



European
Commission



Managing Migration in all its aspects

Commission Note ahead of the
June European Council 2018





“Our common European values and our historic responsibility are my starting point when I think about the future of Europe’s migration policy. My experience tells me that Europe will need more solidarity to prepare for the future. The future of a prosperous continent that will always be open for those in need, but that will also deal with the challenge of migration together, and not leave some to cope alone.”

Jean-Claude Juncker, 1 May 2014, then-Candidate for European Commission President

Building on the work initiated by the Commission in 2015, European leaders agreed on the need to work towards an agreement on reforming the Common European Asylum System by the end of June 2018.

Six months have passed since then. Significant progress has been made and almost all elements of the asylum reform — 5 out of 7 legislative proposals are advancing very well in trilogue discussions with the European Parliament and Council. The outstanding points invariably hinge on different conceptions of how best to balance responsibility and solidarity.

The Commission believes there is now scope for a compromise solution going forward, so that we can incorporate the lessons learnt over the last years. The European Council on 28-29 June 2018 is an important opportunity for advancing this necessary debate.

A PROVEN TRACK RECORD

The European Union is not starting from scratch when it comes to migration and border management. Over the past 20 years, the European Union has put in place common asylum standards in line with international law. And over the past 3 years the European Agenda on Migration proposed by the Juncker Commission in May 2015 has guided the advances in European migration policy that were needed to respond to the substantial challenges faced.



PROTECTING OUR BORDERS

The EU has started to demonstrate the step-change needed to achieve a truly integrated management of our external borders, with the roll-out of the European Border and Coast Guard, the introduction of systematic checks on everyone crossing our borders, and improved, interoperable IT systems to exchange information between Member States in real time.

- Around **1,300 EU border guards** are now helping Member States patrol the external borders in places like Greece, Italy, Bulgaria and Spain.
- An additional rapid reaction pool of **1,500 border guards** is on standby to intervene quickly whenever a Member State requests support.

Scaling up the EU's border agency

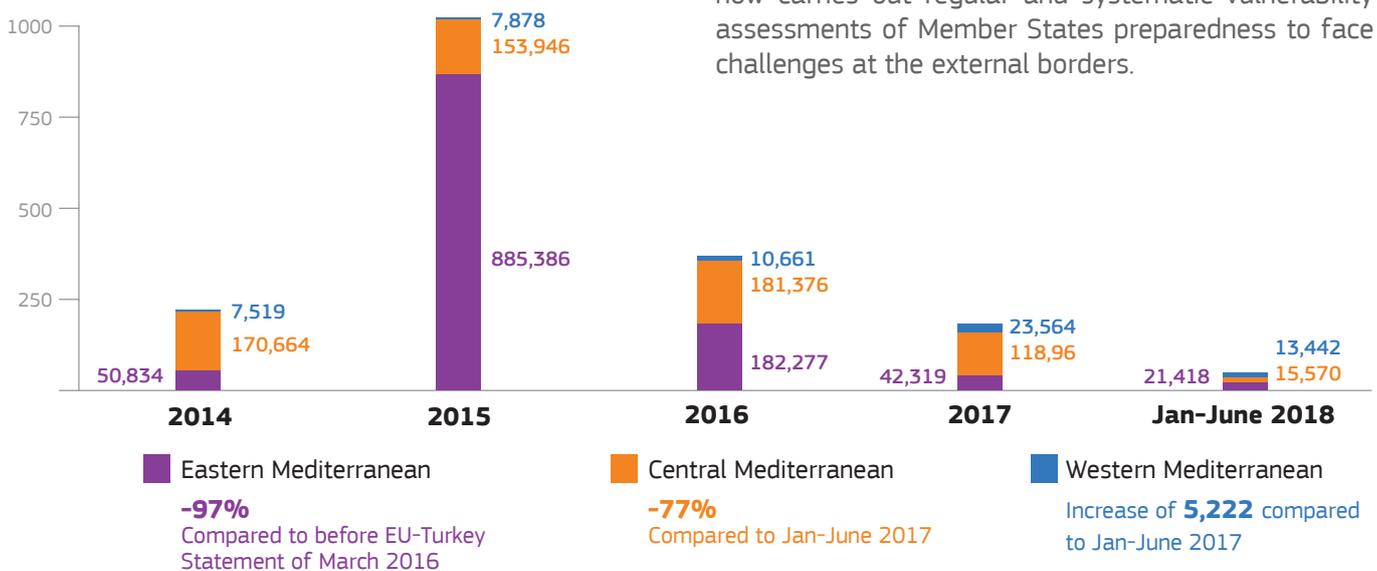




STOPPING IRREGULAR MIGRATION

There are those that claim a reduction in the arrival numbers is a pre-requisite for progressing on other aspects of a common European migration policy but the reality is that this has largely been achieved. The numbers are in fact back - and even below - pre-crisis years.

- **Eastern Mediterranean route:** arrivals dropped by 97% — from 10,000 per day in October 2015, to an average of 81 following the EU-Turkey Statement.
- **Central Mediterranean route:** following our joint work with Italy, with Libya, Niger and other sub-Saharan countries, arrivals are down by 77% in 2018, compared to the same period last year.
- **Western Mediterranean route,** while arrivals are increasing, they do so from a low basis and action is being taken to maintain control over these developments.



EU CRISIS MANAGEMENT

In the face of crisis, the EU activated and set up new crisis management mechanisms to avert a humanitarian crisis and ensure coordination across the Union.



- Weekly and bi-weekly video-conferences organised by the Commission with all countries along the Western Balkan Route ensure a regular information exchange and pragmatic solutions to tackle and prevent crises.
- The Council's integrated political crisis response arrangements provide for political coordination at the highest level.
- The bolstered European Border and Coast Guard Agency now carries out regular and systematic vulnerability assessments of Member States preparedness to face challenges at the external borders.



SAVING LIVES AT SEA

EU operations at sea help save lives. When tragedy struck in the Mediterranean, the EU reacted swiftly, launching two new operations and tripling the number of boats at sea.

In 2015, 2016 and 2017 EU operations contributed to:



Over 634,751 lives saved



Over 148 traffickers and smugglers apprehended by Operation Sophia



550 vessels removed



Operation Sophia: 1,154 staff, 6 ships, 4 planes, 2 helicopters

Operation Themis: 260 staff, 10 ships, 2 planes, 2 helicopters, 14 mobile offices

Operation Poseidon: 519 staff, 14 ships, 1 plane, 2 helicopters, 3 mobile offices



SHOWING SOLIDARITY

Responding to the challenge of the 2015 refugee crisis, the EU mobilised unprecedented financial and operational means to support all Member States facing heavy migratory pressure.

- The EU institutions used all flexibility in the EU budget to **mobilise additional funds**. The Asylum, Migration and Integration Fund was more than doubled (+123%), funding for decentralised agencies increased by 86%, and Emergency Assistance increased by almost 500%.
- **Hotspots** have been set up to ensure that all people arriving are properly registered and fingerprinted; and EU agencies were strengthened with additional resources.
- Over 800,000 items such as blankets, mattresses, beds and tents as well as teams and equipment, shelter and medical supplies have been channelled through the **EU Civil Protection Mechanism** to the most affected countries.
- An **emergency mechanism** has shown that if Member States are willing, relocation can work, with 34,695 — more than 96% of all eligible candidates — relocated from Italy and Greece to other EU Member States.
- To help refugees where they are and reduce the incentive for irregular migration, the EU put in place **innovative funding solutions** such as Trust Funds to leverage funding beyond the limits of the budget:

Investing in migration

2006-2013



2.2 BILLION

2014-2020



6.8 BILLION

2021-2027



10.4 BILLION

Trust Fund for Africa

€2.98 BILLION

€419 MILLION

€1.2 BILLION

External Investment Plan for Africa

€4.1 BILLION

Facility for Refugees in Turkey

€1 BILLION

€2 BILLION

€3 BILLION

Trust Fund for Syria

€1.25 BILLION

€150 MILLION

Jordan

€1.9 BILLION

Lebanon

€1 BILLION

Serbia

€70 MILLION

Former Yugoslav Republic of Macedonia

€23 MILLION



EU Budget |



Member States |



Funding Gap

- **Resettlement** has eased some of the pressure on EU Member States at the external border and offered a safe and legal pathway to those in need of international protection.
 - Since 2015, two successful EU resettlement programmes have helped over 32,000 of the most vulnerable find shelter in the EU.
 - Member States made the largest collective commitment on resettlement the EU has ever seen with the new EU 50,000 resettlement scheme proposed by President Juncker in September 2017 – with 4,252 already resettled.
 - The first ever EU-wide resettlement framework agreed last week will set 2 year plans targeting commonly agreed priority regions.



RETURN AND READMISSION

The EU has worked with countries of origin and transit, using an effective range of measures: the EU-Turkey Statement, the Partnership Framework, increased EU funding, and our work with the Western Balkans countries are all significant steps forward in addressing the root causes of irregular migration.

- We have seen significant progress in securing third countries' cooperation on readmission of their own nationals:
 - **17 Readmission agreements** with countries across the world (Hong Kong, Macao, Sri Lanka, Albania, Russia, Ukraine, Former Yugoslav Republic of Macedonia, Bosnia & Herzegovina, Montenegro, Serbia, Moldova, Pakistan, Georgia, Armenia, Azerbaijan, Turkey, Cape Verde)
 - **Plus 6 new arrangements** agreed in the last two years alone (Afghanistan, Guinea, Bangladesh, Ethiopia, The Gambia, Ivory Coast)

- In Libya, the successful co-operation under the African Union — European Union — United Nations Taskforce continues to deliver results:
 - 1,409 evacuated under the Emergency Transit Mechanism with the UNHCR to Niger
 - 20,000 voluntary returns from Libya since November 2017
 - An additional €70 million will be used to accelerate resettlements under the Emergency Transit Mechanism and ensure that voluntary return and reintegration assistance can be continuously provided by the IOM

WHERE WE ARE NOW

After agreeing on a European Border and Coast Guard Agency in the record time of just 9 months, the European Union is now better equipped than ever before to confront the challenges posed by variable migration pressures. It does not, however, mean our work in this area is over – far from it. The crisis exposed the weaknesses in the current EU asylum rules that lead to varying treatment of asylum seekers across the EU and encouraged movements from one Member State to another. Arrivals are now back at pre-crisis levels but underlying structural migration pressures remain strong – meaning we have a window of opportunity to fix the weaknesses, before the next crisis slams it shut.

There are 7 legislative proposals initiated by the Commission in 2015 on asylum reform that can help Europe learn the lessons of the past and equip the Union with a future-proof means of managing migration.

5 out of the 7 have already been or are ready to be wrapped up:

EU LEGISLATIVE PROPOSALS READY TO BE CONCLUDED BY BOTH PARLIAMENT AND COUNCIL

Proposal	Progress	Outstanding Issues
Receptions Conditions This proposal will harmonise reception conditions throughout the EU.	Compromises have been found on virtually all issues, including geographic restrictions, limitations on the provision of reception conditions when applicants abuse the system, unaccompanied minors and on earlier access to the labour market.	Trilogue between the European Parliament, the Council and the Commission significantly advanced.
Asylum Qualification This proposal will harmonise protection standards in the EU and put an end to secondary movements and asylum shopping.	Compromises have been found on virtually all issues, including a full harmonisation of asylum criteria, new obligations for asylum seekers, measures to discourage secondary movements and status reviews.	Trilogue between the European Parliament, the Council and the Commission significantly advanced.
Asylum Agency This proposal will establish a fully-fledged European Union Agency for Asylum.	Compromises have been found on virtually all issues, the new Agency will provide increased operational and technical assistance to Member States, particularly those subject to disproportionate pressure, including through the establishment of an Asylum Reserve Pool of 500 experts to allow for rapid deployment.	Trilogue between the European Parliament, the Council and the Commission significantly advanced.
Eurodac This proposal will adapt and reinforce the Eurodac fingerprint database to facilitate returns and help tackle irregular migration.	Compromises have been found on many issues, such as access by law enforcement to the database, the registration of minors and the addition of other biometric data.	The outstanding issue concerns the storage period for data.
Resettlement Framework This proposal will align how EU Member States resettle recognised refugees from outside EU territory, such as those in refugee camps.	Compromises have been found on virtually all issues, including two year resettlement plans, and harmonised procedures for helping the most vulnerable while ensuring stringent security checks.	Trilogue between the European Parliament, the Council and the Commission significantly advanced.



EU LEGISLATIVE PROPOSALS WHERE THE COUNCIL HAS NOT YET REACHED AN AGREEMENT

For the two remaining proposals, despite the different positions and often controversial discussions, much progress has been made even if further work is still needed to settle the outstanding points.

Proposal	Progress	Outstanding Issues
Dublin System This proposal aims to create a fairer, more efficient and more sustainable system for allocating asylum applications among Member States.	Good progress has been made during the Bulgarian Presidency on the need to address the current serious efficiency gaps, leading to secondary movements as well as on the need to have mechanisms preventing a crisis from unfolding and ensuring Member States will benefit from support to face unforeseen events or disproportionate pressure.	The primary outstanding issue concerns different components of solidarity that should apply to all and the length of the principle that responsibility needs to be as stable as possible in contrast to the current system of shifts of responsibility which has led to secondary movements.
Asylum Procedures This proposal will reduce differences in recognition rates, discourage secondary movements and ensure common effective procedural guarantees for asylum seekers.	Good progress has been made on a number of issues, with broad consensus on the need for a quicker and more efficient start of the asylum procedure, clear and stricter rules to prevent abuse, and the establishment of a common EU list of safe third countries that all new asylum applications would be checked against.	Progress on the Asylum Procedures reform remains contingent on progress on the Dublin reform. Other key issues include time limits for the admissibility procedure and for appeal decisions.

THE WAY FORWARD

The Commission believes there are several areas where the EU and its Member States can make significant progress – areas in which we are far more united than we are divided, and where coordinated European action can make a world of difference.

At the June European Council, EU Leaders should refocus priorities on areas where advancement is possible.



STABLE ASYLUM CONDITIONS

- The enormous amount of work undertaken on the EU's asylum system reform should now be advanced swiftly. Years of preparatory work have laid all the ground work needed for reaching a compromise.
- The 5 EU legislative proposals on strengthening the Common European Asylum system which are at a significantly advanced level of negotiations should now be rapidly concluded.
- On the remaining two, there is already broad consensus in the Council on the broad contours of a preventive solidarity mechanism including financial support to Member States under pressure and those taking part in solidarity efforts, as well as priority access to the support from the concerned EU agencies. There is also growing support for agreeing on an EU list of safe third countries and safe countries of origin that all new asylum applications would be checked against to see if transferring responsibility for the asylum claim is possible.
- The Commission calls for an agreement on all components of a strengthened Common European Asylum System before the end of the year.

PROGRESS TOWARDS BETTER EU BORDER AND MIGRATION MANAGEMENT SHOULD ALSO INCLUDE

Stepping up Returns and Readmission:

The challenge now is for Member States to use newly agreed return agreements and arrangements to effectively return people who have no right to remain in the Union, notably by making use of the European Border and Coast Guard’s support as well as increasing pre-removal detention capacity.

Slow progress on improving the EU’s effective return rate

2014	2015	2016	2017
36.3%	36.8%	45.8%	36.6%

Stepping up our engagement with North African countries:

More can and should be done with North African countries such as Morocco and Tunisia to help **stem irregular migration** at the source, including topping-up the EU Emergency Trust Fund for Africa – where there is €1.2 billion funding gap – and in particular the North Africa window, which the EU will mobilise a further €145 million for, leaving a remaining €80 million gap. An additional effort of around €500 million from Member States until the end of 2019 would mean the vast majority of the needs would be covered.

Stablising the implementation of the EU-Turkey Statement:

The implementation of the EU-Turkey Statement – which has brought arrivals to Greece down by 97% – requires engagement and sustained efforts from all sides. From the EU side, this includes a swift agreement on the second €3 billion instalment for the Facility for Syrian Refugees in Turkey – the fund that has given 500,000 Syrian children access to education, constructed 175 schools and which supports 1.2 million of the most vulnerable families with monthly cash transfers. Member States should also activate the **Voluntary Humanitarian Admission Scheme** to ensure continued resettlements from Turkey can be carried out on simpler and more beneficial terms for the EU.

Helping protect the external borders:

The long-term viability of the Schengen area of free movement is dependent on the EU’s ability to effectively manage its external borders. Member States swiftly need to fill the gaps in staffing and equipment for the **European Border and Coast Guard** – which can currently only cover 74% of the human resource and 71% of technical equipment needs. They should also agree to continue scaling up the European Border and Coast Guard, notably with additional resources under the next long-term budget.

	LAND BORDER OPERATIONS (GREECE/FYROM; BULGARIA)	SEA BORDER OPERATIONS (THEMIS, POSEIDON, INALDO)
Border guards needed	46	28

	VESSELS	AIRCRAFTS	VEHICLES
Assets needed	13	3	20

To this end, the Commission will swiftly propose new legislation to transform the European Border and Coast Guard into a genuine EU Border Police and to transform the European Asylum Support Office into a genuine EU Asylum Authority.

When it comes to **search and rescue**, the EU should explore further engaging North African countries and partners such as the UNHCR and IOM in discussions on a regional disembarkation scheme. This would have to be combined with voluntary return packages, enhanced resettlement efforts and further financial support. EU Member States might also wish to look into, in the framework of international law, regional arrangements on disembarkation and search and rescue in the Mediterranean.

