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From: Presidency
To: Delegations
Subject: European Agenda on Migration
- Policy debate

I. Introduction

Following the tragic events in the Mediterranean since the beginning of the year, the European Union has reacted in a swift and decisive manner in particular in order to save lives at sea.

Migratory pressure related issues have been debated at the highest political level both during the informal Home Affairs ministerial meeting on 29 January, 2015 and JHA Council on 12 March, 2015. The aim of those discussions was to provide contributions to the forthcoming European Agenda on Migration.

A joint meeting of the ministers for Home Affairs and Foreign Affairs took place on 20 April in the aftermath of the accident leading to the drowning of more than 700 migrants in the Mediterranean. During that meeting, the Commission presented a plan of 10 points for immediate action in order to better manage the situation in the Mediterranean.

The European Council convened a special meeting on 23 April, 2015 and adopted a statement with a view to mobilising all efforts at the EU disposal.

The Presidency and the Commission with the European External Action Service prepared a roadmap within a week in order to implement short term measures to prevent further loss of lives. The state of play regarding measures it contains is regularly updated. The revised version of the roadmap will be presented to the European Council meeting on 25-26 June, 2015.

As already foreseen and in order to further react to the above-mentioned tragic situation, the Commission advanced the presentation of the European Agenda on Migration on 13 May, 2015.

The Agenda not only identifies some urgent initiatives under "Immediate Action" but also builds on four pillars as a basis for a comprehensive European migration policy:

- Reducing incentives for irregular migration;
- Border management;
- Strong common asylum policy;
- New policy on legal migration.

The Agenda is accompanied by a package of implementing measures adopted by the Commission on 27 May, 2015. It includes proposals for relocation and resettlement, as well as an Action Plan against migrant smuggling, and proposals in order to improve the fulfilment of the fingerprinting obligations according to the Eurodac Regulation.

II. Discussions on the Migration Agenda

The Latvian Presidency attaches a great importance to the migratory pressure related issues. Therefore, it has organized extensive and in-depth debates both on the general principles and specific measures at strategic and expert level since the presentation of the Commission's communication and of the implementing package.

Following the presentation of the Migration Agenda on 13 May, COREPER II had a first exchange of views followed by more in-depth discussions among JHA Counsellors on 22 May. In similar vein, the implementation package was discussed at COREPER II on 27 May. On 5 June SCIFA had thorough discussions on both the Migration Agenda and the implementation package.

These discussions showed broad support to the Migration Agenda proposed by the Commission. In general Member States agree with the structure of the Agenda and its main elements consisting of short and midterm actions. The four pillars combined with the immediate actions and the implementing measures have been considered as a good basis for developing a comprehensive and sustainable system of migration management.

There is wide consensus with regard to the need to further cooperate with third countries since both the root causes of and solutions to migration related issues can be sought there. In order to ensure a genuinely comprehensive approach, some Member States have suggested to strengthen the links with the Internal Security Strategy and measures proposed therein.

Some concerns have also been expressed relating to the geographical balance of the proposed Agenda and its accompanying measures. Some Member States suggested that the above measures would not provide sufficient relief in crisis situations if they were to occur at the EU external land borders.

Member States support the initiatives to reduce the incentives to irregular migration. In particular, the fight against human smuggling and trafficking has been considered as an indispensable action in order to achieve that goal.

The need to improve the efficiency of EU return and readmission policy has also been highlighted as an essential part of a credible migration management system. In this regard, some Member States have called on the Commission to propose more ambitious and innovative measures in this area.

With regard to border management, Member States welcomed the proposals to reinforce Frontex role and capacity and urged the Commission to revise the legislative proposals on Smart Borders. A few Member States have questioned the proposed Union Standard for border management.

With a view to establishing a strong asylum policy, Member States agree that the full implementation of the adopted acquis in this field and its evaluation should take place before a possible revision of the Dublin Regulation (already in 2016).

One of the most discussed issues during the debates, so far, concerns the Commission's proposals that directly involve the implementation of the principle of solidarity and fair sharing of responsibility, with some Member States advocating a more equitable balance between the two principles.

In particular, Member States' views differ on the proposed concept of relocation in order to respond to high volumes of arrivals that includes temporary scheme for persons in need of international national protection.

Firstly, at this stage, Member States have expressed diverging views on the binding nature of the burden sharing among Member States. Secondly, some Member States questioned the distribution key proposed by the Commission, and in particular the objectivity of the proposed criteria.

The total number of persons to be relocated, the available funding, and the capacity of the Member States' structures to deal with relocation were equally questioned.

However, there is a common understanding of the need to establish a mechanism that would provide support for the Member States under particular migratory pressure, including options for emergency relocation. It should be recalled that in the Statement of 23 April the Heads of State and Government committed to "*consider options for organising emergency relocation between all Member States on a voluntary basis*". Some Member States have called for the urgent adoption of the proposed measure and its implementation as soon as possible as suggested by the Commission.

In the area of legal migration Member States have supported the expected modernization of the Blue Card Directive. However, some concerns aimed at safeguarding national competences in this area have been voiced by Member States.

In conclusion, all Member States agree that the Agenda as presented by the Commission provides a framework for the comprehensive migration management system at EU level. Member States expressed their readiness to continue discussing the above-mentioned issues and the need to obtain further information on the proposed measures before decisions are taken. Enhanced efforts on specific issues such as fight against smuggling, improved efficiency of return policy and balanced approached towards solidarity and responsibility have been considered as a matter of priority.

III. Questions to consider

In order to guide the debate for further work and to develop a genuinely comprehensive approach towards migration, ministers are invited to reflect on the following questions:

- The Agenda (and its implementing package) as proposed by the Commission aims at providing a comprehensive approach towards the migratory challenges the EU is facing. In your opinion, is there other measures listed in the Agenda that should be considered as a matter of priority? Which important elements, in your view, are missing in the Agenda?
- In your opinion, how would it be possible to establish a mechanism that would provide support for the Member States under particular migratory pressure, while taking into account the concerns expressed?