



Council of the
European Union

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NOTE

From: Presidency
To: Permanent Representatives Committee
Subject: Draft Council conclusions on measures to handle the refugee and migration crisis

Delegations will find attached draft Council conclusions on the above subject, which will be examined by Coreper on 6 November 2015.

The Council, in full cooperation with the Commission, agreed the following measures to handle the refugee and migration crisis. It decided:

1. to strongly encourage Member States and relevant third countries to intensify ongoing efforts to increase reception capacities for temporary as well as long-term stay, for which the Council welcomes rapid identification by the Commission of additional financial support for affected countries and for the UNHCR;
2. that Member States will speed up the relocation process, notably by communicating their capacities for first relocations and by nominating relocation liaison officers to Italy and Greece, by 16 November 2015. In parallel, Italy and Greece will substantially accelerate the preparatory steps for potential asylum seekers to be relocated. The Council supports Italy and Greece in their decision to register migrants before further handling their case on the mainland, in particular with Eurodac machines provided by Member States. Member States will endeavour to fill by 16 November 2015 the remaining gaps in the updated calls for contribution from Frontex and EASO and will provide return experts for the pool of European Return Liaison Officers for rapid deployment;
3. that Member States, to overcome the potential lack of cooperation of migrants as they arrive into the European Union, and while fully respecting the fundamental rights and the principle of non-refoulement, will make full use of all possibilities provided by the EU *acquis*, such as (1) asylum procedures at borders or transit zones; (2) accelerated procedures; (3) non-admissibility of subsequent asylum applications by the individuals concerned; (4) coercive measures, including, as a last resort, detention for a maximum period necessary for the completion of underlying procedures;
4. to fully support the Commission in pursuing contingency planning of humanitarian assistance for the Western Balkans, in light of the approaching winter. The Union civil protection mechanism should be used to the maximum possible extent;

5. that processing centres, to be established by [*name of countries*] in order to organise access to international protection notably through relocation schemes, should be supported by the Commission and EU agencies and by specific initiatives from Member States in the interest of the Union as a whole;
6. as regards border control for entry and exit into and out of the Schengen area, to assist the Member States concerned in respecting their legal obligation to perform adequate controls. This will involve a range of supporting measures by Frontex, gradually extending, as necessary, to the deployment of Rapid Border Intervention Teams (RABITs);
7. to support the upscaling [by 1 December 2015] the *Poseidon* Sea Joint Operation in Greece within the current operational plan;
8. to conduct a thorough debate at the December Justice and Home Affairs Council on temporary reintroduction of controls at internal borders on the basis of the 8th bi-annual reporting by the Commission on the functioning of the Schengen area (1 May 2015 - 31 October 2015);
9. to invite Europol to accelerate the establishment of its anti-smuggling capacity (*European Migrant Smuggling Centre*), building on the Joint Operational Team *Mare* initiative, in cooperation with Eurojust and ensuring the effective deployment of officers on key migratory routes;
10. that, in view of the Council meeting of 3-4 December 2015, further progress should be made on pending legislative proposals on a crisis relocation mechanism and on safe countries of origin;
11. to invite the Commission and the European External Action Service to reach practical results in their bilateral dialogues on return and readmission, notably during the upcoming high-level meetings with Turkey (11 November), Pakistan (19 November, *tbc*), Morocco (late 2015 / early 2016), Tunisia (early 2016) and Nigeria. The Council expects a progress report on the results of these bilateral dialogues ahead of its next meeting on 3-4 December;

12. that the first European Migration Liaison Officers (EMLOs) should be deployed as a matter of priority to Niger, Ethiopia and Pakistan by [1 December 2015];
13. to invite the Commission to continue its preparatory work on a permanent EU resettlement scheme with an emphasis on certain priority third countries;
14. to support the accelerated calendar on the visa liberalisation process, including readmission, with Turkey and, in the context of enhanced cooperation with Turkey foreseen in the action plan, to encourage concrete steps on border control and on the fight against trafficking and smuggling of migrants;
15. to define as a matter of urgency a common Communication Strategy on Migration aiming at (1) explaining the implication of EU *acquis*, including resettlement and relocation, (2) disseminating a counter-narrative on trafficking and smuggling of migrants, (3) informing on criminal prosecutions against traffickers and smugglers and (4) informing on return operations. As part of this communication strategy, a clear message should be expressed that access to protection in the EU is henceforth organised through relocation and resettlement. The Council invites the Commission to set up a dedicated communication team, bringing together all relevant institutional actors¹;
16. to support the Presidency's decision:
 - to upgrade the activation of the Integrated Political Crisis Response (IPCR) from information-sharing to full activation mode including, by providing information to feed the ISAA process, by contributing to the identification of operational gaps and by supporting communication activities, thereby improving political coordination and decision-making process at EU level;

¹ with experts from the rotating presidency, from relevant Member States, associated States, third countries, European External Action Service, agencies and other stakeholders as necessary

- and set up operational coordination roundtables¹ meeting regularly at strategic level for the management of the migration crisis, bringing together appropriate expertise in order to (1) coordinate the implementation of interlinked measures on borders, reception capacities and hotspots; (2) closely follow-up on financial and human resources pledges; (3) set operational and logistical priorities, according to the needs and operational gaps identified in the ISAA reporting by the Commission;
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