



MIGRATION

New Pact on Migration and Asylum

- Stronger trust fostered by better and more effective procedures
- Well-managed Schengen and external borders
- Effective solidarity
- Skills and talent
- Acting together to deepen international partnerships
- Flexibility and resilience



MIGRATION

New Pact on Migration and Asylum

September 2020 | #MigrationEU

Migration is a complex issue, with many facets that need to be weighed together. The safety of people who seek international protection or a better life, the concerns of countries at the EU's external borders, which worry that migratory pressures will exceed their capacities and which need solidarity from others. Or the concerns of other EU Member States, which are concerned that, if procedures are not respected at the external borders, their own national systems for asylum, integration or return will not be able to cope in the event of large flows.

Based on a holistic assessment, the Commission is proposing a fresh start on migration: building confidence through more effective procedures and striking a new balance between responsibility and solidarity.

The New Pact:

Building confidence: new balance between responsibility and solidarity



Stronger trust fostered by better and more effective procedures



Well-managed Schengen and external borders



Effective solidarity



Skills and talent



Deepening international partnerships



Flexibility and resilience

Migration affects Europe as a whole and all Member States must play their part to address the challenges and opportunities that it brings. To foster confidence and guarantee a well-functioning EU migration management system, the Pact sets out a new framework that ensures fair sharing of responsibility and solidarity between Member States while providing certainty for individual applicants.

Clear responsibilities through better, modernised procedures

Clearer, more efficient procedures will ensure clearer responsibilities, helping to restore trust between Member States while bringing clarity to applicants. The rules will improve the link between key processes, notably asylum and return.



New compulsory pre-entry screening:

- Identification
- Health checks
- Security checks
- Fingerprinting and registration in the Eurodac database.



New, faster asylum border procedure and where applicable followed by swift return procedure, to speed up decision-making and make asylum procedures more efficient



Integrated and modern migration and border management system with the improved Eurodac database:

- Focus on applicants rather than applications to determine responsibility for asylum claims
- Deter unauthorised movements to other Member States
- Facilitate relocation and better monitoring of returnees
- Track support for voluntary departure and reintegration



Legal guarantees:

- **Independent monitoring mechanism** to ensure respect of fundamental rights, supported by the Fundamental Rights Agency, Frontex and the new European Agency for Asylum.
- **Individual assessment of asylum claims** and essential guarantees protecting effective access to asylum, the right to liberty, the rights of the child as well as the right to an effective remedy.

A new mechanism for constant solidarity



Flexible options for Member State contribution:

- ✓ Relocation of recently-arrived persons
- ✓ Return sponsorship, whereby a Member State takes over responsibility for returning a person with no right to stay on behalf of another Member State
- ✓ Immediate operational support, longer-term support to build capacity on asylum procedures, reception of newcomers or return operations, or assistance in responding to specific migratory trends affecting Member States through cooperation with non-EU countries

Tailored solidarity responses for specific scenarios:



Disembarkation following search and rescue operations at sea and vulnerable persons

- Relocation of those likely in need of protection
- Early identification of needs through a yearly foresight report
- Solidarity pool of national contributions, based on voluntary pledges
- Correction mechanism to guarantee effective support



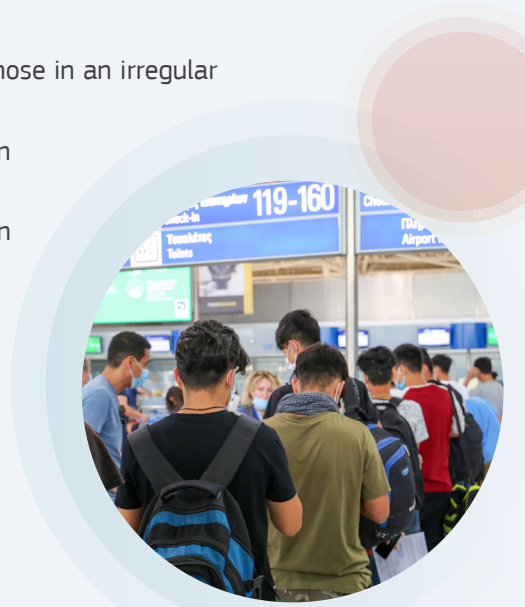
Pressure or risk of pressure on a Member State's migration management system

- Relocation extended to recognised refugees
- Contributions based on Member States' fair share
- Correction mechanism to guarantee effective support



Situations of crisis

- Relocation extended to persons in the border procedure, those in an irregular situation and those in immediate need of protection
- Faster reaction at EU level through swift decision on contributions
- Solidarity mechanism focused only on relocation and return sponsorship



An inclusive approach

- ✓ **Intensive preparatory work** since December 2019.
- ✓ **Two full rounds of consultations** with all Member States, the European Parliament, national parliaments, civil society, social partners and business.
- ✓ **Careful balance** integrating all perspectives.
- ✓ **Next steps:** consideration by European Parliament and Council.





MIGRATION

Stronger trust fostered by better and more effective procedures



September 2020 | #MigrationEU

Fast, integrated procedures will ensure clearer responsibilities, helping restore trust between Member States.

Benefits of good migration management and asylum procedures:



Certainty and **protection** for migrants and refugees



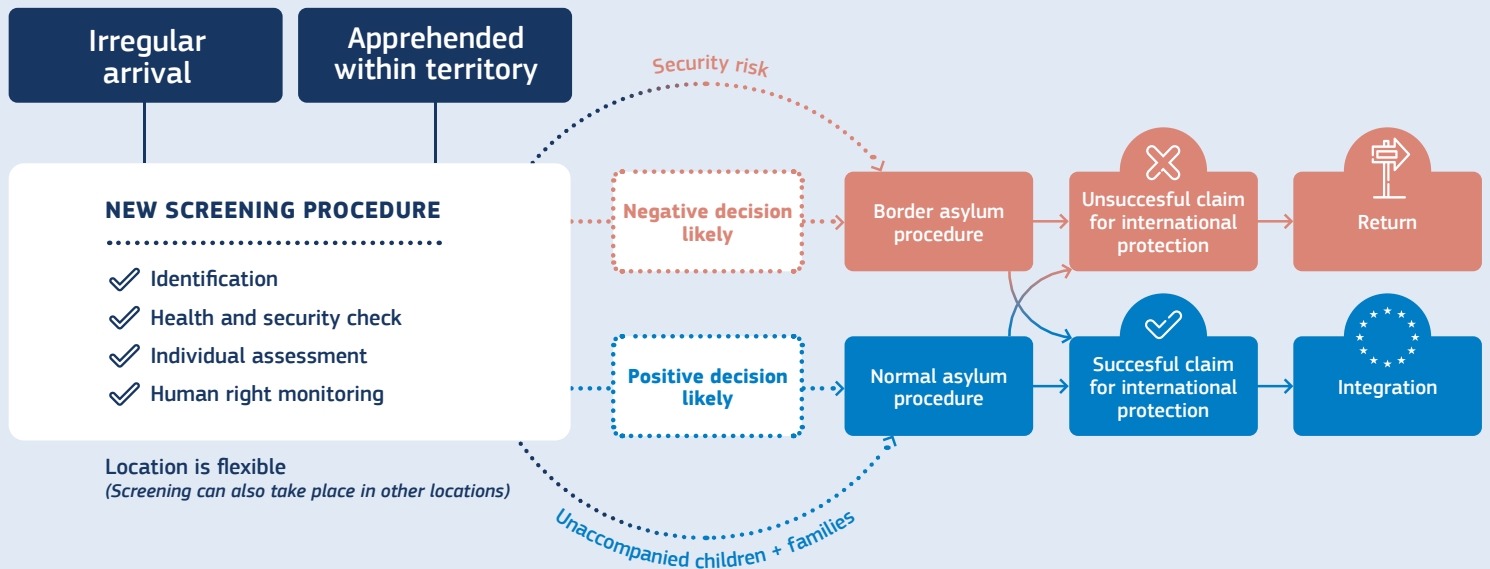
Efficient operation of the system



Credible **application of rules**



New integrated procedure at the border



New screening
for anyone arriving irregularly to direct them into the right procedure



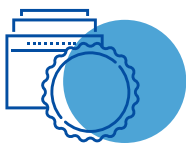
Seamless system from arrival to either return or integration



Legal guarantees and a **monitoring system** to ensure **full respect of rights** from beginning to end of the process

Investment in faster asylum procedures

and in effective returns



Asylum law reforms proposed in 2016 to be adopted: **stronger rights, more efficiency**



New EU Agency for Asylum for **monitoring and guidance**



Improved IT system (Eurodac) to support screening, asylum and return processes



SET OF NEW **TOOLS ON RETURNS**:

- ✔ **More support** from Frontex
- ✔ Newly appointed **EU Returns Coordinator** and a High Level Network coordinating national action
- ✔ **Sustainable return and reintegration strategy** to help countries of origin



Adjusted rules on responsibility for asylum claims

- Rules on which Member State is responsible for every asylum seeker **adjusted**:
 - People with a **diploma** from a Member State to remain there
 - **Siblings** to be reunited in the same Member State
 - **Closing loopholes** encouraging people to attempt to abscond during the procedure
- Recognised **refugees to benefit from free movement** after 3 years (now 5)

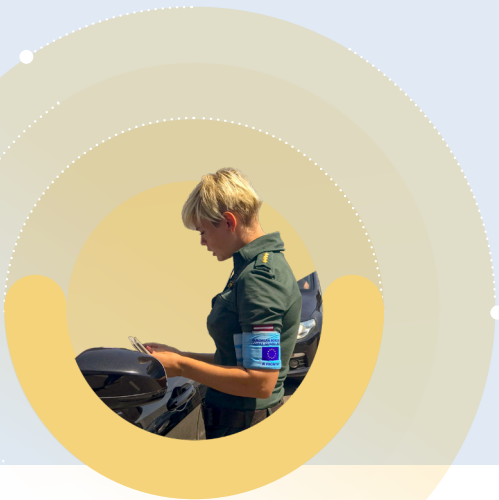


Confidence in EU rules:

monitoring of and support to national authorities

- ✔ European **monitoring of national systems** to ensure consistency on the ground: Commission, peer reviews by other Member States, Frontex vulnerability assessments, new EU Agency for Asylum monitoring
- ✔ Special **monitoring of effective access to asylum** and **respect for fundamental rights** by Member States and the Fundamental Rights Agency
- ✔ Fully-fledged **EU Agency for Asylum offering stronger support**, more support from Frontex





MIGRATION

Well-managed Schengen and external borders

September 2020 | #MigrationEU

Restoring the full benefits of Schengen

ACTIONS

SCHENGEN FORUM
Launch by end 2020
Regular meetings

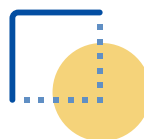


Gathering Interior Ministries and border police to **foster concrete cooperation**



Strong programme of **support** and **cooperation** by the Commission to help **end internal border controls**

STRATEGY ON THE FUTURE OF SCHENGEN
Early 2021



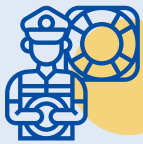
Reform of the **Schengen Borders Code**



Improving the Schengen **evaluation mechanism**



Modern, fast external border management



European Border and Coast Guard **standing corps** with first deployments 1 January 2021

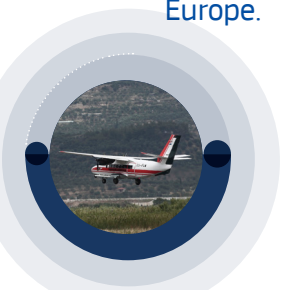


Information systems for border and migration management **to all work together by 2023**, giving border guards the information they need to know who is crossing the EU's borders



A European approach to search and rescue at sea

- ✔ Search and rescue is **legal obligation** and a **moral duty**
- ✔ **600,000 people saved** at sea by Member States and Frontex-led operations **since 2015**
- ✔ Continuous search and rescue by private vessels also **entails responsibilities for Member States**
- ✔ **Coastal Member States have responsibilities for search and rescue, but the EU as a whole** is responsible for migration management in Europe.





MIGRATION

Effective solidarity

September 2020 | #MigrationEU

Constant, effective solidarity with Member States with many arrivals



Trigger

The Commission – on its own initiative or upon request - determine that: a **'national system is under pressure / at risk'**



Assessment

The Commission sets out **what other Member States need to do** to help the Member State under pressure/at risk:

- Accept on their own territory some **asylum seekers relocated** from the Member State in difficulty (destination country receives EU funding)
- Take **responsibility for returning** to their countries of origin some persons with no right to remain in the EU
- Take other **operational** measures to help



Pledging

Once the assessment is complete, **other Member States contribute** towards their fair share

Calculated through:



- **Each can choose** whether to accept relocated migrants or to sponsor returns
- They also have the option of contributing to **other supportive measures**



If needed, correction

If the pledges received fall **more than 30%** short of the total number of relocations or sponsored returns necessary, then Member States that didn't pledge are requested to cover at least half of their 'fair share' (in relocations or return sponsorship).

They can always choose between covering relocations or sponsoring returns



Legal confirmation

Commission adopts implementing act to confirm contributions and make them **legally binding**

- Outside of pressure situations, **continuous voluntary solidarity**,
- For persons disembarked after **search and rescue**, a **relocation pool**
- For **crisis situations**, a special mechanism

Common European asylum and migration governance

Managing migration is a **shared European responsibility**, which makes it essential that Member States' **policies are coordinated**. Member States with many arrivals must be able to count on the support of others, and all Member States need to plan to contribute.

- Legally binding **process** so EU countries develop their systems, plan, and prepare together
- Constant **guidance and support** so national systems become more effective, flexible, resilient



Solidarity and collective responsibility

for disembarked persons

Relocation or return sponsorship for people rescued at sea and vulnerable groups



Commission to set up a **pool of pledges** by Member States based on annual projection of needs



If not enough pledges (30% shortfall), Commission to convene **Solidarity Forum**



If unsuccessful, Commission to adopt a **legal act** requiring Member States to either **contribute relocation places or other measures**



If still not enough relocation places, Commission to apply a correction as in the **standard** solidarity mechanism





MIGRATION

Skills and talent

September 2020 | #MigrationEU

Attracting the talent we need

- ✔ EU needs to urgently catch up in the **global race for talent**. Other OECD countries, such as the USA, Canada, and Australia, are attracting more talent from abroad.
- ✔ The Impact of Demographic Change in Europe report shows that Europe has an ageing and shrinking population and skills shortages that need to be addressed.

ACTIONS



Finalise reform of the **EU Blue Card Directive** to attract the highly skilled talent needed in different labour markets.



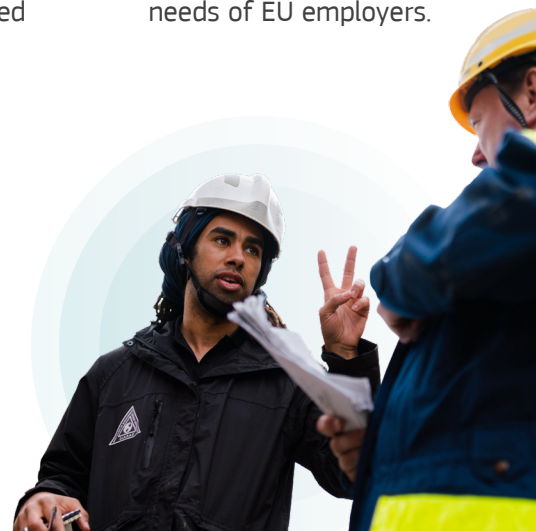
Revise the **Long-term Residence Directive** to strengthen the rights of residents to move and work in different Member States.



Revise the **Single Permit Directive** to simplify the procedures for low and medium skilled workers.



Set up an **EU Talent Pool** to match skilled workers wishing to move to the EU with the needs of EU employers.



Developing legal pathways

to Europe

Offering **legal pathways**:

- ✔ Helps make Europe an open, **globally connected continent**
- ✔ **Reduces irregular migration** and its human and economic costs



ACTIONS



Resettlement

The Commission will reinforce support to Member States to implement the **2020 pledge** delayed by the pandemic and will invite pledges from **2022** onwards, to confirm **EU global lead** on resettlement.



Complementary pathways

EU budget supports Member States humanitarian admission schemes and **study or work-related** schemes.



Community sponsorship

Member States encouraged to allow citizens, communities and civil society to **sponsor refugees** in need to come to Europe.

Supporting integration into

local communities

CHALLENGES:

- ✗ Unemployment
- ✗ Lack of educational or training opportunities
- ✗ Limited social interaction

SUCCESSFUL INTEGRATION:

- ✔ **Benefits** newcomers and local communities
- ✔ Sets a **positive example** for how Europe can manage migration by building open societies



ACTIONS



Action Plan on integration and inclusion for 2021-2024.



Renewed **European Partnership for Integration** for stronger cooperation with:

- ✓ trade unions,
- ✓ employers' organisations,
- ✓ chambers of commerce

for integration through work.



Including the **views of migrants** in the development of policies through a dedicated expert group to advise the Commission.



MIGRATION

Acting together to deepen international partnerships

September 2020 | #MigrationEU

Deepening cooperation on migration through comprehensive, balanced and tailor-made partnerships with key countries of origin and transit.

5 key areas:



Supporting other countries
hosting refugees, and host communities



Creating economic opportunities close to home, especially for youth



Fighting migrant smuggling



Improving return and readmission, stepping up voluntary returns and helping reintegration



Developing orderly channels for legal migration



Achieving common aims

by acting together

- ✔ Partnerships **bringing together a wide range of policies:** education, development, visas, trade, agriculture, job creation, research, energy, environment or climate change.
- ✔ Strategic, coordinated, flexible use of EU financing tools
- ✔ The EU and Member States working hand in hand.
- ✔ A coherent migration approach on all levels: bilateral, regional and global.



3 examples of the Partnerships

in practice:

1

Working with partners to fight migrant smuggling



Profitable business for criminal networks:

€330 million in profits on Western and Central Mediterranean routes during 2017-2019.



New **2021-2025 EU Action Plan against migrant smuggling**

Support for law enforcement, operational capacity and information exchange in partner countries



Information campaigns on the risks of irregular migration and on legal alternatives



Support for border management



Step up work of EU agencies

2

Stepping up cooperation on return, readmission and reintegration



Effective implementation of existing readmission agreements and exploring options for ones



Mobilise different policies **to incentivise and improve cooperation on return and readmission**



Promote voluntary returns and reintegration including through dedicated Strategy

3

Talent Partnerships for better job opportunities at home and legal routes to the EU



Supporting legal migration with key partners, scaling up existing cooperation



Work / training mobility schemes with EU funding and matching EU vacancies and skills



Capacity building for vocational training and integration of returning migrants



Working together with ministries, employers and social partners, education, diaspora





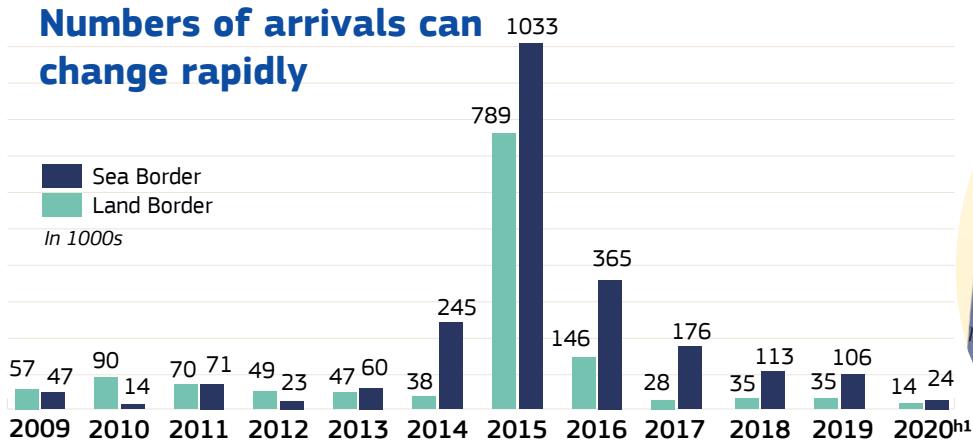
MIGRATION

Flexibility and resilience



September 2020 | #MigrationEU

Numbers of arrivals can change rapidly

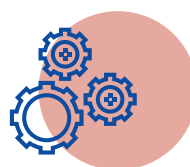


Preparedness and Crisis Blueprint

Strategic planning on EU level will also strengthen preparedness



Ensures **fast and effective common reaction**



Brings together existing **crisis management tools**



Sets out **key protocols and measures** to follow

Effective crisis response



Operational support available on request of a Member State

Building on **experience gained** since 2015 and **on civil protection** tools



Solidarity mechanism

Relocation and return sponsorships operating **faster** and covering **more categories** of people



Recognition of practical difficulties

Precise derogations from normal timelines in **full respect** of fundamental rights



Quick clarity for people needing protection

New **immediate protection** status for people fleeing armed conflicts in crisis





© European Union, 2020

Reuse of this document is allowed, provided appropriate credit is given and any changes are indicated (Creative Commons Attribution 4.0 International license). For any use or reproduction of elements that are not owned by the EU, permission may need to be sought directly from the respective right holders. All images © European Union, unless otherwise stated. Icons © Flaticon – all rights reserved.

PDF ISBN 978-92-76-22155-5

doi:10.2775/008578

NA-02-20-734-EN-N