

Nicosia, Athens, Madrid, Rome, Valletta, 8 June 2021

To: *Mrs Nina Gregori*
Executive Director, EASO

Copy: *Mr. Margaritis Schinas*
Vice President, European Commission

Mrs Ylva Johansson
Commissioner for Home Affairs

Mr. Eduardo Cabrita
Minister of Internal administration of Portugal
Chair of the JHA Council

Mr. Juan Fernando López Aguilar
Chair of the LIBE Committee
European Parliament

Dear Executive Director,

In response to your letter dated 26 April 2021 on the issue of the adoption of the draft Regulation establishing the European Union Agency for Asylum (EUAA), we take the opportunity to express our views.

As Ministers of the group of Med-5 Member States that are facing the brunt of irregular arrivals, we take good note of the argumentation presented in this letter on the need to turn EASO into a fully-fledged European Agency. We acknowledge that the operational support provided by EASO has overall contributed to enhancing our respective systems and in many cases facilitating the burdensome tasks of our national authorities.

We believe that a strong European support mechanism on asylum should be an integral part of the efforts to create a sustainable common policy. In this regard, the negotiations on the legislative proposals linked to the new Pact on Migration and Asylum are providing an opportunity to address existing shortfalls in a holistic, effective and resilient way. Evidently this may entail a lengthy process; however, it is necessary for us all to embark on this in a constructive mindset aiming at a fair and equitable CEAS.

In order to ensure that the European Union's policy in this area remains valid in the medium to long term, we are consistently aiming for a "package approach" incorporating both higher standards, fair sharing of responsibility and solidarity

provisions. Nonetheless, in a spirit of compromise and constructiveness we stand ready to decouple the transformation of EASO from this broader debate under specific conditions.

More particularly, following extensive consultations with relevant stakeholders, we believe that indeed an opportunity is being currently presented to proceed with the adoption of the Regulation and the transformation of EASO into a fully-fledged European Agency, provided that Articles 13, 14 and 22 of the current text on the monitoring mechanism and disproportionate pressure, together with corresponding recitals, do not enter into force at this stage.

We feel that Articles 13, 14 and 22 are inextricably linked to the ongoing debate on the fair share of responsibility and solidarity in the CEAS. Therefore, we are not in a position to provide our agreement to those articles and commit ourselves to additional responsibilities, as long as there is no tangible progress on agreed rules on solidarity, including a permanent and predictable relocation mechanism that will effectively alleviate the burden on front-line Member States.

In this spirit, we would like to put forth a pragmatic option, which necessarily includes linking the above aspects of the EUAA Regulation to the outcome of the negotiation of the AMMR.

This is only logical, as we need to define in a comprehensive way the details of the envisaged solidarity mechanism and the related responsibilities of the front-line Member States, including the monitoring mechanism. Through this pragmatic approach, we consider that a final compromise on the EUAA Regulation could be quickly reached.

Yours sincerely,

Nicos Nouris

Notis Mitarachi

Fernando Grande-Marlaska Gómez

Luciana Lamorgese

Byron Camilleri