

COUNCIL OF THE EUROPEAN UNION

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NOTE

from:	Presidency
to:	Strategic Committee on Immigration, Frontiers and Asylum/Mixed Committee
	(EU-Iceland/Liechtenstein/Norway/Switzerland)
Subject:	Roadmap to ensure a coherent EU response to continued migratory pressures

Following discussions at the informal SCIFA in Copenhagen on 28-29 March 2012, delegations gave their full support to the Presidency's proposal for a roadmap, reiterating political commitment given in previous fora whereby the issue of tackling illegal migration to the EU has been debated extensively. Written comments from Member States have as far as possible been taken into account in the revised version of the roadmap annexed to this note.

It is important to recognise the political commitment of Member States in the fight against illegal immigration which has been reflected in previous European Council and Council Conclusions in 2011 and earlier addressing the importance of a continuous effort to combat and prevent illegal immigration.

The fight against illegal immigration however is not limited to preventing irregular migratory flows to the EU, but also focuses on the abuse of legal migratory routes by third country nationals which adds to the increasing pressure that Member States have faced in recent years. It must be noted that any EU action to tackle illegal immigration must also take into account the fundamental and human rights of migrants and pay heed to those who travel to the EU in need of international protection.

The roadmap includes a non-exhaustive list of strategic priority areas where efforts need to be stepped up and monitored in order to prevent and control existing pressures that derive from illegal immigration as well as abuse of legal migration routes.

Following feedback from delegations at the informal SCIFA in March 2012, the roadmap has been restructured in line with the integrated border management concept to focus in the first instance on the external challenges faced by the EU and work inwards to reflect the internal issues that need to be strengthened and prevented. It should be noted that the order of appearance does not reflect a priority which the circular figure at the front page also indicates.

In other areas, SCIFA delegates have asked for the following areas to be reflected:

- Further initiatives to control illegal immigration at the Greek-Turkish border, including joint cooperation with Bulgaria.
- Prevention of illegal immigration from and via the Western Balkans
- Intensified efforts to combat abuse of free movement rights by third country.

The roadmap focuses on current challenges to the EU. In this respect it should be acknowledged that migratory patterns change rapidly. The EU and its Member States have been successful in reducing the immediate migratory pressure in certain areas. It is important to maintain and continue the activities already undertaken to effectively combat illegal immigration in areas not specifically mentioned in the roadmap.

The roadmap should be seen as a living document of actions that responds to and assists the EU in times of increased migratory pressure. Therefore, it is essential that the actions described within this document are tangible and realistic, and can be implemented efficiently in accordance with EU and international law.

Monitoring of the implementation of the roadmap and, where appropriate, updating and revising it will be essential if it is to serve the purposes for which it is intended. The Presidency accordingly suggests that this is done when necessary but at least once every 6 months. Results should be recorded accordingly and where necessary evaluated in order to improve further actions taking into account recent developments.

The Presidency would also encourage Member States/EU institutions to volunteer to monitor various challenges where appropriate within the roadmap so as to ensure that one party has an overview of the development in the described activities. This aim at ensuring that the various policies and measures are put into effect and at helping future Presidencies and the Commission in their follow up to the roadmap.

The Presidency also proposes that SCIFA/Mixed Committee should become the appropriate forum to examine the implementation and possible updating of the roadmap based on the Commission reports and input from delegations.

SCIFA/Mixed Committee participants are invited to give their second reaction to the roadmap in order for the Presidency to finalise the document in preparation of adoption at the April JHA Council.

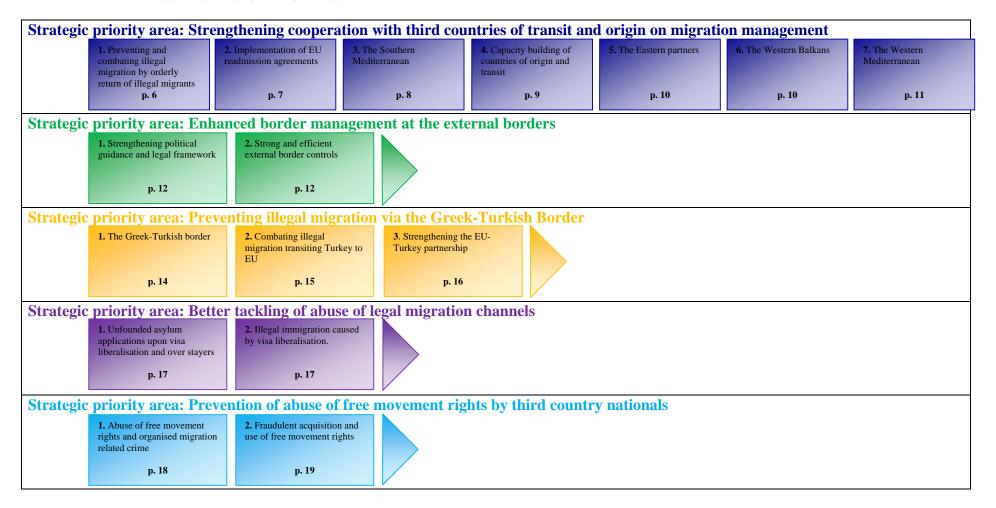
Furthermore, SCIFA/Mixed Committee participants are still encouraged to propose a revised title for the roadmap. The promised award for a new title will be handed out at the meeting.

BM/cr 3
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ANNEX



List of contents



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Strategic priority area: Enhancing migration management, including cooperation on return practices 1. Migration management 2. Common EU approach in systems and fluctuating the field of return migration pressures p. 20 p. 20 Road map to ensure a coherent EU response to continued migratory pressures (preliminary draft) Challenge Goal Activity Responsible party Target Date Results I. Strategic priority area: Strengthening cooperation with third countries of transit and origin on migration management

Challenge	Goal	Activity	Responsible party	Target Date	Results
Challenge 1. Preventing and combating illegal migration by ensuring smooth and orderly return of illegal migrants between States, including respect for the obligation of each State under customary international law to readmit its own nationals.	EU readmission agreements as tools of an effective return policy in order to tackle illegal immigration. Initiation and continuing of negotiations on EU readmission agreements with relevant third countries, including further appropriate steps when negotiations stall. Ensuring effective implementation of Article 13 of the Cotonou agreement	A: Operationalising Council Conclusions of June 2011 defining an EU strategy on readmission (doc. 11260/11 MIGR 118).	PRES, COM WP on Migration (expulsion)/HLWG PRES, COM PRES, COM PRES, COM PRES, COM	 i) PRES synthesis in June 2012 ii) PRES synthesis in June 2012 iii) Starting June/July 2012 iv) Starting June/July 2012 	Results
			COM		
				v.) No deadline	

Challenge	Goal	Activity	Responsible party	Target Date	Results
		B : Further efforts by COM and MS to ensure that partner countries fully implement Article 13 of the Cotonou agreement, including through targeted dialogues with priority countries.	COM, MS	Continuous	
2. Ensure implementation of all EU readmission agreements to their full effect.	Full implementation of EU readmission agreements by third countries and Member	A: Further efforts by COM and MS in relation to relevant third countries aimed at full implementation of EU readmission agreements that are not being fully implemented.	COM, MS	Continuous	
	States alike facilitated by practical arrangements.	B: Full and effective use of Joint Readmission Committees, including, where applicable, active participation of Member States.	COM, MS	Continuous	
		C: Coherent implementation by Member States of EU readmission agreements avoiding use of pre existing bilateral agreements or arrangements. Due attention should also be given to the implementation of bilateral readmission agreements or arrangements concluded by Member States when compatible with the EU readmission agreements.	MS	Continuous	
3. Prevention of		D: Exercise pressure through diplomatic channels and other regular contacts with relevant third countries.	EEAS, COM, MS	Continuous	
illegal migration from the Southern Mediterranean countries	To extend dialogues on migration, mobility and security with the Southern Mediterranean	A: Implementing the European Council Conclusions on 23-24 June 2011 and of 2-3 March 2012 emphasising the need to establish and to expand a structured dialogue on migration, mobility and security with the southern Mediterranean countries. The cooperation should be founded on a performance based approach and on appropriate conditions.	COM, MS HLWG	First semester 2012.	
	countries with a view to establishing Mobility	B: Conclude Mobility Partnerships with Morocco and Tunisia.	COM, MS	First semester 2012	

Challenge	Goal	Activity	Responsible party	Target Date	Results
	Partnerships	C: To consider launching Dialogues on migration, mobility and security leading towards Mobility Partnerships with Jordan and subsequently, once possible with other Southern Mediterranean countries (with priority given to Egypt and Libya).	COM, MS, HLWG	2012	
		D: FRONTEX should strengthen its operational cooperation with the Southern Mediterranean countries.	FRONTEX	[]	
		E: As soon as possible EASO should become fully operational and contribute to building asylum capacity in the Southern Mediterranean countries.	EASO	[]	
		F: <u>Building on existing cooperation</u> , MS-third countries regional network of cooperation in the Mediterranean <u>should continue also</u> within the <u>future</u> framework of the EUROSUR proposal.	MS	Ongoing	
		G. Strengthen the capacity of the Southern Mediterranean countries for the control and surveillance of their external borders and for the return of the illegal immigrants to the countries of origin in a dignified manner.			
4. Enhancing the capacity of countries of origin and transit to manage mixed migration flows.	To equip the countries of first asylum with the necessary means to be able to guarantee refugees protection that meets international standards To assist third countries	A: Strengthening the use of Regional Protection Programmes and similar national initiatives in order to provide protection to persons in need thereof as soon as possible after the initial displacement and as closely as possible to their home areas. Thus, enabling potential asylum seekers to apply for and find effective protection in the region of origin.	COM, MS	Continuous	

Challenge	Goal	Activity	Responsible party	Target Date	Results
	to better manage mixed migratory flows	B: Building capacity in third countries in order for them to better tackle the challenges of mixed migratory flows.	COM, MS	Continuous	
	To avoid secondary movements To establish Mobility Partnerships with	C: Improving availability and access in <u>third</u> countries of first asylum to means for self-reliance to avert secondary movements.	COM, MS	Ongoing	
	relevant third countries	D: Contributing to enhance local employment opportunities in countries of origin.	COM, MS	Ongoing	
5. Ensuring that the fight against illegal	To enhance further the level of political and	A: Conclude agreements on Mobility Partnerships with relevant third countries.	COM, MS	Ongoing	
migration is taken into account when developing dialogues with the Eastern partners (including the Eastern	operational cooperation with the Eastern Partnership countries in the JHA areas. To ensure mobility in a	B: Further cooperation and coordination in the prevention of and the fight against illegal migration, organised crime, trafficking in human beings, money laundering and terrorism.	COM, MS	Ongoing	
Partnership countries and non –EU Prague Process partners).	secure and well managed environment.	C: Convening meetings at ministerial level to ensure appropriate political guidance and coordination.	MS	Ongoing	
6. Prevention of illegal migration via the Western Balkans	Intensify cooperation primarily with Serbia, to prevent and to fight	A: FRONTEX should make full use of its recently expanded mandate to step up assistance for border control activities at the Hungarian-Serbian border.	<u>FRONTEX</u>	Ongoing	
	increased illegal migration pressure on the Hungarian-Serbian border. Enhance the EU's policy response to	B: Implementation of the Action Plan with Serbia to implement joint operations, law-enforcement training, legislative alignment, develop migration and asylum capacities and establish a Common Contact Point – making full use of IPA Projects.	MS, HU, COM	[]	

Challenge	Goal	Activity	Responsible party	Target Date	Results
	irregular migration in the region. Continue assisting the relevant authorities of the Western-Balkan	C: Provide IPA assistance and continue monitoring of the further development of border, migration, asylum and visa systems in Western-Balkan countries.	COM, MS	Ongoing	
	countries and especially Serbia in strengthening their capacity to combat against illegal	<u>D: Develop cooperation at all levels with Western-Balkan countries in combating criminal organisations dealing with migrants' smuggling and trafficking in human beings.</u>	MS, COM	Ongoing	
	migration.	E: Enhance inter-agency cooperation, notably between FRONTEX, EUROPOL and EASO, to address cross border crimes related to illegal immigration and contribute to assist asylum capacity in Western-Balkan countries.	FRONTEX, EUROPOL, EASO, COM	Ongoing	
		F: Support voluntary return and reintegration programmes in Western-Balkan countries.	MS, COM, IOM	Ongoing	
7. Prevention of illegal immigration via the Western Mediterranean	Ensure that the illegal immigration pressure in this area stays under control and does not develop negatively.	A: Efforts to maintain and develop the current effective handling of the situation should continue.	Frontex, MS	Ongoing	

	II. Strategic prid	ority area: Enhanced border managen	nent at the externa	al borders	
1. Strengthening political guidance and the legal framework regarding border	Strengthening of the political Schengen Governance. Conclude negotiations	A: Mixed Committee to start up regular political discussions on Schengen Governance at ministerial level.	COM, COUNCIL, EP	First time June 2012	
control.	on proposals put forward by the Commission.	B: Conclude negotiations on the proposals on the Schengen Borders Code, the Schengen Governance-package and the Eurosur-proposal.	MIXED COM, PRES	Depend on negotiations. Schengen: possibly 2012 Eurosur: Possibly Beginning 2013	
		C: COM to put forward proposals on the Entry/Exit System (EES) and the Registered Travellers Programme (RTP).	COM	Summer 2012	
2. Preventing and combating illegal immigration by ensuring strong and	Strengthening the security and control at the Schengen borders.	A: COM to present its first regular report to the European Parliament and to the Council on the functioning of the Schengen cooperation and the application of the Schengen acquis.	COM	May 2012	
efficient external border control.	Implementation of the FRONTEX regulation	B: FRONTEX to offer the coordination and organisation of joint operations and improve cooperation with other agencies and Member States and implement the new Frontex regulation.	FRONTEX	Ongoing	Delete
	Enhance inter-agency cooperation and				

cooperation between agencies and Member States Member States making full use of passenger	C: Member States should where relevant make use of passenger data for improving border controls and combating illegal immigration in accordance with requirements in directive 2004/82/EF.	MS	No deadline
data in accordance with directive 2004/82/EF. Strengthening identification of illegal immigration routes	D: Develop cooperation at appropriate levels with countries of origin and transit in combating illegal migration, criminal organisations dealing with smuggling of migrants and trafficking in human beings.	MS, FRONTEX, EUROPOL	Ongoing
inside the Schengen area	E: Improve co-operation through exchange of information and best practices in order to identify and curb illegal immigration routes inside the Schengen Area.	MS, COM	Ongoing

	III. Strategic prior	ity area: Preventing illegal migration	via the Greek-Turl	rish Border
1. Ensuring effective border controls are in place at the Greek-Turkish border.	To significantly reduce illegal border crossings by ensuring efficient measures are in place	A: Swift conclusion of negotiations of a working arrangement between the competent border control authorities of Turkey and FRONTEX.	FRONTEX	May 2012
	for the interception and detection of illegal migrants at the Greek-Turkish border. Increase capacity in Greece by introducing sustainable measures to	B: Fully implement the findings of the 2005 and 2010 Schengen evaluation reports.	Greece	2005 findings to be implemented before end of 2012. 2010 findings ongoing.
	reduce illegal migration	C: Intensify monitoring of the Schengen Action Plan for Greece.	Council	Ongoing
		D: Intensify support for Operation Poseidon through increased contributions from Member States.	FRONTEX, MS	June 2012 - November 2012
		E: Swift implementation of the Greek National Action Plan on Managed Migration and Asylum Reform, focusing on increased operational capacity at the border.	Greece, COM, MS EASO	Ongoing
		F. Initiate the discussion whether a high-level coordinator responsible for asylum and migration should be appointed as part of the EU Task force for Greece.	Presidency	June 2012

2. Combating illegal migration transiting Turkey to EU.	To obtain an effective engagement of Turkish authorities to prevent illegal migration	A: Continue assisting Turkish authorities through IPA and bilateral MSs' funds in strengthening their capacity to combat illegal migration.	COM, MS	Ongoing.	
	transiting through their territory towards the EU external borders.	B: Continue promoting the reform of border, migration, asylum and visa systems in Turkey.	COM	Ongoing	
	To sign and conclude the EU-Turkey readmission agreement.	C: Develop cooperation at <u>appropriate levels</u> in order to combat organised crime facilitating smuggling of migrants and trafficking of human beings.	MSs, FRONTEX, EUROPOL	During 2012.	
	Intensify trilateral cooperation between Greece, Bulgaria and	D: Launch a dialogue with Turkey on cooperation within the JHA area (CC of 25 February 2011).	COM	Ongoing	
	Turkey for joint border management and police cooperation.	E: Develop cooperation between Europol and Turkish Police.	Europol	Spring 2012	
		F: Step up efforts to conclude negotiations of a working arrangement between the <u>competent</u> <u>border control authorities of</u> Turkey and FRONTEX.	FRONTEX	Ongoing.	
		G: FRONTEX should make full use of its recently expanded mandate and strengthen its operational cooperation with Turkey.	[]	[]	
		H: Enhance inter-agency cooperation, notably between FRONTEX, EASO and EUROPOL. Europol and Frontex should also address cross border crimes.	FRONTEX, EUROPOL, EASO	[]	

			I. Establishment of a trilateral common contact centre for police and customs cooperation between the Republic of Bulgaria, The Hellenic Republic and the Republic of Turkey.	Bulgaria, Greece, Turkey	[]	
			J: Enhance cooperation with the relevant Turkish authorities in order to ensure the implementation of escorted transit and assisted voluntary return projects via Turkey.	MS, COM	Ongoing	
th pa T	Strengthening ne EU's artnership with furkey to en-sure bint responsibility,	To prevent illegal migration and enhance migration management in cooperation with Turkey.	A: The establishment of an EU/Turkey partnership in the area of migration and border management should be considered.	Presidency, COM	End 2012	
ar ar	olidarity and ooperation in the rea of migration and border hanagement.		(input after discussion at informal SCIFA)			

1 D		iority area: Better tackling of abuse of A: Assess expected impact on migration and risks to		_	
1. Prevent an increase of	Decrease the number of unfounded asylum	EU's internal security before launching a visa	COM, FRONTEX, EASO, EUROPOL	Continuous	
unfounded asylum applications as a direct consequence of introducing a	applications from visa free third countries. Decrease the number of	liberalisation dialogue with third countries. B: Assess the functioning of existing readmission agreements with potential visa liberated third countries before launching a visa liberalisation dialogue.	COM, MS	Continuous	
visa free regime for a third country and decrease the number of over- stayers in the Schengen-area.	over stayers in the Schengen area.	C: Continued monitoring of the negative effects of current visa free regimes with assistance of FRONTEX and EASO.	COM, MS, FRONTEX and EASO	Continuous	
2. Combating <u>and</u> <u>preventing</u> illegal migration caused by visa liberalisation.	Decrease the level of illegal work-force.	A: Political agreement on the Commission proposal to amend Visa Regulation 539/2001 establishing a suspension mechanism allowing for the rapid, temporary suspension of the visa waiver for a third country in the event of a sudden and considerable abuse of asylum procedures.	Council and EP	First semester 2012.	
		B: Gradual steps towards visa liberalisation with selected third countries while fully involving the Council on a case by case basis.	COM and Council	Continuous	
I		C. Ensuring that visa liberalisation processes are based on progress in the third countries concerned involves the Council in the process and is not automatic.			Delete

V. Strategic priority area: Prevention of abuse of free movement rights by third country nationals					
1. To improve the understanding of abuse of free movement rights by third country	To gather, analyse and share data on the fraud and abuse of free movement rights at the	A: Improve understanding of <u>possible</u> abuse of free movement rights experienced by <u>Member States in light of the EMN study on "Misuse of the Right to Family Reunification: marriages of convenience and false declarations of parenthood"</u>	COM, MS	May 2012	
nationals and organised crime aiming at facilitating illegal immigration.	To improve the dissemination of information,	B: Consider how Europol could gather and analyse data on the organised facilitation of sham marriage and EU documentation fraud within the scope of EU crime priorities.	PRES, COM, EUROPOL	2012	
	intelligence and best practice between Member States to deter	C: Consider how better to gather and analyse data on EU documentation fraud and facilitators detected at the external EU border.	MS, COM; FRONTEX	2012	
	and investigate abuse of free movement rights.	D: Identify desired EU actions to tackle abuse and continue to support existing work to tackle trafficking of human beings and organised crime aiming at facilitating illegal immigration.	COM, MS	[]	
	To identify and direct the action required to tackle the abuse.	E: Make effective use of Joint Investigation Teams (JITs) to investigate sham marriage and EU documentation fraud.	PRES, COM	No deadline	
		F: Prepare a handbook on marriages of convenience, including indicative criteria to assist in the identification of sham marriages, <u>building on the existing work of national contact points established in the context of the FREEMO expert group.</u>	COM, MS, FREEMO	Ongoing	
		G: Consider making use of Europol Platform for Experts (EPE) as a forum to share best practice and experience.	MS	No deadline	

		H. Make full use of the national contact points established in the context of the FREEMO expert group of contacts in Member States for queries in individual cases.			
2. To prevent the fraudulent acquisition and use of free movement rights by third country nationals.	To ensure that travel documents used within the EU, including their issuance and validation, meet minimum security standards, with a particular focus on ID and residence cards.	A: Implement enhanced security standards for EU identity documents (visa, residence cards, etc.) together with secure issuing processes on the basis of improved breeder documents (residence cards etc.) including the ability to take biometrics for third country nationals and work towards common validation standards at borders and domestic controls.	MS, COM	2012	
		B: Improve the security of the application and issuance processes for identity/Euro documentation.	PRES, COM, MS	2012	

VI. Strategic priority area: Enhancing migration management, including cooperation on return practices					
1. Ensuring that all Member States have efficient migration management systems in place in	Putting in place a sustainable and credible EU policy approach to the management of migration and ensuring contingency measures	A: Full implementation of EU legislation in the field of migration and asylum. Ensure that EU legislation in the field of asylum and migration is fully implemented and facilitates the efficient and effective operation of immigration systems, including processing and removing illegal migrants.	MS	[]	
order to be are in place for unexpected flows of fluctuating migration. migration pressures. Developing an early	unexpected flows of	B : Ensuring statistical and analytical data is in place.	COM, MS, EASO, FRONTEX	Ongoing	
	warning system based	C: EASO will develop an early warning system based on data received by Member States which includes tailor-made assistance to Member States asylum systems, for capacity building.	MS, EUROSTAT, COM	End 2012	
		D: To consider contingency planning in respect of illegal Closely monitor developments in respect of illegal migration movements from Syria.	EASO	April First semester 2012	
2. Maximising the potentials of a common EU approach in the field of return, both voluntary and forced in compliance with existing EU acquis.	To increase numbers of returns of illegal migrants and to develop swift, sustainable and effective return using a common EU approach, including more effective joint return operations.	A: Ensuring that MS fully implement the existing acquis. Ensuring that EU legislation in the field of migration and asylum is fully implemented and facilitates efficient and effective returns.	COM, MS	2012-2013	
		B: Ensuring that MS share best practises on return (both voluntary and forced) and encouraging cooperation between the stakeholders in the field.	MS, FRONTEX, IOM WP on Migration (expulsion)	PRES synthesis in June 2012.	
		C: Improve operational co-operation on joint return operations.	MS, FRONTEX	Ongoing	
		D: Ensuring the correct transposition of the Return Directive.	COM, MS	Ongoing	

		E: PRES questionnaire and synthesis on possible common EU approach and best practices.	PRES	Ongoing	
		F: FRONTEX to offer assistance with capacity building, coordination and organisation of joint return operations.	FRONTEX	Ongoing	
		G: MS to regularly inform FRONTEX of their needs for assistance or coordination by the agency. FRONTEX should draw up a rolling operational plan to provide MS with necessary operational support.	MS, FRONTEX	Ongoing	
	H: FRONTEX should establish the Code of Conduct on return.	FRONTEX	2012		
		I: FRONTEX should enhance cooperation with third country authorities on best practices on acquisition of travel documents and return – and regularly report back to Council and Frontex Management Board on results achieved.	FRONTEX	[]	
		J: Support voluntary return programmes, improve operational co-operation on assisted voluntary return programmes.	MS, COM	Ongoing	