

The Extraordinary Home Affairs Council
on the situation along all migratory routes and a joint way forward
Brussels, 25 November 2022
Presidency summary

Introduction

At the invitation of the Czech Presidency of the Council of the European Union an extraordinary meeting of the Home Affairs Council took place in Brussels on 25 November 2022.

The meeting took place in situation of increasing migratory pressure along all migratory routes, including the particularly challenging situation in the Mediterranean and in the Western Balkans, and the largest refugee crisis since the Second World War in Europe. Based on Frontex data, in the first 10 months of the year, around 275 000 irregular entries were detected at EU's external borders, up by 73% compared with the same period of the last year. The highest total number for the January-October period since 2016. With around 4 million refugees from Ukraine that received the temporary protection in the European Union so far, the national asylum and reception systems of Member States find themselves under very high pressure. The consequences of disembarkation after search and rescue operations and secondary movements, both being a structural phenomenon, increasing risks of instrumentalisation of migration and secondary impacts of Russia's war of aggression are adding to this challenge.

The Ministers of the European Union Member States and Schengen associated states thus gathered to assess the overall situation and discuss the joint way forward.

The vice-president of the European Commission and the Commissioner for Home Affairs took part in the meeting.

Main messages

Ministers shared their view on the current situation. In their interventions, they focused on the main principles for the joint way forward.

Ministers confirmed Union's unity in facing the current and upcoming challenges by finding concrete solutions and demonstrating a strong and unified determination to act.

Ministers underlined the importance to pay close attention to all migratory routes based on a whole-of-route approach as a central part of the joint efforts in solving the situation in the long-term perspective.

Ministers emphasized the importance to continue improving the overall contingency planning in individual Member States as well as at level of the Union to address the

increase of refugees' flow to the European Union as the consequences of continuous illegal, unprovoked and unjustified Russia's war of aggression against Ukraine, including through sufficient sources of funding.

Ministers fully reiterated its continuous efforts in building sustainable migration and asylum systems, resilient to abuse and able to also address the consequences of disembarkation after search and rescue operations and secondary movements.

They underlined the importance to dedicate all efforts to find compromise on the whole reform of the EU asylum and migration policy before the end of the current legislative cycle, in order to deliver a structural solution soon. They welcomed the genuine efforts of the Czech Presidency in finding compromise on the key principles of solidarity and responsibility anchored in the Presidency's concept on *The way forward for balanced EU migration solidarity and responsibility system*.

Ministers also highlighted that, pending the negotiation of the Pact, the better implementation of the Dublin Regulation needed to be ensured in particular with a view to addressing secondary movements within the European Union.

Ministers stressed the importance of properly enhanced protection of all EU external borders and its management as a key prerequisite for the functioning of EU migration policies, including asylum. Notably concluding of the inter-institutional negotiations on the Eurodac and Screening Regulations and the amended Schengen Borders Code were highlighted in this regard.

Ministers also agreed on the need to develop all efforts to finalise the interoperability of information systems in the area of Justice and Home Affairs in the given timeframe.

Ministers emphasised the necessity to further improve cooperation with key third countries via maintained political outreach and operational follow-up with an integrated approach using all tools and necessary incentives and leverages, notably to fight the root causes of migration, improve prevention and significantly reduce irregular arrivals.

In this regard, a stronger emphasis must be also put on the need to substantially improve the returns of irregularly staying third-country nationals, including through the full implementation of agreed EU readmissions agreements with third countries.

In this vein, they agreed to make the very best use of the visa leverage in accordance with article 25a of the Visa Code and in general underlined the need for a swift, efficient and predictable visa conditionality mechanism with a clear timeline as proposed by the Czech Presidency.

To address all the relevant issues in the area of external dimension, the importance of sufficient financial allocations from NDICI and other instruments was underlined. To that end, the Commission should ensure that annual funding for migration from the NDICI-GE Neighbourhood allocation remains at the sufficient level of ambition during the current programming period in order to strengthen asylum and migration

management capacities of key partners along main migration routes, including in relation to search and rescue operations.

The ministers, in particular, welcomed the efforts of the Commission in developing its Action Plan for the Central Mediterranean and expressed their readiness to contribute to its swift implementation. The ministers also considered possible benefits of developing similar action plans for the other main migratory routes.

Ministers underlined the need to prevent loss of lives at sea and supported the Commission's intention to re-launch the European Contact Group on Search and Rescue to, among other, develop a coordination and cooperation framework with all actors involved in search and rescue operations.

Ministers of countries taking part in the Solidarity Declaration for the Mediterranean from June 2022 underlined the need to accelerate its implementation.

Ministers condemned continuing attempts of Lukashenka's regime to instrumentalise migrants as a part of the hybrid warfare against the European Union supported by Russia and reconfirmed EU's unity in responding to these violent acts. To this end, they agreed that all necessary actions must be taken to respond firmly to all attempts to instrumentalise migrants, including by reaching an agreement on the proposal for a Regulation addressing situations of instrumentalisation in the field of migration and asylum as a matter of priority.

Furthermore, they called for developing all efforts to fight against human trafficking and migrant smuggling at land and sea, utilising all available tools and dedicated financial resources.

Ministers welcomed the commitments of the Western Balkans partners made during the EU-Western Balkans Ministerial Forum on Justice and Home Affairs in Tirana on 3 – 4 November 2022, notably to swiftly align the visa policy of the Western Balkans partners with the visa policy of the European Union and invited the Commission to enforce and monitor the visa alignment.

Ministers stressed the importance of full implementation of the EU-Turkey Statement from 2016 and invited the Commission to increase all its efforts to this end. They also expressed their support in finding a solution aiming at an immediate stem of irregular migration from Turkey to Cyprus.

Ministers highlighted the specific importance of building strong relations and practical ways of cooperation with countries of Northern and Western Africa and Sahel region, taking into account all existing partnerships and dialogues.

The role of the EU agencies in supporting the overall efforts in as well as outside the Union was also highlighted and Ministers reconfirmed their readiness to allocate needed resources in accordance with their respective mandates and needs.

Ministers will revisit the above stated issues during their meeting in December and will continue regularly attend this issue in other relevant preparatory bodies of the Council, including at Coreper level.