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**NOTE**

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From:	Presidency
To:	Permanent Representatives Committee/Council
Subject:	Asylum and migration: external and internal dimensions

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In its conclusions following the special summit of 9 February 2023, the European Council acknowledged that the migration situation is **a European challenge that requires a European response**. The European Council also called on the Council and the Commission to closely monitor and ensure the implementation of its conclusions.

The Swedish Presidency is convinced that, in order to address the migratory challenges in a truly European manner, it is necessary that EU institutions, EU agencies and the Member States all do their part. This is particularly important when it comes to effectively implementing the current EU legislation in the area of asylum and migration, protecting our external borders, and contributing to the implementation of migration action plans and action files. At the same time, moving forward on the New Pact on Migration and Asylum remains crucial. Addressing primary movements – at both maritime and land borders – and secondary movements requires a joined-up effort by Member States. We must make further progress in the external dimension of migration, including by improving cooperation with third countries on readmission. For this, a whole-of-government approach is key.

Monitoring data in a more systematic manner and improving the **EU's situational awareness**, thus enabling earlier detection of migratory movements of concern, would make the EU's actions more effective and targeted. Following the conclusions of the special European Council, the work of the Blueprint network and the situational awareness reports should be adapted. More emphasis will be put on early warning and shared analysis. Work will continue to enhance the coordination capacity of the Blueprint network and to adapt the Integrated Situational Awareness and Analysis Capability (ISAA) report, as appropriate.

#### **A. Internal dimension of migration**

The special European Council recognised the progress achieved on the New Pact on Migration and Asylum in 2022 and called on the co-legislators to continue the work. In line with the Joint Roadmap signed by the five rotating presidencies and the European Parliament, the Presidency will advance the negotiations on the Pact in order to enable the pending legislative proposals to be adopted before the end of this legislative period. The Presidency remains committed to inviting the June Council to agree on a general approach on the Asylum and Migration Management Regulation and the Asylum Procedure Regulation. Work also continues on the other strands of the internal dimension of migration. An overview of the state of play of the individual legislative files is set out in the 'Overview of other legislative items' (6838/23).

*The Presidency will update the Council on the state of play.*

**B. Implementation of the Dublin Roadmap as well as effective EU engagement at the external borders, including on the matter of operations by private entities**

The importance of the correct and effective implementation of the rules applicable under the current asylum instruments has been widely recognised, including by the European Council. Pending the general reform of the Common European Asylum System, effective implementation of the current acquis would lead to a reduction in secondary movements and in possible abuses. Given the continuous low rate of transfers under the Dublin Regulation, the improvements that can be made in this respect are particularly important. In addition, the systematic registration of persons crossing the external borders irregularly is also essential for the good functioning of the system. The progress made in the negotiations on the revised Eurodac Regulation is therefore particularly welcome.

Following the discussions in the Contact Committee on the Dublin Regulation and the subsequent debates and written proceedings, Member States agreed, on 29 November 2022, at the meeting of the Strategic Committee on Immigration, Frontiers and Asylum (SCIFA), on the ‘**Dublin Roadmap**’ to improve the implementation of transfers under the Dublin III Regulation. The Roadmap’s aim is to ensure that Member States comply with their obligations pursuant to the EU asylum acquis, and in particular the Dublin III Regulation. It sets out practical steps Member States, the Commission and the EU Asylum Agency commit to take in order to improve the implementation of transfers under the Dublin III Regulation. To ensure its effective implementation, a concrete timeline is set out.

Practical steps aimed at a speedy implementation of the Roadmap, guided by the Commission, need to continue. At the next meeting of the **Dublin Contact Committee** on 16 March 2023, Member States’ experts will discuss the delivery of actions to be implemented on a continuous basis and by March 2023. These actions aim at significant and tangible improvements in the flexibility regarding incoming transfers and in reducing the length of the Dublin procedure, in addition to overall progress in the acceleration and increase of Dublin transfers.

While the vast majority of irregular migrants coming through maritime routes arrive in the EU through their own means or following state-led rescue operations, the **role of private entities** in the rescue of persons in distress in the Mediterranean Sea has emerged in recent years as a new form of search and rescue and was most recently discussed at the extraordinary JHA Council on 25 November 2022. In this context, Ministers underlined the need to prevent loss of lives at sea and supported the Commission's intention to re-launch the European Contact Group on Search and Rescue to, among other things, support enhanced coordination and cooperation among all relevant actors involved in search and rescue operations. In a similar vein, the European Council recognised the specificities of maritime borders, including as regards safeguarding human lives, and underlined the need for reinforced cooperation regarding search and rescue (SAR) activities.

The resumed work of the **European Contact Group on Search and Rescue** should be encouraged and closely monitored. The most recent meeting of the group took place on 31 January 2023. The Presidency's view is that the group can play an important role in gathering information on SAR activities in the Mediterranean with a view to identifying possible areas for increased coordination and cooperation amongst all relevant actors, ultimately resulting in better management of search and rescue activities in the Mediterranean. The meeting concluded with the possibility for Member States to engage in follow-up discussions, on a voluntary basis, on specific topics such as 1) improving situational awareness in the Central Mediterranean; 2) enhancing cooperation amongst competent authorities on SAR; 3) achieving a better overview of existing law and policies concerning private vessels involved in SAR; and 4) possible engagement with the International Maritime Organization (IMO).

The Presidency will follow the work of the Contact Group on Search and Rescue and ensure that the Council preparatory bodies concerned are kept informed of relevant developments in this regard.

*The Commission will be invited to update the Council regarding the implementation of the Dublin Roadmap and the work of the European Contact Group on Search and Rescue, including on the next steps. Ministers will be given the opportunity to comment.*

### **C. External dimension of migration**

The European Council has called for an **intensified EU engagement in the external dimension** of migration. The Presidency is working together with the Commission, the European External Action Service, EU agencies and Member States to ensure that the action plans for the Central Mediterranean and Western Balkans regions, presented in late 2022, are fully implemented and yield results. Action plans for the Eastern Mediterranean and Western Mediterranean/Atlantic routes should be developed as a matter of priority to further alleviate pressure on and prevent irregular arrivals to the most affected Member States, and the Commission has already started working on these in close cooperation with the Member States concerned.

Achieving results in the external dimension requires a **true whole-of-government approach** and sustained engagement, both from Member States and EU institutions and from EU agencies. This is essential in order to ensure the comprehensiveness of the EU's response while making use of all relevant policies, instruments and tools. We need to pool our efforts, in a Team-Europe spirit, and strengthen cooperation with partner countries. By developing mutually beneficial partnerships and filling the Talent Partnerships with content, we can achieve more sustainable results in the external dimension. To make progress, EU institutions and Member States must also further step up their engagement and increase the coordination of high-level outreach and activities in partner countries.

In line with the outcome of the review of the operational coordination mechanism for the external dimension of migration (MOCADÉM), the Presidency endeavours to ensure policy coherence, strengthening the link between MOCADÉM and Coreper and involving other relevant preparatory bodies of the Council in the work on the external dimension. The Presidency is encouraging efforts to improve local coordination and closer involvement of EU Delegations and Member States' representations in relevant third countries in the development and implementation of action files.

Increased sharing of information between Member States and EU institutions on incoming visits and outgoing missions at political level would contribute to fulfilling the objective set by the special European Council to **increase and coordinate high-level outreach to third countries**. The Presidency encourages Member States and EU institutions to also share preliminary planning and ideas, and to join up in intensified outreach with key third partners, creating even more opportunities for better coordination. MOCADÉM is a useful forum for these exchanges. The common messages developed in action plans and action files are important to ensure that the EU speaks with one voice. The Presidency encourages Member States to make use of these common messages in their bilateral engagements.

*The Commission will be invited to update the Council on the implementation of the action plans on the Central Mediterranean and on the Western Balkans, as well as on the state of play regarding the drafting of the action plans on the Eastern Mediterranean and Western Mediterranean and Atlantic routes. Ministers will be invited to share their views on how Member States could further contribute to the implementation of the actions plans especially with regard to common messaging, coordinated political outreach at a high level and identifying synergies between bilateral and EU activities.*