of Biometric Verifications and Citizen Identification that allows automatically to check all types of biometric documents. From 1 January 2017 at all international and interstate border crossing points (157) and 3 entry/exit control points (on the administrative line with Crimea) biometric data are collected from citizens of 70 countries considered as ‘migration risk’. All the 157 international and interstate border-crossing points are connected to Interpol databases.

In 2021, Ukrainian law enforcement agencies dismantled 35 groups involved in smuggling of migrants. One of them was part of a larger, international organised crime network, involved in smuggling Asian migrants to EU by sea. This group attempted to recruit experienced Ukrainian sailors to operate boats transporting migrants. Ukrainian element of this crime operation was dismantled.

On 14 December 2021 draft laws on amendments to migration legislation passed the first reading in the Parliament. Those texts should simplify the procedures for decisions on extended stay/residence in Ukraine but also strengthen the sanctions for irregular stay on the territory. Both texts still have to be adopted in the second reading.

In 2020-2021, the State Migration Service continued implementation of the EU-funded IOM-implemented project ‘Support for Migration and Asylum Management in Ukraine (IMMIS)’. In this context, a number of IT systems were implemented, including on visas, biometric identification and verification, migration management and readmission. An information campaign was organised to present the results of the project.

Ukraine continued the preparations to join as observer the European Migration Network (EMN). On 29 October 2021 Ukraine representatives participated in the EMN Council Board meeting to officially present its position and to confirm Ukraine's desire to join the Network. Before the war began, Ukraine expected to join the EMN by mid-2022.

In 2021, several Member States reported bilateral cooperation activities with Ukraine in the field of migration and border management. Belgium informed that Ukraine participated in the pilot phase of the rollout of the automated readmission system (RCMS) aiming at reinforcing the readmission process. Belgium plan to use the system in 2022. Germany continued development of a joint border police situation report and provided equipment for immigration control departments of Kyiv airports. Estonia provided trainings and signalled regular and good cooperation with the Ukrainian border guard officials.

In the frame of the Bilateral Cooperation Plan for 2021-2022 between the State Border Guard Service (SBGS) of Lithuania and State Border Guard Service of Ukraine, a meeting on exchange of experience in border security was held in Lithuania. The topics discussed included management of the state border and irregular migration flows and adoption and amendment of legal acts. Latvia reported that in November 2021 the Immigration Liaison Officer of the State Border Guard was deployed to Ukraine (also for Moldova and Belarus). The Immigration Liaison Officer is deployed in the mentioned third countries with the purpose to strengthen the control of the European Union's external borders and to promote the effective management of migration flows in accordance with the requirements of the Schengen acquis. The State Border Guard Liaison Officer promotes cross-border cooperation and the expansion of professional contacts between law enforcement authorities of the EU Member States and third countries, thus reducing illegal cross-border activities and combating illegal immigration to the EU Member States.

In 2021, Poland reported activities organised for the Ukrainian officials through the national Asylum, Migration and Integration Funds Strengthening Migration and Border Service capacity of Ukraine in the area of migration management. These activities consisted of trainings and workshops hosted in Poland and Ukraine; meetings and official visit organised in Poland; study visits in Poland in the Polish Border Guard Headquarters and Regional Units (Nadwiślański oraz Nadbużański) and Border Guard's posts; internships for Ukrainian counterparts at the Border Guard HQ and guarded centres for foreigners. The overall objective was to improve the Ukrainian ability to manage migration flows on the Ukrainian side through more efficient implementation of the return policy; sealing the EU external border protection; counteracting secondary migration movements; streamlining an existing operational cooperation carried out within the signed EU Readmission Agreement.

## **8.2. Additional information regarding the monitoring of trends in irregular migration, applications for international protection, returns and readmission**

In 2021 8 308 irregular migrants were detected in Ukraine, a 97.95% increase compared to 2020 (4197 irregular migrants). Most of those persons entered legally and extended their stay irregularly; only 7.98% (663) irregularly entered the territory. The main countries of origin of irregular migrants in 2021 were Azerbaijan (1634), Russia (1169), Uzbekistan (862),

Armenia (841), Moldova (566), Georgia (507), Tajikistan (249), Turkmenistan (177), Nigeria (151), Belarus (138) and Vietnam (132). Numbers for other countries of origin (in all 18% of the total) were significantly lower.

In 2021 a total of 810 irregular migrants were detained in the temporary holding facilities (THF), for identification before expulsion. The vast majority of these migrants were from Azerbaijan, Bangladesh, Uzbekistan, Vietnam and Afghanistan.

In 2021, Member States consider that in general Ukraine complied with the terms of the EU Readmission Agreement. Ukraine signed implementation protocols to the agreement with five EU Member States: Austria, Czechia, Estonia, Poland and Lithuania. A readmission dialogue on the drafting of protocols is underway with a further sixteen EU Member States: Bulgaria, Croatia, Cyprus, France, Germany, Greece, Hungary, Italy, Latvia, Malta, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

Estonia reported very good cooperation with the Ukrainian Embassy in identification and issuing travel documents. Croatia signalled that there was no return of Ukrainian nationals to Ukraine, but the cooperation with the Ukrainian Embassy in Zagreb in the procedures of returning Ukrainian citizens in previous years can be assessed as very good. The Swedish Police Authority's cooperation with the State Migration Service of Ukraine in relation to the readmission agreement has improved since 2020, when the cooperation was unsatisfactory.

As regards applications for international protection in the EU by Ukrainians in 2021, the most concerned Member States were France (36% of the total), followed by Spain (16%) and Germany (12.5%).

Similarly to 2019 and 2020, in 2021 more than half of all refusals of entry issued to nationals of the monitored countries were to Ukrainian nationals. Hungary (44% of the total) and Poland (43%) issued the majority of refusals, followed by Romania (6%). The biggest part of the refusals were motivated by a risk to public policy, internal security, external relations or public health, partly due to the COVID-19 pandemic (40%). Considerable number of refusals were issued on the basis of lack of appropriate documentation to justify the purpose and conditions of stay (33%) and 12% of the refusals were related to alerts issued in the SIS or in the national register.

In 2021, the number of irregular stays marked an important decline (27%) compared to 2020. As regards the number of Ukrainian nationals found to be irregularly staying in 2021, Hungary was the most affected Member State (37% of the total), followed by Czechia and Germany (16%) and Poland (14%).

In 2021, Poland issued most of the return decisions to Ukrainian nationals (31%) in the EU, followed by Czechia (20%), Germany (10%) and France (9%). The number of the total returns decreased in 2021 (-21%), with Poland reporting about half of all returns of Ukrainian nationals (48%), followed by Sweden (8%) and Estonia (7%).

### **8.3. Additional information regarding actions taken in the areas of justice and security**

As concerns the fight against organised crime, Ukraine implements a national strategy adopted in September 2020. Following EU recommendations, the Department of Strategic

Investigations of the national police (NPU) was established with the key objective to fight organised crime in Ukraine. In 2021 NPU sent to the court 428 cases concerning organised groups and 41 cases concerning criminal organisations. Ukrainian organised crime groups are involved in a wide spectrum of illegal activities; one of the particularly lucrative ones is the tobacco smuggling.

Concerning the clarification and delineation of competences of law enforcement agencies, there were some efforts to rationalize the functioning and operation between various bodies, however the concrete results were limited. The Action Plan accompanying the 2020 Strategy for Combating Organized Crime, the new legislation on State Bureau of Investigation (SBI), Security Service of Ukraine (SBU) and State Bureau of Economic Security (tax police) are all in various stages of legislative work, but none was as of yet adopted. As result the competences of numerous security and law enforcement agencies in Ukraine remain not sufficiently delineated.

According to second follow-up report by the MONEYVAL of 2020 that was published in 2021, Ukraine achieved full compliance with eleven out of 40 FATF recommendations constituting the international AML/CFT standard. Ukraine retains minor deficiencies in the implementation of another twenty-two recommendations where it has been found “largely compliant”, and larger-scale deficiencies for the remaining six where it has been rated “partially compliant”.

Ukraine saw some progress in 2021 on disclosure of information on ultimate beneficial ownership. Moreover, in 2021 the draft legislation on verification of the beneficial ownership information was registered with the Verkhovna Rada of Ukraine. This addresses the recommendation by the Mutual Evaluation Report of 2017, which advised Ukraine to take reasonable steps to verify the information on UBOs submitted to the Unified State Register is accurate and up to date. However, the effective mechanism for verification of the ultimate beneficial ownership information, in particular through cross-checking with other resources, is missing.

The MONEYVAL in its follow-up report assessed the implementation of new international requirements for virtual assets and the providers of these assets. While registering some progress, MONEYVAL downgraded Ukraine’s rating on the implementation of the FATF Recommendation 15 from “largely compliant” to “partially compliant”.

There is a regular effort in increasing the competences and improving the equipment of NPU. In 2020 a Criminal Analysis Centre became operational. In 2021 most of agents received training in latest versions of analytical software. ‘A Serious and Organised Crime Threat Assessment Methodology in Ukraine’, based on Europol SOCTA Methodology, was created and finally adopted on 26 January 2022.

As concerns the fight against money laundering, the entry in force of ‘Law on prevention and counteracting legalisation (laundering) of proceeds from crime, financing of terrorism and financing of proliferation of weapons of mass destruction’ of 28 April 2020 allowed to accelerate the actions of Ukrainian law enforcement. As a result, in 2021 transactions concerning a total of 8.8 billion hryvnias (the equivalent of EUR 275 million) were

investigated. Frequently related to money laundering were cases of investment fraud – in 2021 a total of 1132 people were indicted on those charges.

As concerns the fight against drug production and trafficking, Ukraine is currently developing a new State Drug Policy Strategy for the period up to 2030. Before the war started Ukraine was preparing a large overhaul of its drug legislation, including a revision of lists of forbidden substances, the question of drug trade on internet, the illicit trade of precursors and procedures of destruction of seized illegal drugs.

In compliance with the requirements of the Memorandum of Understanding between the MHU and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), Ukraine prepares an annual report on the drug situation in Ukraine. Last National Report was submitted to EMCDDA in 2020.

As concerns the fight against cybercrime law enforcement agencies increased their efforts – as result the number of cases investigated progressed from 11 621 in 2020 to 17 884 in 2021. Roughly 60% of all cases, both in 2020 and in 2021, concerned online fraud and financial crimes against bank sector, the rest being various other cases of hacking as well as production/distribution of illegal content.

As concerns the fight against illegal firearms, this is one of priorities of the Ministry of Interior. The main obstacle in this effort is the lack of legislative basis for the creation of a comprehensive, nationwide register of weapons. There were several attempts to draft a specialised legislation but still they were not approved. The scale of the problem is considerable. In 2021 the police registered 4003 criminal offences related to illegal handling of weapons, ammunition and explosives, illicit manufacturing, reconstruction or repair of the firearms or illicit manufacturing of the ammunition, explosives and explosive devices. 3098 various firearms, 3236 grenades and 201 grenade launchers were confiscated. Those numbers are comparable to those of 2020.

As concerns the fight against terrorism, in 2021 the Security Service of Ukraine (SSU) acted against activities in Ukraine of international terrorist and religious-extremist organisations from North Africa, the Middle East, Central and Southeast Asia (including Islamic State and Al Qaeda). 27 persons were detained. 601 foreigners suspected of involvement in international terrorist organisations activities were banned from entering Ukraine. 7 foreign nationals were deported and 101 were forcibly returned to their countries of origin, following suspicion of involvement in the activity of international terrorist and/or extremist organisations.

Cooperation with Europol is regular and systematic. The International Police Cooperation Department has its 24/7 Duty Station and ensures fast information exchange. However, for the moment the limited accesses to SIENA was provided only for 8 Departments within NPU. After ratification of Memorandum of Understanding between Ukraine and Europol on confidentiality and ensuring safety of information the discussions will restart on connecting some other competent Ukrainian authorities to SIENA.

Cooperation with CEPOL was slowed by COVID 19 pandemic, but in February 2021, after cancellation of quarantine restrictions CEPOL EXCHANGE program 2021 could begin. 37

law enforcement officers from Ukraine participated, including in study visits to Lithuania, Portugal and Romania.

As regards measures against corruption, the amended Law on NABU stipulates a commission for the selection of the NABU Director composed of six persons, three appointed by the government and three appointed on the basis of proposals from international and foreign organisations. On 28 December 2021, the EU and US jointly nominated 3 experts to the Selection Commission and subsequently, on 15 February, after the Ukrainian government had announced its 3 Selection Commission members, appointed the commission with all 6 members. The government decree on the establishment of the Selection Commission included a conditionality clause that would allow one of the international members, who also serves in the parallel Selection Commission for the leadership of SAPO, to assume his role only after completion or his prior resignation from the SAPO head selection process. Thus, due to this conditionality clause and the continued blockage of the SAPO selection process, also the NABU selection process could not proceed further. A new SAPO Head was appointed only on July 28, 2022, following a selection process that lasted for almost two years.

Until 1 September 2021, the selection was made under a temporary procedure in which the Prosecutor General and heads of regional prosecutor's offices appointed the candidates after their appropriate approval by the Commission for selection of senior executives of the prosecutor's offices. Its composition and rules of procedure were approved by the Prosecutor General. The Commission was composed of an equal number of prosecutors and external members. The selection procedure was transparent, fair and competitive, and included a thorough integrity, professionalism and leadership check. In 2021, the Commission for selection of senior executives of the prosecutor's offices approved the appointment of more than 100 persons to administrative positions in the Office of the Prosecutor General and almost 600 persons for administrative positions in regional and district prosecutor's offices. The Commission refused to approve the nomination of 56 candidates.

On 1 September 2021, the prosecutorial self-government body - the Council of Prosecutors of Ukraine - resumed its work, taking over the tasks assumed previously by the above-mentioned commission. The powers of the Council include making recommendations on the appointment and dismissal of the First Deputy Prosecutor General, Deputy Prosecutor General, Head of the Regional Prosecutor's Office, First Deputy Head of the Regional Prosecutor's Office, Deputy Head of the Regional Prosecutor's Office and the District Prosecutor's Office. When taking a decision regarding the recommendation for appointment to an administrative position, the Council of Prosecutors of Ukraine takes into account the professional and moral qualities of the candidate, as well as management and organisational skills and work experience. Yet, its procedures lack transparency, meritocracy and integrity-check elements that were part of the temporary regime until 1 September 2021.

There is a legal obligation to carry an annual secret integrity check for all prosecutors, including senior executives. The procedure is conducted by the Internal Security Unit of the Inspectorate General of the Prosecutor General's Office.

As regards the selection of the head of Asset Recover and Management Agency (ARMA), a temporary head was appointed on 4 August 2021. The competition for the selection of the new head started, but the process was not finalised. In September 2021 the composition of the competition commission for a new head of ARMA was approved. The commission is composed of eight members, appointed by the Parliament (3), the Prosecutor General (1), the Director of NABU (1), the Minister of Justice (1), the Minister of Finances (1) and the head of the State Financial Monitoring Service (1).

Czechia provided assistance in order to introduce new procedures and methods for conducting interrogations particularly with vulnerable victims, including equipment for training interrogation room. Czechia further provided anti-corruption training led by the General Inspection of Security Units (GIBS) of their counterparts in Ukraine (SBI, NABU) on know-how and best practice through lectures and practice. The country participated also in a training for filling and processing of complaints to the National police of Ukraine with the objective to identify weak points in the Ukrainian legislation. Czechia reported the project 'Safe City' of Team4Ukraine NGO with participation of Czech Police which aims at developing prevention practices in Uzhhorod area to be used in municipal police reform and will continue in 2022. The Czech Ministry of Foreign Affairs launched also the project on data utilisation in the fight against manipulation and disinformation.

Estonia signalled close cooperation with Ukraine in the field of cyber security and investigation of cybercrimes and investment frauds through participation in Joint Investigation Teams. Latvia reported State Police College has cooperation agreement with Ukrainian National Interior Academy in fields of scientific research, improvement of the quality of professional activities, exchange programs for teachers and police cadets, as well as in the organisation of joint cultural and sports activities. State Police Forensic Service Department has participated in experts exchange program with Ukrainian law enforcement agency experts. The Netherlands informed of an agreement signed on 20 September 2021 by Head of National Police of Ukraine and Dutch Ambassador to Ukraine on the Privileges and Immunities of Liaison Officers Seconded by Ukraine to Europol. The Netherlands and Ukraine cooperate bilaterally on cyber issues. The main focus is on the MH-17 investigation and cybercrime.

In 2021, France implemented several cooperation projects in Ukraine, including training on democratic crowd management during demonstrations or major events for the benefit of 50 staff in the centre of the Ukrainian National Guard (GNU) in Staré. The main objective of the initiative was to strengthen the cooperation links between GNU and the Internal Security Service (ISS). A thematic training course GN-D18 Protection-Stage on protective techniques at the Intervention Group of the National Gendarmerie (GIGN) took place in France with the aim at assimilating various techniques in the field of security/terrorism. France provided also thematic information traineeship GN-D2C on the best European policing techniques for commanders of a squadron from the Ukrainian mobile gendarmerie.