

Brussels, 4 May 2011

Frequently Asked Questions: Addressing the Migratory Crisis

1. What is the situation in the Mediterranean?

The historical events that have occurred in the Southern Mediterranean since the end of 2010 have provided a unique opportunity for the people of those countries to more freely express their wish for democracy, respect for human rights and fundamental freedoms. An indirect consequence of these events has been a significant movement of populations, mainly from North African countries towards their immediate neighbours, but also towards the European Union.

According to the latest estimates, more than 650,000 persons have left the territory of Libya to flee the violence there. These people have found hospitality in neighbouring countries, primarily in Tunisia and Egypt, and many have since managed to return, or been assisted in their return to their respective home countries.

More than 25,000 migrants, mainly from Tunisia and, to a lesser extent from other African countries, have fled towards the EU, reaching the shores of Italy (most to the island of Lampedusa) and Malta, both of which are now under strong migratory pressure.

In addition to displaced people and migrants, a considerable number of refugees of different nationalities, including Somalis, Eritreans and Sudanese, have left Libya, some of whom have also reached Italy and Malta.

2. What has the Commission done so far to address the migration crisis in the Mediterranean?

Urgent short-term measures have already been taken to deal with the humanitarian situation in North Africa and with pressures on frontline Member States (notably Italy and Malta).

So far, a total EU contribution of about €100 million, of which approximately €49 million provided by the Commission, has been mobilised to manage the humanitarian emergency generated by the sudden inflows of refugees and displaced persons in the countries neighbouring Libya. Jointly with the funds provided by other international donors, this support has made it possible to offer temporary shelter to refugees and displaced persons, to meet their basic needs and to assist their return to their countries of origin.

In February, FRONTEX launched the Joint Operation EPN Hermes Extension 2011, to help Italy deal with vessels carrying migrants and refugees. EUROPOL has also deployed a team of experts to Italy, to help its law enforcement authorities identify possible criminals among the irregular migrants having reached the Italian territory.

Around €25 million have been earmarked under the External Borders Fund and European Refugee Fund to help those Member States most exposed to the growing flows of refugees and irregular migrants with the financial consequences of these displacements.

3. Is the EU fully equipped to react to the migratory flows?

While the EU response to the emergency situation has been comprehensive, the current crisis has exposed the fact that there are still ways in which the EU can better deal with such situations and with migration management generally. The difficulties essentially relate to two categories of issues:

- Firstly, the EU financial resources available under the General programme "Solidarity and Management of Migration Flows" (which includes the European Refugee Fund, the Return Fund, the Integration Fund and the Borders Fund) are not entirely adequate to respond to all requests for assistance. These funds are designed to intervene in a stable situation and not to tackle emergencies and crises. In the context of the preparation of the next Multi-Annual Financial Framework, the European Parliament, the Council and the Commission will have to draw on the lessons learnt from the current events and consider ways of making EU funding for Home Affairs more adapted to the needs identified.
- Secondly, increased solidarity at EU level and a better sharing of responsibility is necessary. EU Member States need to step up their efforts to alleviate burdens on the most affected Member States, for instance by contributing in an increased manner to joint operations carried out by the EU Agencies, by committing more to relocation, etc. This kind of solidarity is dependent on the will and commitment of Member States and the Commission cannot impose it. Nevertheless, the Commission intends to make further proposals on delivering solidarity in a holistic manner; which will include the possibility of ad hoc measures that can be resorted to in case of particular temporary pressure on one or several Member States. These proposals will also address more structural means of ensuring solidarity, both financial and in the form of practical cooperation and technical assistance.

4. In addition to its immediate reaction, what other concrete measures does the Commission envisage?

The Commission foresees a whole set of initiatives in the coming weeks and months (see the catalogue in annex), notably a migration "package" to be presented on the 24th of May. These initiatives will principally deal with the following areas:

Border control and Schengen governance: border control and Schengen governance need to be strengthened to prevent irregular migration, to ensure that each Member State effectively controls its own portion of the EU's external borders, and to build trust in the effectiveness of EU system of migration management. For this to be achieved, the following areas need to be addressed as a priority:

- The European Parliament and the Council should urgently adopt the Commission proposal to strengthen the FRONTEX mandate (so that FRONTEX can act more effectively at the external border)
- The Commission proposed a Regulation on the establishment of an evaluation mechanism to verify the correct application of the Schengen *acquis*. The current Schengen Evaluation Mechanism still relies on an intergovernmental system of peer reviews to ensure the application of the common rules. In the light of recent experiences, the adoption of the Commission's proposal must be a priority if we are to ensure that the EU is better equipped to enforce a uniform application of the rules.

- The Commission will propose intensified coordination of border surveillance (which is the purpose of the European Border Surveillance System – EUROSUR) and will consider the feasibility of creating a European system of borders guards (the idea being to create a common culture among national authorities, shared capacities and standards, supported by practical cooperation).
- A mechanism will be considered to address the possible failure by a Member States to fulfil its obligation to patrol its part of the external border. This mechanism could include the possibility of temporarily reintroducing internal border controls, under certain conditions.
- The return acquis should be properly implemented and the EU should reorient its readmission negotiation strategy to enhance incentives for the conclusion and effective implementation of the EU readmission agreements.
- The establishment of a European entry-exit system, ensuring that data on the crossing of the border by third country nationals is available for border control and immigration authorities, and of a registered traveller programme allowing third country nationals to use automated border control making access to the EU easier will also be considered.

External dimension, visa policy and long term relations with the Southern Mediterranean: Relations with third countries on migration-related issues should be characterised by a strategic approach aimed at facilitating the movement of persons, combined with measures to discourage irregular migration. As regards the Southern Mediterranean countries, long-term relations with the EU need to be built on partnerships which extend beyond migration issues alone (starting with a revision of European Neighbourhood Policy) and allow scope for enhanced legal migration possibilities, such as:

- introducing a systematic post-visa liberalisation monitoring mechanism with the possibility of suspending the visa waiver in cases where it leads to abuse or to large-scale irregular migration.
- stepping-up the dialogue with and assistance to third countries in the context of the global approach to migration, with the aim of better organising legal migration, reinforcing the fight against irregular migration and maximising the mutual benefits of migration for development.
- establishing a structured dialogue on migration, mobility and security with the EU's Southern Mediterranean partners. The Commission hopes to further develop Mobility Partnerships which will ensure that the movement of persons between the EU and its partner countries is well managed and takes place in a secure environment.

Legal migration and integration: the current migration crisis in the Mediterranean should not overshadow the key contribution that migrants make to the EU. Migrants bring economic dynamism and new ideas and help create new jobs. They also help fill gaps in the labour market that EU workers cannot, and contribute to addressing the demographic challenges the the EU faces. There is, however, a need for a better organisation of legal migration at the EU level. Specifically:

- an agreement must be reached on the 2007 Commission proposal on the "Single Permit" which will simplify administrative procedures for migrants and give a clear and common set of rights.
- the "Blue Card" Directive must be fully transposed by Member States so that it can contribute to making the EU an attractive destination for highly skilled migrants, as global demand for high skilled workers increases.
- the work on the proposals on seasonal workers and intra-corporate transfereeds must be pursued.

- a European Agenda for the Integration of third country nationals will soon be proposed, focusing on migrants' participation in receiving countries, action at the local level and the involvement of countries of origin in the integration process.

Asylum: The EU must live up to its vocation to offer a haven to those in need of protection. It is time to complete the Common European Asylum System by reaching agreement, by 2012, on the asylum package currently on the table. To achieve this:

- The Commission will soon present modified proposals on the Reception Conditions and the Asylum Procedures Directives, to provide impetus to stalled Council negotiations. A balanced agreement on the revision of the Dublin Regulation must be reached, including on a last resort emergency mechanism in case of exceptional pressures. We also need an agreement on the revised Eurodac system, a fingerprint database for identifying asylum seekers and irregular border-crossers.
- The European Asylum Support Office will become fully operational in June and will contribute to strengthened practical cooperation.
- Regional Protection Programmes that aim to help third countries in managing asylum and refugee flows needs to be further developed. At the same time, the resettlement of refugees by EU Member States must become an integral part of EU asylum policy. In this regard, the Commission hopes that the European Parliament and the Council will be able to adopt the EU joint resettlement scheme proposed by the Commission in 2009.

For more information

See [IP/11/532](#)

Commission's initiatives linked to the Communication		
Reference N°	Full title	
Crossing the external borders and mobility		
2011/HOME/040	Commission Decision on local Schengen cooperation	June 2011
2011/HOME/182	Recommendation amending COM Recommendation establishing a common Practical Handbook for Border Guards	June 2011
2011/HOME/045	Commission Decision amending the Visa Code Handbooks	June 2011
2011/HOME/050	Commission Decision amending the SIRENE Manual	May 2011
2011/HOME/041	Commission proposal to amend EP and Council Regulation 539/2001 on visas	24 May 2011
2011/HOME/044	Communication on programmes for regional consular cooperation and setting up of common application centers	November 2011
2011/HOME/088	Legislative proposal defining the objective, scope and the technical and operational framework of the European Border Surveillance System (EUROSUR)	December 2011
2011/HOME/..	Communication on Smart Borders (Entry Exit System and Registered Travellers Programme)	September 2011
2011/HOME/016	Communication on enhanced Intra-EU solidarity	November 2011
Moving and living in an area without internal borders		
	Schengen: a mechanism for a coordinated and temporary reintroduction of controls, to be added to the Commission proposal on evaluation of Schengen	
2011/HOME/037	Migration and Asylum in the EU in 2010 (Second annual Report on the Immigration and Asylum Pact), accompanied by a Commission Staff Working Paper	24 May 2011
2011/HOME/017	Communication on an EU agenda for integration, accompanied by a Commission Staff Working Paper	24 May 2011

2011/HOME/009	Green paper on Addressing labour shortages through migration in the EU Member States, in cooperation with DG EMPL.	October 2011
2010/HOME/085	Report from the Commission to the European Parliament and to the Council on the application of Directive 2003/109/EC on the status of third-country nationals who are long-term residents	September 2011
2010/HOME/086	Report from the Commission to the European Parliament and to the Council on the application of Directive 2004/114/EC on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service.	September 2011
2011/HOME/039	Report on Directive 2005/71/EC on admission of third country nationals for the purpose of scientific research and possible follow-up	December 2011
2009/HOME/057	Green paper on Directive 2003/86/EC on the right to family reunification	November 2011
	Communication on EU Policy on Return	2012
Providing international protection to persons in need		
2011/HOME/186	Modified proposal on the Asylum Procedures Directive	1 st June 2011
2011/HOME/187	Modified proposal on the Reception Conditions Directive	1 st June 2011
	Proposal for a Regulation of the European Parliament and of the Council 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	Already tabled
	Amended proposal for a Regulation of the European Parliament and of the Council on the establishment of 'EURODAC'	Already tabled
	Proposal for a Directive of the European Parliament and of the Council on minimum standards for the qualification and status of third country nationals or stateless persons as beneficiaries of international protection and the content of the protection granted	Already tabled
	Commission's proposal on a EU Joint Resettlement Program	Already tabled

The Global Approach to Migration		
	Communication "A dialogue for migration, mobility and security with the Southern Mediterranean"	24 May 2011
2010/HOME+/011	Commission proposal for the Council decisions concerning the signature and conclusion of the agreement between the European Community and the Republic of Cape Verde on mobility and readmission	November 2011
2011/HOME/001	Communication on the evaluation and future development of the Global Approach to Migration	November 2011
2011/HOME/022	CSWP on Migration and Development	November 2011
2011/HOME/023	CSWP on Migration and Climate Change	November 2011
2001/HOME/019	Action Plan on cooperation with Eastern Partnership countries	September 2011
	Commission proposal for the Council decisions concerning signature and conclusion of the agreement between European Community and Armenia on visa facilitation readmission	July 2011
	Commission proposal for the Council decisions concerning the signature and conclusion of the agreement between the European Community and Azerbaijan on visa facilitation and readmission	July 2011