



Presidency report

Joining efforts on migration

7 March 2016

In the February Presidency report, building on progress made, a comprehensive and systematic approach to the current migration crisis were outlined. The European Council has been unequivocal in its request to continue this approach and to deliver results concerning the implementation of the EU-Turkey Action Plan, to progress towards establishing a European Border and Coast Guard, and to restore the normal functioning of the Schengen area and alleviate humanitarian distress along the Western Balkans route.

The Council at different levels has acted in accordance with this guidance. This Presidency report offers a state of play since 18 February. The report focusses on those elements encompassing the comprehensive approach, which have a specific importance in the context of the lunch meeting of the EU heads of state or government and Turkey on 7 March and the subsequent meeting of the Members of the European Council. This report presents the developments and seeks further steering on the following issues:

- 1.** EU-Turkey Joint Action Plan
- 2.** Concerted action to situation in Greece and along the Western Balkans route
- 3.** Coordinated approach to hotspots
- 4.** Cooperation with third countries
- 5.** External border management


The Presidency values greatly current cooperation with Turkey on migration and calls on Member States to join up their efforts, both amongst ourselves and with the Turkish partner. Our combined efforts can generate an amplified impact on the stemming of migration flows and the alleviation of the humanitarian distress.

1. EU - Turkey Joint Action Plan

The challenges Turkey is facing are serious and complex; we therefore appreciate the efforts to cooperate on those problems we are facing together. Such cooperation is key to finding a short and medium term solution to the migration crisis. As reiterated by the February European Council, the full and speedy implementation of the EU-Turkey Joint Action Plan is a priority in order to stem migration flows and to tackle traffickers and smuggling networks. The fulfillment of the obligations on both the EU and the Turkish side is paramount to the success of the Joint Action Plan, and subject to constant joint monitoring, i.a. through the EU Turkey data collection cycle within the Integrated Political Crisis Response (IPCR) arrangements framework.

Turkey has delivered on allowing Syrian refugees, who are registered in Turkey for at least six months access to the Turkish labour market and to education. It has introduced visa requirements for Syrians who wish to enter Turkey via third countries, as well as for Iraqi citizens and has also stepped up its interception capacity of migrant smugglers and facilitators. This has led to concrete results both on curbing the criminal economy that goes with smuggling and the apprehension of numerous irregular migrants before departure.

However, the flows of irregular migrants arriving in Greece from Turkey remain much too high. The constant joint monitoring exercise still shows a



high number of irregular entries from Turkey into the EU. A substantial and sustainable net-reduction of this number of illegal entries from Turkey into the EU is imperative and a joint approach in realizing this is necessary.

On the EU side, an agreement was reached on the Facility for Refugees in Turkey; a first meeting of the joint Steering Committee took place on 17 February. All participants stressed the necessity of swift and tangible results. The EU has also made progress on the development of the voluntary humanitarian admission program (HAP). The draft Standard Operating Procedures (SOP) have now been discussed twice. The second draft has been shared with the Turkish side upon which there was a first exchange of view with the Commission and the Presidency. The aim is to finalize the setting up of the humanitarian admission program in order to be able to swiftly implement it in relation to a substantial and sustainable reduction of irregular migration from Turkey to the EU.

The Presidency welcomes NATO's announced role in the Aegean Sea to support local authorities through monitoring and surveillance of illegal crossings in the territorial waters of Greece and Turkey. Close cooperation between Frontex and NATO helps assure greater exchange of information between Greece and Turkey.

The Council furthermore welcomes the positive developments of discussions between Turkey and Greece on the swift implementation of their bilateral readmission agreement. It also welcomes the effective use of the possibilities offered by Directive 2013/32/EU to declare certain applications inadmissible. Greece's firm intention to accelerate readmissions to Turkey has thus far resulted in a first transfer of 308 returnees on 2 March. And there is a willingness on both sides to operationalize an effective, comprehensive and fast-track return of irregular migrants through readmission on the basis of the existing readmission agreement. Work is being undertaken on a bilateral basis to operationalize these structures.

2. Concerted action to situation in Greece and along the Western Balkans route

Ahead of the JHA-Council meeting of 25 February, a meeting in IPCR format took place with all the countries along the Western Balkan route, i.e. AT, DE, EL, FYROM, HR, SI, RS and the Commission (and Bulgaria as observer) as was also done in the format of the Foreign Affairs Ministers. They discussed the situation on the ground and the ongoing 'wave-through' practices. This issue was also discussed at the JHA-Council meeting.

The Presidency invites the Commission and Member States to join up their efforts in answering the needs of people in the most affected regions. This is particularly pressing in Greece and along the Western Balkans route, given the current trend of frontier closures, in reaction to the high migratory pressures on borders in the region.

According to UNHCR estimates, at present, due to increased closures along Greece's northern border, as well as the policy of some countries on the route to deny entry to particular nationalities, around 25,000 migrants cannot now move forward and are stranded, both on the Greek islands and in mainland Greece. Another 20,000 will very shortly be in a similar situation at various crossings along the route, if border restrictions continue. The Greek situation is set to worsen considerably, given continued daily arrivals, averaging between 2,000 – 3,000. The Presidency is actively engaged on all political and administrative levels in an attempt to ensure an adequate response to these developments, while



at the same time taking the necessary steps in contingency planning, with the valuable input of UNHCR, for a worst-case scenario.

The European Council has called for further concerted action and an end to the wave-through approach and to uncoordinated measures along the route, taking into account humanitarian consequences for Member States affected. It has underlined the need to get back to a situation where all Members of the Schengen area apply fully the Schengen Borders Code and refuse entry at external borders to third-country nationals who do not satisfy the entry conditions or who have not made an asylum application despite having had the opportunity to do so, while taking into account the specificities of maritime borders, including by implementing the EU-Turkey agenda. The Presidency will ensure a swift follow-up in the Council of the recent Commission communication on restoring the full functioning of the Schengen area.

Following the European Council meeting on 18-19 February, the Presidency has consistently underlined the importance of all partners respecting the European framework and being transparent and inclusive in the prior communication of their border policies, of the vital need to get cooperation with Turkey right with a view to stemming the flow of migrants, and for all Member States to take their responsibility and implement existing European agreements, especially those on relocation and support to EU agencies.

In this context, the Presidency has stressed in all roundtables of the IPCR the need for humanitarian aid to become available within the EU. Therefore, it warmly welcomes the European Commission's proposal for a Council Decision that would allow applying humanitarian aid within the EU. The Presidency will deal with this proposal as a matter of priority in the coming days.


Finally, the Presidency strongly encourages all Member States to respond to the updated needs assessments in the framework of the EU's Civil Protection Mechanism.

3. Coordinated approach to managing migratory flows in Greece and Italy

Our policy will not bring rapid and tangible results without clear changes in the way we implement it. Registration and identification, full security checks, proper information to migrants, humane reception and detention facilities, and distributing the burden by relocation, access to the national asylum procedure, as well as swift implementation of return decisions should all form part of an integrated process, in order for our system to become more effective as an alternative to 'wave-through'.

The Presidency is committed to making this process work successfully. During the Council meeting of 25 February, the Presidency made a strong call to Member States to deliver on proper functioning hotspots and on the need to get relocation working. Better coordination between the national and European services throughout the process is needed to achieve the necessary results and properly assist Greece and Italy in this European challenge. Member States must be prepared to invest the necessary personnel and resources so that relocation and return operations gather significant pace. Greece and Italy are invited to make full use of the resources offered by Member States and to organize hotspots in a way that leads to relocation, access to the national asylum procedure or return.

The Presidency monitors carefully progress made on setting up this integrated process, through visits to the relevant facilities in Greece, bilateral meetings with all Member States on working level and ministerial



level, IPCR working-level and high-level roundtables, as well as all other relevant discussions in the Council. Based on the experiences gained, a comprehensive recommendations paper is being prepared by the Presidency in order to further streamline these processes. This is an important instrument to relief pressure in Member States of first entry, which can improve the humanitarian situation of migrants there.

4. Cooperation with third countries

The EEAS and the Commission, facilitated by the Presidency, aim to shortly discuss cooperation with all countries that fall under the umbrella of the High Level Dialogues. The first four packages, regarding Pakistan, Bangladesh, Algeria and Morocco after having been on the agenda of Coreper, are discussed by the High Level Working Group on Asylum and Migration (HLWG) and the regional and thematic working groups. Member States are strongly encouraged to provide input on the content of the packages by identifying the preferred and most effective leverages, red lines as well as contributions on a bilateral level.

The EEAS and Commission have prepared packages for Ghana, Ivory Coast, Nigeria, Senegal and Mali which were discussed in Coreper on 2 March. Discussions in the HLWG and the regional and thematic working groups will follow shortly. The next country packages for several African countries in the Horn of Africa and for Afghanistan will follow soon. Work is ongoing on comprehensive packages for Lebanon and Jordan, with a view to discussing this among Member States as soon as possible.

5. External border management

The setting up of the European Border and Coast Guard is a critical element for maintaining free circulation within the Schengen area as it is meant to provide a credible response to today's challenges and play a pivotal role in strengthening the external borders.

Answering the European Council's call to step up efforts to set up the new Agency, the Presidency is optimistic about the progress of discussions in the Council, given the complexity of the task. Agreement in principle was reached on some elements of the text, including some very important provisions for the functioning of the Border and Coast Guard Agency. This initial agreement is encouraging for the continuation of our common efforts. The Presidency underlines the need for a continuation of this constructive attitude by all Member States to allow the Council to deliver on the request by the European Council.

Meanwhile, the Council has rapidly reached a Council position on the Commission proposal to amend the Schengen Borders Code as regards the reinforcement of checks against relevant databases at external borders. This will contribute significantly to enforcing security within the EU.

As regards the European Parliament, a rapporteur has been appointed for both aforementioned proposals and discussions in Parliament have started. The Presidency is in close contact with the Parliament so that the work carried out by the two institutions progresses in parallel.