



Council of the
European Union

**Brussels, 28 February 2018
(OR. en)**

**6283/1/18
REV 1**

LIMITE

**ASIM 10
RELEX 131
COMIX 62**

NOTE

From:	Presidency
To:	Permanent Representatives Committee/Council
Subject:	Migration - overview of implementation and way forward

Introduction

In 2017, the actions taken by the EU and its Member States to protect the external borders and to manage migration flows resulted in positive developments and tangible results. 706 913 asylum applications were recorded in the EU, a decrease of 43% compared to 2016. For the second consecutive year, fewer applications were made after the unprecedented influx in 2015 and 2016. The total number of irregular migrants arriving via the Mediterranean Sea shows the same trend. In 2017 the number of irregular border crossings into the EU decreased markedly to 204 734. This is 60% lower than in 2016 and 28% lower than in 2014.

Despite the overall decrease, the 2017 total number of asylum applications remained at a slightly higher level than the number of applications lodged in 2014, indicating that the asylum systems continue to be under strain. The same goes for the arrivals via the Mediterranean in general. While the general trend is decreasing, the situation on the various routes varies and some are under increased pressure. Thus, there is still a lot to be done. On the other hand, the developments in 2016 and 2017 clearly prove that if the Member States make a strong and coordinated effort, if they tackle this challenge together, as a Union, progress is possible.

But even if the overall trends are promising, this is not the time to rest. Migratory pressure is not likely to disappear in the short to medium term. The current stable migratory situation of relatively low figures gives us the opportunity to continue our joint engagement towards a crisis-resistant migratory framework. This requires more efforts as regards both the internal and external dimensions. As different trends emerge and pressure shifts between the routes, a tailor-made EU response remains of utmost importance.

We have to continue and step up our work along the migration routes by further strengthening the external borders, ensuring effective cooperation with the transit countries and providing the necessary support to the countries of origin to fight the root causes of migration. In this aspect, prevention in origin is key in order to address the conditions that lead to migration.

Way forward

In light of the above, we should ensure continuation and consolidation of the progress made so far, focusing on the following main areas:

1. Border management: to be able to provide an area of freedom, justice and security, it is of utmost importance to ensure full and effective control of the EU external borders. The changing patterns of migratory flows require continuous vigilance on all migration routes and call for prompt reactions. This involves in particular:
 - continuing to support the Member States directly affected, including through continued assistance from EU agencies, especially from the European Border and Coast Guard Agency (Frontex) and support further all its on-going operations in the Mediterranean;
 - stepping up contributions by the Member States to Frontex operations in the Mediterranean and other irregular migration routes;
 - further developing and implementing Integrated Border Management;
 - enhancing information collection and data sharing within the EU, between Member States, JHA agencies, and CSDP missions and operations, as well as with international partners;

- analysing the collected information and data, in order to support the corresponding decision making processes and the planning of appropriate measures.

2. Cooperation with third countries: comprehensive migration management cannot be ensured only by border controls. Cooperation with third countries should be further developed and reinforced, with a special focus on countries of transit to make sure that irregular migratory flows are traced at an earlier stage and that international protection, if necessary, can be sought in these countries. In the Presidency's view, this should lead to the following actions:

- ensuring the full implementation of the EU-Turkey Statement by continuing the operational dialogue on migration with the Turkish authorities, especially on returns and information-sharing, as well as increasing the pace of returns to Turkey, including through the effective application of the EU-Turkey Readmission Agreement and bilateral readmission obligations with its neighbours;
- further assisting the Libyan authorities and all Libya's neighbours to enhance border management capacity;
- close monitoring of the situation along the Western Mediterranean route, also including efficient support to key countries of departure, like Morocco, Algeria or Mauritania, in their efforts to stem irregular migratory flows;
- supporting operational cooperation with third countries to tackle criminal networks involved in migrant smuggling through capacity building of law enforcement and judicial authorities, in order to enhance the response;
- committing to further resettlement pledges and swiftly implementing them with the aim of resettling at least 50 000 persons by 31 October 2019 from different priority regions and ensuring swift implementation of ongoing resettlement processes, including the evacuation from Libya in cooperation with UNHCR; supporting the work of the Joint AU-EU-UN Taskforce to address the migrants' situation in Libya;

- contributing to sufficient funding of UNHCR and IOM programmes in order to enable those agencies to continue their work in transit countries; their efforts to accelerate voluntary returns from Libya to countries of origin deserve our particular support.

The prevention of flows of migrants who intend to enter the EU for economic reasons should be further strengthened by increasing the prospects of potential migrants in their country of origin. While this is initially a task for these countries themselves, the EU should be willing and ready to contribute where its assistance is needed and wanted. To enhance coordinated efforts in pursuit of this goal, we should continue our efforts towards:

- ensuring sufficient and targeted funding, including through the EU Trust Fund for Africa, to underpin the necessary migration-related actions in the main countries of origin of migrants of the Central Mediterranean route;
- providing the necessary funding for the EU Trust Fund for Africa to implement the results achieved at the African Union-European Union Summit of 29 and 30 November 2017;
- reinforcing the strategic partnership with Africa, including by rapidly implementing all the components of the EU External Investment Plan and projects aiming at providing alternatives and addressing the socio-economic root causes of irregular migration;
- developing pilot projects on legal migration with selected third countries.

3. Returns: we have to continue our work towards an effective implementation of return decisions. Effective returns send a strong signal against the risks of dangerous irregular journeys to the EU in the first place and also show that the EU and its Member States are serious about addressing illegal migration. It is also the only way to ensure continued public support for our ever-growing efforts to provide protection to those who genuinely need it. Member States, the EU and Frontex should make additional efforts to deliver effective returns, including in particular:

- stepping up the efforts to implement the Recommendation on a more effective return policy in the EU¹ and ensure that those who are the subject of return decisions are effectively returned;
- providing Frontex with a fully functioning return capacity in order to increase the number of returned migrants, either in operations organized in cooperation with the Agency or through national operations;
- ensuring that appropriate assistance can be provided in a timely manner to Member States in conducting their return activities. In this context, the full potential of the newly established European Return and Reintegration Network should be used to assist both Member States and the Agency;
- strengthening and streamlining the already existing networks as well as the EMLOs (European Migration Liaison Officers), the EU Delegations and the Liaison Officers of the EBCG to third countries;
- enhancing the efforts to negotiate and conclude readmission agreements and operational arrangements with partner countries;
- adopting a tailor-made approach, using all relevant EU policies, instruments and tools, including the identification of appropriate levers and incentives, such as visas, development and trade, to achieve tangible results in terms of cooperation in the field of return and readmission.

¹ Commission Recommendation of 7 March 2017 on making returns more effective when implementing Directive 2008/115/EC of the European Parliament and of the Council (doc. 6949/17).

4. Resources: in order to ensure that the appropriate resources – financial, human and technical – are available at the right moment, we should focus our efforts on:
- continuing financial support for Member States directly affected by migratory pressure through the Asylum, Migration and Integration Fund or other relevant instruments, in particular in the areas of reception, asylum and integration, while ensuring the necessary degree of flexibility;
 - in view of the negotiations for the post 2020 MFF, ensuring that financial instruments will cover identified gaps, are sustainable over time and that the Member States and the EU are equipped to respond quickly to situations of sudden crisis;
 - ensuring that projects financed by the EU have a direct impact when it comes to achieving the goals agreed at political level.

Against this background delegations are invited to express their views regarding the current situation and the next steps to be taken.