



Strasbourg, 13.6.2017  
COM(2017) 323 final

**REPORT FROM THE COMMISSION**

**TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE  
COUNCIL**

**Sixth Report on the Progress made in the implementation of the EU-Turkey Statement**

## **Sixth Report on the Progress made in the implementation of the EU-Turkey Statement**

### **Introduction**

During the period covered by this Sixth Report<sup>1</sup>, the EU-Turkey Statement of 18 March 2016<sup>2</sup> has continued to ensure an effective management of migratory flows along the Eastern Mediterranean route, consolidating the trend described in the previous Reports.

The number of irregular crossings has remained low (at 52 per day on average since the Fifth Report). Despite recent tragic incidents, the number of lives lost in the Aegean Sea has also significantly dropped.

However, challenges remain, in particular as arrivals still outpace the number of returns from the Greek islands to Turkey, putting pressure on the hotspot facilities on the islands. Rapidly increasing the efficiency of the appeal process for asylum cases and the capacity to return from the islands remains therefore a priority, also in view of any possible variation in the number of crossings with the arrival of the summer season.

Further progress is shown on all the other elements of the Statement, including a growing pace of resettlement of Syrian refugees from Turkey. The Facility for Refugees in Turkey has also continued to be implemented at a sustained pace. Out of the EUR 3 billion for 2016-2017, the total allocated has reached EUR 2.9 billion (up from EUR 2.2 billion at the time of the previous Report), Contracts have been signed for 47 projects for a total amount of EUR 1.572 billion (up from 1.495 billion) – all of which have started being implemented. Disbursements have reached EUR 811 million (up from EUR 750 million).

At their meeting of 25 May 2017 Presidents Juncker and Tusk and President Erdoğan have stressed the central importance of the EU Turkey Statement for the joint management of the migration challenge and their common determination to work for its continued successful implementation.

### **1. Current situation**

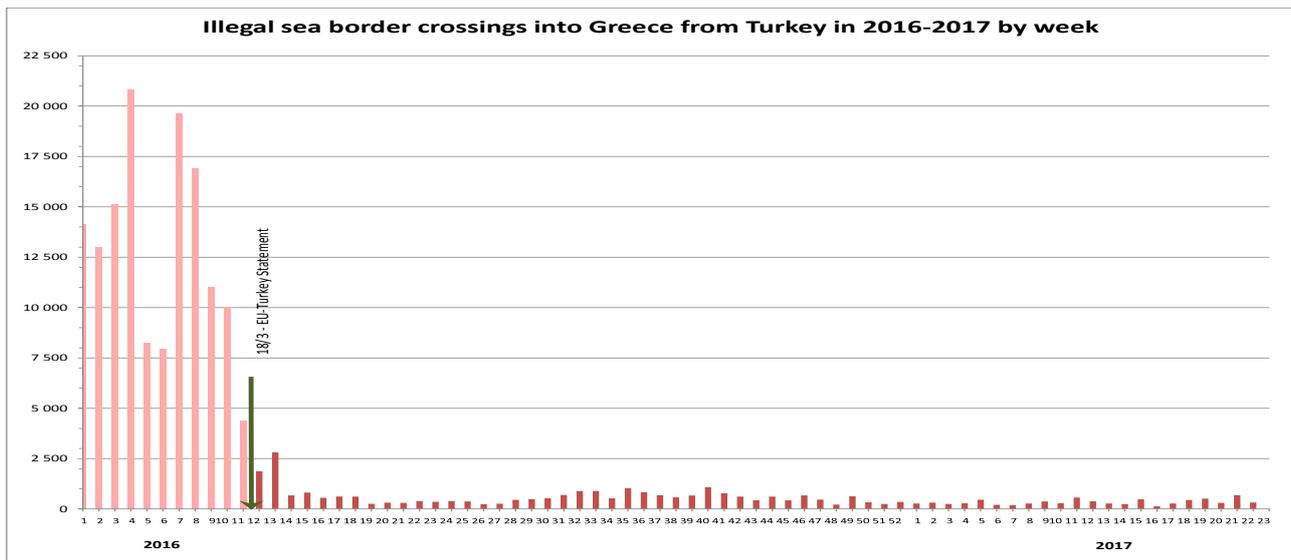
Since the Fifth Report, the total number of arrivals from Turkey to the Greek islands was 5,303 (27 February – 8 June 2016) – representing an average daily arrival of 52 persons. Numbers remain much lower than in the same period the year before (around 40,000 since 27 February), and to the month that preceded the Statement (when average arrivals exceeded 1,700 a day). Nevertheless, as weather conditions improve, there are indications that smuggling activity may increase, as shown by increased numbers of both arrivals on Greek islands and interceptions by the Turkish authorities on the mainland. 105 fatalities and missing persons have been recorded in the Aegean Sea since the activation of the EU-Turkey Statement<sup>3</sup>. This remains a tragic figure, but it represents a substantial fall from the around 1,150 people who died or were reported missing during the year preceding the Statement.

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<sup>1</sup> Following COM(2016) 231 final of 20 April 2016, COM(2016) 349 final of 15 June 2016, COM(2016) 634 final of 28 September 2016, COM(2016) 792 final of 8 December 2016 and COM(2017) 204 final of 2 March 2017 ("the Fifth Report").

<sup>2</sup> <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement/>.

<sup>3</sup> According to the International Organisation for Migration Missing Migrants Database; period from April 2016 until 7 June 2017.



Accommodating three million refugees from Syria<sup>4</sup>, Iraq and other countries has continued to be a priority issue for the Turkish authorities, with a huge effort to ensure adequate reception and living conditions. These efforts have also contributed to a reduction of illegal border crossings by Syrians.

#### *Enhanced coordination and cooperation*

The EU Coordinator continues to work closely with all relevant partners to ensure the day-to-day follow-up to the Statement and the Joint Action Plan on the implementation of the EU-Turkey Statement<sup>5</sup> that was elaborated together with the Greek authorities. The Joint Action Plan was endorsed by the December European Council, which called on Greece and all Member States to ensure its implementation. Since the previous Report, particular efforts have been aimed at accelerating the asylum process especially at second instance and increasing the pre-removal and detention capacity on the islands. In parallel, the Commission supported the Greek authorities in coordination, management, safety and security in the islands; to upgrade reception facilities and living conditions on the islands; and to accelerate the transfers of migrants referred to the regular asylum process, including vulnerable groups, to specific facilities on the mainland. Efforts to increase the rate of returns have also been supported by implementation of the Commission Recommendation on making returns more effective when implementing the Return Directive<sup>6</sup>. Particular priority was also placed on measures to effectively protect vulnerable groups, such as reiterating the need to appoint child protection officers in the reception facilities, including in all hotspots hosting children.

Urgent and significant responses by the Member States to the needs identified by the European Asylum Support Office and the European Border and Coast Guard remain indispensable so that the EU Agencies can effectively support the implementation of the EU-Turkey Statement. This includes secondments for sufficiently long periods and in line with specifications provided.

However, the shortfalls identified in the previous Reports have still not been fully addressed. As of 9 June, the European Asylum Support Office had deployed 101 interpreters in Greece and 100 Member State experts, out of which 99 are deployed in the hotspots, 85 of them being case workers. This means that the present shortfall is 50 experts. The European Border and Coast Guard has 891

<sup>4</sup> According to the official Turkish data, as of 25 May 2017, Turkey granted temporary protection to 3,020,654 Syrians. The top nine provinces in terms of the number of Syrians hosted are Istanbul, Şanlıurfa, Hatay, Gaziantep, Adana, Mersin, Kilis, İzmir and Mardin.

<sup>5</sup> COM(2016) 792 final of 8 December 2016.

<sup>6</sup> C(2017) 1600 final of 7 March 2017.

officers deployed under the Joint Operation Poseidon, including 88 officers for the support of readmission as part of the implementation of the Statement. The shortfall until the end of June is 13 experts and from July until mid-August 43 experts for the Joint Operation Poseidon and the readmission scheme under the EU-Turkey Statement.

The pool of guest officers seconded by Member States and trained by Europol, which has been set up to provide support wherever needed, has recently been increased to 278. They are being deployed on a three-month rotation basis to the five Greek hotspots to perform secondary security checks. The number of deployed guest officers can vary weekly; 15 guest officers are currently deployed in the hotspots. In addition, two officials are stationed in the European Regional Task Force in Piraeus for coordination purposes.

The European Border and Coast Guard has continued to cooperate with NATO in terms of early warning, surveillance activities and sharing of operational information also with the Greek and Turkish Coast Guards. On its side, the Turkish Coast Guard has continued active patrolling and prevention of departures from Turkey. In addition, on 29 April 2017 Turkey introduced in its Law on Foreigners and International Protection measures regarding the confiscation of vehicles used in human smuggling. As a result, there is evidence that smugglers now need to resort to multiple attempts before they succeed in transporting migrants across the Aegean Sea.

#### *Information initiatives*

The multilingual online information portal "InfoMigrants.net" was launched successfully in mid-May 2017 to reach prospective migrants worldwide and inform them of the dangers and realities linked to migration.

On Chios and Lesbos, information booths continue to provide information to migrants and asylum seekers about their rights, obligations and available options, including as regards asylum or return. The Commission has stressed to the Greek Reception and Identification Service the necessity of creating such information booths in all hotspots. The Reception and Identification Service is in the process of establishing an information booth in the island of Kos. The staff present at these booths, as well as all information providers on the islands, follow a common information script. The Commission, in cooperation with the Greek authorities, the European Asylum Support Office, the International Organisation for Migration and the United Nations High Commissioner for Refugees, has recently finalised an information provision documentation which is aimed at persons arriving irregularly to the Greek islands. The relevant information documents have been delivered to the Reception and Identification Service for use at the hotspots.

#### ***Key challenges and next steps***

- Member States shall urgently make available staff required by the European Asylum Support Office and the European Border and Coast Guard.
- The joint efforts to implement the Joint Action Plan on the implementation of the EU-Turkey Statement should be continued.

## **2. Return of all new irregular migrants from Greece to Turkey**

The Statement provides for the return of all new irregular migrants and asylum seekers, whose applications have been declared inadmissible or unfounded, crossing from Turkey to the Greek islands after 20 March 2016. These measures are carried out strictly in accordance with the

requirements of EU and international law, and in full respect of the principle of *non-refoulement*.<sup>7</sup>

### *State of play*

Since the previous Report until 9 June, 311 persons who arrived to Greece from Turkey have been returned under the EU-Turkey Statement, including 42 Syrians. Other nationalities included Pakistanis (163), Algerians (37), Bangladeshis (35), Moroccans (8), Nepalese (7), Ghanaian (5), Nigerians (3), Cameroonians (3), Iraqi (1), Afghan (1), Egyptian (1), Congolese (1), Ivorian (1), Haitian (1), Senegalese (1) and Palestinian (1). The total number of migrants returned to Turkey since the date of the EU-Turkey Statement is 1,798<sup>8</sup>.

Returns from the Greek islands to Turkey remain much lower than the number of arrivals, thus continuously maintaining pressure on the hotspot facilities on the islands. This is mainly the result of the accumulated backlog in the processing of second instance asylum applications on the Greek islands and the insufficient pre-return processing and detention capacity, as well as legal issues set out below. However, the pace of returns has improved compared to the previous period and should increase further in the coming months with an improved capacity of the asylum system (likely to produce now more second-instance decisions), more re-apprehension operations and increasing pre-removal capacity.

To improve return operations, a second tripartite meeting was held between the Commission, Greece and Turkey on 5 May in Athens. It addressed *inter alia* the streamlining of the readmission operations to achieve maximum efficiency, information sharing on migrants claiming to be unaccompanied minors and on proposed or rejected returnees, ways of handling increased number of return operations, and putting in place effective communication channels to share information on candidates for return rejected due to public security and order. The next meeting is expected in early July 2017.

Efforts to provide migrants with the possibility of effective return either to Turkey or to their countries of origin need to continue. Since the last Report, 579 migrants have returned voluntarily to their country of origin from the islands (as well as 1,147 from the mainland), supported by the Assisted Voluntary Return and Reintegration Programme from Greece. This brings the total to around 8,700 migrants who have used the Programme since its start in 2016. Greece is encouraged to fully use and participate in EU-funded joint programmes on return (in particular the European Reintegration Network Programme), by working closely and proactively with the main implementing agencies and fully using the available financial and technical support.

Non-Syrian migrants are returned from the Greek islands to Turkey by boat and are transferred to a removal centre in Kayseri where they are informed about their rights, including the possibility to apply for a protection status in Turkey. So far<sup>9</sup> 56 persons have submitted international protection applications to the Turkish authorities: two persons have been granted refugee status, 38

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<sup>7</sup> Everyone who arrived in the Greek islands after 20 March has the right to apply for asylum. Each application is processed individually in light of the applicant's particular circumstances, in accordance with the Asylum Procedures Directive. This excludes any kind of collective expulsion. Applicants have the right to appeal and the right to an effective judicial remedy against any negative decision on their asylum application. Both Greece and Turkey have taken and are implementing appropriate legal steps in order to ensure full respect of EU and international law.

<sup>8</sup> The returned persons had either received a negative asylum decision (including negative decisions at second instance), had withdrawn their application for international protection, or had not applied for asylum in the first place. Since 20 March 2016, there were 1,210 returns to Turkey under the EU-Turkey Statement and 588 returns under the Greece-Turkey bilateral protocol.

<sup>9</sup> According to the information received from the Turkish authorities.

applications are pending, nine persons have received a negative decision.<sup>10</sup> 707 persons have been returned to their countries of origin. A recent visit by EU authorities was able to verify that the situation in the centre complies with the required standards. As regards Syrians, they are returned from the Greek islands by plane and are placed in a refugee camp in İslahiye 2 temporary accommodation centre located close to the border with Syria. The EU authorities visited the centre recently and found it to meet the required standards. The Syrians are entitled to apply for temporary protection and, after a swift pre-registration for temporary protection, they are released from the centre and can settle in the province of their choice or, if they prefer, they stay in the centre. Until now, all returned Syrians were pre-registered with the exception of 16 persons who decided to return voluntarily to Syria; eight Syrians decided to stay in the accommodation facilities provided by the Turkish authorities and 168 of them chose to live outside.

### *Legal steps*

Twelve Appeal Committees currently take decisions on appeals against the first-instance decisions of the Greek Asylum Service. In addition, one Appeal Committee substitutes other Committees in case they cannot be operational (i.e. due to lack of majority of members for some reason).

As regards cases on the Greek islands, the total number of appeals against the 4,418 negative first-instance decisions<sup>11</sup> so far on admissibility and on merits by the Asylum Service is 3,554<sup>12</sup>. 2,088 second-instance decisions have so far been taken out of these 3,554 appeal cases (i.e. in 59% of the cases). Out of the 477 appeal decisions so far on admissibility, 57 second-instance appeal decisions have confirmed the first-instance inadmissibility decisions, while 420 second-instance appeal decisions have reversed the first-instance inadmissibility decisions.<sup>13</sup> As regards the 1,416 appeal decisions on merits, 1,399 second-instance decisions have confirmed the first-instance negative decisions and 17<sup>14</sup> reversed such negative decisions. During the reporting period, 195 appeal cases were closed on grounds other than a decision on the merits of the appeal, i.e. non-revoked implicit and explicit withdrawals.

On 15 March 2017, the Hellenic Parliament adopted legal provisions allowing the use of rapporteurs by the Appeal Committees, as well as the secondment of such rapporteurs by the European Asylum Support Office. Without prejudice to the independence of Appeal Committee members, the rapporteurs assist them in decision-making by putting together the facts of the case, the arguments of the appellant and information about his/her country of origin. A total of 22 rapporteurs<sup>15</sup> are already assisting the Appeal Committees. The implementation of these provisions aimed at improving the work of the Appeal Committees, and at reducing the time the appellants have to wait on the islands for a second-instance decision, allowing the authorities to grant international protection to those in need and channelling irregular migrants to the return procedure.

However, despite their increased number and introduction of rapporteurs, the new Appeal Committees have continued to be slow in decision-making (on average at around 47 per week since the previous Report). So far they have issued 1,447 decisions in the context of the EU-Turkey

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<sup>10</sup> In addition, seven applications are classified as "other" (withdrawn, etc.).

<sup>11</sup> As of 4 June 2017, a total of 19,624 asylum applications have been submitted on the Greek islands since the Statement. Out of these 19,624 applications, the Greek Asylum Service has taken 17,804 decisions in the context of the procedures on the islands since 20 March 2016, including 12,581 on admissibility and 5,223 on merits.

<sup>12</sup> As of 4 June 2017.

<sup>13</sup> The total figure includes second-instance decisions reversing first-instance inadmissibility decisions, as well as granting refugee status.

<sup>14</sup> This total figure does not include second-instance decisions granting the refugee status as well as reversing first-instance inadmissibility decisions.

<sup>15</sup> Ten rapporteurs employed by the Appeals Authority and twelve rapporteurs deployed to the Appeals Authority by the European Asylum Support Office.

Statement – 54 on admissibility and 1,393<sup>16</sup> on merits. The Greek authorities acknowledge the importance and urgency of the matter. In addition to ensuring that the Appeal Authority is properly equipped (i.e. office material and equipment) and that appeals lodged on the islands are examined as a priority, the Greek Appeal Authority continues to improve the workflows, for example by introducing a temporary scheduling IT tool for appointments, as well as by examining the possibility of specialising the rapporteurs and the Committees per country of origin reference files. It is expected that such measures will contribute to increase the number of decisions and consequently the pace of effective returns from the Greek islands to Turkey.

On 10 March 2017, the Greek Council of State Plenary heard the cases regarding the constitutionality of the composition of the Appeal Committees and whether Turkey can be considered a safe third country for the return of two Syrian asylum seekers who had appealed against the second instance decisions confirming the first instance inadmissibility of their cases. In its decision on 8 May 2017, which concerned two of the four cases concerned, the Plenary confirmed that the current composition of the Appeal Committees is in line with the Constitution. The decision of the Council of State Plenary in the remaining two cases, concerning whether Turkey is a safe third country is still pending, and no date has been set for its delivery.

### *Operational steps*

According to the Greek authorities there are currently 13,968<sup>17</sup> migrants present on the islands, whilst there are only 7,450 places in official reception facilities, and a further 1,223 places under the rental scheme of the United Nations High Commissioner for Refugees. The heavy burden placed on the Greek authorities also complicates the management of the situation in the hotspots.

The Greek authorities, supported by the Commission, continued to work to improve conditions in the hotspots and on the islands, by upgrading the facilities and ensuring more efficient procedures, in line with the Joint Action Plan on the implementation of the EU-Turkey Statement.

With a view to reinforcing returns, a new pre-removal centre was opened in Kos on 30 March 2017, with currently 224 places that will be extended to 500 places by July 2017 at full operational capacity. Works on pre-removal detention areas within the hotspots in Lesbos and Samos are also expected to be completed in June, to reach a total of 996 places by the end of July. On Chios, a decision has been taken to proceed with the development of a pre-removal centre in a site outside the city.

Under the umbrella of the EU Regional Task Force, a Standing Security Working Group has been established, bringing together security experts from the Commission and EU Agencies to advise the Hellenic authorities on key areas of risk. Common existing challenges across the islands include the delayed formal publication of evacuation plans for the sites, which the Greek authorities have finalised, and rehearsal evacuation drills for staff. The permanent Greek coordinators, who have assumed their duties in all hotspots since February, remain responsible for the overall management of the hotspots and specifically address concerns over safety and public order.

To facilitate the return operations, the Greek government also introduced a cut-off date for applying to the Assisted Voluntary Return and Reintegration Programme to avoid any possible abuse of the

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<sup>16</sup> Confirming the negative first-instance decisions in 1,377 cases and reversing them in 16 cases.

<sup>17</sup> As of 9 June 2017. Given that there are reports that question these figures, the Commission invites the Greek authorities to clarify the number of migrants present on the islands and in the hotspots. Such clarity would help in planning and delivery.

programme, especially just before a return operation.<sup>18</sup> In order to allow for its efficient implementation and to inform all rejected asylum seekers of the deadline for application, a targeted information brochure is distributed to the migrants concerned by the International Organisation for Migration, which has also continued to ensure a permanent presence in the five hotspot islands promoting the Programme and providing individual counselling.

Despite steps taken, more remains to be done to address the situation on the islands. As has been previously reported, and in addition to the above, the time limit between the making and the lodging of an application should be reduced in accordance with Article 6(2) of the Asylum Procedures Directive, which requires that a person making an asylum application has an effective opportunity to lodge the application as soon as possible. Furthermore, while the European Border and Coast Guard co-finances the deployment of 280 Hellenic Police officers for the hotspots, their coordinated and effective use needs to be further developed to continue ensuring the security for the sites.

### *EU financial assistance to Greece*

Greece has made progress in starting to use its national programmes under the Asylum, Migration and Integration Fund and the Internal Security Fund. The Commission continues to support the Greek authorities to further speed up implementation so that the funding available under these programmes (EUR 509 million available for the period 2014-2020) can be fully tapped to address migration-management needs in Greece. To this end, the Greek authorities should adopt all relevant legislative, administrative and operational measures and improve coordination among the relevant stakeholders, strengthen operational capacity, and improve delivery mechanisms, including by streamlining procurement procedures. In addition to the funding available under the national programmes, substantial emergency assistance from the Asylum, Migration and Integration Fund and the Internal Security Fund, amounting to approximately EUR 356.8 million, has been provided since the start of the migratory crisis in 2015 to help Greece reinforce its reception facilities and strengthen the country's migration, asylum and border management capacities.

In February 2017, the Greek authorities put in place a financial planning for the set-up and operation of the reception facilities for 2017. It aims at ensuring a coordinated approach of covering the most pressing reception needs in Greece in a timely, effective and efficient way, while using all possible synergies from all sources available (including EU funded national programmes and emergency assistance under the Asylum, Migration and Integration Fund and the Internal Security Fund, emergency support under the Instrument for Emergency Support within the EU as well as the state budget).

As of 6 June 2017, EUR 249 million of Emergency Support within the EU has been contracted with 14 humanitarian partners to respond to the humanitarian needs of refugees and migrants in Greece. So far, this support has focused on shelter, provision of cash for food and non-food items, assistance to unaccompanied minors and education, and crucial activities have also been supported on health. EUR 196 million remains available to continue to support the refugee response, in line with applicable criteria. On shelter, the focus now is on progressively shifting from camps to rented accommodation, for a total of up to 30,000 beneficiaries. On cash, since 1 May 2017, the multi-purpose cash programme in the mainland covers food and non-food items, with the objective of

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<sup>18</sup> Irregular migrants, who have made an application for asylum in one of the reception and identification centres, are entitled to apply for Assisted Voluntary Return and Reintegration at any point up to five days after the notification of the negative decision on their asylum claim by the Asylum Service (first instance asylum decision). The Assisted Voluntary Return and Reintegration option is also available to migrants proposed for return to Turkey who have been rejected by Turkey, irrespective of the aforementioned cut-off date. Those asylum applicants, who had already been notified of a negative asylum decision at first instance when the cut-off date was introduced, were given the possibility until 9 April to apply to the Assisted Voluntary Return and Reintegration Programme.

providing dignified living conditions for those in need.

***Key challenges and next steps***

- Speeding up urgently the processing of asylum applications and the number of decisions per Appeal Committee, prioritising the appeals lodged on the islands and stepping up the pace of returns to Turkey under the EU-Turkey Statement;
- Ensuring the reception and pre-removal capacity required on the islands;
- Putting in place all necessary measures to ensure a timely, efficient and effective use of the EU funding available under Greece's national programmes as a matter of urgency.

### **3. "One for One" Resettlement from Turkey to the EU**

#### *State of play*

As of 9 June, the total number of Syrians resettled from Turkey to the EU under the 1:1 framework was 6,254. In the reporting period 2,689 Syrians have been resettled, to ten Member States (Austria, Belgium, Finland, France, Germany, Italy, Romania, Spain, Sweden, the Netherlands).<sup>19</sup> The total number of persons approved and awaiting resettlement is currently 1,458. The pace of resettlement continues to be considerably advanced compared to returns from the Greek islands. This steady pace of resettlements<sup>20</sup> needs to be maintained.

Member States continue to advance well with preparing further resettlement operations, including missions to Turkey to interview resettlement candidates. The Turkish authorities are undertaking efforts to provide lists of referrals. Since the start of the year, they have submitted to the United Nations High Commissioner for Refugees new referral lists with over 20,000 persons. Maintaining the provision of these referrals is an important prerequisite to ensure the pace of resettlement. In parallel, EU Member States have been communicating to the United Nations High Commissioner for Refugees their resettlement pledges for this year, putting forward almost 25,000 pledges for 2017.

#### *Operational steps*

In order to support resettlement under the EU-Turkey Statement, the EU Delegation in Ankara has continued weekly meetings with the relevant Turkish authorities, Member States, the United Nations High Commissioner for Refugees and the International Organisation for Migration to compare statistical data and discuss operational updates.

The EU Delegation developed a draft questionnaire for resettlement and shared it with Member States and the United Nations High Commissioner for Refugees. The questionnaire aims at providing the Syrian candidates for resettlement with comprehensive information on the individual receiving Member States. This is expected to decrease the number of drop-outs. The questionnaire has been welcomed by the United Nations High Commissioner for Refugees and most of the Member States, and should soon be used by the United Nations High Commissioner for Refugees during the interviews with Syrian candidates.

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<sup>19</sup> Additionally, Norway has so far resettled 563 Syrians from Turkey since 4 April 2016. Although Norway applies the standard operating procedures for resettlement agreed with Turkey in the ambit of the 1:1 scheme, the number of resettlements to Norway in the context of the 1:1 scheme is not counted against returns of Syrians from Greece.

<sup>20</sup> COM(2017) 212 final of 12 April 2017, COM(2017) 260 final of 16 May 2017, COM(2017) 330 final of 13 June 2017.

### ***Key challenges and next steps***

- Maintaining the steady pace of resettlement.

#### **4. Prevention of new sea or land routes for irregular migration**

There is no evidence that efforts to control the flows on the Eastern Mediterranean route have caused any major re-routing from Turkey. However, since the Fifth Report, despite Turkey continuing Operations 'Aegean Hope' and 'Safe Med'<sup>21</sup>, 20 boats, with a total of 1,389 migrants, arrived in Italy from Turkey and two boats arrived in Cyprus with a total of 116 migrants, all Syrians, on board.

The numbers of detections of irregular crossings at Turkey's land borders with Bulgaria and Greece seem to have remained low over the past six months: on daily average, around five illegal border crossings into Greece have been registered, and two into Bulgaria. 105 European Border and Coast Guard officers are currently deployed at the Bulgaria-Turkey border.

#### **5. Voluntary Humanitarian Admission Scheme**

The Commission continues its efforts to facilitate the swift finalisation of the Standard Operating Procedures for the Voluntary Humanitarian Admission Scheme with the Participating States and with Turkey. The EU-Turkey Statement stipulates that the Scheme will be activated once irregular crossings between Turkey and the EU are ending or at least have been substantially and sustainably reduced. On the basis of a new version of the draft Standard Operating Procedures sent to Turkey at the end of May, constructive discussions between the Commission and Turkey took place on 8 June in Ankara and made considerable progress towards an agreement on the draft. Quick agreement on the Standard Operating Procedures and decision on its activation would boost the implementation of the Statement, providing Syrians with a safe and legal alternative to irregular migration to the EU.

#### **6. Visa liberalisation**

As regards the implementation of the Visa Liberalisation Roadmap, there are still seven benchmarks that remain to be met as highlighted in the previous Reports:

- issuing *biometric travel documents* fully compatible with EU standards;
- adopting the measure to prevent *corruption* foreseen by the Roadmap;
- concluding an *operational cooperation agreement with Europol*;
- revising legislation and practices on *terrorism* in line with European standards;
- aligning legislation on personal *data protection* with EU standards;
- offering effective *judicial cooperation in criminal matters* to all EU Member States;
- implementing the *EU-Turkey Readmission Agreement* in all its provisions.

As reported previously, the Commission continues to encourage Turkey's efforts to complete the delivery of all the outstanding benchmarks of the Visa Liberalisation Roadmap as soon as possible. The Commission and Turkey have continued an engaged dialogue to find solutions, including the legislative and procedural changes needed on all the outstanding benchmarks.

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<sup>21</sup> 2,500 staff, 65 Coast Guard boats, two rescue boats, ten helicopters and three fixed wing aircraft are deployed in these operations.

The amended Regulation (EC) No 539/2001, which strengthens the existing suspension mechanism of visa-free travel for citizens of any country enjoying visa liberalisation, entered into force on 28 March 2017<sup>22</sup>.

## 7. Facility for Refugees in Turkey

Since the previous Report, the Commission has continued its efforts to address the most critical needs of refugees and host communities in Turkey. Out of the EUR 3 billion for 2016-2017, the total allocated has reached EUR 2.9 billion (up from EUR 2.2 billion at the time of the previous Report) with the publication of the 2017 Humanitarian Implementation Plan. Of the EUR 2.9 billion, contracts have been signed for 47 projects for an amount of EUR 1.572 billion (up from EUR 1.495 billion) – all of which have started being implemented. The total amount disbursed has reached EUR 811 million (up from EUR 750 million) for both humanitarian and non-humanitarian assistance<sup>23</sup>.

The last Steering Committee meeting on 31 March 2017 acknowledged that funding coordinated by the Facility for Refugees in Turkey ("the Facility") continues to have a significant direct impact on the ground. The Commission is working closely with the Turkish authorities and other partners to further accelerate contracting, implementation and disbursement. In its delivery, the Facility for Refugees in Turkey supports rights of children, and human rights of refugees in general, including gender equality.

The Facility Results Framework was completed in March 2017 and the monitoring of Facility projects has started.

### *Humanitarian assistance*

The Commission has continued to implement its humanitarian strategy under the Facility<sup>24</sup>. The Commission has increased contracts to EUR 593 million through 35 humanitarian projects with 19 partners, covering the response to basic needs, protection, education, health, food and shelter. Out of the EUR 593 million contracted, EUR 463 million has been disbursed to date.

Implementation of the flagship humanitarian programme, the Emergency Social Safety Net, is also accelerating. It has an initial budget of EUR 348 million, contracted with the World Food Programme, and supports the most vulnerable refugees by providing direct cash transfers to families through a debit card. By the end of May 2017, the Emergency Social Safety Net had supported more than 600,000 refugees in Turkey. In this reporting period the Commission has agreed a new transfer value and targeting criteria which means that eligible families will now receive 120 Turkish Lira per person per month, plus additional quarterly top-ups. This will allow more beneficiaries to access aid more quickly. With these changes, which should become effective in June 2017, the Commission intends to increase its current target for support to 1.3 million refugees.

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<sup>22</sup> Regulation (EU) 2017/371 of the European Parliament and of the Council of 1 March 2017 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (revision of the suspension mechanism).

<sup>23</sup> Funds will only be fully disbursed, in tranches, until the completion of the projects, in accordance with the principles of sound financial management. As part of the Facility's visibility activities, an interactive map allows direct visualisation of the location and expected results of the different projects: [http://ec.europa.eu/enlargement/news\\_corner/migration/index\\_en.htm](http://ec.europa.eu/enlargement/news_corner/migration/index_en.htm).

<sup>24</sup> The provision of humanitarian assistance under the Facility continues to be implemented in line with EU humanitarian aid law and according to the principles laid down in the European Consensus on Humanitarian Aid.

In May 2017, the first payments to refugee families under the Conditional Cash Transfer for Education were made. This programme builds on the Emergency Social Safety Net by providing cash transfers to vulnerable families to promote school enrolment and regular attendance by refugee children. The Conditional Cash Transfer for Education is implemented through a EUR 34 million agreement with the United Nations International Children's Emergency Fund, making it the Commission's biggest ever education in emergencies programme. The Commission expects 230,000 children to benefit directly from the Conditional Cash Transfer for Education in the first year of the programme.

The Commission has continued contracting with partners on protection and health. Protection related contracts include support for the most vulnerable refugees, including disabled refugees, as well as linking refugees to protection services and helping them integrate in Turkey. As for health, projects aim to strengthen access to specialised services for conflict-affected refugees and provide lifesaving healthcare, physical rehabilitation, mental health(care), as well as support and protection for vulnerable refugees including victims of gender-based violence. The most recent contract, signed with the World Health Organisation on 3 May 2017, supports the training of Syrian health personnel to integrate them into the Turkish healthcare system.

On 3 May 2017, the Commission published the 2017 Humanitarian Implementation Plan for Turkey. It sets out the priorities for the implementation of EUR 714 million in humanitarian assistance. Under this Humanitarian Implementation Plan, the Commission will continue to provide assistance to some of the most vulnerable refugees in Turkey and link them to government services, by using mainly the Emergency Social Safety Net for implementation notably for basic needs, health, education and protection. The focus will remain on refugees outside the camps, who make up the vast majority of refugees in Turkey and are the most vulnerable.

#### *Non-humanitarian assistance*

Under the non-humanitarian strand of the Facility, EUR 1.577 billion have now been allocated. Contracting has increased to EUR 979 million and disbursements to implementing partners have reached EUR 348 million.

A further contract was signed on 31 March 2017 under the EU Regional Trust Fund in Response to the Syrian Crisis ("the EU Regional Trust Fund") for EUR 33 million. This project, which is implemented by the Danish Red Cross with the Turkish Red Crescent Society, establishes ten community centres in a number of cities, benefitting over 200,000 Syrian refugee children. In addition, three Action Documents (i.e. proposals for funding under the EU Regional Trust Fund), worth more than EUR 120 million, should be presented for adoption to the EU Regional Trust Fund Operational Board on 13 June 2017. These proposals aim to improve access to health services for Syrian refugees as well as to enhance the resilience of Syrian refugees and host communities and the life skills of non-Syrian refugees.

Activities funded under the EUR 1.4 billion Special Measure, which was adopted in July 2016, have been also making a significant impact on the ground. On 23 May 2017, the first migrants' health clinic was inaugurated in Kilis to help cope with the additional pressure put on the local health system,<sup>25</sup> with a second planned for Ankara in June: the total number to be rolled out is 220 migrants' health centres. In terms of education, a total of around 5,500 Turkish language teachers have been employed in 23 provinces to help refugees learn the language and integrate. Almost

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<sup>25</sup> This is also the first infrastructure deliverable in the health sector under the Facility and a good example of synchronised assistance delivery under the non-humanitarian and humanitarian strands of the Facility, with the former funding operational costs for the construction of the clinic and its equipment and the latter financing the training and qualifications of Syrian doctors.

44,000 students have been identified to receive catch-up classes, more than 33,000 students have been selected to receive transfer to schools and almost 500 school guides and consultant teachers help students. The Facility is also supporting the Turkish government's work to improve the quality of education: around 20,000 Syrian volunteer teachers have received training in improved teaching techniques, and 18,000 have passed the written exam and received official certificates. Recognising the specific needs of Syrian children, more than 7,500 girls and boys receive psycho-social support and almost 5,000 adolescents and young people in 20 provinces have benefitted from peer-to-peer support from youth leaders. The Facility has also helped bring more than 310,000 Syrian children into schools, support 280 university students, give English language tuition for 120 university-age students and provide counselling for 70 students on further and higher education opportunities.

As the last Steering Committee discussed, this Special Measure of July 2016 is being amended<sup>26</sup> and its total budget increased by EUR 10 million. This is done in close cooperation with the Turkish authorities and based on the June 2016 needs assessment, reflecting the need for the swift, efficient and effective mobilisation of the Facility. Due to the lower than expected number of returnees, the Special Measure on returns is also being modified to improve the Turkish Directorate-General for Migration Management's capacity to manage, receive and host migrants and returnees, especially as concerns human resources and infrastructure. To date, the project has covered the costs incurred upon the returns of Syrians and non-Syrians as well as the purchase of logistical equipment by the Directorate-General for Migration Management and works to build a removal centre for 750 persons.

The Commission is also working on additional interventions in the area of socio-economic support and municipal infrastructure, in close cooperation with the Turkish authorities, which should be signed before the summer break and implemented by International Financial Institutions.

#### ***Key challenges and next steps***

- Swiftly contracting all remaining actions under the Special Measures and ensuring their effective implementation in line with the principles of sound financial management;
- Swiftly concluding the contracts under the 2017 Humanitarian Implementation Plan;
- Adopting the modified Special Measures on education, health, municipal infrastructure and socio-economic support as well as on returns before the summer break.

## **8. Upgrading the Customs Union**

Since the previous Report, the Council has continued to actively work on the Commission's proposal to open negotiations with Turkey on an upgraded bilateral trade framework<sup>27</sup>. The Commission invites the Council to finalise this work as soon as possible to allow to start the negotiations on an important agreement that, applied to all Member States, would unleash still untapped potential in EU-Turkey trade and economic relations.

## **9. Accession process**

Within the framework of accession negotiations, 16 chapters have been opened so far and one of these has been provisionally closed.

As previously reported, preparatory documents were submitted, without prejudice to Member

<sup>26</sup> The main modifications concern a change in implementing partner on municipal infrastructure, the inclusion of a provision for the construction of pre-fabricated schools and an additional hospital, and a redefinition of the nature of socio-economic support, focusing on labour market integration and employment possibilities for refugees.

<sup>27</sup> The Commission adopted its proposal for the negotiating directives in December 2016.

States' positions in accordance with the existing rules, to the Council last Spring on energy (Chapter 15), education and culture (Chapter 26), and foreign, security and defence policy (Chapter 31). Technical work is continuing in the key areas of the judiciary and fundamental rights, and justice, freedom and security (Chapters 23 and 24).

The EU expects Turkey to respect the highest standards when it comes to democracy, rule of law, and respect of fundamental freedoms, including freedom of expression.

## **10. Humanitarian conditions inside Syria**

The humanitarian situation inside Syria remains of utmost concern, with 6.3 million people being internally displaced, many of them multiple times, and 13.5 million people requiring urgent assistance. The 2017 United Nations' appeal for inside Syria amounts to around EUR three billion, which today has been matched at 20%. At the Brussels Conference, the international community mobilised an unprecedented EUR 5.6 billion in humanitarian and non-humanitarian funding for 2017 alone in response to the needs of Syrians in Syria but also in the neighbouring host countries and an additional EUR 3.5 billion for 2018-2020<sup>28</sup>.

Access remains a key challenge to delivering assistance, hampered by ongoing fighting and other restrictions by all parties to the conflict across Syria. This constantly challenges the delivery of humanitarian aid to the estimated 3.9 million people in hard-to-reach locations and the close to 625,000 people in besieged areas. Local authorities approve assistance belatedly also in Kurdish-controlled areas of north-eastern Syria, and humanitarian access for Turkey-based cross-border partners into north-western Syria is reportedly facing more challenges. Non-state armed opposition groups and United Nations Security Council designated-terrorist groups are placing increasing demands on non-governmental organisations, some of which have been obliged to scale down or temporarily suspend operations. In April and May 2017, only 10% of the people in need in besieged areas could be reached by United Nations' convoys.

In view of this, cross-border assistance has become increasingly important. Most of the cross-border deliveries take place from Turkey and Jordan, which continue to constructively facilitate access by all possible routes. The EU is supporting lifesaving cross-border operations from Turkey to reach people in Northern Syria through humanitarian partner organisations to provide food, water, shelter, health and protection to the population most in need.

Given the persisting violence and immense humanitarian needs, the EU continues to urge all parties to respect obligations under international humanitarian law and to ensure that the protection of civilians is the first priority, from every possible entry point, including from Turkey and Jordan. This also applies to the concept of de-escalation zones across Syria, agreed by Turkey, Iran and Russia, the guarantors of the ceasefire agreed on 30 December 2016, with the aim to establish zones of ceased hostilities to ensure the protection of civilians. The EU welcomes all efforts in this regard, provided that international humanitarian law is respected.

## **11. Conclusion**

The EU-Turkey Statement has continued to deliver concrete results. The trend of much reduced irregular and dangerous crossings, and a much lower number of losses of lives in the Aegean Sea, coupled with the practical impact of projects to support Syrian refugees and host communities in Turkey under the Facility for Refugees in Turkey, has been consolidated. However, while crossings have stabilised at low levels, the push factors for migration to Europe remain. The EU-Turkey

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<sup>28</sup> The international Brussels Conference on "Supporting the future of Syria and the region" on 5 April 2017, hosted by the EU and co-chaired by the EU, the United Nations, Germany, Kuwait, Norway, Qatar and the United Kingdom.

Statement continues to play a key role in ensuring that the migration challenge in the Eastern Mediterranean is addressed effectively and jointly by the EU and Turkey, as underlined by Presidents Juncker and Tusk and President Erdoğan at their meeting on 25 May.

Further efforts are needed to ensure the full and sustained implementation of the EU-Turkey Statement, based on continuing political determination from all sides.

The pace of contracting and of implementation of projects under the Facility should be accelerated by both the EU and Turkey to speed up delivery of concrete support to Syrian refugees and their host communities in Turkey.

The current commitments of Member States to resettle Syrian refugees from Turkey to Europe amount to pledges of 25,000 places for 2017. Moreover, the Voluntary Humanitarian Admission Scheme should be quickly agreed by the EU and Turkey, followed by a quick decision on its activation so as to facilitate resettlements from Turkey.

There is also a need for an additional effort from the Greek authorities, EU Agencies and the Member States, to carry out the measures recommended in the Joint Action Plan endorsed by the European Council with a view to improving the migration and asylum management capacity of the Greek administration, and ultimately to bring an improvement to the situation on the Greek islands. Against this background, it is essential that rapid and significant efforts are made to increase the return to Turkey of those persons who are not entitled to remain in Greece, in full compliance with EU and international rules.

Turkey should take the necessary measures to fulfil the remaining visa liberalisation benchmarks as soon as possible, to enable the EU to lift the visa requirements for Turkish citizens.

The Council should finalise the work on the negotiating mandate on upgrading the Customs Union as soon as possible to allow the start of negotiations on an important agreement, unleashing still untapped potential in EU-Turkey trade and economic relations.

The Commission will continue to drive the work forward and will present the next Report on the progress made in October 2017.