

PARLIAMENT OF ROMANIA

CHAMBER OF DEPUTIES

DECISION

adopting the opinion on the Communication from the Commission to the European Parliament, the European Council, the Council and the European Investment Bank on establishing a new Partnership Framework with third countries under the European Agenda on Migration

COM(2016) 385

Pursuant to the provisions of Articles 67 and 148 of the Romanian Constitution, republished, of Law No 373/2013 on cooperation between Parliament and the Government in the area of European affairs, and of Rules 160 to 185 of the Rules of Procedure of the Chamber of Deputies, republished,

The Chamber of Deputies hereby adopts this Decision.

Sole Article. – Having regard to Opinion No 4c-19/926 adopted by the Committee for European Affairs at its meeting of 4 October 2016, the Chamber of Deputies:

1. Notes that in this Communication, the European Commission formalises the priority that the European Union accords to the management of migration in relation to third countries of origin or transit, resulting in incentive - as well as disincentive - measures in all external policy instruments, such as the European neighbourhood policy, development aid, trade, mobility, energy and security.
2. Considers it important to apply measures aimed at the external dimension of migration, namely to make cooperation with countries of origin and transit stronger and more efficient, also bearing in mind that such cooperation should entail more involvement and accountability for external partners.

Supports the option of the European Commission whereby assistance is offered by the European Union in proportion to the performance of partner countries, which also includes an evaluation of the approximation to European standards for the rule of law, democracy and human rights.

3. Accepts that, 'the new EU financial instruments are helping create a better future at home for those who might otherwise have been ready to risk their lives on the dangerous journey to Europe', but points out that the resources needed to obtain significant results, reducing the economic migration trend, are beyond the financing capacity of the European Union, even though it remains the world's biggest aid donor.
4. Welcomes the European Commission initiative to create a partnership framework with the principal third countries of origin and transit aimed at coherent and tailored engagement where the Union and its Member States act in a coordinated manner putting together instruments, tools and leverage to reach comprehensive partnerships (compacts) with third countries to better manage migration.
5. Welcomes the European Commission's approach whereby the compacts should become 'key components of the overall relationships between the EU and third countries of origin or transit of migrants' and these relationships 'will be guided by the ability and willingness of the countries to

cooperate on migration management, notably in effectively preventing irregular migration and readmitting irregular migrants'. Also points out that it is not possible to establish a directly proportional relationship between the willingness of the State in question to cooperate and the type of relationship offered by the European Union since a below average performance would actually breach EU standards and could not be taken into consideration.

In this sense, the finding of the Communication that '[s]o far, experience in dialogues with partner countries has shown a gap between expectations and results on returns and readmission' highlights the reluctance of the States concerned; requests the Commission for clarifications on the reasons why such reluctance continues when the European Union has committed itself to a major political, diplomatic and financial effort.

6. Considers that greater involvement of Member States is necessary, alongside the European Commission and the European External Action Service, in developing and implementing these partnerships to have an inclusive approach and to keep attention on all regions with the potential risk of migration, such as the eastern Mediterranean and the western Balkans. Appreciates that a coordination mechanism should be set up between the EU institutions and the Member States in order to make the most, for the benefit of the European Union, of the special relationships which Member States may have with third countries and to ensure that the EU and its Member States work together.

7. Expresses its concern at the European Commission's conclusion that, at present, the special relationships that Member States may have with certain partner countries are not only not 'exploited to the full for the benefit of the EU' but 'the opposite is often the case'; in view of the gravity of the situation, calls on the Commission for clarifications and proposals to rectify this situation, which it considers unacceptable.

8. Approves the European Commission's option to gear EU actions and resources in the context of external action towards customised partnerships whose diplomatic, technical and/or financial nature will be determined depending on the specificity of the State with which the partnerships are concluded, namely a State of origin, a State of transit or a State hosting a large number of displaced persons.

9. Approves the European Commission's option, on the basis of the 16 country packages, to conclude compacts with a limited number of third countries considered to be priority in order to concentrate the available resources and obtain concrete results as soon as possible.

10. While welcoming the Commission's efforts to negotiate individual partnerships with third countries of origin and transit as a significant contribution to the management of migration flows, calls for clarification of the method to be used for establishing the criteria and qualitative and quantitative indicators for determining priority States. Considers that a fundamental criterion should be the medium- and long-term attitude of the authorities and the population to the European Union's values and Western civilisation in general. Points out that under no circumstances should compacts be concluded with States in which serious human rights violations take place; Expects compacts to include firm obligations in this respect, under penalty of suspension of the compact until the situation is remedied.

11. Considers that, in preparing the partnerships with priority countries, the European Commission and the European External Action Service should develop a uniform methodology for prevention of illegal entry and effective return of illegal migrants.

12. Supports the proposal that the effectiveness of cooperation with third States should be based on positive and negative incentives, but notes that the negative incentives envisaged by the European Commission are not specified.

13. Supports the European Commission's proposals regarding the short-term actions that should be implemented as a priority to improve the readmission process and the rate of return and, in particular, identification of alternative solutions for readmission agreements, such as action plans, roadmaps, readmission committees, initiatives in the field of assisted voluntary return and reintegration, acceptance of the use of laissez-passer issued by the European Union for return operations, the launch in key locations of EU Cooperation Platforms on migrant smuggling, the development of a single platform for the registration of displaced persons and the appointment of European migration liaison officers.

14. Accepts that the EU-Turkey Statement can be a model for cooperation with other key third countries and encourages the Commission to study the possibility of implementing a similar framework also in relation to Libya, so that it becomes possible to take in migrants rescued near that State and to process any applications for international protection on its territory; since Libya has no national authorities to implement such an agreement, proposes that the EU take over full management of this action, on the basis of an agreement with Libya; stresses that the success of this approach would result in the saving of thousands of lives.

15. Agrees that 'the business model of smugglers must be broken, and credible and effective returns are key to this objective' but notes that return is not a sufficient tool and that while this tool is appropriate and unavoidable, it causes immigrants to suffer; urges the Commission, therefore, to focus more on breaking up networks of people smugglers and traffickers to avoid causing false hopes and suffering among immigrants.

16. Considers that a joint EU-level programme of assisted voluntary return should focus on all citizens of third-countries illegally staying on the territory of the EU Member States and recommends extending such programs to third countries crossed by the main flows of illegal migration.

17. Considers that the areas of the framework of short-term objectives of the compacts that require immediate action include 'increasing rates of return and readmission with a preference to voluntary return and a focus on reintegration, stemming the irregular flows while offering legal migration channels, including increased resettlement efforts'; notes, however, that the European Union will not be able to offer sufficient legal migration possibilities to counteract massive irregular migration; furthermore, a substantial offer would not significantly reduce irregular migration and would add to the pressure on the governments of the Member States targeted by migrants, which would be confronted by a new rise in anti-immigration and anti-European populist parties.

Points out that at present the rates of return are so low that a marked improvement is not to be expected following the implementation of a new set of measures.

18. Highlights as a novel element the European Commission's policy of focusing on securing '[c]oordinated and coherent EU and Member State coordination on readmission where the paramount priority is to achieve fast and operational returns, and not necessarily formal readmission

agreements'; interprets this policy as a manifestation of the urgency of achieving significant results in the area of return/readmission, but notes that such a pragmatic approach may suggest to third countries that the EU does not have the leverage to conclude readmission agreements, which could call into question the very commitment of those countries to cooperation.

19. Considers that assisted voluntary return programmes focused on coordination at EU level are made more reliable through the development of a framework or a set of guidelines for Member States to be followed in drawing up these programmes at national level.

20. Considers that, in addition to standardising assistance packages, it would be useful for Member States to exchange information on assisted voluntary return programmes by establishing a dedicated integrated management system at European level; the creation of a database for Member States to pool their assisted voluntary return needs could be a useful tool.

21. Expects a greater role in assisted voluntary return to be accorded to the new Return Office to be established within the FRONTEX Agency.

22. Considers that the standard rules on secondment of national experts should also be applied in the case of liaison officers and that there is a need for a clear definition of the duties of migration liaison officers and of the relevant legislative framework so as to avoid duplication of tasks between the liaison officers of those networks, thus laying the foundations for good coordination and cooperation that will result in added value and not a two-fold communication between them and those involved in the process.

23. Notes the Commission's approach in relation to the action required in the long term to combat the root causes of migration, namely an ambitious plan of foreign investment based on the experience and expertise of the European Investment Bank, as in the case of 'Investment Plan for Europe'.

Notes the Commission's vision that this plan be based on using scarce public resources in an innovative way to mobilise private investment by offering additional guarantees and concessional funds and on technical assistance, helping local authorities and companies develop a higher number of bankable projects and fostering good governance, fighting corruption, removing barriers to investment and market distortions.

24. Considers that the root causes of irregular migration and forced displacement cannot be eliminated only by investment and the economic development of the countries of origin since considerations of security, geostrategy, climate, political or cultural options, etc., are also involved.

25. Highlights the importance of ensuring that the process of creating a new external tool inspired by the Juncker Plan avoids overlaps with other existing initiatives such as the EU Trust Fund for Africa and the risk of repercussions for the funds earmarked for the European Union's objectives in the eastern neighbourhood or the appropriations for other major EU policies.

26. Welcomes the international acceptance of the reality that migration is a global phenomenon requiring a coordinated response at international level and the intensification in the past year of cooperation with international organisations such as the United Nations and in particular the UN High Commissioner for Refugees and the International Organisation for Migration as well as with partner countries in the G7 and G20.

Supports all actions to 'reinforce the long-term capacity and effectiveness of the international system to deal with the movement of refugees and migrants in a spirit of burden sharing and solidarity'.

This Decision was adopted by the Chamber of Deputies at its sitting of 18 October 2016 in compliance with Article 76(2) of the Romanian Constitution, republished.

PRESIDENT

OF THE CHAMBER OF DEPUTIES

Florin IORDCHE

Bucharest, 18 October 2016

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