



Leaders' Agenda

December 2017

DRAFT

Migration: way forward on the external and the internal dimension

After the unprecedented migratory pressure on its external border in 2015, the European Union and its Member States are gradually restoring control. However, the migration challenge is here to stay for decades, especially due to the demographic trends in Africa. Despite our efforts, the smugglers are working energetically to exploit further vulnerabilities at our borders. A crisis situation can reoccur and so in order to prepare ourselves, we need to categorically strengthen our migration policy. To achieve this, we should first look at what has and has not worked in the past two years. On this basis, we should establish an effective and sustainable migration policy based on secure external borders and the prevention of mass arrivals. It also requires finding a consensus by June 2018 on the internal dimension of our migration policy, based on the concepts of responsibility and solidarity.

Our experience to date shows that:

- **only Member States are able to tackle the migration crisis effectively.** The EU's role is to offer its full support in all possible ways to help Member States handle the migration crisis. But the EU has neither the capacity nor legal possibilities to replace Member States in this regard;
- **decisive action by the lead Member States**, backed by the EU and assistance from other Member States, has **proven to be effective** in stemming illegal migration flows to Europe, as shown recently with Italy's role concerning Libya;
- **ad hoc financial pledging is inadequate** to the scale of the challenge;
- the issue of **mandatory quotas** has proven to be **highly divisive** and the approach has turned out to be **ineffective**.

In order to ensure an effective European migration policy we need:

- **stable and long-term financing mechanisms, in place of the existing ad hoc pledging, on a much larger scale.** A dedicated financial instrument, specifically geared towards stemming illegal migration, should become one of the key priorities in the new MFF;
- **tailor-made, long-term partnerships with neighbouring countries** and joint action to tackle smuggling and migratory pressures together;
- **an increase in the returns of irregular migrants** as the current level is still too low; the CEAS reform with regard to the 'safe third country concept', and the cooperation of Member States with selected African countries of origin can contribute to this objective;
- global efforts to fight people smuggling and human trafficking as well as **the promotion of resettlement** as the chief legal pathway for international protection;
- **operational mechanisms at the European and national levels** to ensure the external border is effectively protected;
- the re-establishment of trust among Member States and a common understanding of political constraints so as to find ways of **combining responsibility and solidarity** in the Dublin reform.

Guidance from Leaders will be required to set clear political priorities to prevent mass arrivals at the external border, tackle root causes and overcome deadlocks that hamper progress internally. In this respect, the following questions should be addressed:

- **Do you agree with the overall diagnosis as set out above?**
- **Do you agree that we need a dedicated financial instrument geared towards stemming illegal migration and to make it one of the priorities in the context of the next MFF?**
- **Do you agree that we should work in a consensual way to find a solution combining responsibility and solidarity in the Dublin reform by June?**

On the basis of the discussion, Leaders will return to these issues with a view to seeking a consensus in June 2018. If there is no solution by then, including on the issue of mandatory quotas, the President of the European Council will present a way forward.