

Asylum and migration management

2020/0279(COD) - 14/04/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted a report by Tomas TOBÉ (EPP, SE) on proposal for a regulation of the European Parliament and of the Council on asylum and migration management and amending Council Directive (EC) 2003/109 and the proposed Regulation (EU) XXX /XXX [Asylum and Migration Fund].

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Aim and subject matter

The amended text stated that in accordance with the principle of solidarity and fair sharing of responsibility, and with the objective of reinforcing mutual trust, this Regulation:

- sets out a common framework for the management of asylum and migration in the Union, and the functioning of the Common European Asylum System;
- establishes a mechanism for solidarity and fair sharing of responsibility.

Comprehensive approach to asylum and migration management

The report stated that the Union and the Member States should take common actions in the field of asylum and migration management on the basis of a comprehensive approach including the principle of integrated policy-making, in compliance with international and Union law, ensuring coherence between asylum and migration management policies. This should include granting swift access to fair and efficient procedures for granting international protection on Union territory, including at Union borders and recognition of third country nationals or stateless persons as refugees or beneficiaries of subsidiary protection.

A long-term European Asylum and Migration Management Strategy

Members proposed that the Commission adopt a five-year European Asylum and Migration Management Strategy setting out the strategic approach to ensure access to asylum procedures and the functioning and implementation of asylum and migration policies at Union level.

Annual situational report

The report stressed that the Commission should monitor and provide information on the asylum, reception and migratory situation over the previous 12 month period as a whole through annual situational reports based on qualitative data and information provided by the Member States, the European External Action Service, the Asylum Agency, the European Border and Coast Guard Agency, the European Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Fundamental Rights, and other relevant bodies, offices, agencies or organisations.

The annual situational reports should include, inter alia: (a) the total number of applications for international protection and the nationalities of the applicants, including the numbers of applications lodged by unaccompanied minors and other vulnerable persons; (b) the reception capacity of the Member

States; (c) the number of third-country nationals who have been identified by Member States authorities that do not fulfil the conditions for entry, stay or residence in the Member State, including overstayers; (d) the number of return decisions.

Principle of solidarity and fair sharing or responsibility and the duties of the Member States

Member States should ensure that sufficient funding and qualified and well-trained staff is allocated in all circumstances and, where they consider it necessary or where applicable, request support from Union bodies, offices and agencies for that purpose.

Cooperation with third countries on asylum, border and migration management

Members stressed that the Union and the Member States should promote and build tailor-made and mutually beneficial partnerships and close cooperation with relevant third countries.

Application in an international transit area of an airport

Where the application for international protection is made in the international transit area of an airport of a Member State by a third-country national or a stateless person, that Member State should be responsible for examining the application.

Light procedure for the purpose of family reunification

According to the amended text, Member States should apply a special procedure in order to ensure a swift family reunification and access to the asylum procedure for applicants where there are sufficient indicators showing that they are likely to have the right to family reunification.

Procedures including minors should be treated with priority.

Solidarity contributions to a Member State under migratory pressure

The report stressed that solidarity contributions for the benefit of a Member State under migratory pressure, including as a result of recurring arrivals by sea, in particular through disembarkations following search and rescue operations and activities or as a result of the arrival of persons in a vulnerable situation, should be provided by a contributing Member State and reflect the needs of the benefitting Member State.

Annual solidarity pool

The amended text calls for the establishment by the Commission, led by the EU Relocation Coordinator, of an annual solidarity pool on the basis of the projected annual solidarity needs. In addition, it foresees a **Solidarity Forum** comprising all Member States, represented at the level of responsibility and decision-making power that is appropriate in order to provide solidarity contributions for the creation of the solidarity pool.