

## What has the European Union done in the field of migration since 2014?

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In response to the migration challenge, on 13 May 2015 the European Commission presented the [European Agenda on Migration](#), with the aim of setting out a comprehensive approach for improving the management of migration in all its aspects. Several [implementation packages](#) under the Agenda have already been adopted and the measures therein are starting to be deployed; legislative proposals have also been made and are currently being discussed in Parliament and Council.

### Hotspot approach

An important measure has been the setting up of the **Hotspot approach**, where EASO, Frontex and Europol should work on the ground with frontline Member States to swiftly identify, register and fingerprint incoming migrants. Its implementation has however been slow, due in part to the need to build it from scratch.

The Hotspot approach is also meant to contribute to the implementation of the **emergency relocation mechanisms to assist Italy and Greece**, which were proposed by the Commission and adopted by the Council on [14 September](#) and [22 September](#) 2015 after consulting the European Parliament. In total, 160,000 people in need of international protection should be identified for relocation to other EU Member States, where their application for international protection will be processed. However, the relocation rates have been lower than expected, and relocations have been implemented very slowly, although the most recent [Commission documents](#) report that the rates are increasing.

### Reform of the Common European Asylum System (CEAS)

As part of a **first package of legislative proposals** to reform the CEAS, the Commission presented on 4 May 2016 a [proposal for further reform of the Dublin III Regulation](#), which lays down criteria for determining the Member State responsible for examining an application for international protection (in principle the first country of entry). The proposal preserves the current criteria in the Dublin system, while supplementing it with a corrective allocation mechanism to relieve Member States under disproportionate pressure. The Commission's first asylum package also includes a [proposal for reform of the Eurodac Regulation](#) establishing the EU asylum fingerprint database, in order to adapt the system to the proposed Dublin rules and to develop a database for wider immigration purposes, facilitating return and the fight against irregular migration. The [proposal for an EU Agency for Asylum](#) currently under negotiations between Parliament and Council, builds on the work of European Asylum Support Office (EASO) and further develops it into an Agency responsible for facilitating the functioning of the CEAS, ensuring convergence in the assessment of asylum applications across the EU, and monitoring the operational and technical application of Union law.

The Commission also presented a **second package of legislative proposals** in July 2016 **transforming the [Asylum Procedures Directive into a Regulation](#)**; it did the same for the [Qualification Directive](#), and proposed targeted **amendments to the [Reception Conditions Directive](#)** in order to speed up and harmonise asylum procedures and align reception conditions across the Member States. The EP and Council are co-legislators for both asylum packages.

## **Border management**

The [European Border and Coast Guard](#) (Frontex), agreed by the European Parliament and Council in 2016, aims to ensure that EU standards for border management are implemented at all external borders; carry out periodic risk analyses and mandatory vulnerability assessments to identify and address weak spots; draw on a rapid reserve pool of at least 1,500 border guards and a technical equipment pool; and play an enhanced role in return operations. At the same time it should help safeguard free movement within the EU and respect fully fundamental rights.

Several border control and surveillance operations have also been launched by Frontex to patrol the Mediterranean Sea, such as [Joint Operation Triton](#) along the Central Mediterranean route (taking over from Mare Nostrum, the Italian Navy's search and rescue operation) and [Joint Operation Poseidon](#) in Greece; both are also heavily involved in search and rescue, helping save lives in the Mediterranean.

## **Legal migration**

In May 2016, [Directive 2016/801/EU](#) on the **conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing** was officially adopted. Its adoption completed the package of legal migration measures that had been proposed by the previous Commission, which included a Directive on **intra-corporate transferees** ([Directive 2014/66/EU](#)) and a Directive on **seasonal workers** ([Directive 2014/36/EU](#)).

In June 2016, the Commission published a new **legal migration package**, which includes an [Action Plan on Integration of third country nationals](#) and a [proposal for a revision of the EU Blue Card Directive](#) for highly qualified workers; negotiations between the European Parliament and the Council are expected to begin soon. Measures included in the [New Skills Agenda for Europe](#) are also relevant for third-country nationals and should support their integration.

In September 2016, the Commission launched its **Legal Migration Fitness Check**, with the aim to evaluate the relevance, coherence, effectiveness, efficiency and EU added value of several EU legal migration tools. These include, in addition to the abovementioned ones, the [Family reunification Directive](#) (2003/86/EC); the [Long-Term Residents Directive](#) (2003/109/EC), as amended; the original [EU Blue Card Directive](#) (2009/50/EC), which is currently under revision; and the [Single Permit Directive](#) (2011/98/EU).

## **Irregular migration and return**

In the area of **return**, the main EU legislative instrument is [Directive 2008/115/EC](#) on **common standards and procedures in Member States for returning illegally staying third-country nationals**; moreover, in 2016, Parliament and Council adopted Regulation 2016/1953 on the establishment of a [European travel document for the return of illegally staying third-country nationals](#). The Commission also presented in September 2015 a proposal for a regulation establishing an [EU common list of safe countries of origin](#) for the purposes of the Asylum Procedures Directive.

In October 2015, Commission adopted the "[Return Handbook](#)", providing guidance to national authorities competent for return related tasks. Around the same time, it also published the [EU Action Plan on return](#), which was supplemented in 2017 by the Communication on a more effective return policy in the European Union - [a renewed action plan](#), and by a

[Recommendation on making returns more effective](#). These instruments aim at making returns more effective, enhancing the sharing of information to enforce returns, while safeguarding fundamental rights.

In order to enhance the effectiveness of returns, cooperation with third countries is essential. **Readmission agreements** are a tool to facilitate readmission of third-country nationals to their State of origin or provenance. They are negotiated between the Commission and the partner country, on the basis of a negotiating mandate granted by the Council to the Commission. They are then concluded after the European Parliament has given its consent. Numerous readmission agreements have already been concluded.<sup>1</sup>

As regards the fight against **smuggling in human beings**, the European Commission has recently adopted the [EU Action Plan against migrant smuggling](#) (2015 - 2020). Operational actions have also been taken - in June 2015, Council launched the military operation [EUNAVFOR Sophia](#) in the Mediterranean, with the aim of undertaking systematic efforts to identify, capture and dispose of vessels used by migrant smugglers or traffickers, while in February 2016, Europol launched its [European Migrant Smuggling Centre](#).

### External dimension

Sadly, **the Mediterranean** has turned into a humanitarian crisis and **the deadliest migration route** in the world with 5 000 deaths in **2016**, "**the worst annual death toll ever seen**" according to the UN. In 2017, up until 11 June, over 1 770 people have died or gone missing trying to cross the Mediterranean Sea. More are believed to have died in the Sahara before arriving in Libya.

In 2015, some 885 000 migrants arrived in the EU via the Eastern Mediterranean route - 17 times the number in 2014, which was itself a record year. In the wake of the refugee crisis of 2015, the EU Member States and Turkey reached an agreement ([EU-Turkey Statement of 18 March 2016](#)) which provides for the return to Turkey of persons who cross irregularly into Greece and, at the same time, offers a framework for the resettlement of Syrian refugees in Turkey to EU Member States. A Commission [proposal establishing a Union Resettlement Framework](#) was presented in July 2016, which will put in place a horizontal mechanism for launching targeted EU resettlement initiatives by setting out common EU rules.

In September 2015, the Commission presented a Joint Communication on '[Addressing the refugee crisis in Europe: the role of EU external action](#)', which outlines the importance of tackling the root causes of migration and to support partner third countries of origin and transit. In relation to the current migration flow, the EU decided to provide further support to humanitarian interventions in Syria's neighbouring countries, Lebanon, Jordan and Turkey, which host the majority of Syrian refugees.

In November 2015, an EU-Africa Summit on migration was held in Valletta, which resulted in the adoption of the **Valletta Action Plan** which outlines means to provide assistance to partner countries to address the root causes of migration, to strengthen cooperation on fighting irregular migration, human trafficking and smuggling, and to boost the development benefits of migration as well as returns and readmission. The EU-Africa summit launched an **Emergency Trust Fund for Africa** (EUR 1.8 billion) assisting countries of the Sahel region, the Horn of Africa and the North of Africa.

The migration flow also impacts strongly on the policy dimension and notably on the **development/security nexus**. Such a comprehensive approach is further developed in the **EU global strategy on foreign and security policy** presented in June 2016 by HRVP Federica Mogherini. The strategy establishes the concept of '**principled pragmatism**' with an emphasis on tailored approaches to individual countries.

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<sup>1</sup> In particular, with Azerbaijan, Turkey, Armenia, Cape Verde, Georgia, Pakistan, Moldova, Serbia, Bosnia and Herzegovina, Montenegro, the FYROM, Ukraine, Russia, Albania, Sri Lanka, Macao and Hong Kong.

In line with the global strategy, in June 2016, the Commission launched **a new migration Partnership Framework (2016-2020)** that fully integrates migration in the EU's foreign policy. The approach consists in designing specific tailored 'migration compacts' with third countries integrating all EU policies, tools and instruments in order to better manage migration. Priority countries include for the time being Niger, Nigeria, Senegal, Mali, Ethiopia, Jordan and Lebanon. For longer term funding, the European Commission announced on 14 September 2016 the creation of a **European External Investment Plan** which should bring more private investments into fragile areas of the EU's neighbourhood and Africa to address some root causes of migration. The Plan includes a new innovative financial instrument – **the European Fund for Sustainable Development (EFSD)** which is part of the partnership framework for cooperation with countries with high irregular emigration. The EFSD is expected to attract €44 billion of public and private investments.

Following [the Malta Declaration of 3 February 2017](#), the Commission will contribute **an additional EUR 200 million** to the EU Trust Fund for Africa to cover the most urgent funding needs throughout 2017, in particular for North Africa. Migration-related projects concerning **Libya will be prioritised**.

The EU experience will feed into a new Global Compact on migration, planned for adoption in 2018, which should draw on the knowledge of UN agencies, as well as the private sector, civil society, diaspora communities and migrants' organisations.

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