



Six Principles for further developing EU-Turkey Cooperation in tackling the Migration Crisis

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On 7 March, EU leaders agreed that bold moves were needed to close down people smuggling routes, to break the business model of the smugglers, to protect the EU external borders and to end the migration crisis in Europe. To achieve this, the leaders warmly [welcomed](#) the additional proposals made by Turkey and agreed to work with Turkey on the basis of a set of six principles. The President of the European Council was tasked with taking forward these proposals and working out the details with Turkey before the European Council of 18-19 March.

First Vice-President **Frans Timmermans** said: *"Nobody who wants to remain true to the principles of decency, humanity and solidarity can be satisfied with a situation where human beings, to reach Europe, take a gamble on their lives, putting them in the hands of people smugglers who cynically exploit human misery. We need to finally break that pattern. The proposals discussed between the EU and Turkish leaders to return all new irregular migrants and asylum seekers arriving in Greece from Turkey, as a temporary and extraordinary measure taking effect as soon as possible, together with resettling Syrians from Turkey to the EU, can break the smugglers' business model once and for all. But this will and can only take place in accordance with the international and EU legal framework. This means that the case of each person requesting international protection needs to be assessed individually, with a right to appeal, and with the guarantee that there will be no 'refoulement'"*

Today's Communication is the Commission's contribution to the European Council and sets out how the six principles should be taken forward, delivering on the full potential for EU-Turkey cooperation while respecting European and international law.

1. Legal safeguards for the return of all new irregular migrants and asylum seekers crossing from Turkey into the Greek islands

The return of irregular migrants and asylum seekers whose claims have been declared inadmissible or rejected, an essential component in breaking the pattern of migrants paying smugglers and risking their lives, can only be carried out in respect of European and international law. The arrangements for such returns, both of those in need of international protection, and those who are not, should only be considered as a temporary and extraordinary measure aimed at putting an end to the human suffering resulting from the current significant flows between Turkey and Greece.

All returns need to be carried out in line with the refugee protection safeguards that have been put in place in international and EU law. This entails that every asylum application is treated individually, respecting the clear legal and procedural parameters set out in the EU Asylum Procedures Directive. There is no question of applying a 'blanket' return policy, which would be contrary to the legal requirements and the fundamental rights of asylum seekers.

Readmission of people not in need of international protection: All new irregular migrants and asylum seekers entering Greece found not in need of international protection will be returned to Turkey under the [bilateral readmission Agreement](#) between Greece and Turkey.

Returning persons in need of international protection: Under EU law (Articles 35 and 38 of the [Asylum Procedures Directive](#)), an asylum application can be closed and declared inadmissible if a person has already been recognised as a refugee or already enjoys sufficient protection in a *"first country of asylum"*, or if a person has come to the EU from a *"safe third country"* which can guarantee effective access to protection. A number of safeguards exist to protect asylum seekers' rights, including individual examinations of every case, personal interviews and a right of appeal against inadmissibility decisions.

Practical arrangements: In order to apply these provisions, modifications would be required to both Greek and Turkish domestic legislation – in Greece to ensure Turkey is classified a safe third country and in Turkey to ensure access to effective asylum procedures for all persons in need of international protection. Fast-track operational arrangements between Greece and Turkey will also need to be put in

place, including an increase of the reception capacity in the Greek islands and an adaptation of the hotspots to host readmission and asylum offices.

2. A 1:1 resettlement scheme

For every Syrian national returned from the Greek islands another will be resettled to the EU directly from Turkey. In order to function, Member States should make a sufficient number of resettlement places available. Existing commitments used for this purpose will include the 18,000 remaining places from the [EU resettlement scheme of 22,504 places](#) agreed in July 2015 and if needed, the use of the unallocated 54,000 places under existing relocation decisions should be considered.

The logistical framework that underpins the Voluntary Humanitarian Admission Scheme with Turkey should be used for the purposes of the 1:1 resettlement scheme – namely relying on the expertise of the UNHCR with the support of EASO, IOM and additional national asylum officers where needed. Once the 1:1 scheme has fulfilled its purpose of stemming migration flows, admissions under the [Voluntary Humanitarian Admission Scheme](#) will be activated, with Member States contributing on a voluntary basis.

3. Accelerating the Visa Liberalisation Roadmap

Work on the [Visa Liberalisation Roadmap with Turkey](#) will be accelerated – without changing the 72 benchmarks which need to be fulfilled by Turkey (35 of which have already been [fulfilled](#)). In order to meet the target of lifting visa requirements by the end of June, Turkey will need to adopt the pending measures in good time. On the understanding that Turkey takes the necessary measures to fulfil the remaining requirements, the Commission will make a legislative proposal to lift the visa requirements for Turkish citizens at the end of April 2016.

4. Speed up the disbursement of funds under the Facility for Refugees in Turkey

The [first projects](#) under the Facility for Refugees in Turkey are being financed, with €55 million to address the immediate needs of Syrian school-children in Turkey for access to formal education, and €40 million in humanitarian aid through the World Food Programme. The next step for funding further projects will require the pro-active engagement of the Turkish authorities to finalise the needs analysis by mid-April.

5. Accelerating Accession Negotiations

The Commission and Member States are working on advancing the accession negotiations with Turkey. Preparations are now underway to progress towards the opening of five chapters. The Commission aims to finalise all related preparatory documents in the spring with a view to submitting them to the Council, without prejudice to Member States' positions and the negotiating framework.

6. Improving the humanitarian conditions inside Syria

As already stated by the European Council, the EU is ready to work with Turkey to improve humanitarian conditions inside Syria which would allow refugees to live in areas which will be safer. To be successful, it is fundamental that the [commitments](#) made by the International Syria Support Group in Munich on 11-12 February are swiftly implemented in full by all parties.

Background

On 15 October, the European Commission reached an *ad referendum* agreement with Turkey on a [Joint Action Plan](#) to step up their cooperation on migration management in a coordinated effort to tackle the refugee crisis. The Joint Action Plan was activated at the [EU-Turkey meeting on 29 November 2015](#).

The Action Plan identifies a series of collaborative actions to be implemented as a matter of urgency by the European Union and the Republic of Turkey with the aim of confronting common challenges in a concerted manner and supplementing Turkey's efforts in managing the large number of people in need of protection in Turkey. In addition, the European Union – the institutions and its Member States – also committed to increasing political engagement with Turkey, providing Turkey with significant financial support, accelerating the fulfilment of the visa liberalisation roadmap and re-energising the accession process with Turkey.

Following their meeting with Prime Minister Davutoğlu, the [EU Heads of State or Government on 7 March 2016](#) welcomed the additional proposals made by Turkey to address the migration issue.

For More Information

[Communication](#) from the Commission to the European Parliament, the European Council and the Council: Next operational steps in EU-Turkey cooperation in the field of migration

[FACTSHEET: Managing the refugee crisis: EU support to Jordan](#)

[FACTSHEET: Managing the refugee crisis: EU support to Lebanon](#)

[EU-Turkey Joint Action Plan](#)

[FACTSHEET: EU-Turkey Joint Action Plan - Implementation report](#)

Press release: [A Voluntary Humanitarian Admission Scheme with Turkey for refugees from Syria](#)

[Commission Recommendation for a Voluntary Humanitarian Admission Scheme for Refugees from Syria staying in Turkey](#)

[Second report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap](#)

[Directive on common procedures for granting and withdrawing international protection \(Asylum Procedures Directive\)](#)

[The European Agenda on Migration](#)

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