Basic information

2015/2095(INI) INI - Own-initiative procedure	Procedure completed
Situation in the Mediterranean and need for a holistic EU approach to migration **Subject** 7.10.08 Migration policy **Geographical area** Mediterranean Sea area	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	METSOLA Roberta (PPE) KYENGE Cécile Kashetu (S&D)	26/02/2015 26/02/2015
	Shadow rapporteur STEVENS Helga (ECR) WIKSTRÖM Cecilia (ALDE) SPINELLI Barbara (GUE/NGL) SARGENTINI Judith (Verts/ALE) CORRAO Ignazio (EFDD) FONTANA Lorenzo (NI)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	PAPADAKIS Demetris (S&D)	13/05/2015
DEVE Development	BECERRA BASTERRECHEA Beatriz (ALDE)	08/06/2015
BUDG Budgets	DEPREZ Gérard (ALDE)	24/04/2015
EMPL Employment and Social Affairs	MORIN-CHARTIER Elisabeth (PPE)	07/10/2015

	TRAN Transport and Tourism	KYLLÖNEN Merja (GUE /NGL)	09/06/2015
	REGI Regional Development	COZZOLINO Andrea (S&D)	01/12/2015
	FEMM Women's Rights and Gender Equality	HONEYBALL Mary (S&D)	28/04/2015
	PETI Petitions	MIZZI Marlene (S&D)	05/05/2015

Council of the European Union

Council configuration	Meetings	Date
Foreign Affairs	3416	2015-10-12
Justice and Home Affairs (JHA)	3422	2015-11-09

European Commission

Commission DG	Commissioner
Migration and Home Affairs	AVRAMOPOULOS Dimitris

Key events

Date	Event	Reference	Summary
30/04/2015	Committee referral announced in Parliament		
12/10/2015	Resolution/conclusions adopted by Council		Summary
09/11/2015	Resolution/conclusions adopted by Council		Summary
16/03/2016	Vote in committee		
23/03/2016	Committee report tabled for plenary	A8-0066/2016	Summary
12/04/2016	Decision by Parliament	T8-0102/2016	Summary
12/04/2016	Results of vote in Parliament		
12/04/2016	Debate in Parliament		
12/04/2016	End of procedure in Parliament		

Technical information

Procedure reference	2015/2095(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Strategic initiative
Legal basis	Rules of Procedure EP 55

Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/03166

Documentation gateway				
European Parliament				
Document type	**Committee**	**Reference**	**Date**	**Summary**
Committee opinion	BUDG	PE560.807	04/09/2015	
Committee opinion	TRAN	PE565.012	19/10/2015	
Committee opinion	FEMM	PE560.730	22/10/2015	
Committee opinion	PETI	PE560.805	26/10/2015	
Committee opinion	DEVE	PE565.184	12/11/2015	
Committee opinion	AFET	PE560.599	18/11/2015	
Committee draft report		PE575.215	19/01/2016	
Committee opinion	REGI	PE573.159	17/02/2016	
Committee opinion	EMPL	PE571.679	18/02/2016	
Amendments tabled in committee		PE577.029	22/02/2016	
Amendments tabled in committee		PE577.030	22/02/2016	
Amendments tabled in committee		PE577.031	22/02/2016	
Amendments tabled in committee		PE577.032	22/02/2016	
Committee report tabled for plenary, single reading		A8-0066/2016	23/03/2016	Summary
Text adopted by Parliament, single reading		T8-0102/2016	12/04/2016	Summary
European Commission				
Document type		**Reference**	**Date**	**Summary**
Commission response to text adopted in plenary		SP(2016)484	20/09/2016	

Situation in the Mediterranean and need for a holistic EU approach to migration

2015/2095(INI) - 12/04/2016 - Text adopted by Parliament, single reading

The European Parliament adopted by 459 votes to 206 with 52 abstentions, a resolution on the situation in the Mediterranean and the need for a holistic EU approach to migration.

Dealing with a humanitarian disaster: Parliament noted that according to Frontex data, in 2015 1.83 million persons were detected while attempting to cross irregularly the EU's external borders, setting an unprecedented record compared to the 282 500 migrants who arrived in the Union in the course of the whole 2014. According to IOM/UNICEF data, around 20 % of all migrants arriving by sea are children.

Recalling the principle of solidarity and fair sharing of responsibility in matters relating to migration, which is at the heart of the whole of the Union system, Parliament starts from the premise that **saving lives must be a first priority and that proper funding**, at Union and Member State level, for search and rescue operations **is essential**. It noted that there has been an increase in the number of irregular arrivals by sea and an alarming increase in the number of deaths at sea, and that a **better European response is still required**.

However, Parliament called for a clear distinction to be made between those persons who are smuggled into the Union and those who are trafficked into the Union because the policy response must be properly targeted. It stated that, in general terms, the criminal smuggling of migrants involves facilitating the irregular entry of a person to a Member State, whereas human trafficking involves the recruitment, transportation or reception of a person through the use of violent, deceptive or abusive means, for the purpose of exploitation.

Parliament pointed to the role of Union agencies in the fight against criminal smuggling. It noted, as a positive step forward, that the Commission adopted a Union Action Plan against Migrant Smuggling on 27 May 2015, under which it provides for the setting up of a Contact Group of Union Agencies on migrant smuggling, to strengthen their operational cooperation and information exchange.

On relocation: the resolution noted that, within the last year, the Council has adopted two decisions on temporary relocation measures in the Union, and that they involve the transfer of applicants for international protection from Greece and Italy to other Member States. It observed that, although the Relocation Decisions do not end the current Dublin rules on allocation of responsibility, they do constitute a 'temporary derogation' from the Dublin rules. Parlaiment was concerned that, under the current Relocation Decisions, Member States of first arrival still have to handle the more complicated claims for international protection (and appeals), have to organise longer periods of reception, and will have to coordinate returns for those ultimately not entitled to international protection. It reiterated that **any new system for the management of the Common European Asylum System must be based on solidarity and a fair sharing of responsibility.** It

felt that the preferences of the applicant should, as much as practically possible, be taken into account when carrying out relocation.

On resettlement: Parliament took the view that resettlement is one of the preferred options for granting safe and lawful access to the Union for refugees and those in need of international protection, where the refugees can neither return to their home countries nor receive effective protection or be integrated into the host country. It pointed out that, given the unprecedented flows of migrants that have reached and continue to reach the Union's external borders, the Union **needs a binding and mandatory legislative approach to resettlement**. Such an approach must provide for resettlement of a meaningful number of refugees seeking international protection and be permanent Union-wide resettlement programme, with **mandatory participation of Member States.**

On the revision of the Dublin III Regulation: recalling the general principles of common European asylum and the question of humanitarian admission, Parliament observed that the operation of the Dublin III Regulation has raised many questions linked to fairness and solidarity in the allocation of the Member State responsible for examining an application for international protection. **It noted that the current system does not take into sufficient consideration the particular migratory pressure faced by Member States situated at the Union's external borders**. It believed that Member States need to accept the on-going difficulties with the Dublin logic, and that the Union should **develop options** for solidarity both among Member States and the migrants concerned.

Members pointed out that the pressure placed on the system – as established by the Dublin Regulation –has shown that the system has largely failed to achieve its two primary goals of establishing objective and fair criteria for allocation of responsibility and of providing swift access to international protection. It reiterated its reservations regarding the **criterion whereby currently it is the Member State of first entry that is responsible for the examination of a claim** for international protection, and considered that **this criterion should be revised**.

Parliament further pointed out that, at the same time, the incidence of secondary movements across the Union remains high. The Dublin system was not designed to share responsibility among Member States, but to **assign swiftly responsibility for processing an asylum application to a single Member State.** Members recommended that the criteria on which the Relocation Decisions are based should be built directly into the Union's standard rules for allocating responsibility for handling claims for international protection. They took the view that the European Union should support the Member States receiving the most asylum claims with proportionate and adequate financial and technical support. They considered that the rationale of using solidarity and responsibility-sharing measures is to enhance the quality and functioning of the CEAS.

Parliament pointed out that one option for a fundamental overhaul of the Dublin system would be to **establish a central collection of applications at Union level** – viewing each asylum seeker as someone seeking asylum **in the Union as a whole and not in an individual Member State** – and to establish a central system for the allocation of responsibility for any persons seeking asylum in the Union. It suggested that such a system could provide for certain **thresholds per Member State relative to the number of arrivals**, which could conceivably help in deterring secondary movements, as all Member States would be fully involved in the centralised system and no longer have individual responsibility for allocation of applicants to other Member States. Such a system could function on the basis of a number of Union 'hotspots' from where Union distribution should take place.

Integration: Parliament underlined that integration measures for all legally residing third-country nationals should promote **inclusion**, rather than isolation. It emphasised that hosting Member States must offer refugees support and opportunities to integrate and **build a life in their new society.** This should necessarily include accommodation, literacy and language courses, inter-cultural dialogue, education and professional training, and also effective access to democratic structures in society – as provided for in the Qualifications Directive. However, integration is a **two-way process** and respect for the values upon which the Union is built must be an integral part of the integration process, as must respect for the fundamental rights of the refugees.

Parliament also stressed the importance of family unity and the rights of the child.

On a list of safe countries of origin: Members acknowledged the recent Commission proposal for a Union list of safe countries of origin, amending the Asylum Procedures Directive. They observed that if such a Union list became obligatory for Member States it could, in principle, be an important tool for facilitating the asylum process, including return. They regretted the current situation in which **Member States apply different lists**, containing different safe countries, hampering uniform application and incentivising secondary movements.

On the European Asylum Support Office (EASO): Parliament recommended that EASO be developed, in the long term, into a principal coordinator of the CEAS with a view to guaranteeing common application of the rules of that system. It understood that the Commission recently proposed European Border and Coast Guard, which is intended to replace Frontex and is meant to ensure a European integrated border management at the external borders.

On Schengen and the management and security of the external borders: Parliament recalled that, since the establishment of the Schengen Area, the Union is an area without internal borders, and that the inherent logic of such a system has always been that the **abolition of internal border controls** has to go hand in hand with compensatory measures strengthening the external borders of the Schengen Area and the sharing of information through the Schengen Information System ('SIS'). It accepted that the Union needs to strengthen its external border protection and further develop the CEAS, and that **measures are necessary to enhance the capacity of the Schengen Area** to address the new challenges facing Europe and preserve the fundamental principles of security and free movement of persons. Members stressed again that, as regards legislation specifically in the area of asylum and migration, in order for legislation on internal and external borders to be effective, it is **essential that measures agreed at Union level are implemented properly by Member States**. It underlined that better implementation of measures by Member States at the external borders, following increased pressure, is essential.

Parliament took note that on 15 December 2015 the Commission came forward with a proposal for a targeted revision of the Schengen Borders Code. It considered that the Schengen Area is one of the major achievements of European integration, and noted that the conflict in Syria and other conflicts elsewhere in the region have triggered record numbers of refugees and migrants arriving in the Union. Members were concerned by the fact that, in response, some Member States have felt the need to close their internal borders or introduce temporary border controls, thus **calling into question the proper functioning of the Schengen Area.**

Hotspots: Parliament called for the hotspots to be set up as soon as possible in order to give concrete operational assistance to Member States. It calls for the allocation of technical and financial resources and support to Member States of first arrival, such as Italy and Greece, to enable the swift and effective registration and referral to the competent authorities of all migrants arriving in the Union with full respect for their fundamental rights. It considered that quick and effective support by the Union to Member States and the acceptance of such support is important for mutual trust. One of the main purposes of hotspots is to allow the Union to grant protection and humanitarian assistance in a swift manner to those in need.

Parliament stressed the need for cooperation with third countries on issues related to asylum. It understood that the external dimension should focus on cooperation with third countries in tackling the root causes of, and addressing, irregular flows to Europe. It recalled that the Union has intensified its external cooperation with third countries in migration and asylum in order to respond adequately to the current refugee crisis, and has launched **new cooperation initiatives, such as the EU-Turkey Joint Action Plan.** Members emphasised, in that respect, the need for all parties to fulfil their commitments deriving from the Joint Action Plan, including addressing the root causes leading to the massive influx of Syrians. On addressing root causes, they reaffirmed that the Union must adopt a long-term strategy to **help counteract the 'push factors' in third countries** (conflict, persecution, ethnic cleansing, generalised violence or other factors such as extreme poverty, climate change or natural disasters), which force people into the hands of criminal smuggling networks, which they see as their only chance to reach the Union.

Funding: Parliament welcomed the recently established Emergency Trust Fund for Africa and the EUR 1.8 billion pledged to the fund, which has added an additional element to third country funding, and called on the Member States to continue contributing to the fund. It recommended that the four thematic pillars addressing (i) legal migration and mobility, (ii) irregular migration and trafficking in human beings, (iii) international protection, and (iv) the development impact of migration, should be of equal importance in Union external policy and funding.

Lastly, Parliament agreed that, while recent budgetary proposals and the additional funding foreseen in the Union's budget for 2016, including the use of the flexibility instrument, should be welcomed, **medium and longer-term funding remain a concern.** It was concerned that the increase in the amounts proposed for budget lines under AMIF for 2016 have not been accompanied by a proposed revision of the global resources available under that fund for the 2014-2020 funding period. It understood that, left as is, the result will be that funding under AMIF will have dried up long before 2020.

Situation in the Mediterranean and need for a holistic EU approach to migration

2015/2095(INI) - 12/10/2015

The Foreign Affairs council adopted **conclusions on migration** in the context of the unprecedented migratory and refugee crisis that the EU is now facing, marked by a sharp increase of mixed migratory flows along the Eastern Mediterranean and Western Balkans, in parallel with a constant flow along the Central Mediterranean route.

The Council confirmed the need of a **comprehensive and balanced external migration and asylum policy for the EU** and reaffirmed its full commitment to human rights, including to the situation of women and girls as well as other vulnerable persons and groups.

Addressing the root causes of migratory flows: the Council confirmed its commitment to mobilise all appropriate instruments and policies and support efforts to address the root causes of migratory flows, in particular conflicts, political instability, human rights violations, poor socio-economic development, including lack of employment opportunities, poor governance and climate change.

In this regard, the Council continues to **support diplomatic initiatives by the UN to find solutions to the conflicts in Syria and Libya**, underpinned by efforts of the HRVP, the Commission and Member States.

The importance of **close cooperation with first countries of asylum, countries of origin and transit** to jointly address this common challenge was also underlined.

Cooperation with Turkey: the Council considered it essential to step-up EU-Turkey cooperation on support of refugees and migration and looked forward to an **agreement with Turkey** as part of a comprehensive agenda based on mutual commitments.

Financing: the Council welcomed the decision to substantially increase the funding of the **EU Regional Trust Fund** recently established in response to the Syrian crisis (the "Madad Fund") with over 500 EUR million in EU funding to be matched by efforts from EU Member States and other countries. The extension of its scope to the Western Balkans was proposed.

Dialogue with African countries: the Council recalled the importance to engage in a comprehensive dialogue with African countries of origin and transit in order to **jointly manage migration and asylum flows in the spirit of partnership, ownership and shared responsibility**.

In this context, it called for a closer engagement with African partners through the EU-Africa Migration and Mobility continental dialogue, the EU's regional strategies (Sahel, Horn of Africa, Gulf of Guinea) and dialogues (Rabat, Khartoum) and the Cotonou Partnership Agreement.

High Level Dialogues on migration: such dialogues on the broad agenda on migration and asylum should be encouraged, carried out in a spirit of partnership and should help identify leverage and enhance cooperation, in particular on readmission.

The Council reiterated its call on the Commission, together with the EEAS, to propose, **within six months, comprehensive and tailor-made packages** to reinforce overall cooperation with third-countries **in order to implement effectively readmission and returns**.

Cooperation with international partners: calling on the international community to increase its efforts to deal with this crisis, the Council wanted to see further reinforcement of cooperation with key international partners and with the **United Nations**, in particular UN High Commissioner for Refugees, UN Office for the Coordination of Humanitarian Affairs (OCHA), UN Development Programme (UNDP), as well as with organisations such as the International Organisation for Migration (IOM) and the International Committee of the Red Cross (ICRC).

Fight against criminal networks of traffickers and smugglers: reaffirming that this issue remains a priority, the Council welcomed the transition to the second phase of **EUNAVFOR MED Operation SOPHIA on the high seas.** It invited the HRVP to continue work in order to allow the transition to the successive phases of the operation.

It also asked for the reinforcement of EUCAP Sahel Niger.

Libya: underlining that a solution to the Libyan conflict remains crucial to any effort in addressing migratory flows through the Central Mediterranean, the Council recalled that the EU stands ready to **resume support to the Libyan authorities to address irregular migration**, especially in the area of border management and the fight against trafficking of human beings.

Situation in the Mediterranean and need for a holistic EU approach to migration

2015/2095(INI) - 23/03/2016 - Committee report tabled for plenary, single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the joint report by Roberta METSOLA (EPP, MT) and Kashetu KYENGE (S&D, IT) on the situation in the Mediterranean and the need for a holistic EU approach to migration.

Facing a humanitarian disaster: Members highlighted that in 2015 1.83 million persons were detected while attempting to cross irregularly the EU's external borders, setting an unprecedented record compared to the 282 500 migrants who arrived in the Union in the course of the whole 2014. In 2015, over 1.4 million applications for international protection were lodged in the EU+ (EU-28 plus Norway and Switzerland with numbers rising steadily since April 2015).

Recalling that solidarity must be the principle upon which Union action on migration is based, Members stated that starting from the premise that **saving lives must be a first priority and that proper funding**, at Union and Member State level, for search and rescue operations is essential.

However, Members called for a clear distinction to be made between those persons who are smuggled into the Union and those who are trafficked into the Union because, while the policy response must be properly integrated, they must also be properly targeted.

Members pointed out that humanitarian admission can be used as a complement to resettlement in order to give urgent protection, often on a temporary basis, to the most vulnerable where needed, e.g. **unaccompanied minors** or refugees with disabilities.

On the revision of the Dublin III Regulation: the report noted that the current system does not take into sufficient consideration the particular migratory pressure faced by Member States situated at the Union's external borders. Members called for changes in order to ensure fairness, solidarity and shared responsibility between Member States. In reality, the current mechanisms of the Dublin system have failed to be objective, to establish fair criteria for allocating responsibility for applications for international protection and to provide swift access to protection. Members pointed out that one option for a fundamental overhaul of the Dublin system would be to establish a central collection of applications at Union level – viewing **each asylum seeker as someone seeking asylum in the Union as a whole and not in an individual Member State** – and to establish a central system for the allocation of responsibility for any persons seeking asylum in the Union. They suggest that such a system could provide for **certain thresholds per**

Member State relative to the number of arrivals, which could conceivably help in deterring secondary movements, as all Member States would be fully involved in the centralised system and no longer have individual responsibility for allocation of applicants to other Member States. Members stated that such a system could function on the basis of a number of Union 'hotspots' from where Union distribution should take place and underlined that any new system for allocation of responsibility must incorporate the key concepts of family unity and the best interests of the child.

Relocation and resettlement: the report called on the Member States to respect their obligations as regards the emergency relocalisation measure. It underlined that on 3 March 2016, only 338 of the 39 600 asylum seekers awaiting reassignment from Italian reception facilities to other Member States had actually been relocated, while in the case of Greece 322 out of the 66 400 projected relocations had actually taken place.

On resettlement, Members stressed that the Union needs a **binding and mandatory legislative approach to resettlement.** They recommended that, to have an impact, such an approach must provide for resettlement of a **meaningful number of refugees**, with regard to the overall numbers of refugees seeking international protection in the Union.

As regards **hotspots**, Members called for the allocation of technical and financial resources and support to Member States of first arrival, such as Italy and Greece, to enable the swift and effective registration and referral to the competent authorities of all migrants arriving in the Union with full respect for their fundamental rights.

Schengen: Members took note that on 15 December 2015, the Commission came forward with a proposal for a targeted revision of the Schengen Borders Code, proposing to introduce systematic controls of all Union nationals (not only on third-country nationals) against the relevant databases at the external borders of the Schengen Area. They recalled that the Schengen Area is one of the major achievements of European integration and that the **conflict in Syria** and other conflicts elsewhere in the region have triggered record numbers of refugees and migrants arriving in the Union, which in turn has revealed deficiencies at parts of the Union's external borders. Therefore, in response, some Member States have felt the need to close their internal borders or introduce temporary border controls, thus calling into question the proper functioning of the Schengen Area.

Returns: lastly, Members stated that it is necessary to adopt new EU readmission agreements which should take preference over bilateral agreements between Member States and third countries. The return of migrants should be carried out safely and where the country to which they are being returned is **safe for them**.

Situation in the Mediterranean and need for a holistic EU approach to migration

2015/2095(INI) - 09/11/2015

The Council adopted **conclusions on measures to handle the refugee and migration crisis**. In full cooperation with the Commission and bearing in mind the necessity to safeguard the functioning of the Schengen area and to reduce migratory pressures, the Council decided:

- to encourage Member States and relevant third countries to intensify ongoing efforts to **substantially increase reception capacities**;
- the establishment of **hotspots** in Italy and Greece will be intensified, so that all of these function by end of November 2015 as previously agreed;
- all participating Member States will **speed up the relocation process**, notably by communicating their capacities for first relocations and by nominating as appropriate relocation liaison officers to Italy and Greece, preferably by 16 November 2015. The Council and the Commission support Italy and Greece in their **decisions to register migrants** before further handling their case on the mainland, in particular with Eurodac machines provided by Member States;
- that Member States, with the full support of the Commission and Frontex, will substantially **improve the return rate**;
- to overcome the potential lack of cooperation of migrants as they arrive into the European Union and while fully respecting the fundamental rights and the principle of non-refoulement, Member States will **make use of possibilities provided by the EU acquis**, such as (1) asylum procedures at borders or transit zones; (2) accelerated procedures; (3) non-admissibility of subsequent asylum applications by the individuals concerned; (4) coercive measures, including, as a last resort, detention for a maximum period necessary for the completion of underlying procedures;
- to fully support the Commission in pursuing **contingency planning of humanitarian assistance** for the Western Balkans;
- to assist the Member States concerned in respecting their legal obligation to perform **adequate controls**, to manage and to regain controls of the external borders and increase coordination of actions relating to border management. This will involve a range of supporting measures by Frontex, gradually extending, as necessary, to the **deployment of Rapid Border Intervention Teams** (RABITs) in accordance with EU rules;
- to support the upscaling by 1 December 2015 of the **Poseidon** Sea Joint Operation in Greece within the current operational plan;
- to conduct a thorough debate on the **functioning of the Schengen area**;
- to invite Europol to accelerate the establishment of the **European Migrant Smuggling Centre** (EMSC) and invite Member States, in coordination with the Commission, to set up by 1 December 2015 a network of single operational contact points on migrant smuggling;
- to continue **examining pending legislative proposals** on a crisis relocation mechanism and on safe countries of origin as already planned, as well as on other priority actions such as on the adaptation of the Dublin system and on the gradual establishment of an integrated management system for external borders;
- to invite the Commission and the High Representative to press for practical results on return and readmission in their **bilateral dialogues**, notably during the upcoming high-level meetings with Afghanistan, Morocco, Nigeria, Pakistan, Tunisia and Turkey;
- the first **European Migration Liaison Officers** (EMLOs) should be deployed as a matter of priority to Ethiopia, Niger, Pakistan and Serbia by the end of January 2016;
- to support accelerating the fulfilment of the **visa liberalisation roadmap with Turkey** towards all participating Member States and the full implementation of the readmission agreement, in the context of the enhanced cooperation foreseen in the action plan;

- to define, as a matter of urgency, a **common information strategy** addressed to asylum seekers, migrants, smugglers and traffickers aiming at (1) discouraging migrants to embark on perilous journey and to have recourse to smugglers, (2) explaining how EU rules on the management of external borders and international protection operate, including resettlement, relocation and return.