



Brussels, 23.9.2020
COM(2020) 609 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

on a New Pact on Migration and Asylum

‘We will take a human and humane approach. Saving lives at sea is not optional. And those countries who fulfil their legal and moral duties or are more exposed than others, must be able to rely on the solidarity of our whole European Union... Everybody has to step up here and take responsibility.’

President von der Leyen, State of the Union Address 2020

1. INTRODUCTION: A NEW PACT ON MIGRATION AND ASYLUM

Migration has been a constant feature of human history with a profound impact on European society, its economy and its culture. With a well-managed system, migration can contribute to growth, innovation and social dynamism. Key societal challenges faced by the world today – demography, climate change, security, the global race for talent, and inequality – all have an impact on migration. Policy imperatives such as free movement in the Schengen area, safeguarding fundamental rights, ensuring security, and filling skills gaps, all call for an effective migration policy. The task facing the EU and its Member States, while continuing to address urgent needs, is to build a system that manages and normalises migration for the long term and which is fully grounded in European values and international law.

The **New Pact on Migration and Asylum** offers a fresh start to address this task. The refugee crisis of 2015-2016 revealed major shortcomings, as well as the complexity of managing a situation which affects different Member States in different ways. It unearthed genuine concerns, and brought to the surface differences which need to be acknowledged and overcome. Above all, it highlighted a fundamental truth inherent in the nature of the EU: that **every action has implications for others**. While some Member States continue to face the challenge of external border management, others must cope with large-scale arrivals by land or sea, or overpopulated reception centres, and others still face high numbers of unauthorised movements of migrants. A new, durable **European framework** is needed, to manage the interdependence between Member States’ policies and decisions and to offer a proper response to the opportunities and challenges in normal times, in situations of pressure and in crisis situations: one that can provide certainty, clarity and decent conditions for the men, women and children arriving in the EU, and that can also allow Europeans to trust that migration is managed in an effective and humane way, fully in line with our values.

- 20.9 million non-EU nationals were **legally resident** in EU Member States in 2019, some 4.7% of the EU total population.
- EU Member States issued around 3.0 million **first residence permits** to non-EU nationals in 2019, including around 1.8 million for a duration of at least 12 months.
- 1.82 million **illegal border crossings** were recorded at the EU external border at the peak of the refugee crisis in 2015. By 2019 this had decreased to 142 000.
- The number of **asylum applications** peaked at 1.28 million in 2015 and was 698 000 in 2019.
- On average every year around 370,000 applications for international protection are rejected but only around a third of these persons are **returned** home.
- The EU hosted some 2.6 million **refugees** at the end of 2019, equivalent to 0.6% of the EU population.

The New Pact recognises that **no Member State should shoulder a disproportionate responsibility** and that all Member States should **contribute to solidarity** on a constant basis.

It provides a comprehensive approach, bringing together policy in the areas of **migration, asylum, integration and border management**, recognising that the overall effectiveness depends on progress on all fronts. It creates faster, seamless **migration processes** and **stronger governance** of migration and borders policies, supported by modern IT systems and more effective agencies. It aims to reduce unsafe and irregular routes and promote sustainable and safe legal pathways for those in need of protection. It reflects the reality that most migrants come to the EU through legal channels, which should be better matched to EU labour market needs. And it will foster trust in EU policies by closing the existing **implementation gap**.

This common response needs to include **the EU's relationships with third countries**, as the internal and external dimensions of migration are inextricably linked: working closely with partners has a direct impact on the effectiveness of policies inside the EU. Addressing the root causes of irregular migration, combatting migrant smuggling, helping refugees residing in third countries and supporting well-managed legal migration are valuable objectives for both the EU and our partners to pursue through comprehensive, balanced and tailor-made partnerships.

In designing the New Pact, the Commission undertook dedicated high-level and technical consultations with the European Parliament, all Member States, and a wide variety of stakeholders from civil society, social partners and business. The New Pact has been shaped by the lessons of the inter-institutional debates since the Commission proposals of 2016 to reform the Common European Asylum System. It will preserve the compromises already reached on the existing proposals and add new elements to ensure the balance needed in a common framework, bringing together all aspects of asylum and migration policy. It will close gaps between the various realities faced by different Member States and promote mutual trust by delivering results through effective implementation. Common rules are essential, but they are not enough. The interdependency of Member States also makes it indispensable to ensure full, transparent and consistent implementation on the ground.

The New Pact on Migration and Asylum:

- robust and fair management of external borders, including identity, health and security checks;
- fair and efficient asylum rules, streamlining procedures on asylum and return;
- a new solidarity mechanism for situations of search and rescue, pressure and crisis;
- stronger foresight, crisis preparedness and response;
- an effective return policy and an EU-coordinated approach to returns;
- comprehensive governance at EU level for better management and implementation of asylum and migration policies;
- mutually beneficial partnerships with key third countries of origin and transit;
- developing sustainable legal pathways for those in need of protection and to attract talent to the EU; and
- supporting effective integration policies.

2. A COMMON EUROPEAN FRAMEWORK FOR MIGRATION AND ASYLUM MANAGEMENT

Since the refugee crisis of 2015-2016, the challenges have changed. Mixed flows of refugees and migrants have meant increased complexity and an intensified need for coordination and solidarity mechanisms. The EU and the Member States have significantly stepped up cooperation on migration and asylum policy. Member States' responses to the recent situation in the Moria reception centre have shown responsibility-sharing and solidarity in action. The plan of the Commission to work with national authorities on a joint pilot for a new reception centre shows how cooperation can work in the most operational of ways. To support the implementation of this joint pilot, the Commission will set up an integrated task force together with Member States and EU Agencies. However, *ad hoc* responses cannot provide a sustainable answer and major structural weaknesses remain, both in design and implementation. Inconsistencies between national asylum and return systems, as well as shortcomings in implementation, have exposed inefficiencies and raised concerns about fairness. And at the same time, the proper functioning of migration and asylum policy inside the EU also needs reinforced cooperation on migration with partners outside the EU.

A comprehensive approach is therefore needed which acknowledges collective responsibilities, addresses the most fundamental concerns expressed in the negotiations since 2016 – in particular in relation to solidarity – and tackles the implementation gap. This approach will build on progress made since 2016 but will also introduce a common European framework and better governance of migration and asylum management, as well as a new solidarity mechanism. It will also make procedures at the border more consistent and more efficient, as well as ensuring a consistent standard of reception conditions.

Building on the progress made since 2016

The Commission's previous proposals to reform the **Common European Asylum System** aimed to create a fair and swift process guaranteeing access to the asylum procedure, as well as equal treatment, clarity and legal certainty for asylum seekers, and addressing shortcomings on return. These goals remain valid and the New Pact has sought to maintain as much as possible the progress made and the compromises reached between the European Parliament and the Council.

The Commission supports the provisional political agreements already reached on the Qualification Regulation and the Reception Conditions Directive. These proposals should be agreed as soon as possible. The **Qualification Regulation** would further harmonise the criteria for granting international protection, as well as clarifying the rights and obligations of beneficiaries and setting out when protection should end, in particular if the beneficiary has become a public security threat or committed a serious crime. The recast of the **Reception Conditions Directive** would bring more harmonised rules and improved reception conditions for asylum applicants, including earlier access to the labour market and better access to education for child migrants. It would also make clear that reception conditions are only to be provided in the responsible Member State, disincentivising unauthorised movements, and rules on detention would be clarified. The regulation to set up a fully-fledged **European Union Agency for Asylum** is another essential building block in a coherent and operational system whose swift adoption would bring immediate benefits. The proposal for a **Union Resettlement and Humanitarian Admission Framework Regulation** would provide a stable EU framework for the EU contribution to global resettlement efforts. The Commission's 2018 proposal amending the **Return Directive** also remains a key priority, to close loopholes and streamline procedures so that asylum and return work as part of a single system¹.

¹ See section 2.5.

2.1 New procedures to establish status swiftly on arrival

The external border is where the EU needs to close the gaps between external border controls and asylum and return procedures. This process should be swift, with clear and fair rules for authorisation to enter and access to the appropriate procedure. The Commission is proposing to establish a seamless procedure at the border applicable to all non-EU citizens crossing without authorisation, comprising pre-entry screening, an asylum procedure and where applicable a swift return procedure – thereby integrating processes which are currently separate.

The first step should be a **pre-entry screening**² applicable to all third-country nationals who cross the external border without authorisation. This screening will include identification, health and security checks, fingerprinting and registration in the Eurodac database. It will act as a first step in the overall asylum and return system, increase transparency for the people concerned at an early stage and build trust in the system. It will foster closer cooperation between all relevant authorities, with support from EU Agencies. The screening will accelerate the process of determining the status of a person and what type of procedure should apply. To ensure that the same checks are conducted for all irregular arrivals before legal entry to the territory of a Member State, Member States will also need to carry out the screening if a person eludes border controls but is later identified within the territory of a Member State.

The Commission is also proposing a targeted amendment of its 2016 proposal for a new Asylum Procedures Regulation³ to allow for more effective while flexible use of border procedures as a second stage in the process. The rules on the asylum and return **border procedures** would come together in a single legislative instrument. Border procedures allow for the fast-tracking of the treatment of an application, much like acceleration grounds such as the concepts of safe countries of origin or safe third countries. Asylum claims with low chances of being accepted should be examined rapidly without requiring legal entry to the Member State's territory. This would apply to claims presented by applicants misleading the authorities, originating from countries with low recognition rates likely not to be in need of protection, or posing a threat to national security. Whilst asylum applications made at the EU's external borders must be assessed as part of EU asylum procedures, they do not constitute an automatic right to enter the EU. The normal asylum procedure would continue to apply to other asylum claims and become more efficient, bringing clarity for those with well-founded claims. In addition, it should be possible to relocate applicants during the border procedure, allowing for procedures to be continued in another Member State.

For those whose claims have been rejected in the asylum border procedure, an EU return border procedure would apply immediately. This would eliminate the risks of unauthorised movements and send a clear signal to smugglers. It would be a particularly important tool on routes where there is a large proportion of asylum applicants from countries with a low recognition rate.

All necessary guarantees will be put in place to ensure that every person would have an individual assessment and essential guarantees remain in full, with full respect for the principle of *non-refoulement* and fundamental rights. Special attention to the needs of the most vulnerable would include a general exemption from the border procedures where the necessary guarantees cannot be secured. To guarantee effective access to asylum procedures

² Proposal for a Regulation introducing a screening of third country nationals at the external borders, COM(2020) 612 of 23 September 2020.

³ Amended proposal for a Regulation establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, COM(2020) 611 of 23 September 2020.

and respect for fundamental rights, Member States, working closely with the Fundamental Rights Agency, will put in place an effective monitoring mechanism, already at the stage of the screening as an additional safeguard.

The new procedures will allow asylum and migration authorities to more efficiently assess well-founded claims, deliver faster decisions and thereby contribute to a better and more credible functioning of asylum and return policies. This will be of benefit both to Member States, and to the EU as a whole: the work should be supported by resources and expertise from EU agencies as well as EU funds.

The Asylum Procedures Regulation would also establish an accessible, effective and timely decision-making process, based on simpler, clearer and shorter procedures, adequate procedural safeguards for asylum seekers, and tools to prevent restrictions being circumvented. A greater degree of harmonisation of the safe country of origin and safe third country concepts through EU lists, identifying countries such as those in the Western Balkans, will be particularly important in the continued negotiations, building on earlier inter-institutional discussions.

2.2 A common framework for solidarity and responsibility sharing

Drawing on the experience of the negotiations on the 2016 proposals to reform the Common European Asylum System, it is clear that an approach that goes beyond the limitations of the current Dublin Regulation is required. Rules for determining the Member State responsible for an asylum claim should be part of a common framework, and offer smarter and more flexible tools to help Member States facing the greatest challenges. The Commission will therefore withdraw its 2016 proposal amending the Dublin Regulation to be replaced by a new, broader instrument for a common framework for asylum and migration management – **the Asylum and Migration Management Regulation**⁴. This reform is urgent and a political agreement on the core principles should be reached by the end of 2020.

This new common framework will set out the principles and structures needed for an integrated approach for migration and asylum policy, which ensures a fair sharing of responsibility and addresses effectively mixed arrivals of persons in need of international protection and those who are not. This includes a new **solidarity mechanism** to embed fairness into the EU asylum system, reflecting the different challenges created by different geographical locations, and ensuring that all contribute through solidarity so that the real needs created by the irregular arrivals of migrants and asylum seekers are not handled by individual Member States alone, but by the EU as a whole. Solidarity implies that all Member States should contribute, as clarified by the European Court of Justice⁵.

The new solidarity mechanism will primarily focus on relocation or return sponsorship. Under return sponsorship, Member States would provide all necessary support to the Member State under pressure to swiftly return those who have no right to stay, with the supporting Member State taking full responsibility if return is not carried out within a set period. Member States can focus on nationalities where they see a better chance of effecting returns. While each Member State would have to contribute to relocation and/or return sponsorships and a distribution key would be applied, Member States will have the flexibility to decide whether and to what extent to share their effort between persons to be relocated and those to whom return sponsorship would apply. There would also be the possibility to contribute through other forms of solidarity such as capacity building,

⁴ Proposal for a Regulation on asylum and migration management, COM(2020) 610 of 23 September 2020.

⁵ Judgment in Joined Cases C-715/17, C-718/17 and C-719/17 Commission v Poland, Hungary and the Czech Republic.

operational support, technical and operational expertise, as well as support on the external aspects of migration. Whilst always leaving Member States with viable alternatives to relocation, a safety net will ensure that the pressure on a Member State is effectively alleviated by relocation or return sponsorship. The specific situation of search and rescue cases and particularly vulnerable groups should also be acknowledged, and the Commission will draw up a pool of projected solidarity measures, consisting mainly of relocations, indicated by Member States per year, based on the Commission's short-term projections for anticipated disembarkations on all routes as well as vulnerable groups projected to need relocation.

Current rules on the shift of **responsibility** for examining an application for international protection between Member States can act as an incentive for unauthorised movement, in particular when the shift of responsibility results from the behaviour of the applicant (for example, when an applicant absconds). The system therefore needs to be strengthened and loopholes closed. While the current criteria for determining responsibility will continue to apply, the rules on responsibility for examining an application for international protection should be refined to make the system more efficient, discourage abuses and prevent unauthorised movements. There should also be clear obligations for the applicant, and defined consequences if they do not comply. An additional step will be to amend the Long-term Residents Directive so that beneficiaries of international protection would have an incentive to remain in the Member State which granted international protection, with the prospect of long-term resident status after three years of legal and continuous residence in that Member State. This would also help their integration into local communities.

2.3 Mutual trust through robust governance and implementation monitoring

To be effective, border management, asylum and return policies must work well at the national level, and in the case of the integration of migrants at the local level. National policies therefore need to be coherent with the overall European approach. The new Asylum and Migration Management Regulation will seek to achieve this through closer European cooperation. It will improve planning, preparedness and monitoring at both national and EU level. A structured process would offer EU help so that Member States could assist one another in building a resilient, effective, and flexible system, with **national strategies** integrating asylum and return policies at national level. A **European strategy** would guide and support the Member States. The Commission will also prepare a report on preparedness and contingency, based on Member State reporting on an annual basis. This would bring a forward-looking perspective on addressing the risks and opportunities of migration management, to improve both the ability and the readiness to respond.

Key to trust in EU and national policies is consistency in implementation, requiring enhanced monitoring and operational support by EU Agencies. This includes more systematic Commission monitoring of both existing and new rules, including through infringement procedures.

Systems of quality control related to management of migration, such as the Schengen evaluation mechanism and the European Border and Coast Guard Agency (Frontex) vulnerability assessments, will play a key role. Another important step will be the future monitoring of the asylum systems included in the latest compromise on the proposal for a new **European Union Agency for Asylum**. The new mandate would respond to Member States' growing need for operational support and guidance on the implementation of the common rules on asylum, as well as bringing greater convergence. It would boost mutual trust through new monitoring of Member States' asylum and reception systems and through the ability for the Commission to issue recommendations with assistance measures. This legislation should be adopted still this year to allow this practical support to be quickly

available, while acknowledging that new structures such as the monitoring may need some time to be put in place.

2.4 Supporting children and the vulnerable

The EU asylum and migration management system needs to provide for the special needs of vulnerable groups, including through resettlement. This Commission has identified the needs of children as a priority, as boys and girls in migration are particularly vulnerable⁶. This will be taken fully into account in broader initiatives to promote the rights and interests of children, such as the Strategy on the Rights of the Child, in line both with international law on rights of refugees and children and with the EU Charter of Fundamental Rights⁷.

The reform of EU rules on asylum and return is an opportunity to **strengthen safeguards and protection standards** under EU law for migrant children. The new rules will ensure that the best interests of the child are the primary consideration in all decisions concerning migrant children and that the right for the child to be heard is respected. Representatives for unaccompanied minors should be appointed more quickly and given sufficient resources. The European Network on Guardianship⁸ should be strengthened and play a stronger role in coordination, cooperation and capacity building for guardians. Unaccompanied children and children under twelve years of age together with their families should be exempt from the border procedure unless there are security concerns. In all other relevant asylum procedures, child-specific procedural guarantees and additional support should be effectively provided. The system needs to be geared to reflect the particular needs of children at every stage, providing effective alternatives to detention, promoting swift family reunification, and ensuring that the voice of child protection authorities is heard. Children should be offered adequate accommodation and assistance, including legal assistance, throughout the status determination procedures. Finally, they should also have prompt and non-discriminatory access to education, and early access to integration services.

The risks of trafficking along migration routes are high, notably the risk for women and girls of becoming victims of trafficking for sexual exploitation or other forms of gender-based violence. Trafficking networks abuse asylum procedures, and use reception centres to identify potential victims⁹. The early identification of potential non-EU victims will be a specific theme of the Commission's forthcoming approach towards the eradication of trafficking in human beings, as set out in the recent Security Union Strategy¹⁰.

2.5 An effective and common EU system for returns

EU migration rules can be credible only if those who do not have the right to stay in the EU are effectively returned. Currently, only about a third of people ordered to return from Member States actually leave. This erodes citizens' trust in the whole system of asylum and migration management and acts as an incentive for irregular migration. It also exposes those staying illegally to precarious conditions and exploitation by criminal networks. The effectiveness of returns today varies from Member State to Member State, depending to a

⁶ Communication on the protection of children in migration, COM(2017) 211 of 12 April 2017, recommending a comprehensive set of measures to strengthen their protection at every step of the migratory process.

⁷ The EU Child Guarantee will also take into account the special needs of children in migration, as well as the Action Plan on integration and inclusion (see section 8 below).

⁸ The Network was announced in the 2017 Communication (see footnote 6). It brings together guardianship authorities and agencies, (local) authorities and international and non-governmental organisations in order to promote good guardianship services for unaccompanied and separated children in the EU.

⁹ Europol 2020, European Migrant Smuggling Centre 4th Annual report – 2019.

¹⁰ EU Security Union Strategy, COM(2020) 605 of 24 July 2020.

large extent on national rules and capacities, as well as on relations with particular third countries. A **common EU system for returns** is needed which combines stronger structures inside the EU with more effective cooperation with third countries on return and readmission. It should be developed building on the recast of the Return Directive and effective operational support including through Frontex. This approach would benefit from the process proposed under the Asylum and Migration Management Regulation to identify measures if required to incentivise cooperation with third countries¹¹. The common EU system for returns should integrate return sponsorship and serve to support its successful implementation.

The main building block to achieve an effective EU return system is the 2018 proposal to recast the Return Directive. This would bring key improvements in the management of return policy. It would help prevent and reduce absconding and unauthorised movements, with common criteria to assess each case and the possibility to use detention for public order and security concerns. It would boost assisted voluntary return programmes, as the most efficient and sustainable way to enhance return. It would also improve delivery, with tailor-made IT tools and a clear obligation for those in the procedure to cooperate, as well as accelerating procedures. It is important that the European Parliament and the Council find agreement on provisions on common assessment criteria and detention. The Commission is ready to work closely with the other institutions to find swift agreement on a revised Directive that brings these improvements: this also would be helped by bringing together the rules on the asylum and return border procedures in the new Asylum Procedures Regulation, closing existing loopholes and further reducing the possibilities to circumvent the asylum system.

National return efforts also need **operational support**. Work on return is often hampered by scarce financial and human resources in Member States. Embedding return in national strategies under the common framework should result in better planning, resourcing and infrastructure for return and readmission operations.

Frontex must play a leading role in the common EU system for returns, making returns work well in practice. It should be a priority for Frontex to become the operational arm of EU return policy, with the appointment of a dedicated Deputy Executive Director and integrating more return expertise into the Management Board¹². The deployment of the new standing corps will also assist return. Frontex will also support the introduction of a return case management system at EU and national level, covering all steps of the procedure from the detection of an irregular stay to readmission and reintegration in third countries. In this way the Agency can realise its full potential to support return, linking up operational cooperation with Member States and effective readmission cooperation with third countries.

An effective system to ensure return is a common responsibility and it will need strong governance structures to ensure a more coherent and effective approach. To this end, the Commission will appoint a **Return Coordinator**, supported by a new **High Level Network for Return**. The Coordinator will provide technical support to bring together the strands of EU return policy, building on positive experiences of Member States in managing returns and facilitating a seamless and interlinked implementation of the return process. A strategic focus will be provided by an operational strategy on returns.

Return is more effective when carried out voluntarily and accompanied with strong reintegration measures. Promoting voluntary return is a key strategic objective, reflected in

¹¹ Return policy needs to be fully integrated with the readmission policy set out in section 6.5.

¹² The EBCG Regulation requires that one of the three deputy executive directors should be assigned a specific role and responsibilities in overseeing the Agency's tasks regarding returns.

the Commission's 2018 proposal on the Return Directive as well as in a forthcoming Strategy on voluntary return and reintegration. This strategy will set out new approaches to the design, promotion and implementation of assisted voluntary return and reintegration schemes¹³, setting common objectives and promoting coherence both between EU and national initiatives and between national schemes. This work can also draw on the reinforced mandate on return of the European Border and Coast Guard.

2.6 A new common asylum and migration database

A seamless migration and asylum process needs proper management of the necessary information. For this purpose, **Eurodac** should be further developed to support the common framework¹⁴. The 2016 Commission proposal, on which a provisional political agreement was reached by the European Parliament and the Council, would already enlarge the scope of Eurodac. An upgraded Eurodac would help to track unauthorised movements, tackle irregular migration and improve return. The data stored would be extended to address specific needs, with the necessary safeguards: for example, the European Parliament and the Council had already agreed to extend its scope to resettled persons.

These changes should now be complemented to allow an **upgraded database** to count individual applicants (rather than applications), to help apply new provisions on shifting responsibility within the EU, to facilitate relocation, and to ensure better monitoring of returnees. The new system would help create the necessary link between asylum and return procedures and provide additional support to national authorities dealing with asylum applicants whose application has already been rejected in another Member State. It could also track support for voluntary departure and reintegration. The new Eurodac would be fully interoperable with the border management databases, as part of an all-encompassing and integrated migration and border management system.

Key actions

The Commission:

- Proposes an Asylum and Migration Management Regulation, including a new solidarity mechanism;
- Proposes new legislation to establish a screening procedure at the external border;
- Amends the proposal for a new Asylum Procedures Regulation to include a new border procedure and make asylum procedures more effective;
- Amends the Eurodac Regulation proposal to meet the data needs of the new framework for EU asylum and migration management;
- Will appoint a Return Coordinator within the Commission, supported by a new High Level Network for Returns and a new operational strategy; and
- Will set out a new Strategy on voluntary returns and reintegration.

The European Border and Coast Guard Agency (Frontex) should:

- Fully operationalise the reinforced mandate on return and provide full support to Member States at national level; and
- Appoint a Deputy Executive Director for Return,

The European Parliament and the Council should:

¹³ See section 6.5.

¹⁴ Amended proposal for a Regulation on the establishment of 'Eurodac', COM(2020) 614 of 23 September 2020.

- Adopt the Asylum and Migration Management Regulation, as well as the Screening Regulation and the revised Asylum Procedures Regulation, by June 2021;
- Give immediate priority to adoption of the Regulation on the EU Asylum Agency by the end of the year to allow effective European support on the ground;
- Ensure adoption of the revised Eurodac Regulation this year;
- Ensure quick adoption of the revised Reception Conditions Directive and the Qualification Regulation; and
- Ensure the swift conclusion of the negotiations on the revised Return Directive.

3. A ROBUST CRISIS PREPAREDNESS AND RESPONSE SYSTEM

The New Pact's goal of putting in place a comprehensive and robust migration and asylum policy is the best protection against the risk of crisis situations. The EU is already better prepared today than it was in 2015, and the common framework for asylum and migration management will already put the EU on a stronger footing, reinforcing preparedness and making solidarity a permanent feature. Yet the EU will always need to be ready for the unexpected.

The EU must be ready to address **situations of crisis and force majeure** with resilience and flexibility – in the knowledge that different types of crises require varied responses. The effectiveness of response can be improved through preparation and foresight. This needs an evidence-based approach, to increase anticipation and help to prepare EU responses to key trends¹⁵. A new **Migration Preparedness and Crisis Blueprint**¹⁶ will be issued to help move from a reactive mode to one based on readiness and anticipation. It will bring together all existing crisis management tools and set out the key institutional, operational and financial measures and protocols which must be in place to ensure preparedness both at EU and national level.

The Blueprint entails continuous anticipation and monitoring of Member States' capacities, and provides a framework for building resilience and organising a coordinated response to a crisis. At the request of a Member State, operational support would be deployed, both from EU agencies and by other Member States. This would build on the hotspot approach and draw on recent experience of crisis response and civil protection. The Blueprint will be immediately effective, but will also act as important operational support to the EU's ability to respond under the future arrangements. It will set out the array of measures that can be used to address crises related to a large number of irregular arrivals. Experience, however, tells us that we also need to add a new element to the toolbox.

A new legislative instrument would provide for **temporary and extraordinary measures needed in the face of crisis**¹⁷. The objectives of this instrument will be twofold: firstly to provide flexibility to Member States to react to crisis and force majeure situations and grant immediate protection status in crisis situations, and secondly, to ensure that the system of solidarity established in the new Asylum and Migration Management Regulation is well adapted to a crisis characterised by a large number of irregular arrivals. The circumstances of crisis demand urgency and therefore the solidarity mechanism needs to be stronger, and

¹⁵ This work stream will be supported through the Knowledge Centre on Migration and Demography in the Commission's Joint Research Centre.

¹⁶ Commission Recommendation on an EU mechanism for Preparedness and Management of Crises related to Migration (Migration Preparedness and Crisis Blueprint), C(2020) 6469 of 23 September 2020.

¹⁷ Proposal for a Regulation addressing situations of crisis and force majeure in the field of migration and asylum, COM(2020) 613 of 23 September 2020.

the timeframes governing that mechanism should be reduced¹⁸. It would also widen the scope of compulsory relocation, for example to applicants for and beneficiaries of immediate protection, and return sponsorship.

In situations of crisis that are of such a magnitude that they risk to overwhelm Member States' asylum and migration systems, the practical difficulties faced by Member States would be recognised through some limited margin to temporarily derogate from the normal procedures and timelines, while ensuring respect for fundamental rights and the principle of *non-refoulement*¹⁹.

Protection, equivalent to subsidiary protection, could also be immediately granted to a pre-defined group of people, notably to people who face an exceptionally high risk of indiscriminate violence due to armed conflict in their country of origin. Given the development of the concepts and rules of qualification for international protection, and in view of the fact that the new legislation would lay down rules for granting immediate protection status in crisis situations, the Temporary Protection Directive would be repealed²⁰.

Key actions

The Commission:

- Presents a Migration Preparedness and Crisis Blueprint; and
- Proposes legislation to address situations of crisis and force majeure and repealing the Temporary Protection Directive.

The European Parliament and the Council should:

- Prioritise work on the new crisis instrument.

The Member States, the Council and the Commission should:

- Start implementation of the Migration Preparedness and Crisis Blueprint.

4. INTEGRATED BORDER MANAGEMENT

Integrated border management is an indispensable policy instrument for the EU to protect the EU external borders and safeguard the integrity and functioning of a Schengen area without internal border controls. It is also an essential component of a comprehensive migration policy: well-managed EU external borders are an essential component in working together on integrated policies on asylum and return.

4.1 Stepping up the effectiveness of EU external borders

The management of EU external borders is a shared responsibility of all Member States and Schengen Associated Countries, and of the EU and its agencies. This also means that where there are shortcomings, the impact is twofold, both an extra challenge for the Member State in question, and consequences such as unauthorised movements which affect the credibility

¹⁸ Advancing the obligation to relocate an irregular migrant to the territory of the sponsoring Member State.

¹⁹ Under international human rights law, the principle of non-refoulement guarantees that no one should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm.

²⁰ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States.

of the entire EU system. Effective management of EU external borders is a key element for a Schengen area without internal border controls.

European Integrated Border Management is implemented by the European Border and Coast Guard, composed of the Member States' border and coastguard authorities and Frontex. It is designed to prevent fragmentation and ensure coherence between different EU policies.

The Commission will launch the preparatory process in view of submitting the policy document for the **multiannual strategic policy and implementation cycle** in the first half of 2021. This cycle will ensure a unified framework to provide strategic guidelines to all relevant actors at the European and national level in the area of border management and return, through linked strategies: an EU technical and operational strategy set out by Frontex, and national strategies by Member States. This will allow all the relevant legal, financial and operational instruments and tools to be coherent, both within the EU and with our external partners. It will be discussed with the European Parliament and the Council.

The EU must be able to support Member States at the external border with speed, scale and flexibility. The swift and full implementation of the new **European Border and Coast Guard Regulation** is a critical step forward. It strengthens day-to-day cooperation and improves the EU's reaction capacity. Developing common capabilities and linked planning in areas like training and procurement will mean more consistency and more effectiveness. Frontex's yearly vulnerability assessments are particularly important, assessing the readiness of Member States to face threats and challenges at the external borders and recommending specific remedial action to mitigate vulnerabilities. They complement the evaluations under the Schengen evaluation mechanism, carried out jointly by the Commission and the Member States. The vulnerability assessments will also help to target the Agency's operational support to the Member States to best effect.

The new Regulation sets up a standing corps of operational staff, bringing together personnel from the Agency as well as from Member States, and exercising executive powers: a major reinforcement of the EU's ability to respond to different situations at the external borders. A **standing corps with a capacity of 10 000 staff** remains essential for the necessary capability to react quickly and sufficiently. The first deployment of the standing corps should be ready for 1 January 2021.

4.2 Reaching full interoperability of IT systems

Strong external borders also require up-to-date and **interoperable IT systems** to keep track of arrivals and asylum applicants. Once operational, different systems will form an integrated IT border management platform checking and keeping track of the right to stay of all third country nationals, whether visa-free or visa holders, arriving in a legal manner on EU territory, helping the work of identifying cases of overstaying²¹.

Interoperability will connect all European systems for borders, migration, security and justice, and will ensure that all these systems 'talk' to each other, that no check gets missed because of disconnected information, and that national authorities have the complete, reliable and accurate information needed. It will bring a major boost to the fight against identity fraud. Each system will keep its established safeguards. It is essential that these new and upgraded information systems are **operational and fully interoperable by the end of**

²¹ The systems participating in interoperability are: the Entry/Exit System, the European Travel Information and Authorisation System, the Visa Information System, the European Criminal Records Information System for third-country nationals, Eurodac, and the Schengen Information System.

2023, as well as the upgrade of the Schengen Information System. The Commission will also table the necessary amendments in the proposed revision of the **Eurodac** Regulation to integrate it into this approach, so that Eurodac also plays a full part in controlling irregular migration and detecting unauthorised movements within the EU. Trust in the Schengen area will be further reinforced by **making the visa procedure fully digitalised by 2025**, with a digital visa and the ability to submit visa applications online.

The tight schedule for delivering the new architecture of EU information systems requires both monitoring and support for preparations in the Member States and in the agencies. The Commission's **rapid alert process for IT systems** will enable early warning and, if needed, fast and targeted corrective action. This will inform a bi-annual **High-Level Implementation Forum** of top coordinators from Member States, the Commission and the agencies.

4.3 A common European approach to search and rescue

Since 2014, attempts to reach Europe on unseaworthy vessels have increased, with many lives lost at sea. This has prompted the EU, Member States, and private actors to significantly step up maritime search and rescue capacity in the Mediterranean. The EU joint naval operation EUNAVFOR MED Sophia and Frontex-coordinated operations – such as Themis, Poseidon and Indalo – have contributed to over 600 000 rescues since 2015.

Assisting those in distress at sea is a moral duty and an obligation under international law. While national authorities remain ultimately responsible for implementing the relevant rules under international law, search and rescue is also a key element of the European integrated border management, implemented as a shared responsibility by Frontex²² and national authorities, making the boosting of Frontex's access to naval and aerial capacity essential.

Dangerous attempts to cross the Mediterranean continue to bring great risk and fuelling criminal networks. The disembarkation of migrants has a significant impact on asylum, migration and border management, in particular on coastal Member States. Developing a more coordinated EU approach to the evolving search and rescue practice, grounded in solidarity, is crucial. Key elements should include:

- Recognising the **specificities of search and rescue in the EU legal framework for migration and asylum**. Since January 2019, at the request of Member States, the Commission has coordinated the relocation of more than 1 800 disembarked persons following rescue operations by private vessels. While the Commission will continue to provide operational support and proactive coordination, a more predictable solidarity mechanism for disembarkation is needed. The new Asylum and Migration Management Regulation will cater for help through relocation following disembarkations after search and rescue operations. This should help to ensure the continuity of support and to avoid the need for *ad hoc* solutions.
- **Frontex should provide increased operational and technical support** within EU competence, as well as deployment of maritime assets to Member States, to improve their capabilities and thus contribute to saving lives at sea.
- **Cooperation and coordination among Member States** needs to be significantly stepped up, particularly in view of the search and rescue activities that have developed over the past years with the regular involvement of private actors. The Commission is

²² Regulation (EU) 656/2014 sets out a specific set of rules for external sea borders surveillance in the context of the operational cooperation coordinated by Frontex, which covers search and rescue incidents arising during Frontex joint operations.

issuing a Recommendation on cooperation between Member States in the context of operations carried out by vessels owned or operated by private entities for the purpose of performing regular rescue activities, with a view to maintaining safety of navigation and ensuring effective migration management²³. This cooperation should also be channelled through an expert group on search and rescue established by the Commission to encourage cooperation and the exchange of best practices.

- The Commission is also providing Guidance on the effective implementation of **EU rules on definition and prevention of the facilitation of unauthorised entry, transit and residence**²⁴, and how to prevent the criminalisation of humanitarian actors²⁵.
- The **EU will strengthen cooperation with countries of origin and transit** to prevent dangerous journeys and irregular crossings, including through tailor-made Counter Migrant Smuggling Partnerships with third countries²⁶.

4.4 A well-functioning Schengen area

The Schengen area is one of the major achievements of European integration. But it has been put under strain by difficulties in responding to changing situations at the Union's border, by gaps and loopholes, and by diverging national asylum, reception and return systems. These elements increase unauthorised movements, both of asylum seekers and of migrants who should be returned. Measures already agreed and which now need to be adopted by the European Parliament and the Council will help to bring more consistency in standards in asylum and migration systems. Further steps under the New Pact – on screening and border procedures, on reinforced external borders, on more consistent asylum and return procedures under the more integrated approach of the common framework – also add up to a major reinforcement of Schengen.

Concerns about existing shortcomings have contributed to the triggering of **temporary internal border controls**. The longer these controls continue, the more questions are raised about their temporary nature, and their proportionality. Temporary controls may only be used in exceptional circumstances to provide a response to situations seriously affecting public policy or internal security. As a last resort measure, they should last only as long as the extraordinary circumstances persist: for example, in the recent emergency circumstances of the COVID-19 pandemic, internal border control measures were introduced but most of them have now been lifted.

Building on experience from the multiple crises of the last five years, the Commission will present a **Strategy on the future of Schengen**, which will include initiatives for a stronger and more complete Schengen. This will include a fresh way forward on the Schengen Borders Code, with conclusions to be drawn on the state of play of the negotiations on the Commission's proposal of 2017. It will also cover how to improve the Schengen evaluation mechanism to become a fully effective tool for evaluating the functioning of Schengen and for ensuring that improvements are effectively implemented. An efficient **Schengen evaluation mechanism** is an essential tool for an effective Schengen area, building trust through verifying how Member States implement the Schengen rules. It is important that

²³ Commission Recommendation on cooperation among Member States concerning operations carried out by vessels owned or operated by private entities for the purpose of search and rescue activities, C(2020) 6468 of 23 September 2020.

²⁴ Commission Guidance on the implementation of EU rules on definition and prevention of the facilitation of unauthorised entry, transit and residence, C(2020) 6470 of 23 September 2020.

²⁵ See section 5.

²⁶ See section 5.

Member States remedy deficiencies identified during the evaluations. Where Member States persistently fail to do so, or where controls at internal borders are kept in place beyond what is necessary, the Commission will more systematically consider the launching of infringement procedures.

There are also alternatives to internal border controls – for example, police checks can be highly effective, and new technology and smart use of IT interoperability can help make controls less intrusive. At the moment, readmission agreements also remain between Member States which could also be implemented more effectively.

Building on the work already in place to promote these measures²⁷, the Commission will put in place a **programme of support and cooperation** to help Member States to maximise the potential of these measures. The Commission will establish a dedicated **Schengen Forum**, involving the relevant national authorities such as Ministries of Interior and (border) police at national and regional level in order to stimulate more concrete cooperation and more trust. Once a year, a discussion in the Forum should be organised at political level to allow national Ministers, Members of the European Parliament and other stakeholders to bring political momentum to this process.

Key actions

The Commission:

- Adopts a Recommendation on cooperation between Member States concerning private entities' rescue activities;
- Presents guidance to Member States to make clear that rescues at sea cannot be criminalised;
- Will adopt a Strategy on the future of Schengen which reinforces the Schengen Borders Code and the Schengen evaluation mechanism;
- Will establish a Schengen Forum to foster concrete cooperation and ways to deepen Schengen through a programme of support and cooperation to help end internal border controls; and
- Will launch a new European group of experts on search and rescue.

The Commission, the Member States and Frontex should:

- Ensure the swift and full implementation of the new European Border and Coast Guard Regulation; and
- Ensure the implementation and interoperability of all large scale IT systems by 2023.

5. REINFORCING THE FIGHT AGAINST MIGRANT SMUGGLING

Smuggling involves the organised exploitation of migrants, showing scant respect for human life in the pursuit of profit. This criminal activity therefore damages both the humanitarian and the migration management objectives of the EU. The new 2021-2025 **EU Action Plan against migrant smuggling** will focus on combatting criminal networks, and in line with the EU's Security Union Strategy, it will boost cooperation and support the work of law enforcement to tackle migrant smuggling, often also linked to trafficking in human beings. The Action Plan will build on the work of Europol and its European Migrant Smuggling Centre, Frontex, Eurojust and the EU Agency for Law Enforcement Training. New measures and strengthened inter-agency cooperation will address challenges in the areas of financial

²⁷ C(2017) 3349 final of 12 May 2017 and C(2017) 6560 final of 27 September 2017.

investigations, asset recovery and document fraud, and new phenomena such as digital smuggling²⁸.

Existing rules to clamp down on migrant smuggling²⁹ have proven an effective legal framework to combat those who facilitate unauthorised entry, transit and residence. Reflection is ongoing on how to modernise these rules³⁰. The Commission will bring clarity to the issue of criminalisation for private actors through **guidance on the implementation** of the counter-smuggling rules, and make clear that carrying out the legal obligation to rescue people in distress at sea cannot be criminalised.

Finding employment in the EU without the required legal status is one of the drivers for smuggling to the EU. The Commission will assess how to strengthen the effectiveness of the **Employers Sanctions Directive** and evaluate the need for further action. The Commission will also work with the European Labour Authority to coordinate the efforts of the national authorities and ensure the efficient implementation of the Directive, which is indispensable to deter irregular migration by ensuring effective prohibition of the employment of irregularly staying third-country nationals.

Combatting smuggling is a common challenge requiring international cooperation and coordination as well as effective border management. The July 2020 Ministerial Conference between the EU and African partners confirmed the mutual determination to address this problem³¹. The new EU Action Plan against migrant smuggling will stimulate cooperation between the EU and third countries, through targeted **counter migrant smuggling** partnerships, as part of broader partnerships with key third countries. This will include support to countries of origin and transit in capacity-building both in terms of law enforcement frameworks and operational capacity, encouraging effective action by police and judicial authorities. The EU will also improve information exchange with third countries and action on the ground, through support to common operations and joint investigative teams, as well as information campaigns on the risks of irregular migration and on legal alternatives. EU agencies should also work more intensively with partner countries. Europol will strengthen cooperation with the Western Balkans and the Commission and Europol will work towards similar agreements with Turkey and others in the neighbourhood. The Commission will also include this in its cooperation with the African Union (AU).

Common Security and Defence Policy operations and missions will continue making an important contribution, where the fight against irregular migration or migrant smuggling is part of their mandates. Complementing existing missions, such as EUCAP Sahel Niger and EUBAM Libya, Operation EUNAVFOR MED IRINI is now under way in the Central Mediterranean and helps to disrupt smuggling networks.

Immigration Liaison Officers provide a valuable connection in the fight against irregular migration and migrant smuggling. The full implementation of the Regulation on the European network of immigration liaison officers³² will further consolidate this network and enhance the fight against smuggling.

²⁸ The use, in particular by organised criminal groups, of modern information and communication technology to facilitate migrant smuggling, including advertising, organising, collecting payments, etc.

²⁹ The ‘Facilitators’ Package’ of Directive 2002/90/EC and the Accompanying Council Framework Decision on facilitation of unauthorised entry, transit and residence Directive.

³⁰ Directive 2002/90/EC and Council Framework Decision 2002/946/JHA.

³¹ The Ministerial Conference took place on 13 July 2020 and brought together Ministers of the Interior of Algeria, Libya, Mauritania, Morocco and Tunisia with their counterparts from Italy (chair), France, Germany (participating as the Council Presidency), Malta and Spain, as well as the Commission.

³² Regulation 2019/1240.

Key actions

The Commission will:

- Present a new EU Action Plan against Migrant Smuggling for 2021-2025;
- Assess how to strengthen the effectiveness of the Employers Sanctions Directive; and
- Build action against migrant smuggling into partnerships with third countries.

6. WORKING WITH OUR INTERNATIONAL PARTNERS

The majority of migrants undertake their journeys in a regular and safe manner, and well-managed migration, based on partnership and responsibility-sharing, can have positive impacts for countries of origin, transit and destination alike. In 2019, there were over 272 million international migrants³³, with most migration taking place between developing countries. Demographic and economic trends, political instability and conflict, as well as climate change, all suggest that migration will remain a major phenomenon and global challenge for the years to come. Migration policies that work well are in the interest of partner countries, the EU, and refugees and migrants themselves.

The prerequisite in addressing this is cooperation with our partners, first and foremost based on bilateral engagement, combined with regional and multilateral commitment. **Migration is central to the EU's overall relationships with key partner countries of origin and transit.** Both the EU and its partners have their own interests and tools to act. Comprehensive, balanced and tailor-made partnerships, can deliver mutual benefits, in the economy, sustainable development, education and skills, stability and security, and relations with diasporas. Working with partners also helps the EU to fulfil its obligations to provide protection to those in need, and to carry out its role as the world's major development donor. Under the New Pact, engagement with partner countries will be stepped up across all areas of cooperation. The Commission and the High Representative will immediately start work, together with Member States, to put this approach into practice through dialogue and cooperation with our partners.

6.1 Maximising the impact of our international partnerships

The EU needs a fresh look at its priorities, first in terms of the place of migration in its external relations and other policies, and then in terms of what this means for our overall relations with specific partners. In comprehensive partnerships, **migration should be built in as a core issue, based on an assessment of the interests of the EU and partner countries.** It is important to address the complex challenges of migration and its root causes to the benefit of the EU and its citizens, partner countries, migrants and refugees themselves. By working together, the EU and its partners can improve migration governance, deepen the common efforts to address shared challenges and benefit from opportunities.

The approach needs to deploy a wide range of policy tools, and have the flexibility to be both tailor-made and able to adjust over time. Different policies such as development cooperation, security, visa, trade, agriculture, investment and employment, energy, environment and climate change, and education, should not be dealt with in isolation. They are best handled as part of a tailor-made approach, at the core of a real **mutually beneficial partnership**. It is also important to bear in mind that migration issues such as border management or more effective implementation of return and readmission can be politically sensitive for partners. Tackling the issues we see today – the loss of life first and foremost,

³³ World Migration Report 2020, International Organisation for Migration, 2019, p.2.

but also shortcomings in migration management – means working together so that everyone assumes their responsibilities.

EU level engagement alone is not sufficient: effective coordination between **the EU level and Member States** is essential at all levels: bilateral, regional and multilateral. Consistent messaging between the EU and Member States on migration and joint outreach to partners have proven to be critical to showing the EU's common commitment. The EU should in particular draw on the experience and privileged relationships of some Member States with key partners – experience has shown that the full involvement of Member States in the EU migration partnerships, including through the pooling of funds and expertise via the various EU Trust Funds, is key to success.

The EU has credibility and strength through its role in the **international and multilateral** context, including through its active engagement in the United Nations (UN) and close cooperation with its agencies. The EU should build on the important progress made at the **regional** level, through dedicated dialogues and frameworks³⁴ and through partnerships with organisations such as the African Union. Further innovative partnerships could building on the positive example of the AU-EU-UN Taskforce on Libya. The specific context of the post-Cotonou framework with States in Africa, the Caribbean and the Pacific is of particular importance in framing and effectively operationalising migration cooperation.

Dialogue has deepened with a range of key partners in recent years³⁵. The EU's **neighbours** are a particular priority. Economic opportunity, particularly for young people, is often the best way to reduce the pressure for irregular migration. The ongoing work to address migrant smuggling is one example of the critical importance of relations with the countries of **North Africa**. The **Western Balkans** require a tailor-made approach, both due to their geographical location and to their future as an integral part of the EU: coordination can help to ensure they are well equipped as future Member States to respond constructively to shared challenges, developing their capacities and border procedures to bring them closer to the EU given their enlargement perspective. The 2016 EU-Turkey Statement reflected a deeper engagement and dialogue with **Turkey**, including helping its efforts to host around 4 million refugees³⁶. The Facility for Refugees in Turkey continues to respond to essential needs of millions of refugees, and continued and sustained EU funding in some form will be essential³⁷.

Migration is an integral part of the approach under the Joint Communication towards a Comprehensive **Strategy with Africa** to deepen economic and political ties in a mature and wide-ranging relationship³⁸ and give practical support. The reality of multiple migration routes also underlines the need to work with partner countries in **Asia**³⁹ and **Latin America**.

With all these partners, we need to recognise that the COVID-19 pandemic is already causing massive disruption. This must be a key part of a vision of cooperation based on

³⁴ Including the Valletta process between the EU and African countries. Other key regional processes include the Budapest, Prague, Rabat and Khartoum processes.

³⁵ Progress report on the Implementation of the European Agenda on Migration, COM(2019) 481, 16 October 2019.

³⁶ The Facility for Refugees in Turkey has mobilised €6 billion.

³⁷ For example, in July 2020 the EU agreed a €485 million extension to humanitarian support under the Facility, to allow the extension to the end of 2021 of programmes helping over 1.7 million refugees to meet their basic needs and over 600,000 children to attend school.

³⁸ Joint Communication “Towards a comprehensive Strategy with Africa”, JOIN(2020) 4 final of 9 March 2020.

³⁹ Notably with the Silk Road countries: Afghanistan, Bangladesh, Iran, Iraq, and Pakistan.

mutual interests, helping to build strengthened, resilient economies delivering growth and jobs for local people and at the same time reducing the pressure for irregular migration.

EU funding for refugees and migration issues outside the EU, amounting to over €9 billion since 2015, has proven to be indispensable to the delivery of the EU's migration objectives. In July 2020 the European Council underlined that this must be developed further and in a more coordinated manner in programmes across the relevant headings of the EU budget⁴⁰. Strategic, policy-driven programming of the EU's external funding will be essential to implement this new comprehensive approach to migration. The 10% target for migration-related actions proposed in the Neighbourhood, Development and International Cooperation Instrument recognises that resources need to match the needs of the EU's increased international engagement, as well as being sufficiently flexible to adjust to circumstances. The proposed architecture of the EU's external financial instruments also provides for additional flexibilities to respond to unforeseen circumstances or crises.

6.2 Protecting those in need and supporting host countries

The EU's work to address emergency and humanitarian needs is based on principles of humanity, impartiality, neutrality and independence. Over 70 million people, men, women and children are estimated to have been forcibly displaced worldwide, with almost 30 million refugees and asylum seekers⁴¹. The vast majority of these are hosted in developing countries and the EU will maintain its commitment to help.

The EU can build on a track record of cooperation with a wide range of partners in delivering this support. The humanitarian evacuation of people from Libya to Emergency Transit Mechanisms in Niger and Rwanda for onward resettlement helped the most vulnerable to escape from desperate circumstances. Assisting refugees affected by the Syrian crisis and their hosting countries will continue to be essential. Millions of refugees and their host communities in Turkey, Lebanon, Jordan or Iraq are benefitting from daily support, through dedicated instruments such as the EU's Facility for Refugees in Turkey and the EU Regional Trust Fund in Response to the Syrian crisis.

As reiterated in December 2019 at the Global Refugee Forum, the EU is determined to maintain its strong commitment to providing life-saving **support to millions of refugees and displaced people**, as well as fostering sustainable development-oriented solutions⁴².

6.3 Building economic opportunity and addressing root causes of irregular migration

The **root causes** of irregular migration and forced displacement, as well as the immediate factors leading people to migrate, are complex⁴³.

The EU is the world's largest provider of **development assistance**. This will continue to be a key feature in EU engagement with countries, including on migration issues. Work to build stable and cohesive societies, to reduce poverty and inequality and promote human development, jobs and economic opportunity, to promote democracy, good governance,

⁴⁰ European Council conclusions of 21 July 2020, paragraphs 19, 103, 105, 111 and 117.

⁴¹ The United Nations High Commissioner for Refugees reports that in 2018 almost 71 million persons were forcibly displaced persons, including almost 26 million refugees and 3.5 million asylum seekers (UNHCR Global Trends – Forced Displacement in 2018, <https://www.unhcr.org/5d08d7ee7.pdf>).

⁴² In recent years most of the EU humanitarian budget (80% of €1.2 billion in 2018 and of €1.6 billion in 2019) went to projects helping the immediate needs of the forcibly displaced and their host communities to meet their immediate, basic needs in conflict, crisis and protracted displacement.

⁴³ See the work produced and supported by the Joint Research Centre Knowledge Centre on Migration and Demography on International Migration Drivers (2018) and the Atlas of Migration (2019).

peace and security, and to address the challenges of climate change can all help people feel that their future lies at home. In the Commission proposals for the next generation of external policy instruments, migration is systematically factored in as a priority in the programming. Assistance will be targeted as needed to those countries with a significant migration dimension. Flexibility has been built into the proposals for the instruments since experience of recent years has shown that the flexibility of instruments such as Trust Funds is key to rapid delivery when required, compared to funding predetermined for specific countries or programmes.

Many other policies can be harnessed to help build stability and prosperity in partner countries⁴⁴. Conflict prevention and resolution, as well as peace, security and governance, are often the cornerstone of these efforts. Trade and investment policies already contribute to addressing root causes by creating jobs and perspectives for millions of workers and farmers worldwide. Boosting investment through vehicles such as the External Investment Plan can make a significant contribution to economic development, growth and employment. Better exploiting the potential of remittances can also help economic development. Cooperation in education, skills and research, as well as in policies such as digital, energy or transport, also helps to deepen economic development. The EU will use these policies wherever relevant in the engagement with partner countries under the New Pact.

6.4 Partnerships to strengthen migration governance and management

Supporting the EU's partners in developing effective **migration governance and management** capacity will be a key element in the mutually beneficial partnerships the EU seeks to develop. The EU can support capacity building in line with partners' needs. This will help partner countries manage irregular migration, forced displacement and combat migrant smuggling networks⁴⁵. Tools such as strategic communication will be further deployed, providing information on legal migration opportunities and explaining the risks of irregular migration, as well as countering disinformation. In addition, depending on the contexts and situations, the EU can assist partner countries in strengthening capacities for border management, including by reinforcing their search and rescue capacities at sea or on land, through well-functioning asylum and reception systems, or by facilitating voluntary returns to third countries or the integration of migrants⁴⁶.

EU cooperation with partner countries in the area of migration governance will continue to ensure the protection of the rights of migrants and refugees, combat discrimination and labour exploitation, and ensure that their basic needs are met through the provision of key services. Support may also be targeted at maximising the positive impact of migration and reducing the negative consequences for partner countries, for example by reducing the transfer costs of remittances, reducing "brain drain", or facilitating circular migration.

Member States have a key role to play in providing such practical support, as demonstrated by the fruitful cooperation in the fight against migrant smuggling, where joint investigation teams benefit from the hands-on expertise of national administrations.

The EU should use all the tools at its disposal to bring operational support to the new partnerships, including through a much deeper involvement of **EU agencies**. Frontex's

⁴⁴ This broad-based approach is fully acknowledged in the EU-Africa Alliance (A new Africa–Europe Alliance for Sustainable Investment and Jobs, COM(2018) 643 of 12 September 2018).

⁴⁵ See Section 5.

⁴⁶ Including through the posting of European Migration Liaison Officers, currently stationed in 10 third countries, with another four ready to be posted as soon as the COVID-19 situation allows.

enhanced scope of action should now be used to make cooperation with partners operational. Cooperation with the Western Balkans, including through EU status agreements with the Western Balkan partners, will enable Frontex border guards to work together with national border guards on the territory of a partner country. Frontex can also now provide practical support to develop partners' border management capacity and to cooperate with partners to optimise voluntary return. The Commission will continue encouraging agreements with its neighbours⁴⁷. As for asylum, the possibilities today to work with third countries are limited, but well-functioning migration management on key routes is essential both to protection and to asylum and return procedures. The new EU Asylum Agency would be able to work on capacity building and operational support to third countries, and support EU and Member State resettlement schemes, building on the existing cooperation with UN agencies such as the UN Refugee Agency UNHCR and the International Organisation for Migration.

6.5 Fostering cooperation on readmission and reintegration

Strands of work such as creating economic opportunity, increasing stability or tackling migrant smuggling can reduce the number of irregular arrivals to the EU and the numbers of those in the EU with no right to stay. Nevertheless, for those with no right to stay, an effective system of returns needs to be in place. Some of them may take up voluntary return options, and this should be proactively supported. Currently, one of the key gaps in European migration management is the difficulty to effectively return those who do not take up this option. Working closely with countries of origin and transit is a prerequisite for a well-functioning system of returns, readmission and reintegration.

Action taken by Member States⁴⁸ in the field of returns needs to go hand in hand with a new drive to improve cooperation on readmission with third countries, complemented by cooperation on reintegration, to ensure the sustainability of returns. This first and foremost requires the full and effective implementation of the twenty-four existing **EU agreements and arrangements** on readmission with third countries, the completion of ongoing readmission negotiations and as appropriate the launch of new negotiations, as well as practical cooperative solutions to increase the number of effective returns.

These discussions should be seen in the context of the full range of the EU's and Member States' policies, tools and instruments, which can be pulled together in a strategic way. A first step was made by introducing a link between cooperation on readmission and visa issuance in the Visa Code⁴⁹. Based on information provided by Member States, the Commission will assess at least once a year **the level of cooperation of third countries on readmission**, and report to the Council. Any Member State can also notify the Commission if it is confronted with substantial and persistent practical problems in the cooperation with a third country on readmission, triggering an *ad hoc* assessment. Following an assessment, the Commission can propose to apply restrictive visa measures, or in case of good cooperation, propose favourable visa measures.

Visa policy can also be used to curb **unfounded asylum applications** from visa-free countries, keeping in mind that almost a quarter of asylum applications received by Member States were lodged by applicants who can enter the Schengen+ area visa-free. More cooperation and exchange of information would help to detect visa abuse. The **Visa**

⁴⁷ Status agreements were successfully negotiated with all Western Balkans countries (not including Kosovo). The status agreements with Albania, Montenegro and Serbia have already been signed and have entered into force, whereas signature of agreements with North Macedonia and Bosnia and Herzegovina is still pending.

⁴⁸ See section 2.5 above.

⁴⁹ Regulation (EC) No 810/2009 as amended.

Suspension Mechanism provides for the systematic assessment of visa-free countries against criteria including irregular migration risks and abusive asylum applications. This can ultimately result in the removal of third countries from the visa-free list.

To deliver on the goal set out by the European Council⁵⁰ to **mobilise relevant policies and tools**, joint efforts need to be taken a step further. This is why the proposed Asylum and Migration Management Regulation includes the possibility that the Commission, when reporting to the Council on the state of play of the cooperation on readmission, could identify further effective measures to incentivise and improve cooperation to facilitate return and readmission, including in other policy areas of interest to the third countries⁵¹, while taking into account the Union's overall interests and relations with the third country. In this respect, close cooperation with the High Representative will be important. The Commission, the High Representative and the Member States should ensure that progress on readmission accompanies progress in other areas under the partnerships. This would require more coordination, and flexibility in legislative, policy and funding instruments, bringing together action at both EU and Member State level.

An important component of the future **Voluntary Return and Reintegration Strategy** will consist in setting out new approaches in third countries and include better linkages with other development initiatives and national strategies, to build third countries' capacity and ownership. The effective implementation of the Strategy will require close cooperation with Frontex under its reinforced mandate on return and as part of the common EU system for returns.

6.6 Developing legal pathways to Europe

Safe channels to offer protection to those in need remove the incentive to embark on dangerous journeys to reach Europe, as well as demonstrating solidarity with third countries hosting refugees. Legal migration can bring benefit to our society and the economy. While Member States retain the right to determine volumes of admission for people coming from third countries to seek work, the EU's common migration policy needs to reflect the integration of the EU economy and the interdependence of Member States' labour markets. This is why EU policies need to foster a level playing field between national labour markets as migration destinations. They should also help Member States use their membership of the EU as an asset in attracting talent.

Resettlement is a tried and tested way to provide protection to the most vulnerable refugees. Recent years have already seen a major increase in resettlement to the EU, and this work should be further scaled up. The Commission is recommending to formalise the *ad hoc* scheme of approximately 29 500 resettlement places already being implemented by Member States, and to cover a two-year period, 2020-2021⁵² (due to the COVID-19 pandemic, it will not be possible to fulfil all resettlement pledges during 2020). To ensure a seamless continuation of EU resettlement efforts beyond 2021 and to confirm the EU's global lead on resettlement, the Commission will invite Member States to make pledges from 2022 onwards. This will be supported by the EU budget and include complementary pathways to protection, such as humanitarian admission schemes and measures such as study or work-related schemes. The EU will also support Member States wishing to establish **community**

⁵⁰ European Council conclusions of 18 October 2018.

⁵¹ The EU's humanitarian assistance is provided in line with the principles of humanity, impartiality, neutrality, and independence.

⁵² Commission Recommendation on legal pathways to protection in the EU: promoting resettlement, humanitarian admission and other complementary pathways, C(2020) 6467 of 23 September 2020.

or private sponsorship schemes through funding, capacity building and knowledge-sharing, in cooperation with civil society, with the aim of developing a European model of community sponsorship, which can lead to better integration outcomes in the longer term.

The EU also works with its partner countries on legal pathways to Europe as part of migration partnerships, opening the way for cooperation on schemes to match people, skills and labour market needs through legal migration. At the same time, developing legal pathways should contribute to the reduction of irregular migration, which often leads to undeclared work and labour exploitation in the EU. The Commission will reinforce support to Member States to scale up legal migration together with partner countries as a positive incentive and in line with the EU's skills and labour market needs, while fully respecting Member States' competencies.

The EU has a strong track record in labour mobility schemes. Legal migration pilot projects⁵³ have shown that by providing targeted support, the EU can help Member States implement schemes that meet the needs of employers. The EU has also opened Erasmus+ and vocational training to third country nationals and offered support grants for the mobilisation of the diaspora. However, the scope and ambition of existing schemes remains limited.

A reinforced and more comprehensive approach⁵⁴, would offer cooperation with partner countries and help boost mutually-beneficial international mobility. The Commission will therefore launch **Talent Partnerships** in the form of an enhanced commitment to support legal migration and mobility with key partners. They should be launched first in the EU's Neighbourhood, the Western Balkans, and in Africa, with a view to expanding to other regions. These will provide a comprehensive EU policy framework as well as funding support for cooperation with third countries, to better match labour and skills needs in the EU, as well as being part of the EU's toolbox for engaging partner countries strategically on migration. Strong engagement of Member States will be essential, as will involvement of the private sector and the social partners, and ownership from partner countries. The Commission will organise a high-level conference with Member States and key EU stakeholders to launch the Talent Partnerships.

The Talent Partnerships should be inclusive, building strong cooperation between concerned institutions (such as Ministries of Labour and Education, employers and social partners, education and training providers, and diaspora associations). The Commission will stimulate this cooperation through dedicated outreach and build a network of involved enterprises.

The Talent Partnerships will provide a single framework to mobilise EU and Member States' tools. EU funding streams in the area of external relations, home affairs, research, and education (Erasmus+) could all contribute. The Partnerships would combine direct support for mobility schemes for work or training with capacity building in areas such as labour market or skills intelligence, vocational education and training, integration of returning migrants, and diaspora mobilisation. Greater focus on education would help to support and reinforce investment in local skills.

As part of the comprehensive approach to migration and mobility, visa measures can act as a positive incentive in the engagement with third countries. Full implementation of the

⁵³ Eight Member States are currently involved in six such projects with Egypt, Morocco, Tunisia, Nigeria and Senegal. Key themes include mobility for ICT experts, opportunities for study and traineeships in Europe, and boosting the capacity of third countries to manage migration and support reintegration.

⁵⁴ This would be in line with the Global Skills Partnerships, bilateral agreements through which a country of destination gets directly involved in creating human capital among potential migrants in the country of origin prior to migration.

recently revised **Visa Code**⁵⁵ and additional efforts on visa facilitation with third countries will bring more consistency and should encourage *bona fide* short-term mobility, including student exchanges. Short-term mobility could complement other legal pathways to improve upstream cooperation with third countries (for example, in stemming irregular migratory flows).

Key actions

The Commission, where relevant in close cooperation with the High Representative and Member States, will:

- Launch work immediately to develop and deepen tailor-made comprehensive and balanced migration dialogues and partnerships with countries of origin and transit, complemented by engagement at the regional and global level;
- Scale up support to help those in need and their host communities;
- Increase support for economic opportunity and addressing the root causes of irregular migration;
- Step up the place of migration in the programming of the new instruments in the next Multiannual Financial Framework;
- Ensure full and effective implementation of existing EU readmission agreements and arrangements and examine options for new ones;
- Make use of the Visa Code to incentivise and improve cooperation to facilitate return and readmission, as well as working through the Asylum and Migration management Regulation when in place;
- Take forward the recommendation on legal pathways to protection in the EU, including resettlement; and
- Develop EU Talent Partnerships with key partner countries to facilitate legal migration and mobility.

The European Parliament and the Council should:

- Conclude swiftly negotiations on the Framework Regulation on Resettlement and Humanitarian Admission.

7. ATTRACTING SKILLS AND TALENT TO THE EU

Working with third countries on legal pathways is fully in line with the EU's interests. Europe has an ageing and shrinking population⁵⁶. The structural pressure this is expected to create on the labour market is complemented by specific skills shortages in different localities and sectors such as health, medical care, and agriculture. The contribution of legally staying migrants to reducing skills gaps and increasing the dynamism of the EU labour market was recognised in the recently updated **Skills Agenda for Europe**⁵⁷.

Activating and upskilling the domestic workforce is necessary but not sufficient to address all existing and forecasted labour and skills shortages. This is already happening: in 2018, Member States issued over 775,000 first residence permits to third country nationals for employment purposes⁵⁸. Workers from third countries are filling key shortages in a number

⁵⁵ Regulation (EC) No 810/2009 as amended.

⁵⁶ Report on the Impact of Demographic Change, COM(2020) 241 of 17 June 2020.

⁵⁷ European Skills Agenda for sustainable competitiveness, social fairness and resilience, COM(2020) 274 of 1 July 2020.

⁵⁸ Eurostat (online data code: [migr_pop1ctz](#)). This figure does not include UK data.

of occupations across Member States⁵⁹, including in occupations that were key to the COVID-19 response⁶⁰. In a joint statement with the Commission, the European Social and Economic Partners have highlighted the potential of migrant workers to contribute to the green and digital transitions by providing the European labour market with the skills it needs⁶¹. Nevertheless, the EU is currently losing the global race for talent⁶². While Member States are responsible for deciding on the number of persons they admit for labour purposes, an improved framework at EU level would put Member States and businesses in the best possible position to attract the talents they need.

In addition to launching Talent Partnerships, it is important to complete the unfinished work of reforming the **EU Blue Card Directive**, to attract highly skilled talent⁶³. The Commission acknowledges the diversity of labour market situations across Member States and their wish for flexibility through retaining national schemes tailored to specific labour market needs. At the same time, the reform must bring real EU added value in attracting skills through an effective and flexible EU-wide instrument. This requires more inclusive admission conditions, improved rights, swift and flexible procedures, improved possibilities to move and work in different Member States, and a level playing field between national and EU systems. The new EU-wide scheme should be open to recognising high-level professional skills and relevant experience. It should also be inclusive, covering categories such as highly skilled beneficiaries of international protection, to benefit from their skills and foster their integration into EU societies. The Commission calls on the European Parliament and the Council to finalise negotiations swiftly, and is ready to work towards a compromise along these lines.

The international mobility of students and researchers can increase the pool of expertise available to European universities and research institutions, boosting our efforts to manage the transition towards a green and digital economy. Full implementation of the recently revised **Directive on Students and Researchers**⁶⁴ is essential to make it easier and more attractive to come to the EU, and to promote the circulation of knowledge by moving between Member States. Talent Partnerships may also directly support schemes facilitating the mobility of students and researchers.

More could be done to increase the impact of the EU legal migration framework on Europe's demographic and migration challenges⁶⁵. There are a number of inherent shortcomings in the EU legal migration system (such as fragmentation, limited coverage of EU rules, inconsistencies between different Directives, and complex procedures) that could be addressed through measures ranging from better enforcement to new legislation. The Commission will first ensure that the current framework is implemented fully and effectively, by intensifying cooperation and dialogue with Member States.

⁵⁹ OECD (2018), "The contribution of migration to the dynamics of the labour force in OECD countries: 2005-2015", OECD Social, Employment and Migration Working Papers, No. 203, OECD Publishing, Paris.

⁶⁰ For instance, non-EU immigrants represented in 2018 around 6% of health professionals in the EU, 14% of personal care workers, 10% of refuse workers, 16% of agricultural labourers (without counting in seasonal workers), 25% of cleaners and helpers and 27% of food preparation assistants.

⁶¹ <https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/legal-migration-policy/joint-statement-commission-economic-social-partners-renewal-european-partnership-integration.pdf>

⁶² See for example: Recruiting immigrant workers: Europe, OECD and EU (2016), OECD Publishing, Paris.

⁶³ COM(2016) 378 of 7 June 2016.

⁶⁴ Directive (EU) 2016/801.

⁶⁵ See Fitness check on EU legal migration legislation (SWD(2019) 1055 of 29 March 2019). On demographic issues, see also: Demographic Scenarios for the EU – Migration, Population and Education (Commission, 2019).

The Commission will also address the main shortcomings in three new sets of measures, responding to the overall objective of attracting the talent the EU needs. Admission of workers of different skills levels to the EU, and intra-EU mobility of third-country workers already in the EU, would both be facilitated.

- A revision of the **Directive on long-term residents**⁶⁶, which is currently under-used and does not provide an effective right to intra-EU mobility. The objective would be to create a true EU long-term residence status, in particular by strengthening the right of long-term residents to move and work in other Member States.
- A review of the **Single Permit Directive**⁶⁷, which has not fully achieved its objective to simplify the admission procedures for all third-country workers. This would look at ways to simplify and clarify the scope of the legislation, including admission and residence conditions for low and medium skilled workers.
- Further explore an **EU Talent Pool** for third-country skilled workers which could operate as an EU-wide platform for international recruitment, through which skilled third-country nationals could express their interest in migrating to the EU, and could be identified by EU migration authorities and employers based on their needs⁶⁸.

The Commission has also launched a **public consultation on attracting skills and talent**. This aims to identify additional areas where the EU framework could be improved, including through possible new legislation. It also invites new ideas to boost the EU's attractiveness, facilitate skills matching, and better protect labour migrants from exploitation. As part of the consultation, the Commission will pursue its dialogue with social and economic partners on all these initiatives. The results will inform the development of an EU Talent Pool and help the Commission to decide what other initiatives are needed to address the long-term challenges in this area.

Key actions

The Commission will:

- Launch a debate on the next steps on legal migration, with a public consultation; and
- Propose a Skills and Talent package including a revision of the Long-term Residents Directive and a review of the Single Permit Directive, as well as setting out the options for developing an EU Talent Pool.

The European Parliament and the Council should:

- Conclude negotiations on the EU Blue Card Directive.

8. SUPPORTING INTEGRATION FOR MORE INCLUSIVE SOCIETIES

Part of a healthy and fair system of migration management is to ensure that everyone who is legally in the EU can participate in and contribute to the well-being, prosperity and cohesion of European societies. In 2019, almost 21 million non-EU nationals were legally resident in the EU⁶⁹. Successful integration benefits both the individuals concerned, and the local communities into which they integrate. It fosters social cohesion and economic dynamism. It

⁶⁶ Directive 2003/109/EC.

⁶⁷ Directive 2011/98/EU.

⁶⁸ See the work carried out by the OECD: Building an EU Talent Pool - A New Approach to Migration Management for Europe, 2019.

⁶⁹ Source of statistics in this paragraph: Eurostat. UK figures not included.

sets positive examples for how Europe can manage the impacts of migration and diversity by building open and resilient societies. But despite numerous success stories, too many migrants and households with migrant backgrounds still face challenges in terms of unemployment, lack of educational or training opportunities and limited social interaction. For example, in 2019, there was still a significant shortfall in the employment prospects of non-EU nationals – at around 60% of 20-64 year olds, compared to around 74% for host-country nationals. This creates concern amongst citizens on the pace and depth of integration – and a legitimate public policy reason to make this work.

The integration of migrants and their families is therefore a key part of the broader EU agenda to promote social inclusion. While integration policy is primarily a Member State responsibility, the EU has stepped up its support to Member States and other relevant stakeholders since the adoption of the 2016 Action Plan⁷⁰. The European Integration Network works to boost cooperation and mutual learning between the national authorities responsible for integration. The EU has also strengthened cooperation with local and regional authorities and civil society and has created new partnerships with employers and social and economic partners⁷¹. The Commission has recently renewed the European Partnership for Integration with social and economic partners to offer opportunities for refugees to integrate into the European labour market⁷². This should lead to further dialogue and future cooperation to attract the skills our economy needs.

This work now needs to be deepened, to ensure that meaningful opportunities are provided for all to participate to our economy and society. As part of the priority on promoting our European way of life, the Commission will adopt an **Action Plan on integration and inclusion for 2021-2024**. The integration of migrants and their families will be a key aspect of this. This work will provide strategic guidance and set out concrete actions to foster inclusion of migrants and broader social cohesion, bringing together relevant stakeholders and recognising that regional and local actors have a key part to play. It will draw on all relevant policies and tools in key areas such as social inclusion, employment, education, health, equality, culture and sport, setting out how migrant integration should be part of efforts to achieve the EU's goals on each. Ensuring migrants fully benefit from the European Pillar of Social Rights will be a key objective. It will recognise that people with a migrant background (e.g. foreign born or second generation migrants) often face similar integration challenges to third-country nationals. The actions will include direct support to those active 'on the ground' and cover the full range of measures needed to accompany migrants and their families along the path to successful integration and social inclusion. The Commission is now consulting to seek the views of stakeholders, citizens and migrants on possible actions to promote the integration and social inclusion of migrants and EU citizens with a migrant background.

To ensure that migrants are actively involved in the development of EU migration policies, the Commission is creating an informal expert group on the views of migrants. One of its first tasks will be to provide input to the preparation of the Action Plan on integration and inclusion, but it will also be able to provide advice and expertise to the Commission on the design and implementation of initiatives in any area of migration and asylum.

Key actions

⁷⁰ COM(2016) 377 final of 7 June 2016.

⁷¹ Initiatives [European Partnership on Integration](#) and [Employers together for integration](#); support to the Committee of Regions initiative [Cities and Regions for integration](#).

⁷² https://ec.europa.eu/commission/presscorner/detail/en/IP_20_1561

The Commission will:

- Adopt a comprehensive Action Plan on integration and inclusion for 2021-2024; and
- Implement the renewed European Partnership for Integration with social and economic partners and look into expanding the future cooperation to the area of labour migration.

9. NEXT STEPS

This New Pact on Migration and Asylum sets out the end-to-end approach needed to make migration management in Europe fair, efficient and sustainable. The EU will now have to show the will to make the New Pact a reality. This is the only way to prevent the recurrence of events such as those seen in Moria this month: by putting in place a system to match the scale of the challenge. A common European framework for migration management is the only way to have the impact required. Bringing policies together in this way is essential to provide the clarity and results needed for citizens to trust that the EU will deliver results that are both robust and humane.

Such a system can only function if it has the tools needed to deliver. This means a strong legal framework able to give the clarity and focus needed for mutual confidence, with robust and fair rules for those in need of international protection and those who do not have the right to stay. It requires migration to be at the heart of mutually beneficial partnerships with third countries to effectively improve migration management. It calls for an intelligent approach to legal migration to support the economic need for talent and the social need for integration. It also requires sufficient budget to reflect the common responsibilities and the common benefits of EU migration policies, inside and outside the EU.

Finally, it needs the engagement and commitment of all. That is why the New Pact has been built on careful consultations: with the European Parliament and the Council, the Member States, and with stakeholders. It is grounded in our values but will also provide the results needed. The Commission considers that the result is a balance of interests and needs which deserves the support of all. The Commission now calls on the European Parliament and the Council to bring a new impetus. A first step should be to reach a common understanding on the new solidarity mechanism as well as the responsibility elements in the form of the new screening and border procedure by the end of this year, followed swiftly by adopting the full package of legislation required. By working together, the EU can and must ensure that a truly common migration and asylum policy is quickly made a reality.