

**EUROPEAN COMMISSION**

Ursula von der Leyen
The President

Brussels, 14 October 2024

Dear colleagues,

By working closely together to address the challenges of migration, we have shown that in the face of constantly shifting needs, we are determined, responsive, and able to find common approaches to the difficult situations we face. Our work on the external dimension has shown that it is possible to reduce illegal migration, and that a strong focus on this aspect is critical to ensure a fair and effective management of migration in Europe, to the benefit of all Member States.

With the Pact on Migration and Asylum we have a legal framework that is more in tune with modern realities, and which will enable us to respond more effectively. It gives us tools to better secure our external borders, to ensure fair and efficient procedures, to protect those in need, and to manage migration in a way that is orderly and effective, recognising different needs and respecting our common values. In the coming mandate, the Commission, in close coordination with the Member States, will continue to build on the achievements of recent years to ensure that we stand fair and firm on migration, addressing what we all agree to be a European challenge, with European solutions.

*While the Pact is undoubtedly a huge achievement, there is no room for complacency. Driven by various interconnected global crises, migration will continue to be one of the most pressing issues that requires our urgent attention. To effectively address recurrent and new challenges, while plugging the gaps that remain, I propose to focus on **10 points of action**.*

*- **Accelerate the implementation of the Pact on Migration and Asylum***

When adopting the Pact, we gave ourselves two years to put in place the necessary new rules, procedures, and structures. There are good reasons for this timeframe given the magnitude of the task at hand, and we are fully focused on meeting that target. But as we look at events, even of the past summer, we know we must stay ambitious, including on our timeframe.

We are now working closely with each Member State to identify the needs and priorities for action at national level, as well as the measures of support at EU level. But moving swiftly on the implementation of the Pact could help Member States manage their registration and reception systems more efficiently, better manage asylum procedures of security cases and abusive or likely unfounded claims including at the border, close loopholes between the asylum and return processes and improve the application of Dublin rules and reduce secondary movements, while introducing elements from the solidarity mechanism.

The Commission therefore stands ready to accelerate the implementation of some elements of the Pact, piloting work on some aspects while carefully maintaining the important balance between solidarity and responsibility, as well as the internal and external dimension, that we struck in the Pact itself.

- Continue building comprehensive partnerships with key third countries

Developing comprehensive and strategic relations with key countries of origin and transit, as part of deeper relations overall, will be a key responsibility for the Commissioner for the Mediterranean, who will pursue a new Pact for the Mediterranean, as well as for the Commissioner for International Partnerships, in close collaboration with the High Representative/Vice-President. While Member States' efforts at our common external borders have made a huge contribution to managing flows, working with countries of origin and transit, and developing partnerships upstream with key partners in Africa and Asia is important for our overall strategy.

In 2024 so far, irregular arrivals are down by around two thirds on the Central Mediterranean route. In large part, this can be attributed to intensified migration management and anti-smuggling operations carried out by the Libyan and Tunisian authorities following political engagement by the EU, namely the Memorandum of Understanding with Tunisia, and closer cooperation with the Libyan authorities. Continued work with Tunisia and Libya, as well as sustained engagement with key partners such as Egypt, Morocco and Algeria, remain a high priority, always in full compliance with our principles and values. The returns from North Africa to the countries of origin have intensified through EU-funded operations, reaching 17 700 in 2024.

At the same time, at the end of September, we had seen a 56% increase in arrivals this year compared to the same period in 2023 on the sea routes to Spain, along the Western Mediterranean and Atlantic routes combined. We need to deepen the partnership underway with Mauritania, and we also need to see how to incentivise other partners such as Senegal and Mali to work with us on migration, despite the broader complexity of relations.

These fluctuations underline the need to work continuously on all routes. The attention given to partners in the Western Balkans – including insisting on visa policy alignment and intensifying returns directly from the region – has contributed to a substantial decrease in

irregular border crossings compared to the same period in 2023 – down 79%. In the Eastern Mediterranean, after the peak in sea arrivals from Lebanon in the first weeks of April, our engagement has meant almost six months with no sea arrivals in Cyprus, showing the very serious commitment of the Lebanese authorities despite enormous pressure. However, the increase by the end of September of more than a quarter of irregular arrivals to Greece by land and sea underlines the need to further improve cooperation with neighbouring countries and to ensure effective control of the EU's external border.

Full implementation of all elements of the EU-Turkey Statement and the EU-Turkey readmission agreement remains key. We are pursuing all strands of this key relationship, in line with last year's Joint Communication and the extraordinary European Council this April, and one of the next steps should be the relaunch of the High-Level Dialogue on Migration and Security. By the end of this year, we will also programme a package of support worth EUR 1 billion to assist with Syrian refugees and vulnerable communities and to support Türkiye with border and migration management.

- Advance on a common approach on returns

The EU's migration policy can only be sustainable if those who do not have the right to stay in the EU are effectively returned. However, only around 20% of third country nationals ordered to leave have actually returned.

Fuller implementation of the current legislation could improve our performance and the Commission has issued recommendations in support of that. But we will need a new legal framework to step up our capacity to act. Member States' return procedures and practices vary significantly: we need to build a level of harmonisation and trust that will ensure migrants who have a return decision against them in one country cannot exploit cracks in the system to avoid return elsewhere.

With the 2018 proposal left without agreement, and considering past discussions, the Commission will present a new proposal for legislation that would define clear obligations of cooperation for the returnee, and effectively streamline the process of returns, with digitalisation of case management and mutual recognition of each other's decisions. As I set out in my Political Guidelines, this will be one of the immediate tasks for the Commissioner for Internal Affairs and Migration and would need to be handled swiftly by the co-legislators.

The vast majority of people coming to Europe have no criminal intent. But those who do commit crimes must know this will not be tolerated, no matter where they come from. The Commission's Return Coordinator is already working with Member States on guidelines on how to handle security-risk individuals in the return process. This is an element that the Commission will address when reviewing the legislative framework to ensure solid rules for the removal of those who pose a serious threat to public order or internal security.

- Step up the use of leverage through our visa and other policies

Improving cooperation on readmission is an EU interest that should be well-reflected in our relations with partner countries. Working together and using the opportunities provided by the Visa Code, we have shown that the EU can encourage partners to work more smoothly with us on readmission, and to make cooperation with Member States more consistent. Iraq, Bangladesh, and The Gambia are all cases where engagement with partners under Article 25a of the Visa Code has helped to leverage action.

Visa policy alignment has proven to be an important tool to manage irregular movements towards the EU. The Commission has proposed new opportunities to penalise lack of visa policy alignment with the EU through the revised visa suspension mechanism. The legislative proposal is currently before the co-legislators, and it is necessary to step up work for agreement to be reached soon. It will also be necessary for candidate countries to continue their work on visa policy alignment as an essential part of the accession process.

The EU should be ready to use its leverage not only in visa policy but in other areas as well, such as trade. Extending the current Generalised Scheme of Preference Regulation to December 2027 without readmission conditionality, despite the Commission's proposal, is a missed opportunity that should be corrected at the first possible occasion.

- Tackle people smuggling and human trafficking

On this, we need to act with a greater sense of urgency. The smuggling of people must be recognised as a major area of organised crime and criminals need to be deterred through effective efforts to disrupt, pursue and prosecute their activities using a "follow the money" approach. It is therefore crucial that we swiftly conclude the legislative proposals currently on the table to ensure there is no impunity for those who smuggle or traffic in human beings and ensure that Europol is well-equipped to support Member States to identify, investigate and disrupt organised crime and tackle illegal profits including through enhanced cooperation on asset confiscation.

In the coming months we will also bring together once again the Global Alliance that we launched last year, to strengthen international cooperation. The Global Alliance will continue to tackle migrant smuggling across all dimensions – prevention, response, and alternatives to illegal migration. In this I am working also with the current Italian presidency of the G7 to ensure the greatest impact for this EU endeavour.

- Counter hybrid warfare and strengthen security at our borders

The EU's Eastern border neighbouring Russia and Belarus is being subjected to tactics of hybrid warfare. Not only are Russia, and Belarus as its proxy, engaged in a war of aggression against Ukraine, but they are exercising pressure on the EU's external border

by weaponising people, undermining the security of our Union. We need a clear and determined European response to counter these activities, while not allowing Russia and Belarus to use our own values against us.

One of the first tasks of the Commissioner for Internal Affairs and Migration will be to work with Member States and stakeholders on preparing and responding to hybrid attacks and instrumentalisation of migrants. This should be complemented by strong diplomatic outreach to countries of origin to raise awareness and prevent a deterioration of the situation, as well as a strong legal framework to engage the responsibility of transport operators, for which a proposal by the Commission is still on the table awaiting agreement.

With regard to the security threats that may be posed by those arriving in the EU from Russia, we are working with Member States to achieve a more harmonised approach to the issuance of visas aiming for greater clarity by the end of the year. While the visa refusal rate is higher than before the war, there is an opportunity to send a stronger message to the Russian people about the consequences of Putin's war of aggression.

Generally, we will continue to promote integrated border management, while starting reflections on how best to strengthen the operational capabilities of Frontex, including as regards reinforcing cooperation and deployment in third countries.

- *Work on designing innovative ways to counter illegal migration*

I have tasked the Commissioner for Internal Affairs and Migration to steer reflections on operational solutions that will help to counter illegal migration and address the proposals many Member States have made in this area, respecting EU principles and values, obligations under international law, and the protection of fundamental rights, while ensuring sustainable and fair solutions for the migrants themselves.

We are already committed to review, by next year, the concept of designated safe third countries. UNHCR and IOM are ready to work with the EU on a whole-of-route approach, helping those seeking asylum without having to embark on dangerous journeys across the Mediterranean. We should also continue to explore possible ways forward as regards the idea of developing return hubs outside the EU, especially in view of a new legislative proposal on return. With the start of operations of the Italy-Albania protocol, we will also be able to draw lessons from this experience in practice.

- *Address the challenges stemming from the conflict in the Middle East*

More than one million people have been displaced in the last few weeks, with significant numbers moving into Syria, and with a clear potential for further international displacement. We need to work on contingency planning both for ourselves and our partners.

Our latest announcement of additional humanitarian assistance worth EUR 30 million for Lebanon, brings the total to over EUR 100 million for 2024 to help those in need, but more support will be required. We are already working closely with Lebanon and the first half of our EUR 1 billion package is being rolled out, strengthening basic services such as healthcare, social protection and education for people in Lebanon, including Syrian refugees and host communities, and supporting border management and the fight against smuggling.

As regards the situation of Syrian refugees, we are exploring with UNHCR the conditions and options for the safe and voluntary return of Syrian refugees, while stepping up our work on early recovery in Syria.

- Set out a way forward for Ukrainians in Europe

Around four and a half million Ukrainians are currently under temporary protection in the EU, and their exceptional status has been extended until March 2026. We should urgently reflect together on the way forward, respecting Ukraine's own needs, the limits on our resources, and respecting the rights of all those involved. Based on that reflection, the Commission will be able to present proposals that would ensure the necessary legal certainty to continue managing the situation as long as necessary. The Commission will also explore ways to support Member States hosting large numbers of refugees from Ukraine.

- Preserve and strengthen Schengen

We work together to strengthen our external border so as to benefit from an area of freedom, security and justice in the Schengen area. The reimposition of border controls should be a measure of last resort, exceptional and proportionate to the threat identified.

The new Schengen Borders Code that entered into force in July specifies the obligations on Member States to respect these principles. The Commission is eager to facilitate consultations between concerned Member States, and together we must defend the societal and economic benefits that our Schengen area without border controls has brought. This is crucial also for our objective of improving competitiveness. We should also move forward with the final stages of the removal of checks at land borders with Schengen's newest members Romania and Bulgaria. This will be a powerful symbol of the vitality and adaptability of Schengen today.

Overall, we must continue to pursue a comprehensive approach to managing migration. This must combine strong internal and external action, with more effective protection of the EU's external borders and resolutely fighting migrant smuggling, addressing instrumentalisation of migration as a hybrid threat, stepping up returns and developing

mutually beneficial comprehensive partnerships, which help to address root causes of migration, while also supporting the EU's objectives on visa policy alignment and readmission. Increased legal migration possibilities can help encourage our partners to tackle irregular departures and cooperate with us on readmission, deterring migrants from placing their lives in the hands of smugglers – while also contributing to meeting the Union's labour market needs.

This is a set of European solutions for a European challenge. We must also work together on ensuring adequate European funding for them, as we reflect on the future multiannual budget of the Union. We have an intense legislative and operational agenda ahead of us, and we must make sure that our resources match our ambition. For more details of our activities, I invite you to consult the annex to this letter. I look forward to the next European Council, to keep advancing our common work on migration.

Yours sincerely,

Ursula von der Leyen