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COMMISSION RECOMMENDATION

of 23.9.2020

on an EU mechanism for Preparedness and Management of Crises related to Migration

(Migration Preparedness and Crisis Blueprint)

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(Migration Preparedness and Crisis Blueprint)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

(1)   The refugee crisis of 2015 exposed weaknesses and gaps in EU and national migration crisis management systems as well as a lack of capacity and tools available to the Member States most under pressure. The crisis disclosed the need to act on several fronts simultaneously, in the third countries of origin, transit and/or destination, at the EU external borders and in other Member States under pressure.

(2)   The measures undertaken by the Union and the Member States after the 2015 refugee crisis targeted multiple policy, legislative, operational and financial needs and aimed at improving the sustainability of migration management. These unprecedented efforts, entailing measures at a national, international and EU level contributed to a successive reduction in irregular arrivals year after year, eventually reaching in 2019 the lowest level in six years.

(3)   The situation at the external borders remains however highly volatile and further improvements are needed in order to be better prepared to withstand potential large-scale migration crises. In addition, migrants engaging in unauthorised movements and submitting asylum applications in several Member States may constitute a severe burden to the national asylum systems.

(4)   To avoid the emergence of seemingly uncontrolled migration flows arriving to the EU as in 2015 and to ensure the effective functioning of national migration systems, it is necessary to consolidate the operational cooperation developed so far by establishing a framework supporting a more coordinated use of the relevant legislation. The establishment of such a framework would contribute significantly to ensuring that Member States and the Union develop the resilience necessary to deal efficiently with any type of migration crisis. In addition, the migration situation should be monitored regularly in order for decisions to be taken on the basis of a full situational picture wherever possible. This process should be based on the experience acquired after the 2015 refugee crisis in monitoring the migration situation including with the issuance of the Integrated Situational Awareness and Analysis (ISAA) reports under the Council's Integrated Political Crisis Response (IPCR) relevant activation.

(5)   In order to strengthen the Union and Member States' resilience, all stakeholders, including Member States through bilateral channels, should continue to actively engage in conflict prevention and resolution as well as to keep each other alerted of a potential crisis in a third country, which could lead to a migration crisis within the EU. All relevant EU tools in line with their legal frameworks and main objectives should

be used to support partner countries in building their capacities and in addressing such crises, before their impact reaches the EU while reinforcing migration policy objectives.

(6) An effective operational response to a migration crisis is dependent on the preparedness of individual Member States and their capacity to deploy the requisite equipment and resources as well as on coordinated action supported by existing Union structures. It further requires all relevant actors to cooperate swiftly and effectively. An effective and timely crisis management mechanism relies therefore on the existence of previously established crisis cooperation procedures in which the roles and responsibilities of the key actors at national and Union level are clearly defined.

(7) A structured migration management mechanism is necessary, with real-time monitoring, early warning and a centralised, coordinated EU response to mobilise structures, tools, human and financial resources as needed, across EU institutions and agencies and in cooperation with Member States.

(8) Regulation (EU) 2019/1896 on the European Border and Coast Guard has set out the shared responsibility of the European Border and Coast Guard Agency (Frontex) and of the Member States' competent authorities for the implementation of the European integrated border management. It also requires ensuring situational awareness and provides for integrated planning for European integrated border management, including contingency planning.

(9) The Migration Preparedness and Crisis Blueprint guiding principles should be: anticipation, solidarity and fair sharing of responsibility, coordination, timely reaction and flexible resource allocation.

(10) The Migration Preparedness and Crisis Blueprint core purpose is to ensure on the one hand situational awareness and better preparedness, and on the other hand effective governance and timely response.

(11) The Migration Preparedness and Crisis Blueprint should provide an operational framework for monitoring and anticipation of migration flows and migration situations, building resilience as well as organising a coordinated response to a migration crisis. These objectives reflect the two key stages outlined in the Migration Preparedness and Crisis Blueprint, monitoring and preparedness on the one hand and crisis management on the other.

(12) For the purpose of the Migration Preparedness and Crisis Blueprint, a migration crisis should be defined as any situation or development occurring inside the EU or in a third country having an effect and putting particular strain on any Member State's asylum, migration or border management system or having such potential. This includes and goes beyond the circumstances defined in Article 1(2) of the proposal for a Regulation addressing situations of crisis and force majeure in the field of migration and asylum or the circumstances defined in Article 2(w) of the proposal for a Regulation on Asylum and Migration Management.

(13) The Migration Preparedness and Crisis Blueprint is consistent with and complementary to the established EU crisis management mechanisms notably the Union Civil Protection Mechanism (UCPM) including its Emergency Response Coordination Centre (ERCC), the Council's Integrated Political Crisis Response (IPCR) arrangements, the Commission's ARGUS and the EEAS Crisis Response Mechanism (CRM), which may be activated concomitantly or after the activation of the Migration Preparedness and Crisis Blueprint in its crisis management stage. The

Migration Preparedness and Crisis Blueprint aims at supporting the interaction and cooperation of these general crisis mechanisms by ensuring that they are provided with up-to-date information on the crisis situation.

(14)   While the Migration Preparedness and Crisis Blueprint builds on the relevant existing legislation, it is also designed to support the implementation of the new instruments as proposed by the Commission including a Regulation on Asylum and Migration Management and a Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

(15)   In its monitoring and preparedness stage, the Migration Preparedness and Crisis Blueprint should provide for a number of steps that ensure regular situational awareness and early warning/forecasting as well as help to prepare the annual migration management report issued by the Commission in accordance with Article 6 of the proposal for a Regulation on Asylum and Migration Management. The situational awareness provided by the Migration Preparedness and Crisis Blueprint might inter alia allow the Presidency of the Council to deescalate the current IPCR activation for migration crisis. In its crisis management stage, the Migration Preparedness and Crisis Blueprint should ensure that up-to-date comprehensive information on the migratory situation is available to all actors allowing to take timely decisions and that the implementation of those decisions is monitored and coordinated properly.

(16)   To make the Migration Preparedness and Crisis Blueprint a reality, the Member States, the Council, the Commission, the European External Action Service (EEAS), the European Asylum Support Office (EASO), the European Border and Coast Guard Agency (Frontex), the European Law Enforcement Agency (EUROPOL), the European Agency for the operational management of the large-scale IT systems in the field of security and justice (eu-LISA) and the Fundamental Right Agency (FRA) should work together as an EU Migration Preparedness and Crisis Management Network ("the Network"). The Network's main objective should be to ensure the adequate exchange of information relevant for the two stages of the Migration Preparedness and Crisis Blueprint.

(17)   This Network should support monitoring and anticipation of migration flows, increase resilience and improve technical coordination of the response to the crisis, in full respect of the legislation in force and while using and complementing the existing tools.

(18)   The relevant third countries of origin, transit and/or destination should also be involved on an ad hoc basis, where possible, in the functioning of the Migration Preparedness and Crisis Blueprint. This involvement should contribute to efficient exchange of information as well as actions building adequate situational awareness on migration in those countries and their response to potential crises,

HAS ADOPTED THIS RECOMMENDATION:

1.   In order to contribute to more efficient migration management by monitoring and anticipating migration flows, building resilience and preparedness as well as organising a response to a migration crisis, the Member States, the Council, the Commission, the European External Action Service (EEAS), the European Asylum Support Office (EASO), the European Border and Coast Guard Agency (Frontex), the European Law Enforcement Agency (EUROPOL), the European Agency for the operational management of the large-scale IT systems in the field of security and

justice (eu-LISA) and the Fundamental Right Agency (FRA (" actors") should cooperate within the framework of the "**Migration Preparedness and Crisis Blueprint**".

2. For that purpose, the actors should work together in an EU Migration Preparedness and Crisis Management Mechanism Network ("**the Network**") to support the implementation of the Migration Preparedness and Crisis Blueprint.

3. The actors forming the Network should ensure the adequate exchange of information relevant for the two stages of the Migration Preparedness and Crisis Blueprint in full compliance with the legal provisions regarding their competences and responsibilities.

4. During the **first stage** of the Migration Preparedness and Crisis Blueprint which should be activated permanently and continue during the second stage, the actors should provide timely and adequate information in order to establish the updated migration situational awareness and provide for early warning/forecasting, as well as increase resilience to efficiently deal with any type of migration crisis. The **second stage** should be applicable to any situation or development occurring inside the EU or in a third country having an effect and putting particular strain on any Member State's asylum, migration or border management system or having such potential. The second stage includes and goes beyond the circumstances defined in Article 1(2) of the proposal for a Regulation addressing situations of crisis and force majeure in the field of migration and asylum or the circumstances defined in Article 2(w) of the proposal for a Regulation on Asylum and Migration Management.

5. The Network should establish **implementation guidelines** with the aim of ensuring an efficient flow of information relevant for the functioning of the Migration Preparedness and Crisis Blueprint between the respective national and the EU crisis management mechanisms.

6. Member States, the Council, the Commission, the European External Action Service (EEAS), the European Asylum Support Office (EASO), the European Border and Coast Guard Agency (Frontex), the European Law Enforcement Agency (EUROPOL), the European Agency for the operational management of the large-scale IT systems in the field of security and justice (eu-LISA) and the Fundamental Right Agency (FRA) should appoint a Point of Contact for the **operationalisation of the Network**.

7. Points of Contact should regularly exchange information notably with a view to supporting the issuing by the Commission of periodic **migration management reports** as stipulated in Article 6(4) and situational reports as stipulated in Article 6 (6) of the proposal for a Regulation on Asylum and Migration Management.

8. In line with the findings of the migration management reports and of the situational reports Member States should **discuss the necessary measures** to be taken. Such discussions should take place at technical, strategic and if necessary at political level in the relevant Council preparatory bodies or Council.

9. The Commission, in agreement with a Member State confronted with a **migration crisis situation**, as referred to in Recommendation 4, should inform the other Points of Contact in the Network of the situation in order to **activate the crisis stage** of the Migration Preparedness and Crisis Blueprint. The Point of Contact of the affected Member State should immediately provide the Commission's Point of Contact with the necessary information as specified in the Annex.

10.   In such a crisis situation, the Point of Contacts should support the Commission by providing the necessary information and guidance and by coordinating measures responding to the crisis.

11.   Exchange of information within the network should occur via available communication channels including, where possible, the **IPCR platform** with its dedicated functionalities and in line with the implementation guidelines as referred to in Recommendation 5 above.

12.   The two stages of the Migration Preparedness and Crisis Blueprint should comply with governance and workflow as set out in the Annex.