



Council of the
European Union

Brussels, 5 June 2020
(OR. en)

8622/20

JAI 473
JAIEX 48
RELEX 418
ASIM 32
COWEB 80
COSI 93
ENFOPOL 134

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

On: 5 June 2020

To: Delegations

No. prev. doc.: 8132/20 REV 1

Subject: Council conclusions on enhancing cooperation with Western Balkans partners in the field of migration and security

Delegations will find in Annex the Council conclusions on enhancing cooperation with Western Balkans partners in the field of migration and security adopted on 5 June 2020.

COUNCIL CONCLUSIONS

**on enhancing cooperation with Western Balkans partners
in the field of migration and security**

THE COUNCIL OF THE EUROPEAN UNION,

1. RECALLING the discussion held at the informal meeting of ministers on 24 January in Zagreb on possible approaches to combatting migrant smuggling networks in the Western Balkans on the basis of the Joint Report prepared by Europol, Frontex and EASO¹, which called for more structured cooperation with partners in the Western Balkans, as well as the Sofia Declaration issued at the May 2018 EU-Western Balkans Summit, the political messages expressed during the summit in Sibiu in May 2019, as well as Zagreb Declaration issued at EU-Western Balkans summit in May;
2. RECALLING that cooperation and further progress of all our partners from the Western Balkans on their European path is a contribution to the peace, stability and prosperity of South East Europe as well as of the European Union;
3. WELCOMING the pledge of the Western Balkans partners to uphold European values and principles and to carry out necessary reforms thoroughly and vigorously;

¹ ST 5312/20

4. WELCOMING the strong commitment by the Western Balkans partners to the primacy of democracy and the rule of law, especially the fight against corruption and organised crime, good governance, as well as respect for human rights, gender equality and for rights of persons belonging to minorities;
5. ACKNOWLEDGING the ongoing efforts by the EU and the Western Balkans to fight the coronavirus pandemic, including its effects on migration and security policies, as well as the package of over EUR 3.3 billion to the benefit of the Western Balkans²;
6. UNDERLINING the fact that a comprehensive approach in the field of migration and security requires continued reforms in the Western Balkans and that the successful implementation of these reforms represents an important aspect of the EU perspective of the Western Balkans.
7. RECALLING that migratory pressure exerted on the European Union and the Schengen Associated Countries as well as on the Western Balkans partners from the Eastern Mediterranean migration route from 2015 onwards was significant;
8. ACKNOWLEDGING that the EU-Turkey Statement of March 2016, complemented by the efforts undertaken jointly by EU Member States and our partners in the Western Balkans to prevent illegal migration flows, has decreased illegal migration from Turkey to the EU;
9. ACKNOWLEDGING that Western Balkans partners have made substantial progress in establishing new or enhanced institutions, and implementing laws and procedures in the areas of asylum, protection, border management, and legal migration, as well as the transposition of the EU acquis;

² Commission Communication of 29 April on Support to the Western Balkans in tackling COVID-19 in the post-pandemic recovery

10. ACKNOWLEDGING the efforts of both the Western Balkans partners and EU Member States in improving bilateral cooperation with the aim to prevent illegal migration and illegal stay and reduce the high number of unfounded asylum applications by Western Balkans nationals, notably through increasing efforts to combat the smuggling and trafficking of own nationals, increasing return cooperation and promoting the use of legal migration channels, in line with national competences;
11. NOTING that nevertheless, the migratory pressure increased in 2018 and 2019 and migration flows changed patterns in terms of both route and composition;
12. NOTING that the fight against illegal migration is a primary objective;
13. TAKING INTO ACCOUNT the recent high levels of migratory pressure in South East Europe, notably at the borders between Greece and Turkey, and that a deteriorating political, economic or security situation in the Middle East, Africa and South Asia, as well as the socio-economic impact of Covid-19 on countries of origin and transit, could trigger increased movements of migrants and refugees;
14. RECALLING the EU's commitment to a comprehensive migration policy that includes the effective control of the EU's external borders;
15. RECOGNISING that the migratory pressure on the Eastern Mediterranean Route was steadily increasing before the closure of borders due to the coronavirus pandemic and it stimulates supply and demand for smuggling services to cross the borders of the partners in South East Europe, without documents or in possession of falsified ones, leading to abuse of migrants by smugglers or human traffickers which often endangers migrants' lives;

16. RECOGNISING that migratory challenges for the Western Balkans partners are interlinked with those faced by the EU and that action is needed to ensure they are well equipped to respond constructively to the common challenges;
17. RECOGNISING the importance of preventing and countering terrorism and extremism, including the financing, radicalisation and return of foreign terrorist fighters;
18. EXPRESSING concerns regarding the possible attempts by returning Foreign Terrorist Fighters to enter European territory through the use of migrant smuggling networks active in the region of South East Europe;
19. RECALLING that the region of the Western Balkans is facing security challenges posed by organised crime groups or terrorist groups;
20. RECOGNISING that many security threats are cross-border in nature, which calls for coherence in the measures taken by the EU and its partners and reinforced cooperation including at operational level. Therefore, it is important to strengthen the capacities of Western Balkans partners in the field of migration and security, as well as to strengthen and deepen cooperation mechanisms;
21. STRESSING the operational successes achieved under the EU Policy Cycle for organised and serious international crime (EMPACT) for the period 2018-2021, notably in the area of the fight against Facilitation of Illegal Immigration (FII), Trafficking in Human Beings (THB), trafficking of firearms (FIA), combating Document Fraud (DOC FRAUD), Criminal Finances and Money Laundering (CFMLAR)³;

³ ST 7704/17

22. RECOGNISING the role of EU delegations in the Western Balkans in the implementation of cooperation programmes and the support given to the region by the EU's foreign policy instruments;
23. BUILDING on the comprehensive and operational set of measures adopted by the Council on 6 December 2018 to enhance the response to migrant smuggling networks, with a specific focus on the Western Balkans⁴;
24. EMPHASISING the importance of deploying representatives of the Western Balkans partners in the relevant European Justice and Home affairs Agencies, and reciprocally enhancing the involvement of European Justice and Home affairs Agencies and law enforcement authorities from Member States in the Western Balkans⁵;
25. NOTING the European Commission's role in allocating adequate financial resources, including within funds and instruments of the next Multiannual Financial Framework, and coordinating EU support to partners in the Western Balkans for the development of their capacities for carrying out further activities in migration and security policy;
26. RECOGNISING the bilateral and multilateral efforts made by several Member States to support the Western Balkans partners in the field of border management and security, asylum and reception;

⁴ ST 15250/18

⁵ ST 5754/20

THE COUNCIL

CALLS ON THE MEMBER STATES, TOGETHER WITH WESTERN BALKANS PARTNERS:

27. to keep supporting the Western Balkans partners on migration and security issues in line with the EU comprehensive approach in developing cooperation and partnership networks, in order to:
- achieve a more efficient migration policy and border management, especially regarding the prevention of illegal migration and secondary movements, in line with the priorities and strategies of the EU;
 - further improve the functioning of partners' asylum systems (including registration and the strengthening of adequate reception capacities for migrants and refugees), keeping in mind the primary objectives of achieving alignment with the EU asylum acquis and to ensure that partners in the Western Balkans will be considered as safe third countries;
 - further enhance readmission cooperation, including with regard to third country nationals who have applied for international protection in the Western Balkans and do not qualify for international protection;
 - enhance the capacity to conduct voluntary and forced returns of illegally-staying third-country nationals to countries of origin;
 - boost regional information exchange as well as further improve existing communication channels between the Western Balkans partners and the EU;

- enhance cooperation and boost the partners' ability to address the spread of disinformation and fake news, as well as efforts by foreign actors to instrumentalize the migratory pressure along the routes in the Western Balkans;
- enhance the capability of Western Balkans to respond to possible cyber-attacks and hybrid threats;
- reinforce the partners' ability to dismantle smuggling and trafficking networks;
- respond to key security threats and humanitarian challenges;
- ensure adequate training to strengthen a consistent response to challenges in the abovementioned areas;
- make use of and cooperate with EU instruments in place, including CSDP missions and operations, in line with the Integrated Approach.

28. to further explore possibilities for closer cooperation with CEPOL, Europol, EASO and the European Border and Coast Guard Agency in their respective domains, as well as foreign policy instruments, including on preventing illegal secondary movements and fighting migrant smuggling and other forms of serious crime, in the context of the call by the European Commission to finance common operational partnerships through the dedicated financial instruments;

29. to effectively combat organised crime (especially organised criminal networks engaged in migrant smuggling, trafficking of firearms, drugs production and trafficking, trafficking in human beings, document fraud and money laundering), as well as terrorism and violent extremism;
30. to develop a broader convergence of operational standards and capacities between Western Balkans partners and in cooperation with EU partners in the field of migration and security;
31. to further improve the operational output between EU Member States and partners from the Western Balkans by sharing information as well as relevant data on major cases of cross-border criminal activities, subject to the relevant data protection requirements;
32. to step up the Western Balkans partners' participation in relevant operational actions of the EU Policy Cycle/EMPACT, including through participation in Joint Investigation Teams (with the possible set up of joint EU – Western Balkans investigation teams) and Operational Task Forces (e.g. police investigation units, customs authorities, Asset Recovery Offices, Financial Investigation Units, border operations), as well as promoting the SIENA rollout to relevant law enforcement actors;
33. to make effective use of the I.C.P.O INTERPOL tools, and in particular the Stolen and Lost Travel Documents database, and actively share security-related information via the I-24/7 network, in accordance with EU and national legislation;

34. to develop cooperation and exchange of information based on the recently adopted Regulation on the creation of an European network of immigration liaison officers (ILOs Regulation) EU 2019/1240, and use the network to promote institutional and operational cooperation with partners in the region;
35. to develop a joint risk analysis picture to raise situational awareness and align contingency plans for the case of large influx of mixed migration, in close cooperation with the European Border and Coast Guard and EASO;
36. to intensify efforts by Western Balkans partners to further align their visa policies with that of the EU so as to ensure a well-managed migration and security environment;

CALLS ON THE COMMISSION:

37. to intensify, together with the Member States and Western Balkans partners, efforts to secure the conclusion and where necessary the swift amendment, as well as efficient implementation of all status agreements with the Western Balkans partners, thereby facilitating the stepping up of operational cooperation between them and the European Border and Coast Guard Agency;
38. to continue to assess the cooperation with and progress of the Western Balkans partners in the field of migration and security, including in the overall framework of EU relations with the region;
39. to assess, with the partners in Western Balkans, measures and mechanisms currently being implemented by them and to explore additional tools and resources to address migration and security challenges;

40. to continue to cooperate with and support the Western Balkans partners in the implementation of the Joint Action Plan on Counter Terrorism for the Western Balkans and the related six bilateral arrangements;
41. to promote the timely exchange of CT-related information, and to strengthen capacities for addressing other security challenges, such as the enhancement of cyber security and, based on the results of risk surveys, resilience to hybrid threats;
42. to support the Western Balkans partners in their activities for preventing and countering radicalisation and violent extremism, including through the Radicalisation Awareness Network (RAN) and relevant deliverables from EU-funded projects, and the Regional Network of National P-CVE Coordinators (RNNC), chaired by the EU Regional CT Expert;
43. to follow up on the Commission’s Evaluation of the 2015-2019 action plan on firearms trafficking between the EU and the South East Europe region⁶ and integrate the “Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons (SALW) and their ammunition in the Western Balkans by 2024” (the ‘Roadmap’) in the new EU Action Plan on firearms trafficking;
44. to reflect on and support the development by partners in the Western Balkans of interoperable national biometric registration/data-sharing systems on asylum applicants and irregular migrants - systems which could be modelled on the Eurodac technical and data protection principles, thus enabling regular regional information exchange and ensuring their future interoperability and compatibility with EU systems;

⁶ COM(2019) 293 final, 27.06.2019.

45. to explore means of further stepping up cooperation with Western Balkans partners based on possibilities offered by the recently adopted ILOs Regulation;

CALLS ON RELEVANT JUSTICE AND HOME AFFAIRS AGENCIES:

46. to cooperate with the Western Balkans partners in establishing interconnected national coordination centres (NCCs) for efficient migration policy, border management and tackling migration challenges, as well as to exchange all relevant information in a timely manner with the competent Member States and Schengen Associated Countries' authorities in order to develop a joint risk analysis;
47. to step up the cooperation among the representatives of the relevant JHA Agencies in the region, including their cooperation with local authorities;
48. to strengthen the cooperation between the relevant agencies and CSDP Missions, as foreseen in the Civilian CSDP Compact;
49. to promote the exchange of information and knowledge between the Western Balkans partners and EU counterparts such as Europol, CEPOL, European Border and Coast Guard Agency and EASO, subject to the relevant data protection requirements, including by providing assistance for strengthening the capacity of border guards, police/other law enforcement, coast guards, migration, asylum and return authorities, as well as improving the information flow in the Western Balkans and promoting the use of SIENA in the region;

50. to increase the participation of the Western Balkans partners in and support to EU Policy Cycle/EMPACT operational actions and continue to assist, as appropriate, in the creation or development of operational task forces in the EMPACT Facilitation of Illegal Immigration Operational Action Plan (OAP), and other relevant OAPs, in order to identify High Value Targets of cross-border organised criminal groups, and to support such investigations;
51. to support the development by partners from the Western Balkans of the national biometric registration/data-sharing systems on asylum applicants and irregular-migrants - systems which could be modelled on Eurodac technical and data protection principles, thus enabling regular regional information exchange and ensuring their future interoperability and compatibility with EU systems;
52. to implement the EU approach on drugs, including data collection, the setting up of National Drug Observatories and of an Early Warning System, by signing further working arrangements by the European Monitoring Centre for Drugs and Drug Addiction with the partners in the region and consequently implementing them.
