



EUROPEAN COMMISSION

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*Mr Florin IORDACHE
President of the
Camera Deputaților
Palace of the Parliament
Str. Izvor nr. 2-4, sector 5
RO – 050563 BUCHAREST*

Dear President,

The Commission would like to thank the Camera Deputaților for its Opinion on the Communication on the State of Play of Implementation of the Priority Actions under the European Agenda on Migration {COM(2016) 85}.

The Commission welcomes the Camera Deputaților's view that the progress made so far in implementing the European Agenda on Migration is remarkable and that the greatest success has been the strategic vision and the humanitarian approach.

The Agenda continues to be implemented – the interinstitutional negotiations on the European Border and Coast Guard¹ have succeeded in a compromise which will pave the way for a new reinforced Agency, building on the foundations laid by Frontex. It will have the ability to draw on a reserve pool of people and equipment. While the Member States will continue to keep their competence over their borders and to be responsible for the day-to-day management of their external borders, the European Border and Coast Guard will provide support to all Member States and be able to identify and intervene to address weaknesses in advance.

Moreover, recently the European Parliament and the Council have started the negotiations on the Commission proposal amending the Schengen Borders Code as regards the reinforcement of checks against relevant databases at external borders². The Commission hopes that the co-legislators will soon come to an agreement in order to increase security within the Schengen area.

¹ COM(2015) 671 final.

² COM(2015) 670 final.

In this respect, the Commission would like to reiterate its support for Romania's full accession to the Schengen area. Following the Schengen Evaluation carried out in the course of 2009 and 2010, Romania was positively assessed as regards the conditions necessary to join Schengen. However, the Council must take a unanimous decision to allow for the full application of the Schengen acquis in your country.

As to relocations, their number has increased to 2,280 by June 2016, with the rate having almost doubled since May 2016. Despite these positive signs, progress is still too slow. Action must be accelerated to avoid migrants returning to irregular routes. The Commission is continuing its efforts to encourage the Member States to respect their obligations.

In response to the Camera Deputaţilor's comments on the temporary suspension of relocation to Sweden and Austria, the Commission would like to note that it carefully assessed the reasons provided by these countries. It considered them duly justified and compatible with the fundamental values of the Union as required by Article 4(3) and 4(5) of the Council Decisions on Relocation. For this reason, the Commission made two respective proposals³ which were subsequently adopted by the Council.

Concerning relations with Turkey, on 15 June 2016 the Commission adopted the second report on the progress made in the implementation of the EU-Turkey Statement⁴ showing that while there has been further good progress in its implementation, the progress achieved so far remains fragile. The continued successful implementation depends mainly on the political determination of all parties involved. The sharp and continued decrease of people crossing irregularly or losing their lives in the Aegean Sea on their way from Turkey to Greece is proof of the Statement's effectiveness so far and also shows that the business model of smugglers can be broken. No rerouting of nationalities using the Eastern Mediterranean Route has been recorded until now. The Central Mediterranean Route shows similar countries of origin as in 2015 (Sub-Saharan countries and the Horn of Africa mostly) and similar countries of embarkation (87% from Libya).

Member States have also increased their efforts on resettlement – offering legal and safe pathways as an alternative. In order to create a more structured, harmonised, and permanent framework for resettlement across the Union, building on existing experiences, on 13 July 2016 the Commission put forward a proposal for a Union Resettlement Framework⁵. In addition, the newly proposed reform of the Common European Asylum System⁶ will contribute to creating a fairer, more efficient and more sustainable system for allocating asylum applications among Member States. While the basic principle will remain the same –

³ COM(2015) 677 final and COM(2016) 80 final.

⁴ COM(2016) 349 final.

⁵ COM(2016) 468.

⁶ Proposal for a Regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast) – COM(2016) 270 final; the proposal for a Regulation on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 – COM(2016) 271 final and the proposal for a Regulation on the establishment of 'Eurodac' – COM(2016) 272 final.

asylum seekers should apply for asylum in the first country they enter – a new fairness mechanism will ensure that no Member State is left with a disproportionate pressure on its asylum system. Moreover, on 13 July 2016 the Commission presented a second package of proposals to complete the reform of the Common European Asylum System. It will ensure creation of a common procedure for international protection, uniform standards for protection and rights granted to beneficiaries of international protection as well as the further harmonisation of reception conditions in the EU. Overall, these proposals will simplify and shorten the asylum procedure and decision-making, discourage the secondary movements of asylum seekers and increase the integration prospects of those who are entitled to international protection.

Lastly, the Commission shares your view on the importance of a structured strategy for the external dimension of the EU migration policy. In its Communication on establishing a new Partnership Framework with third countries under the European Agenda on Migration⁷ it sets out plans for a new results-oriented Partnership Framework to mobilise and focus EU action and resources in our external work on managing migration. The EU will seek tailor made partnerships with key third countries of origin and transit using all policies and instruments at the EU's disposal to achieve concrete results. Building on the European Agenda on Migration, the priorities are saving lives at sea, increasing returns, enabling migrants and refugees to stay closer to home and, in the long term, helping third countries' development in order to address the root causes of irregular migration. Member State contributions in these partnerships – diplomatic, technical and financial – will be of fundamental importance in delivering results.

As regards the Operation Sophia, the activities of the Operation EUNAVFORMED Sophia have resulted in the arrest of 71 suspected smugglers and the neutralisation of 129 vessels used for smuggling activities. The prevention of further loss of life at sea also remains a fundamental and legally binding activity for the Operation which has directly rescued 14,857 people. Another 31,096 have been rescued by others with the support of the Operation. Information sharing has been of critical importance, and this could be taken further by reinforcing the links between EUNAVFORMED and the European Migrant Smuggling Centre in Europol. The Council has agreed to extend the mandate of the Operation by one year and add two further supporting tasks. This would include operations, such as capacity building and training for the Libyan Coastguard and Navy, and implementation of the UN arms embargo at sea, on the basis of a new UN Security Council Resolution.

⁷ COM(2016) 385 final.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Camera Deputaților and looks forward to continuing the political dialogue in the future.

Yours faithfully,

Violeta Bulc

Member of the Commission