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Striking a balance on migration: an approach that is both fair and firm

I. INTRODUCTION

Migration is a European challenge that requires a European response. This is a lesson Europe learnt the hard way. The 2015 refugee crisis and other challenges faced at different external borders of the EU revealed the shortcomings of the EU's dated and incomplete migration and asylum laws. They also exposed the complexity of managing a situation that affects Member States in different ways, and where actions by one Member State have implications for the others. These challenges have also shown that migration is a global reality which can only be managed effectively by working in a concerted manner with our partners around the globe.

Upon taking office, the **von der Leyen Commission** set itself a mission to establish a new, durable European framework to manage migration: one that can manage the interdependence between Member States, offer a proper response and allow Europeans to trust that migration is managed in an effective and humane way, in line with our values.

This was the intention behind the **Pact on Migration and Asylum** – a vast set of legislative reforms. Four years later, the political agreement reached between the European Parliament and the Council on these reforms sets the stage for fair, efficient, and sustainable migration management over the long term. A system where each EU Member State has the flexibility to address its challenges while none is left alone under pressure.

This is a **significant milestone**. Yet, in the last four years, a series of new and recurrent challenges have been affecting the EU and its Member States. This time has been characterised by a constant effort to **rapidly address immediate needs** through operational and targeted action. Withstanding continued and even growing pressure on various migratory routes, the EU has managed to show the agility needed to confront and navigate complex challenges. In particular, the EU stood strong and united in defending its external borders against the instrumentalisation of people by the Belarusian and Russian regimes. It did so while taking a principled and humane approach to those fleeing Russia's war against Ukraine, as well as regarding the large number of evacuations of Afghan nationals to Member States and sustained resettlement efforts, proving its reliability as a continent where protection is guaranteed for those in need and taking up its role as a global actor.

This two-track approach of pursuing **sustainable structural reform** alongside **targeted operational response** is what has allowed Europe to turn the page on past fractures and consolidate a common approach to migration and border management. Moving forward, the two tracks need to continue going hand in hand: migration is not a passing phenomenon, and everything points to the fact that it will continue to be very present and dominate political agendas in the future. Well-managed and orderly legal migration can be an opportunity for European societies and economies, including by addressing labour shortages, whilst also acting as a deterrent to irregular migration.

Whilst the legislative reforms will have a transformative impact, this will not be immediate, and the system can never be fully shielded from potential challenges. The crucial difference, however, is that the EU has now solidified a dynamic and common EU approach to migration. The result is that the EU's Member States are now better equipped than ever before to face constantly evolving and complex challenges, acting together with fairness and firmness.

This Communication looks back at the achievements and advancements of the last four years. It identifies immediate priorities to operationalise what was agreed and looks at areas where further work is needed to complement the new system.

II. A NEW LEGAL FRAMEWORK

The historic political agreement on the Pact on Migration and Asylum between the European Parliament and the Council is a game-changer. It will equip the EU with a strong legal foundation to manage migration in a comprehensive and integrated way. The eleven¹ interlocking laws will ensure a collective approach to better secure our external borders, a fair and more effective system of solidarity and responsibility as well as efficient asylum procedures with better protection of those in need.

1. The changes the Pact will bring

More secure external borders

All irregular migrants will be registered and subject to screening of identity, security, and health. Following the screening, the border procedure will be mandatory for those who are unlikely to need protection, present a security risk or mislead the authorities. Each Member State will be required to have the capacity to host a certain number of asylum seekers for the duration of the procedures in adequate conditions. Strong legal safeguards will apply and unaccompanied minors will be exempted from the border procedure unless they pose a security threat. All Member States will need to ensure independent monitoring of fundamental rights at the border.

By securing the external borders to control arrivals of irregular migrants, we limit any onward secondary movement and guarantee one of the most cherished rights of EU citizens, namely the right to move within the Schengen area without internal border control. By ensuring quick returns of those rejected in the border procedure, we send a clear message that the new European system will not tolerate abuse.

Finally, the EU will have in place a specific legal framework for handling situations of crisis, including instrumentalisation: a new legal instrument will provide for a stable and predictable framework at Union level to manage situations of crisis, with a reinforced solidarity component ensuring that all the needs of the Member State concerned will be met. Derogations to cater for the specific situation of instrumentalisation will provide Member States with robust and targeted means to protect our external borders while preserving access to asylum and respect for fundamental rights.

Fast and efficient procedures for asylum and return with stronger individual safeguards

The new rules will put in place more effective asylum procedures with shorter time limits and stricter rules for abusive or subsequent applications. The EU will have the possibility to have lists of safe third countries and safe countries of origin, which will be used alongside national lists. These stricter rules are balanced against important guarantees for the rights of individuals including free legal counselling throughout all procedures, with particular attention to vulnerable groups, including unaccompanied minors, as well as families with children. New obligations across all legal acts will ensure that unaccompanied children have a representative appointed swiftly to take care of their best interests.

¹ Screening Regulation and amending Regulation to facilitate screening (ECRIS-TCN), Asylum and migration management Regulation, Asylum Procedure Regulation (the return border procedure has been moved to a standalone legislative instrument), Regulation addressing situations of crisis in the field of migration and asylum (incorporating provisions on instrumentalisation), Eurodac Regulation, Reception Conditions Directive, Qualification Regulation, Resettlement Framework Regulation, Regulation establishing the European Union Agency for Asylum, Single Permit Directive, Blue Card Directive.

The new rules will increase convergence among Member States regarding who qualifies for refugee status or as regards the quality of reception conditions. EU-wide standards for reception conditions will include earlier access to the labour market, better access to education for child migrants and protection of vulnerable people. At the same time, Member States' preparedness in managing effectively their reception systems will be increased. More harmonised common criteria for granting international protection, clarifying the rights and obligations of beneficiaries have equally been agreed. The fully-fledged EU Asylum Agency has new tools to support Member States in bringing greater convergence to asylum and reception practices. The Agency's new Monitoring Mechanism will allow it to monitor the operational and technical application of the new legal framework.

A fair and more effective system of solidarity and responsibility

For the first time, the Union will have in place a permanent solidarity mechanism, ensuring that no Member State under pressure is left alone and that everyone contributes. Member States will support each other with people solidarity (relocation or offsetting in case of secondary movements), operational support and financial contributions, including for projects in third countries. Member States choose the type of solidarity they wish to provide based on a mandatory distribution key. Solidarity contributions can be earmarked for Member States confronted with significant numbers of arrivals following search and rescue operations.

The rules determining the Member State responsible for dealing with an asylum claim have been reinforced: a new responsibility criterion for diplomas has been added and the family-related criteria strengthened. New cessation rules will create a more balanced responsibility for applications processed by the Member State of first entry in the border procedure. In case of secondary movements, the transfer of people back to the Member State responsible will also be more efficient.

The system will include effective rules to detect and prevent secondary movements, such as the fact that the whole range of material reception conditions will only be provided in the Member State responsible. The new rules also limit the possibility for cessation or shift of responsibility between Member States, thus preventing the applicant from choosing which Member State becomes responsible for examining the application.

The upgraded common Eurodac database will support the implementation of the new policies on asylum, resettlement, temporary protection and return. The database will also help Member States detect and address secondary movements.

2. Making the Pact a reality

This new legal framework will only be as effective as its implementation and enforcement. This entails the transposition and application of new legislation, new or upgraded infrastructure, new systems, and stepped-up financial programming. The Commission will support Member States' preparations with funds, gap analysis, monitoring and the further support of EU agencies. It is essential that the two years until the Pact enters into application be well used.

The Commission has started preparations for the implementation and operationalisation of the Pact. By June 2024, the Commission will present a **Common Implementation Plan** that will set the path forward with a roadmap, timeline and milestones for EU and national actions. The Plan will identify the gaps and operational steps needed to ensure all Member States put in place the legal and operational capabilities required to successfully start applying the new legislation by 2026.

In line with the logic of the Pact, each Member State is to frame this work within a strategic approach to managing migration and asylum at national level. All Member States will have to take measures to be ready for the Pact implementation, but not all are faced with the same challenges. The Commission's Implementation Plan will include country-specific gap analyses that can serve as a basis for Member States to develop their own **National Implementation Plans**. Member States will also need to develop national strategies, which will then form the basis of a five-year European Asylum and Migration Management Strategy, to be drawn up by the Commission within 18 months of entry into force of the new rules.

The effective delivery of a successful transition will be a major common priority for the coming two years. EU support will include **technical, operational and financial and support** provided by the Commission and EU agencies. In terms of financing, a significant envelope is available, complemented by available funding resulting from the upcoming mid-term review of the existing Asylum, Migration and Integration Fund (AMIF) and Border Management and Visa Instrument (BMVI) programmes, as well as the additional EUR 2 billion from the mid-term revision of the Multiannual Financial Framework earmarked to support the implementation of the Pact.

III. TARGETED OPERATIONAL RESPONSE

At the same time as European institutions and Member States have sought to be the architects of this new legal framework, they have also been working hard as firefighters to address a series of new and recurrent challenges.

In doing so, the EU has expanded its range of tools to deter and prevent irregular movements and the smuggling of migrants, but also to respond to changing patterns of migratory activity as they arise. A number of improvements in the last few years have made the EU better equipped and prepared to deal with the day-to-day management of migration as well as face exceptional and unexpected challenges.

1. A whole-of-route-approach

One of the major innovations in the last years has been to shift focus towards a whole-of-route approach to address mixed movements of refugees and migrants, taking into account the entire spectrum of situations people may find themselves in, and addressing them together with countries of origin and transit.

The Commission developed four **EU Action Plans** – focusing on the Western Balkans, Central Mediterranean, Atlantic/Western Mediterranean, and Eastern Mediterranean routes – to set a path for collective, operational action on these routes. The Action Plans contain a series of actions that today are either already completed or fully under implementation. This more targeted and coordinated approach has increased the Union's reactivity and agility in the face of evolving challenges, through a wide array of short- and medium-term measures.

The EU Action Plans respect the specificities of each route and reinforce EU support to Member States under migratory pressure and partner countries, also through the work of EU agencies, with actions to reduce irregular and unsafe migration.

The unique added value of this approach has been to focus work on priority measures and ensure their consistent follow-up, whilst drawing from the full range of policy and operational tools at the EU's disposal.

The EU Action Plans

The EU Action Plan for Central Mediterranean adopted in November 2022 proposes 20 measures, including strengthening border and migration management in key North African countries, in particular Tunisia, Egypt, and Libya, expanding the footprint of EU Agencies in the region, and operationalising the Team Europe Initiative for the Central Mediterranean route. This Plan was also complemented by a dedicated 10-point Plan for Lampedusa in September 2023.

The EU Action Plan on the Western Balkans adopted in December 2022 identifies 20 operational measures structured under five pillars: (1) strengthening border management along the routes; (2) swift asylum procedures and support reception capacity; (3) fighting migrant smuggling; (4) enhancing readmission cooperation and returns; as well as (5) achieving visa policy alignment. The Action Plan has strengthened cooperation on migration and border management with partners along the Western Balkans route.

The EU Action Plan for the Western Mediterranean and Atlantic routes adopted in June 2023 focuses on strengthening operational measures on search and rescue, prevention of irregular departures, protection of borders, and return procedures, as well as labour migration. Its whole of route approach has furthered cooperation with Morocco, Mauritania, Senegal, Côte d'Ivoire, and The Gambia. The focus includes strengthening capacities, stepping up counter-smuggling activities, border management, protection, and labour migration, and addressing challenges arising from security issues in the Sahel.

The EU Action Plan for the Eastern Mediterranean route adopted in October 2023 focuses on prevention of irregular departures, combatting migrant smuggling, and providing legal migration pathways. It includes strengthening cooperation with countries of origin and transit in Asia and Africa. Activities reinforcing effective border management along the route included supporting border management capacities on Türkiye's eastern borders, as well as the EU external land and sea borders. Full and effective implementation of the EU-Turkey Statement and the EU-Turkey readmission agreement remains essential.

2. Strengthened external border management

The EU has been working diligently, step-by-step to improve the EU's external border management. Technological advances have been accompanied by an overhaul in the way EU Member States share information about border management.

To improve the understanding of evolving migration and security challenges at the borders, the Commission has worked closely with Member States and Agencies to develop a common EU situational awareness. Since 2021, the upgraded **European Border Surveillance System (EUROSUR)** provides national authorities with an up-to-date and exhaustive picture of the situation at the EU's external borders. It allows Member States to exchange information with one another, with Frontex and with neighbouring countries.

In response to increasing irregular arrivals, the work of the **Migration Preparedness and Crisis Blueprint** has been stepped up to improve early detection and monitoring of migratory trends, targeting areas of concern to Member States with detailed analysis and information exchange to help anticipate new pressures on the external border.

But creating a comprehensive and efficient situational awareness does not stop at the EU's external borders. It is fundamental to have close cooperation and partnership with neighbouring and partner countries. A lot has been achieved during this mandate, including 17 active Frontex

working arrangements and 5 status agreements. Fundamental rights safeguards are systematically included. There are currently more than 500 Liaison Officers in third countries acting under a common EU Network. Their role is to collect and share information that is essential to build a common situational picture at the European level.

A new gold standard of border management

The EU has continued its efforts to put in place the most technologically advanced border management system in the world. The upgraded Visa Information System will close security information gaps through better information exchange between Member States. Since March 2023, the renewed Schengen Information System provides national authorities with more complete and reliable information on people to enhance security and border management.

This year will also be a milestone for the launch of the interoperability framework, which will allow all key information systems to be connected. This is essential to close any existing gaps that can be exploited by criminals escaping detection by using fraudulent identities. The first building block, the Entry/Exit System for registering travellers from third countries, will start in the autumn. It will be shortly followed by the ETIAS travel authorisation for visa-exempt travellers. When coupled with the new Eurodac database, we will have full oversight over who enters the EU. If a security threat is identified, the person will be detained or returned to their country of origin.

Increased operational capacity at external borders

Over the past decade, the EU's external borders have been progressively bolstered through the deployment of staff from EU Agencies to support Member States. With its strengthened mandate, Frontex has been able to better support Member States in managing their external borders in line with European Integrated Border Management.

Today, 2650 border and coast guards in the Standing Corps are deployed to support Member States with border checks, return operations, and border surveillance. It is essential to continue supporting the Agency to make sure that it can fully roll out its mandate, including having 10 000 border and coast guards in the Standing Corps by 2027. To achieve this, it is now vital that Frontex, Member States and the Commission implement the action plan that accompanied the evaluation of the EBCG Regulation. Experts from EU agencies, such as the EUAA, Europol, Frontex and Eurojust, are deployed at key points of entry to help national authorities in identifying persons who enter the Union.

New **pilot projects at key external borders** (Bulgaria-Türkiye, Romania-Serbia) have boosted external border management, reinforced cooperation with neighbouring countries and ensured fast asylum and return procedures. These are already bringing tangible results – Bulgaria, for example, has doubled its capacity to host Frontex Standing Corps officers from 124 to 264. Similarly, since March 2023 over 400 joint Romanian-Serbian patrol missions have taken place, contributing to the successful management of Romania's external border with Serbia. Both projects have been extended beyond the initial implementation period (March-October 2023). Building on this, **Bulgaria and Romania** will build this work into long-term cooperation to boost border and migration management and have signed **Cooperation Frameworks** to this end. This successful experience could serve as a basis for broader cooperative frameworks, including at a regional level.

Improving cooperation at sea borders

Since at least the mid-1990s, thousands of people have crossed the Mediterranean each year by boat to try and seek asylum or to migrate to Europe, with the effect that the Mediterranean Sea

has become a site of escalating numbers of migrant fatalities in recent years. Managing this 46 000 km long coastline requires increased cooperation between all actors to ensure that lives are saved.

The EU's Member States conduct far-reaching rescue operations to prevent loss of life at sea, supported over the years by a series of European Border and Coast Guard maritime operations. However, the continuous disembarkations of rescued migrants in some coastal EU countries, resulting from both national and private operations, have a significant impact on their asylum, migration, and border management systems.

Providing assistance to any persons found in distress at sea is an obligation under international law. The European Commission has no formal role in the coordination of search and rescue operations or in the determination of a place of safety for disembarkation of assisted persons, as this is a national competence. However, the Commission continues to promote more structural cooperation in this area, notably through the **European Contact Group on Search and Rescue**, established in 2021 as a platform for structured dialogue among EU Member States, Schengen Associated countries, and other relevant stakeholders, on the implementation of the legal framework and the evolving practice of search and rescue.

EU Member States are not alone in bordering the Mediterranean and efforts have been stepped up to engage third countries on the Northern African side to take up a share of the responsibility for preventing loss of life at sea. EU funding has supported the **provision of expertise, equipment, and training**, as well as the capacity building of key bodies such as the mobile Maritime Rescue Coordination Centre in Libya. Search and rescue vessels have been delivered to Libya, while engines and spare parts provided to Tunisia have helped to maintain 17 boats used by the coastguard, alongside provision of radar and communication systems. Equipment is complemented with training: this includes drawing on the International Organization for Migration's "humanitarian border management" concept to foster a human rights-based approach to border management in Egypt, and human rights training and monitoring for the Libyan Ministry of the Interior and border guards. Forthcoming work includes a training academy in Libya and developing a curriculum for Tunisian personnel. All EU-funded migration-related programmes are closely monitored including through external evaluation, and the independent monitoring system already in place for Libya will be further strengthened elsewhere in North Africa, to oversee implementation including human rights compliance.

The bulk of the EU's action to address sea crossings has been to work on prevention of irregular departures – through a combination of fighting migrant smuggling, addressing root causes of irregular migration in countries of origin and transit, extensive information campaigns to inform of the deadly risks involved in boat crossings and providing credible alternatives for legal migration possibilities. An improved return system and greater cooperation on readmission with third countries also acts as a strong deterrent discouraging irregular sea crossings.

The Pact will provide another part of the solution. The specificity of arrivals following search and rescue operations is well catered for by the new legislation. In particular, the new solidarity framework will ensure that the pressure from search and rescue arrivals is not disproportionately shouldered by Mediterranean States alone. Dealing with the complex realities of the Mediterranean nevertheless requires continued effort by all actors, both to reduce the space in which smugglers operate and to put an end to the needless loss of life.

3. Targeting the criminal networks that smuggle migrants

More than 90% of irregular migrants arrive in the EU with the assistance of migrant smugglers. Criminal organisations make huge profits from putting lives at risk during dangerous journeys. Irregular migrants then face the prospect of a precarious existence and the risk of further exploitation. In the 2023 State of the Union address, President von der Leyen called for a strengthening of all tools at the EU's disposal to effectively counter migrant smuggling.

In the **anti-smuggling package**² of November 2023, the Commission proposed to update the 20-year-old legal framework, defining the crime of migrant smuggling and increasing penalties. Its proposals would also reinforce EU governance on smuggling, strengthening Europol's role and inter-agency cooperation in the fight against migrant smuggling. A reinforced European Centre Against Migrant Smuggling with permanently posted liaison officers including from Eurojust would bring a step change in Europol's capacity to support Member States' operations and investigations on the ground.

In parallel, a **Global Alliance to Counter Migrant Smuggling** was launched with a Call to Action. Its key work strands are preventing people falling prey to the smugglers through strengthened border management, information campaigns and a new focus on digital aspects of smuggling; responding to smuggling with coordinated law enforcement and ensuring that criminal profits are seized; and addressing the root causes of irregular migration, by supporting access to quality education, the creation of sustainable economic opportunities and decent jobs as well as providing more legal alternatives to disincentivise irregular departures. Dedicated expert meetings on these issues will take place in the course of 2024.

This work builds on the renewed **Action Plan against Migrant Smuggling (2021-2025)**, which opened up new avenues of cooperation with partner countries in this area, through dedicated and tailor-made Anti-Smuggling Operational Partnerships. These complement work already under way through Europol **Operational Task Forces**, in particular along the Central Mediterranean route.

Dedicated and tailor-made **Anti-Smuggling Operational Partnerships** with partner countries, Member States and UN agencies tackle smuggling in key locations. The first Partnership was launched with Morocco in July 2022, opening the door to deeper cooperation with Frontex and Europol, which could include agreeing working arrangement as well as the deployment of a liaison officer. The Operational Partnership with Tunisia agreed in April 2023 covers negotiations for a working arrangement with Europol and further cooperation with CEPOL and will be complemented by a EUR 18 million programme to fight the smuggling of migrants and the trafficking of persons in Tunisia. A Regional Operational Partnership with the Western Balkans was launched in November 2022 and was followed up by a EUR 36 million regional anti-smuggling programme in June 2023. By focussing on supporting law enforcement and judicial cooperation against criminal networks and drawing on EU funding and the know-how of EU agencies to increase border management capacity, it has already led to increased investigations, arrests and prosecutions.

Beyond the Anti-Smuggling Operational Partnerships, the Commission is working through bilateral and regional operational cooperation against migrant smuggling in Africa and in Asia. This cooperation includes support to law enforcement and judicial cooperation, capacity building in land and maritime border management, information and awareness raising campaigns. EU-funded **information campaigns** were launched in Spring 2023 to alert migrants of the dangers of accepting help from smugglers, targeting countries of origin and

² Summarised in [EU stepping up the fight against migrant smuggling \(europa.eu\)](https://european-council.europa.eu/media/en/press-communications/infographic/infographic-anti-smuggling-package-2023-11-14-1000x500.pdf)

transit along main migratory routes, including Nigeria, Tunisia, Morocco, Senegal, The Gambia, Pakistan, Iraq.

Migrant smuggling can often exploit established international travel routes. A toolbox addressing the **use of commercial means of transport** to facilitate irregular migration to the EU was adopted by the Commission in June 2023. It includes a set of operational and diplomatic measures to address the increasing misuse of commercial transport by criminal networks engaged in migrant smuggling. The toolbox has been activated to frame discussions with partner countries (Türkiye, Pakistan), contributing to decrease irregular arrivals to the EU, in particular, to Cyprus.

Smuggling can also be made easier when people can first come closer to the EU by exploiting legal **visa-free regimes** in the EU's neighbours. Alignment with the EU visa-free regimes can help reduce such opportunities for smugglers. A concerted initiative underlining the mutual interest of visa policy alignment with the EU conducted by the Commission and the Member States brought significant results in the Western Balkans in 2022 and 2023. To mitigate this vulnerability even further, the Commission has proposed to strengthen options for action in this area, by amending the visa suspension mechanism to include lack of visa policy alignment as a new ground for suspending visa-free travel.

Completing the legislative toolbox on smuggling proposed by the Commission to tackle key challenges will be essential in the months and years ahead. This includes the proposals to enable more effective pursuit and prosecution of migrant smugglers. The collective follow-up to the call to action for a Global Alliance to Counter Migrant Smuggling will also be a major focus. The first thematic expert group focusing on digital smuggling is planned for April 2024 and will focus on engaging with online service providers and private companies to tackle the online dimension of migrant smuggling. Denmark is hosting a Conference on mutual partnerships in May, an important opportunity to take stock and work on next steps. Strengthened practical cooperation between EU agencies, Member State law enforcement and external partners will be the bedrock for action against the criminal gangs behind migrant smuggling.

4. Being more assertive on returns

More effective returns are an important part of the EU response to irregular migration and also reduce incentives for those considering unauthorised entry. Establishing an effective and common EU system for returns is a central pillar of the Pact on Migration and Asylum, also reaffirmed by the EU Strategy for Voluntary Returns and Reintegration.

This requires, in the first place, effective systems in Member States to implement return decisions. The EU has been supporting Member States in this process through both funding and operational support by the relevant EU Agencies. However, the current proportion of return decisions that are effectively implemented remains below one in five.

Strengthening return actions and mutual recognition of return decisions

Dedicated structures are now up and running to bring targeted support to Member States. The EU Return Coordinator, in close cooperation with the High-Level Network for Returns, works to improve performance in this area.

In this context, the recently established **Return Roadmap** provides a flexible framework, currently focusing on five key actions: joint identification actions leading to issuing of travel documents supported by Frontex in relation to seven priority destinations (Iraq, Bangladesh, Pakistan, Tunisia, Nigeria, Senegal and The Gambia); assisted voluntary return, sustainable reintegration and joint return operations with Frontex; issuing return decisions at the same

time as negative asylum decisions; mutual recognition of return decisions and follow-up enforcement; and prioritisation of returns of irregular migrants posing a security threat.

The successful implementation of the Roadmap relies on sharing good practices and dedicated workshops are being developed with this aim, hosted by Cyprus, the Netherlands, and Belgium. Coordination meetings led by Frontex will feed into a calendar for the first half of 2024 for each priority third country to help Member States to manage their return cases.

Another tool to improve the efficiency of the EU as a whole on returns is **mutual recognition of return decisions**. The Commission Recommendations of March 2023 have resulted in an increased use of the **Schengen Information System return alerts** by Member States: over 200 000 new alerts on return were introduced by Member States in six months. Now that Member States authorities can see if a person who is apprehended on their territory has already been issued a return decision in another Member State, this information can be used to speed up the return. Expert contacts are under way to make the most of this opportunity.³

One missed opportunity is the **reform of the Return Directive**, first proposed in 2018 and which is not yet agreed under the Pact. The reform 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.

Support to return and reintegration

EU funding and Frontex support both help Member States with **return and reintegration**, including by encouraging voluntary return and by keeping potential returnees engaged in the return process. This includes practical help such as booking flights, paying forced return escorts, and working with the International Organization for Migration (IOM) on reintegration.

Returns from the EU are supported by both bilateral Member State programmes and by the **Frontex Joint Reintegration Services**, which offers support for reintegration of returnees in over 35 third countries (to be expanded to around 50 countries in the near future). Since the Service was launched in April 2022, over 5 500 beneficiaries have been supported, with an acceleration in 2023. 24 Member States and Schengen Associated Countries have used the Service, covering all the third countries under its scope. The regular provision of reintegration support, especially for forced return cases, has been welcomed by partner countries, and contributed to facilitating the conduct and acceptance of return operations. An example is the EUR 13 million support for sustainable reintegration for returnees from the EU in Morocco, Egypt and Tunisia, both direct support to returnees themselves and structural support to the national authorities responsible

Supporting **assisted voluntary return** from partner countries and **sustainable reintegration** in countries of origin is another key objective. Since 2021, the EU has devoted almost EUR 400 million to support voluntary return and reintegration of returnees from transit countries in Sub-Saharan Africa. Between August 2022 and January 2024, the EU supported over 17 000 migrants with voluntary return and substantial reintegration measures under this programme. Under a EUR 68 million programme for voluntary returns from North of Africa, the number of migrants returned per year almost tripled between 2020 and 2023 (reaching over 13 000 in 2023), with significant support to protection ahead of returns.

Enhancing returns is one of the main pillars of the EU Action Plan on the Western Balkans. A new EUR 13 million **regional returns programme** will further support Western Balkan

³ On 7 March 2024, a meeting of return and SIS experts took place to improve practical cooperation and make full use of the potential of the SIS return alerts to support a more efficient return process.

partners to operationalise effective and rights-based return management systems, including both voluntary and non-voluntary returns. A pilot project implemented by IOM with the authorities of Bosnia and Herzegovina has also supported non-voluntary returns of irregular migrants, primarily to Bangladesh and Türkiye.

5. Responding to acute needs and crises

The EU has stepped up to respond to a variety of unanticipated pressures and crises that have emerged during the course of the last four years. In doing so, the Commission has repeatedly shown how EU support can bring relief to Member States exposed to particular migratory pressure at the external border or suffering a particular spike in irregular arrivals. By combining support from agencies – the EU Asylum Agency, Europol and Frontex – funding and operational support, the EU can rapidly target help to address specific needs.

Targeted support to Member States under pressure

In **Cyprus**, support is based on a Memorandum of Understanding agreed with Cyprus in February 2022. This covers all aspects of migration management, including substantial funding to enhance reception capacities. This has boosted Cyprus' capabilities for border management and helped it to make full use of the possibilities under the Voluntary Solidarity Mechanism, as well as its return capacity.

In **Greece**, the European Commission has been supporting the strengthening of the national migration management system, with a focus on improving reception facilities and making asylum and return procedures more efficient. Significant financial, operational, and technical support have helped national authorities in these areas, substantially improving overall reception capacity and conditions, streamlining asylum procedures, and boosting both relocations and returns.

When almost 10 000 thousand migrants arrived in **Lampedusa** within 72 hours in September 2023, the EU provided immediate support. The 10-point plan set out by President von der Leyen has been taken forward effectively. On top of financial support, agencies were deployed to help with registration of arrivals and referral to the appropriate authorities, as well as with additional personnel and surveillance assets. Transfers via air from the island, funded by EU emergency assistance, also contributed to alleviate the pressure. This work on the ground was complemented by renewed efforts to tackle migrant smuggling networks and diplomatic efforts with Tunisia and with countries of origin had a swift impact on reducing irregular arrivals.

The EU has also been supporting **Spain**, through both financial and operational support for improved border management and strengthened reception facilities and procedures in the Canary Islands, as well as on the mainland. This includes specific Frontex Joint Operations to support Spain's ability to manage its external borders in a safe and effective manner at both sea and air borders.

Combating instrumentalisation

While those managing the external border must always be equipped and prepared to handle shifting patterns of movement as the routes and practice by the migrant smugglers evolve, in recent years the EU has faced new challenges with a growing number of incidents where migrants have been instrumentalised for political purposes.

The EU has acted swiftly to protect both the individuals concerned, and the Union's external borders. When the **Belarusian regime** instrumentalised people in the second half of 2021, the EU worked closely with the Lithuanian, Polish and Latvian authorities to offer reinforced

border protection and funding to support asylum and reception capacity. Intensified diplomatic outreach helped to prevent further exploitation of individuals and facilitated their dignified return.

To avoid the need to resort to ad hoc measures in future situations of instrumentalisation of migrants, the Pact provides a definition and a stable framework under the EU asylum and return rules to clarify how Member States could manage such situations in full respect of EU law, fundamental rights and international obligations.

Supporting those fleeing the Russian invasion of Ukraine

One of the most significant steps in EU asylum and migration policy during the past four years has been the activation in March 2022, upon a proposal by the Commission, of the **Temporary Protection Directive**, which has so far benefitted over four million people fleeing Russia's war of aggression against Ukraine. Despite an unprecedentedly high number of arrivals in a short timeframe, the EU helped to ensure that both those fleeing to the EU and the Member States receiving them were well supported. Under Temporary Protection, people fleeing the war were provided with housing, access to the labour market, medical care and education for children, which in turn also avoided unmanageable pressure on Member States' asylum systems.

Coordination tools to link up national efforts play a key role in joined-up delivery. To support Member States with the implementation of the Temporary Protection Directive, the Commission established the **Solidarity Platform 'Ukraine'**⁴ to bring together all key players in this context. The Solidarity Platform has monitored emerging needs of displaced people from Ukraine in the EU, supporting the coordination of an operational response. In addition, the Commission set up the Temporary Protection Registration Platform as a way for Member States to exchange information in real time on the beneficiaries of temporary protection and adequate protection under national law.

Rapidly recalibrated EU funding was key to underpinning the efforts of Member States and civil society, as well as the many communities and individual Europeans supporting those in need. The Commission proposed the Cohesion's Action for Refugees in Europe (CARE) in March 2022 which was later reinforced with CARE (+) supporting accommodation, healthcare, access to employment, medical, social, and psychological support. This is on top of established support for integration through EU funding. EU Agencies also delivered direct support on the ground to the Member States bordering Ukraine and to Moldova. The decision to further extend the application of the temporary protection regime until March 2025 shows the EU's unwavering commitment to support Ukraine.

Reducing secondary movements and showing solidarity

Over the last four years, considerable efforts have been made to provide support to Member States under pressure, either from arrivals at the external borders or from unauthorised movements within the EU. This has served to address shortcomings in the current Dublin system pending the implementation of the Pact.

To support Member States under pressure, in particular from arrivals at sea, the **Voluntary Solidarity Mechanism** was established. The Commission coordinates this mechanism, supported by the European Union Agency for Asylum assessing the needs of the Member States of first entry and monitoring the respect of commitments made for both relocation and financial

⁴ The Platform brings together Member States, Schengen Associated Countries, the European External Action Service, the EU Asylum Agency, Frontex and Europol, the International Organisation for Migration and the UN refugee agency UNHCR, as well as Ukraine, Moldova and international partners, notably the United States, Canada and the United Kingdom.

solidarity. Alongside delivering more than 4 000 relocations to date, this temporary mechanism has provided valuable experience to feed into the implementation of the permanent, structured and predictable solidarity mechanism to be put in place under the Pact, where relocation is one possible form of support to Member States under pressure.

To help address secondary movements, the Commission presented good practices on the implementation of the **Dublin Roadmap**, aiming to improve communication between Member States, increase compliance with EU law, and limit absconding. The overall objective is to improve the level of Dublin transfers and thus limit unauthorised movements between the Member States. Achieving the goals and objectives of the Dublin Roadmap requires that Member States continue implementing it as a priority and allocate the necessary human and financial resources to the Dublin units. Implementation of the measures set in the Roadmap remains key, not only to address current challenges, but also to ensure an effective implementation of the Pact. The Commission will continue to support the Member States in achieving all the objectives set in the Dublin Roadmap.

IV. THE EXTERNAL DIMENSION: WORKING WITH PARTNER COUNTRIES

Europe is a continent whose history has been shaped by many peoples. Migration is not a new phenomenon, nor is it one that affects Europe alone. Migration journeys always have a beginning and an end and countries worldwide face many of the same challenges we do. Any European migration policy must be fully embedded in our foreign policy. Migration policies that work well are in the interest of partner countries, the EU, as well as refugees and migrants themselves.

1. A new paradigm based on comprehensive partnerships

Upon taking office, the von der Leyen Commission committed to taking 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.

As a key priority for the EU as well as a major policy issue for partners, migration is an integral part of the deepening relationships the EU has with partners worldwide. There is now a clear drive to establish deeper partnerships with key third countries that will situate cooperation on migration alongside other major interests.

Comprehensive partnerships embedding migration have proven to be successful in achieving mutually beneficial results. This approach will also need to be broadened and expanded with more partners. The EU will also need to complete the shift to a more pragmatic and assertive way of ensuring our own interests are reflected in the partnerships we maintain, not shying away from using levers, both positive and negative.

Migration within broader relations with North African and other partners

The past year has seen a major effort to address the migration challenges in the Mediterranean and Atlantic as part of deepening relations overall with North Africa and other partners. The Commission has led Team Europe missions with leaders of Member States to Tunisia in July 2023, Mauritania in February 2024, and Egypt in March 2024 to underline the EU's commitment to developing comprehensive and mutually beneficial partnerships in which migration is a key element, alongside concerns such as regional stability and the huge potential for economic development in areas like renewable energy.

These were key themes in the Memorandum of Understanding reached with **Tunisia** in July 2023, looking at macroeconomic stability, the economy and trade, green energy and people to people contacts. A section on migration has been taken forward alongside the other priorities and saw a major reduction in departures from Tunisia since autumn 2023. A new comprehensive partnership with **Egypt** will focus on economic stability, investment, trade, as well as migration and mobility, security and human capital development.

With **Mauritania**, the EU has proposed to deepen cooperation in many areas, with a focus on the green transition. A specific Joint Declaration on a migration partnership signed in March 2024 will be accompanied by assistance and cooperation, including better socio-economic opportunities for young people in Mauritania, support for reception of refugees and the host communities welcoming them, for border management and the fight against smuggling of migrants.

Tackling root causes

The EU and its Member States remain, collectively, the largest provider of official development assistance in the world. The EU's investment strategy in support of sustainable infrastructure investments, **Global Gateway**, will mobilise up to EUR 300 billion by 2027, to boost connectivity and support the green and digital transitions. Over half of the total amount will be invested in Africa, while EUR 77 billion will be devoted to Economic and Investments Plans for the Eastern Partnership, Southern Neighbourhood and the Western Balkans.

As well as the overall impact of this massive commitment to economic development, EU action is more specifically focused on supporting partners in preventing irregular migration through addressing its **root causes**. Sustainable economic opportunities, vocational education and training, particularly for young people, social services, support to small and medium-sized enterprises and increased access to finance can have an important bearing on reducing the pressure for irregular migration. Diaspora investments in countries of origin can also help to decrease this pressure, while remittances can be leveraged for development. The EU works with partners to address the different drivers of migration and of forced displacement, including poverty and poor governance, disasters, the adverse effects of climate change and environmental degradation, conflicts, and instability both in countries of origin and transit.

Working together on the ground

The EU invests in a wide range of dialogues with partners to **help third countries enhance and/or develop their own migration and asylum policies and systems**, to improve their capacities for border and migration management, for providing international protection, and to address specific needs such as effective reintegration after return.

Migration dialogues with priority partner countries reflect this comprehensive approach to cooperation on migration. For example, the EU-Egypt Migration Dialogue covers border management, returns and reintegration, protection, and labour migration, with support to Sudanese refugees an important priority. The second High Level Dialogue on Migration with Türkiye in November 2023 confirmed the willingness of both sides to strengthen bilateral cooperation. Implementation of the EU-Turkey Statement and of the EU-Turkey readmission agreement remain central to cooperation: as well as the hosting of refugees from Syria, key workstreams include helping to prevent irregular entries to and departures from the country and combatting smuggling networks. In Asia, in March 2023, the Commission launched two comprehensive Migration and Mobility Dialogues with Bangladesh and Pakistan. Ongoing work with other partners such as Nigeria, Iraq, Tunisia, Morocco and Mauritania allows each partner's interests to be taken forward across the full range of issues.

Capacity building in the Western Balkans also includes legislative preparation of candidate countries for their future responsibilities on migration and asylum as Member States. Other key themes include reception capacities, and operational support from EU agencies and funding to help Western Balkan partners improve their migration and border management systems. The deployment of border guards from Frontex and joint patrols to support border management has been expanded through the conclusion of new status agreements (see below).

This cooperation is enabled by a major contribution from **EU funding**. With 10% of the NDICI-Global Europe (Neighbourhood, Development and International Cooperation Instrument – Global Europe) programme earmarked for migration and forced displacement-related actions, more than 190 projects are under way, worth some **EUR 5.3 billion**. This means for example that EUR 691 million has been devoted to actions in North Africa in 2021-23, with almost two thirds of this devoted to strengthening migration and asylum governance and management. Addressing migration and external challenges in the Southern Neighbourhood in a comprehensive way will be further strengthened with the recent decision of the European Council to reinforce further migration funding.⁵

EU funding is also complemented and amplified by support provided by EU Member States and other partners in **Team Europe Initiatives**. These focus on working on critical priorities on migration in a given country or region, where a coordinated and coherent effort can have a transformative impact. Team Europe Initiatives on the Central Mediterranean route and for the Atlantic and Western Mediterranean routes were both launched at political level in December 2022, to support activities along the key routes to the EU as well as identify gaps and overlaps, strengthening local coordination and prioritising joint actions, while another Team Europe Initiative addresses the Afghan regional displacement situation.

Support for protection worldwide

Every year, millions of people are forced to leave their homes due to conflict, violence, human rights violations, persecution, disasters, and the impacts of climate change. The number of forcibly displaced persons reached unprecedented heights in 2023 and currently stands at 110 million people displaced worldwide. The vast majority of these are hosted in developing countries and the EU will maintain its commitment to help.

Together, the EU and its Member States are the world's leading donor in **support to refugees**, contributing to 42% of global funding⁶. In 2022, the EU alone provided EUR 2.4 billion for humanitarian, development and peace support benefiting refugees and their hosts. Over the past few years, approximately with 80% of the EU humanitarian budget has been allocated each year to projects addressing the needs of forcibly displaced persons and their host communities worldwide.

This includes major EU support to Türkiye, which hosts over 4 million refugees and faced a massive challenge from the Syrian crisis, with EUR 10 billion since 2011. The EU has also supported Jordan, Lebanon, and Iraq to address the impact of the Syrian crisis, as well as playing a significant role in mobilising aid from other donors.

Between 2021 and 2023, close to EUR 150 million have been allocated to actions in the field of protection in Libya, Tunisia, Morocco and Egypt, for example ensuring greater accessibility and care at local level for migrants in highly vulnerable situations, facilitating access to basic services, improving livelihoods, and in the case of Libya, enabling the transfer from detention centres of registered refugees and asylum seekers to urban settings.

⁵ Special European Council of 1 February 2024

⁶ OECD-DAC 2022 survey

The EU has also contributed substantial humanitarian funding in Afghanistan, Iran, and Pakistan totalling over EUR 665 million since 2019, also committing over EUR 400 million to help address the displacement of the Rohingya, chiefly in Bangladesh. Humanitarian and development cooperation support is also provided to other host countries in Asia, Africa and Latin America facing significant displacement situations, for example, Colombia, Uganda, Chad and Mozambique.

Multilateral engagement

EU cooperation with UN agencies continues to be extremely valuable to both sides. The multi-faceted and close partnership with the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR) covers all aspects of migration and forced displacement and has deepened further through the response to the displacement crisis triggered by Russia's invasion of Ukraine. Together, the EU and its Member States are the biggest donors to IOM and the second biggest to UNHCR. Cooperation has also been extended regarding situational awareness and preparedness, with UNHCR and IOM now participating in the EU Migration Preparedness and Crisis Management Mechanism Network. The Ukraine displacement crisis also strengthened EU cooperation with UNICEF on assistance to children⁷. The United Nations Office on Drugs and Crime (UNODC) is a close partner of the EU following the Call for Action in the context of the Global Alliance against smuggling of migrants.

The EU supports a number of **regional processes** to promote the whole-of-route approach: the Euro-African Dialogue on Migration and Development (Rabat Process), the EU-Horn of Africa Migration Route Initiative (Khartoum Process), the Silk Route Partnership on Migration (Budapest Process), and the Prague Process (West Balkans, Eastern Neighbourhood and Central Asia). Since 2018, the EU also supports the Niamey process in West and North Africa to prevent and combat migrant smuggling and trafficking in human beings.

The new Samoa Agreement signed by the EU and its Member States in November 2023 with the Members of the **Organisation of African, Caribbean and Pacific States**, providing a legal framework for relations in the next twenty years, includes an enhanced section on migration and mobility.

The work of the joint **AU-EU-UN Tripartite Task Force** to find solutions to the migration challenges faced by Libya continues on the ground. Agreed priorities⁸ include working towards an end to arbitrary detention of migrants in Libya and development of alternatives to detention, and fighting against smuggling, as well as trafficking in human beings.

With international partners, the EU is supporting the Rome Action Plan for Development and Migration in the Mediterranean region, Middle East and Africa launched in July 2023 and the continuing Rome process, which pursues a comprehensive approach to tackling irregular migration, from economic investments to legal pathways, and from protection to anti-smuggling measures.

⁷ Other UN agencies such as the International Labour Organisation (ILO), the United Nations Industrial Development Organisation (UNIDO) and the United Nations Office for Project Services (UNOPS) implement EU-funded programmes on the ground.

⁸ EU, AU and UN push for urgent action to address the pressing needs of migrants and refugees in Libya - European Commission (europa.eu)

2. Promoting legal pathways as an alternative to irregular migration

Cooperation on legal migration is one of the elements of tailor-made, mutually beneficial partnerships that can help address shared challenges and contribute to the effective implementation of readmission obligations.

Talent Partnerships

The Talent Partnerships announced in the Pact enhance **legal pathways to the EU** while engaging partners countries strategically on migration management, in particular by helping to reduce irregular migration and incentivising partners to cooperate on return and readmission. Commission programmes bringing partner country nationals to study, train or work in the EU contribute to these partnerships, in addition to funding and capacity building assistance in areas such as labour market intelligence and skills development, strengthening labour migration governance, vocational education and training. Each is tailor-made with priorities defined by the EU, Member States and the partner country. For the potential of this tool to be fully reached, the engagement of Member States at EU level will be essential to maximise the leveraging effect labour migration cooperation can have on readmission.

The Commission has so far prioritised the launch of such partnerships with Morocco, Tunisia, Egypt, Pakistan and Bangladesh. Talent Partnerships with Nigeria and Senegal are also envisaged, depending on an improved cooperation on the full range of migration issues. Following the first Talent Partnership roundtables with each partner country in 2023, a new series of roundtable exchanges is taking place in the first half of 2024.

Attracting Talent

The EU's economic growth is being hampered by severe labour shortages affecting numerous sectors, across Member States. While measures to maximise the potential of the EU domestic workforce are the first priority, labour migration is a necessary part of the solution. To remain competitive, the EU must attract skills and talent, building further on measures already taken including the revised EU Blue Card Directive and the Single Permit Directive. Further work will be needed to complete the reform of the Long-term Residents Directive to make it easier to acquire long-term residence status by simplifying procedures. In November 2023, the Commission proposed to establish an **EU Talent Pool**, the first EU-wide platform to facilitate international recruitment to sectors facing labour shortages. Developing this will be a key area of work in the coming years, alongside integration measures to ensure migrants can bring their full potential to the labour market.

Contributing to global resettlement efforts

EU resettlement programmes have enabled the most vulnerable refugees to reach Europe without having to resort to using criminal smuggling networks or endanger their lives by taking perilous routes. The EU remains committed to providing safe and legal pathways for those in need of protection. With the new EU Resettlement Framework under the Pact, the EU will have a permanent system solidifying the EU's track record of contributing to global resettlement efforts. For 2024-25, Member States have pledged to receive over 60 000 persons through the EU resettlement and humanitarian admission scheme. Over the last three years, EU funding to support Member States has reached over EUR 318 million. The EU also continues to support the humanitarian evacuation of people from Libya to Emergency Transit Mechanisms in Niger and Rwanda for onward resettlement to help the most vulnerable to escape from desperate circumstances.

3. Using collective leverage for readmission

For return and readmission to function effectively, countries of origin have to cooperate in the identification of their nationals, issue travel documents and accept return operations. This is an obligation under international law, as well as under a number of multilateral instruments and bilateral readmission agreements and arrangements. Yet, in practice, cooperation is often insufficient and needs to be strategically supported by engagement at all levels, through a Team Europe approach and the strategic use of all relevant policies and tools.

The Commission and the EEAS has strengthened its use of diplomacy and the EU's collective weight to leverage EU policies to support action on returns and readmission. **Visa policy** has provided new tools to promote cooperation in this area.

Under **Article 25a of the Visa Code**, the Commission regularly assesses third countries' cooperation on readmission and reports to the Council. If there is insufficient cooperation on readmission and taking into account the Union's overall relations with the third country concerned, the Commission has the possibility to propose restrictive visa measures. This process has been instrumental in identifying and addressing challenges and has led to strengthened dialogue on readmission with several partners, with improved dialogue and cooperation with partners including Iraq, Bangladesh and The Gambia. The fourth report was presented in July 2023, and a new proposal for visa restrictive measures for Ethiopia was adopted, together with a proposal to partially withdraw the restrictive measures in place for The Gambia.

The Article 25a mechanism only covers visa-required countries. For the 64 countries with whom the EU has a visa-free regime in place, the **visa suspension mechanism** is a safeguard against the abuse of visa-free travel that can result in irregular migration. Whilst this mechanism can act as a strong deterrent, it has only been activated once. Concluding the reform of this mechanism will be essential to make it easier to use as well as to address a greater range of abuses of visa-free travel, such as increased irregular arrivals due to the lack of alignment with the EU's visa policy, investors citizenship schemes in visa-free countries, or hybrid threats, such as state-sponsored instrumentalisation of migrants. The reform also incorporates stricter rules for abuses related to unfounded asylum claims (in 2023, 23% of all asylum applications in the EU came from visa-free countries).

Another potential tool to secure cooperation on returns and readmission could be the revised **General System of Preferences** (GSP Regulation). The Commission has proposed a new provision in the regulation, which would introduce a new criterion for withdrawing preferential tariff treatment unilaterally awarded by the EU, that of serious shortcomings in the implementation of the obligation to readmit own nationals. This would increase the incentive for third countries to uphold their international obligations and foster better migration management. The regulation is currently under negotiation.

The change of paradigm that the EU has brought to its relationships with third countries is already showing strong results and this will continue to be a dominant theme of the EU's work for the years to come. Positive incentives – including in the fields of trade, development, legal migration – need to be used in a strategic and coherent way so that their positive dynamic benefits cooperation on readmission.

V. SUPPORT FROM EU AGENCIES

Key to trust in EU and national migration policies is consistency in implementation, requiring enhanced monitoring and operational support by EU Agencies. Over the last decade, the

operational expansion of EU border and migration management agencies' mandates has enabled them to increase their level of support to Member States and deploy their staff and experts in fields such as border control, returns and the processing of asylum claims.

Frontex

With its strengthened mandate, **Frontex has increased its support to Member States** in managing external borders, providing services, information, equipment and access to tools and expertise that helps to address migratory challenges in Member States. As set out above, this includes an increasing role in the area of returns. The progressive establishment of the Standing Corps is on track to reach the target of 10 000 by 2027, aiming to be fully equipped and trained to provide substantial support for border control and return. However, this will depend in part on Member States fulfilling their obligations to provide personnel through both long-term secondments and short-term deployments.

Frontex has also increased its agility to better tackle sudden needs and hybrid threats, as shown in its swift response in Finland at the end of 2023. On top of operational support, Frontex has a crucial role implementing European integrated border management.

Frontex also supports the capacity building and border management of **third country partners**. A new generation of Status Agreements between the EU and third countries allows for the deployment of the Frontex Standing Corps with executive powers between two non-EU countries, allowing joint border control work across air, sea and land. These have been signed so far between the EU and Albania, Moldova, Montenegro and North Macedonia. An agreement with Serbia should be signed soon, and negotiations were officially agreed to be launched with Bosnia and Herzegovina on 12 February.

Frontex also has **working arrangements** that allow for cooperation with the authorities of third countries in areas including information exchange, capacity building and risk analysis. Such arrangements currently exist with Albania, Georgia, Bosnia and Herzegovina, Kosovo^{*}, North Macedonia, Azerbaijan, Türkiye, Armenia, Nigeria, Cape Verde, Canada, Montenegro, USA, Moldova, Ukraine and the UK⁹. The Agency is currently negotiating a further 16 working arrangements, including with north and west African partners, while updating the existing arrangements with other partners.

For all these new tasks, Frontex has adopted and implemented a Fundamental Rights Strategy, ensuring the Agency's compliance with EU and international law, including the principle of *non-refoulement*.

Frontex deployments

At the beginning of 2024, Frontex has 22 operational activities ongoing, supporting Member States and Schengen Associated Countries in border control and return, as well as with partner countries. Currently, the Agency has over 2 700 standing corps members deployed. The operations provide support to land, sea and air border surveillance. Among other tasks, they support border checks at the border crossing points as well as return operations.

The figures above include Frontex operations in third countries. At the beginning of 2024, Frontex had over 500 officers in the Western Balkans, in Albania, Montenegro, North Macedonia and Serbia, as well as in Moldova, assisting the national authorities with border

* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

⁹ Activities under arrangements with Russia and Belarus have been suspended.

management, surveillance, detection of forged documents and fighting cross-border crime, as well as deploying relevant vehicles.

EU Asylum Agency

In January 2022, the European Asylum Support Office (EASO) became **the EU Agency for Asylum (EUAA)**, a fully-fledged agency with more tools to support Member States in asylum and reception management. A Monitoring Mechanism, the methodology of which was prepared in 2023, will monitor the operational and technical application of EU legal obligations and thus contribute to a more harmonised EU asylum system. As well as helping the work of Member States directly, EUAA's work to use operational standards, guidance and training to align asylum and reception practices of Member States promotes greater convergence and helps to reduce secondary movements.

The EUAA has backed up the work of the Commission to help Member States under migratory pressure in building strong asylum governance with operational and technical assistance to Member States on their asylum and reception systems.

The EUAA also provides capacity building support to some **third countries**, with a focus on candidate countries. The Agency has notably agreed on bilateral Roadmaps with all of the Western Balkan partners to help align with the EU acquis and tailored to the specific needs on the ground.

EUAA deployments

The EUAA's Asylum Support teams throughout the EU provide support to the National Asylum and Reception Authorities in governance, strategic planning, quality, and procedures.

As of 3 March 2024, EUAA had 1,141 deployments in 12 Member States.

Europol

The deployment of staff to Member States, as well as to partner countries, is a key element of Europol's work in facilitating information sharing and supporting investigations. This includes deploying experts and guest officers to support local law enforcement authorities to 12 Member States and partner countries. In operational work, Europol has been building its network based on 20 agreements allowing for the exchange of personal data with third countries on serious organised crime and terrorism.¹⁰ These will be essential to the effective delivery of the new mandate on migrant smuggling and the European Centre Against Migrant Smuggling.

Europol deployments

As of 4 March 2024, Europol has 79 deployments in 11 Member States and Moldova.

These teams, comprised of Europol specialists and guest officers, support the national authorities with secondary security checks and investigations. They also gather information in the field, which is used to develop criminal threat assessments at the European level and to support investigations.

eu-LISA

eu-LISA is the EU agency responsible for a wide range of major IT systems used in EU justice and home affairs policies. Its work will be central to the application of IT tools critical to border

¹⁰ Europol also has 16 working arrangements and strategic agreements which cater for structured cooperation without exchanging personal data.

management already in use or coming on stream, as well as for their interoperability. It has succeeded in introducing a network of systems at EU and national level which make possible a full overview of who is entering the EU.

Eurojust

Eurojust, the Union's agency for criminal justice cooperation, is a key actor in the response to migrant smuggling. It supports complex cross-border cases requiring judicial coordination and Joint Investigation Teams pursuing the criminal smugglers of migrants, and organises a Focus Group on Migrant Smuggling to bring together judicial actors from Member States to analyse the changing tactics of organised crime groups in this area and share best practice in investigation and prosecution of these cases.

VI. CONCLUSION

By working together, the EU has proven that it can and will deliver a truly common migration and asylum policy. The newly agreed Pact on Migration and Asylum sets out the end-to-end approach needed to make migration management in Europe fair, efficient and sustainable. It is the single most groundbreaking overhaul of the EU's migration and border management rules since the dawn of the Schengen area and the single market. And it is what will allow generations of Europeans to continue benefitting from these unique, European-trademarked freedoms.

Going forward, we must place a **relentless emphasis on implementation** to ensure all Member States have a well-prepared system as a prerequisite for building the mutual trust needed for the new balanced approach of the Pact to work. The Commission will lead the collective work on this, starting with a Common Implementation Plan, and will accompany Member States every step of the way with financial, technical and operational support, including from the EU Agencies. Work must also continue to complete this legislative toolbox with the missing elements on return and long-term residents as well as the complementary initiatives on smuggling, commercial means of transport and visas.

The Pact will be a game-changer in the way Europe manages migration, but it cannot operate in a vacuum. To succeed, Europe will always need to rely on a two-track approach of enacting structural reform, alongside continuous efforts to deal with **the day-to-day management of acute pressures** and crises. As in recent years, the Commission will continue to implement operational steps to improve the EU's response to shared challenges, ensuring that moments of crisis are handled swiftly, with comprehensive support to Member States and fairness to migrants, drawing on available financial resources and the support of the EU agencies.

Finally, the search for solutions to challenges new and old faced by Member States will be an enduring endeavour. The EU as a whole will need to continue looking for practical ways to address some of the more intractable issues related to migration, conscious that preventing journeys that put lives at risk is a global responsibility. The external dimension of migration policy is critical for success, and durable solutions will require continued efforts to make migration a priority in mutually-beneficial partnerships.

Anchoring our actions in our values and acting together in fairness and firmness, the EU has shown that it can deliver on migration. These are the hallmarks that should continue to guide our future action.