

Position of Hungary

on possible priorities concerning the new Multiannual Programme for the Area of Freedom, Security and Justice („post-Stockholm Programme”) in the area of Home Affairs

This document is submitted by the Ministry of Interior of Hungary as a contribution within the framework of the public consultation launched by the European Commission (Directorate-General for Home Affairs Unit D1 – Strategic policy, inter-institutional relations and agencies) under the title Debate on the future of Home Affairs policies: An open and safe Europe – what next?¹

As regards the general principles of the new Programme, Hungary would like to recall the joint letter of the Netherlands, Sweden, Finland, the United Kingdom, Estonia, Slovenia and Hungary, that was signed in The Hague, on 18 November 2013 and sent to the Presidency and the Commission. Hungary, as a member of the Salzburg Forum, also shares the views set out in the relevant joint paper of the Salzburg Forum.

Having said that, Hungary still wishes to outline the following possible national priorities.

First and foremost, Hungary considers **fighting illegal migration**, as a horizontal and cross-cutting priority for the new Programme that is relevant for many aspects of the Home Affairs policies. This should entail the following main points:

- A comprehensive review and based on that, further development of the readmission policy of the EU should take place in order to make it more effective (e.g. mutual recognition of return decisions should be introduced by the respective amendment of the Return Directive; a pan-European database, possibly as a part of the SIS II, should be set up containing all return decisions taken by the MSs, providing access both for migration and law enforcement authorities)
- There should be substantial progress as regards tangible and effective cooperation with countries of transit and origin of the migrants entering the Union illegally. This should be based on the principles of conditionality and „more for more” and carried out in close cooperation with the common foreign and security policy.
- Effective management of external borders (should remain a high priority, making best use of the possibilities offered by modern technology. Work on the Smart Borders Package should continue and be finalised as soon as possible, in particular, as regards the Entry –Exit System, containing biometric features. Frontex must be strengthened and further developed, both in terms of its budget and mandate. In the coming period, the development of EU policies on external borders management in general must better reflect geographical balance, the changing and volatile nature of increasing migratory flows, as well as the quick shifts of migratory pressure appearing in new areas. There should be measures expressing genuine solidarity towards MSs under particular migratory pressure and in order to improve preparedness for unforeseen situations (contingency planning) and flexible solutions.
- When implementing the CEAS, countering the abuse of the right for asylum should be an important factor to be taken into account.

¹ http://ec.europa.eu/dgs/home-affairs/what-is-new/public-consultation/2013/consulting_0027_en.htm

As regards the **right of free movement**, Hungary supports the strengthening of practical cooperation in order to fight abuses while upholding this fundamental right enjoyed by our citizens without restrictions.

Effective governance of the **Schengen Area**, based on the newly adopted legislation remains a priority. The capacities offered by eu-LISA should be used to the maximum extent in the coming years.

In the field of **asylum**, there is a need for consolidation, focusing on the implementation of adopted European legislation and stepping up practical cooperation. External dimensions of asylum need to be developed, in order to provide international protection in the proximity of crisis areas. Resettlement and relocation programmes should continue on a voluntary basis. EASO should be strengthened in order to support MSs, while leaving the decisions in asylum cases within the competence of MSs.

As regards **legal migration**, this should be channelled into the questions of external relations. Stepping up cooperation with third countries and developing their capacities is of utmost importance. The coherence of the migration policy with other goals (e.g. competitiveness and economic growth) and policies (e.g. employment, education and research, etc.) of the EU should be ensured. Communication on migration towards our citizens and the rest of the world should be improved.

There is a need for the review of the **visa policy** of the EU, in order to find the right balance between the stimulation of economic growth and security aspects. Due consideration should be given to the creation of an EU ESTA system that could serve as an alternative of the visa requirement and enable a shift towards individual risk assessment. Hungary continues to support the improvement of mobility of bona fide travellers, with special focus on the achievement of sustainable visa-free travel for the countries neighbouring the EU. Improvements in practical cooperation (VIS, CACs, etc.) remain an important aspect for the future Programme.

As regards **internal security**, Hungary considers the consolidation of the existing fragmented acquis on police cooperation and law enforcement information exchange as a priority. The EU PNR Directive should be adopted as soon as possible and Directive 2011/82/EU (CBE Directive) should be revised in order to enable mutual recognition and enforcement of fines of road safety related traffic offences, beyond existing provisions on information exchange. Implementation of the policy cycle against serious and organised crime should be continued. We believe that due consideration should be given to alternative methods in the fight against organised crime as well. Hungary puts great emphasis on the development of a European law enforcement culture, and CEPOL should continue to play a decisive role in this. Further progress is needed in order to exploit synergies between internal and external security of the EU.

When it comes to **external relations**, we are of the view that Home Affairs policies and interests should be better fed into the broader context of external actions of the EU. In a geographical approach, we support further improvement of cooperation with the countries of the Western Balkans and Eastern Partnership; just as with certain strategic partners (US, Russia, Canada). In a thematic approach, progress is needed in cooperation as regards the fight against illegal migration,

border management, readmission and the implementation of the policy cycle against serious and organised crime. In our point of view common regional platforms with third countries (like the Budapest Process) can be successful tools to tackle these challenges, therefore we support the application of the Global approach to migration and mobility, and would strive to make more efforts (political, financial and human) to achieve the goals of the political declarations.