



Wilfried
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The New Pact on Migration

IN FOCUS

A Set of Innovative Proposals with
an Uncertain Outcome

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Summary¹

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The New Pact on Migration and Asylum represents a welcome step in the reform of Europe's asylum and migration policies. By favouring a reduction in irregular migration headed to the EU, increased refugee resettlements, greater external border protection and more efficient asylum procedures, the Pact represents a step towards a sustainable interpretation of the Refugee Convention by the EU and its members.

The Pact attempts to break an EU legislative deadlock by making concessions to a group of recalcitrant member states concerned about migrant relocations from the bloc's southern states. This may become a winning formula if the states that are intended to benefit from migrant relocations can be reassured that the proposed compensatory measures, such as return sponsorships and logistical and personnel 'contributions', will make up for the lack of relocation places offered by non-front-line member states.

As the Pact aims to decrease the overall burden of asylum cases on Europe by pre-screening asylum applicants and implementing border asylum procedures, considerable personnel and administrative capacity will be required to handle these procedures. Despite Commission proclamations, the Dublin system for allocating member state responsibility for handling asylum claims will undergo only

¹ I would like to thank an anonymous interviewee for providing useful insights into the New Pact proposals, and Vladimír Šimoňák and Claudia Cajvan for their useful comments.



a minor reform. However, the newly proposed instruments for responding to migration crises are long overdue.

The proposed nationally handled return sponsorships are welcome as a solidarity tool to assist those member states that are under pressure from illegal border crossings. Nevertheless, it is not clear whether continuing to leave repatriations to national governments is going to increase the rate of migrant returns, which currently is dismally low. The envisaged appointment of an EU return coordinator should, with time, assist the EU institutions and national administrations to firmly incorporate the repatriation agenda into their foreign policies. In the long run, shifting the execution of the returns policy to the EU level may be the most effective way of improving the rate of repatriations.

Although following the publication of the New Pact all the member states have indicated a willingness to negotiate, it is going to require considerable patience and goodwill to reach an agreement that will satisfy national sensitivities while also serving the overall EU interest.

Keywords New Pact on Migration and Asylum – Migration – Asylum – EU – Migrant returns – Solidarity

Introduction

On 23 September 2020 the European Commission presented its *New Pact on Migration and Asylum*, a highly anticipated set of proposals.²

The New Pact is not a pact. No national government or EU legislator has put their signature to it. The proposed measures will have to be negotiated in the Council and in the Parliament. It is not clear if the member states will insist on adopting the set of legislative proposals *en bloc*, or whether a piecemeal approach will be taken. It seems certain that the plans will be debated in European and national political fora in the coming months and perhaps years. Until these proposals are adopted by the Council and Parliament, existing EU asylum legislation from 2013 will continue to apply.

² European Commission, 'New Pact on Migration and Asylum: A Fresh Start on Migration in Europe', 23 September 2020.



This *In Focus* provides an initial assessment of the New Pact proposals. It first compares the overall approach to asylum reform of the Juncker Commission with that of the von der Leyen Commission. It then looks into the three main strands of the New Pact proposals: the external dimension of EU migration policy, border management and asylum procedure, and solidarity. It concludes with a brief reflection on the questions of repatriations, solidarity and the interpretation of the existing human rights instruments.

The Juncker Commission: the Agenda on Migration versus reality

The Juncker Commission (2014–19) and the von der Leyen Commission (2019–) have taken markedly different approaches to the reform of Europe’s migration and asylum system.

Responding to growing irregular migration pressures, the Juncker Commission proposed *A European Agenda on Migration* in May 2015.³ This agenda consisted of four ‘pillars’ or sets of policies: reducing the incentives for irregular migration, better border management (including saving lives in the Mediterranean), a stronger common asylum policy and a new policy on legal migration. Temporary and permanent relocation schemes were part of the proposals, intended to ease the burden of asylum processing that had befallen the southern states, which had become exposed to flows of irregular migrants from Turkey and Africa. The Agenda envisaged a strengthening of the EU’s border agency, and introduced a new instrument of ‘hotspots’, or asylum registration and processing centres, in the front-line states.

The 2015 European Agenda did lead to some progress in the development of a more coordinated EU policy. However, some of its core elements, such as the idea of permanent mandatory relocations, were blown apart by vociferous national responses. Other elements, such the establishment of hotspots in Italy and Greece were put in place and continue to work, although with great difficulties.

³ European Commission, *A European Agenda on Migration*, Communication, COM (2015) 240 final, 13 May.



But the most important initiatives currently in place were not included in the *European Agenda on Migration*. The EU–Turkey agreement of 2016, which has played a decisive role in stemming the flows of irregular migrants from Turkey, came to light thanks to the foresight of German Chancellor Merkel who, along with Dutch Prime Minister Rutte, negotiated a deal with Turkish President Erdoğan. This deal, which was acceptable to all the EU member states, has ensured EU financial support for millions of Syrian refugees outside the EU territory. It was the acute perception of the danger of uncontrolled migration flows, rather than legislative planning, that led to the agreement being settled by the member states in a matter of weeks.

Separately, and also led by the realisation that purely national border protection is inadequate to the geopolitical realities of Europe’s volatile neighbourhood, the member states agreed to exercise unprecedented collective action in the area of border management. As was the case with the EU–Turkey agreement, the decision to transform Frontex into a self-standing EU law-enforcement agency went beyond the recommendations of the 2015 *European Agenda*. In the absence of collective protection of the EU border, the member states agreed precisely on such a collective action. The legislation adopted in 2019 will gradually endow the European Border and Coastguard Agency (Frontex) with its own standing corps of 10,000 officers.

Some points from *A European Agenda on Migration* never came to fruition: the goal of a stronger common asylum policy became stuck in the Council due to irreconcilable differences over a permanent system of relocation as well as disagreements on asylum procedures. Also, a ‘new policy on legal migration’ did not materialise because political energy across the EU had been exhausted by the conflicts in the area of irregular migration.

The von der Leyen Commission: the New Pact on Migration

The Juncker Commission can be credited with consistency in the way it put forward ideas such as mandatory relocation (along with financial punishment for non-compliance). However, it cannot be credited with



a willingness to consult on its proposals with the member states to ensure their political acceptability.

Having learned the lessons of what the new Commission now openly acknowledges was a failure of the Juncker Commission, Vice-President for Promoting our Way of Life Margaritis Schinas and Justice and Home Affairs Commissioner Ylva Johansson embarked on an ambitious consultation exercise with the EU national capitals. Between the autumn of 2019 and summer of 2020, Schinas and Johansson spoke with prime ministers and interior ministers to consult on a new reform attempt under the title *The New Pact on Migration and Asylum*.

The Commission presented the resulting proposals on 23 September 2020. Despite the prior extensive consultations, the proposals remained confidential until the day of presentation. Some member states' reactions seemed to indicate that the legislative proposals presented were a surprise to them.

The European Commission's Staff Working Document that provides the data to justify the proposals is an impressive one in terms of scope and tone. The document is probably the most hard-hitting analysis of the weaknesses of national and EU-level asylum, border-management and migration systems ever produced by the European Commission. For example, the document provides original insights on the disjointedness of some of the national asylum and return mechanisms.⁴

The legislative and non-legislative proposals from the Pact will now be subject to extensive negotiations with the member states and with the European Parliament. According to Schinas,⁵ the presentation of the Commission's proposals represents only some 25% of the work required to have the Pact approved and signed by the member states and the Parliament.

The submitted proposals are multiple and complex. Several pieces of asylum legislation which had already been politically agreed in the previous

⁴ European Commission, Commission Staff Working Document Accompanying the Document Proposal for a Regulation of the European Parliament and of the Council on Asylum and Migration Management and Amending Council Directive (EC)2003/109 and the Proposed Regulation (EU)XXX/XXX [Asylum and Migration Fund], Staff Working Document, SWD (2020) 610 final, 23 September.

⁵ M. Schinas, speaking at the webinar 'The New Pact on Migration: Will the Member States Sign up?', Wilfried Martens Centre for European Studies, Brussels, 14 October 2020.



legislative term will be added to the package. Importantly, the Commission has announced that at the beginning of 2021, it will present a new strategy for the future of the Schengen zone, another crucial part of the migration and asylum policy puzzle.

Overall assessment

The proposals largely conform to what the European centre–right has been promoting for years: intensive engagement with third countries to prevent unauthorised migration, swifter asylum procedures and beefed-up border controls, and an asylum solidarity mechanism that can be accepted across the EU. Migrant returns, a contentious issue that the EU has been grappling with for decades, have been integrated with the asylum process and border management, but have also been turned into an issue of nationally executed and Commission-coordinated solidarity with those EU countries that are under pressure from irregular migration.

Another idea previously endorsed by European centre–right parties has found its way into the Pact. Examining EU asylum applications in locations outside the EU remains, at least theoretically, possible. According to Articles 4 and 6 of the draft Asylum and Migration Management Regulation, as well as Article 41a of the draft Asylum Procedures Regulation, screening of asylum seekers shall occur at locations ‘at or in proximity to the external borders’ and not on the territory of a member state. The meaning of these clauses is not completely clear. The draft Asylum Procedures Regulation mentions the establishment of transit zones as a manifestation of this provision. Nevertheless, the phrase ‘at or in proximity to the external borders’ could also mean undertaking screening on the territory of a third country, even though thus far, not a single non-EU country has volunteered to host any part of the EU’s extraterritorial asylum processing. Finally, these clauses might also allude to the ‘fiction of non-entry’, a legal tool already used by a number of member states, including Germany.

Planning for irregular migration emergencies has been an Achilles’ heel of the EU’s migration and asylum system for decades. The Commission has addressed this gap by submitting a proposal for a new regulation and an accompanying ‘blueprint’.

Recognising the need for the effective integration of newcomers and the importance of immigrant integration for the success of European migration



policies, the Commission has also announced an *Action Plan on Integration and Inclusion*, to be published later in 2020. This Action Plan is expected to provide strategic guidance that will include information on the role of regional and local actors and build on existing Commission initiatives such as Employers Together for Integration. Although according to the treaties immigrant integration is a national issue, it cannot be divorced from the debates on EU asylum and migration policy.

Closer examination of the New Pact reveals that there will be difficulties in implementing some of the proposals. The hope is that during the negotiations and subsequent policy execution, the member states will be able to guard their national interests while not losing sight of the objective to create a functioning EU asylum and migration policy.

External dimension of the EU migration policy

The external dimension of the Pact essentially amounts to measures to limit the number of illegal border crossings and the number of illegally staying non-EU nationals. The Commission promises to enter into win–win situations with countries in its neighbourhood. Tailored ‘talent partnerships’ with selected countries will offer legal migration routes, as well as support for job creation at home, in exchange for accepting repatriations of their nationals and ensuring better border control and, presumably, the prevention of unauthorised departures to EU territory.

Despite diplomatically denying the use of the term ‘conditionality’ in connection with the proposed talent partnerships, both Commissioner Johansson and Commission officials have admitted in interviews that the EU has a number of policy ‘levers’ to enforce third-country cooperation on readmissions and migration governance.⁶ ‘Lose–lose’ is the inevitable logical counterpart to any win–win scenario. Indeed, the Commission has presented last year’s amendments to the Schengen Visa Code⁷ as a tool to reward cooperation and punish a lack of it.

⁶ M. Reubecher, ‘Rückführung ist keine Raketenwissenschaft’, interview with Ylva Johansson, *Die Welt*, 27 October 2020.

⁷ European Parliament, ‘Legislative Train Schedule, Revision of the Common Visa Code’, 20 November 2019.



The Commission's stated support for resettlements of refugees from third countries is welcome as part of the aim to develop 'legal pathways' to Europe. The EU is currently the leading resettling entity in the world, a fact that often gets forgotten, both within the EU and externally. There is a lot of scope for the EU to do more on this front, not least in the sphere of its global communications.

No clauses of the Pact affect the EU's payments to refugees in Turkey in exchange for the country's prevention of irregular departures for Greece.

Given the problems encountered so far when engaging with countries in Africa and Asia (with notable exceptions, such as Turkey) on migration issues, an increased EU offer seems like the right way to proceed. However, it remains to be seen whether the different departments of the European Commission will be able to reach across their departmental agendas in the spirit of cooperation. It also remains to be seen whether the European External Action Service can overcome its aversion to including migration policies in diplomatic relations. The hesitant approach that the Commission and the European External Action Service are taking to negotiating the 'post-Cotonou' agreement between the EU and the Organisation of African, Caribbean and Pacific States does not provide cause for optimism in this regard. And finally, it remains to be seen whether the member states will be willing to assist, in their foreign policies, with achieving the EU's priorities on migration.

Asylum management and borders

The second group of measures concerns asylum and border management. Although in presenting its proposals, the European Commission is claiming to 'put to bed' the current system of allocating responsibility for irregular arrivals, the so-called Dublin system, it is not immediately clear how much will change in practice. The proposal for the Asylum and Migration Management Regulation does add new criteria to the list of factors that determines the country responsible for handling an asylum claim. The new criteria include the applicant already having siblings in a member state and the applicant having obtained education in a member state. The criterion of irregular entry onto the territory of a member state remains.



The additional criteria are unlikely to substantially shift the burden of asylum processing away from the southern front-line states. Arguably, the Commission's room for manoeuvre has been limited in terms of fundamentally altering the allocation of responsibility for asylum seekers and irregular migrants. As Vice-President Schinas put it, in order to abolish the criterion of irregular entry, there would have to be 100% relocation of asylum seekers from day one of their irregular arrival.

Changing the irregular-entry criterion would go against the logic of migration management, which commands that unsuccessful asylum claimants are expedited from the EU territory as quickly as possible. It would also only encourage further unauthorised movements to several desirable destination countries in northern and western Europe, such as Germany and Sweden.

The Commission is also proposing a merger of asylum and return processes, a laudable initiative given how separate the two are in a number of member states, resulting in poor effectiveness and the absconding of returnees. The merger should allow a significant shortening of the time between the rejection of an asylum claim and commencement of the return procedure.

The Commission's insistence on monitoring and investigating alleged push-backs by national border agencies and Frontex will need to be accompanied by commensurate insistence on speedy repatriations, which would be assisted by the 'return coordinator'. This coordinator, yet to be appointed, is intended to be supported by a 'High-Level Network on return and readmission, putting together high-level representatives of the member states and Frontex.'⁸

The Commission's other proposal, on screening and asylum border procedures, is meant to mitigate the problem of the EU operating a relatively open entry channel without having an effective exit channel in place. The concepts of screening and asylum border procedures are not new. They exist on national and EU legislative books and are used, among other things, to determine the admissibility of asylum claims and conduct security checks. Some countries, including France, use asylum border procedures at airports. The limited use of screening and border procedures is due to their requirement for administrative and personnel capacity, inefficient

⁸ European Commission, *Commission Staff Working Document*, 89.



national administrations and, with regard to border procedures, legislative limits on the detention of asylum seekers. In addition, member states use these procedures in varying ways. This inconsistency contributes to abuses of the EU asylum system.

The New Pact gives these procedures a higher profile and promises EU support to national administrations and more efficient registration databases. The proposals emphasise the importance of compulsory screening and registration immediately on irregular entry. Nationals who come from countries with low asylum-recognition rates, with exceptions for unaccompanied children and families with children under the age of 12, would be subject to swift border procedures.

Nevertheless, the Commission has proposed only minor changes on the detention of asylum seekers. As is currently the case, it will be up to national bodies to determine whether to detain individuals within the broad parameters set by EU legislation.

The Nice terror attack on 29 October 2020 highlights the importance of automatically detaining irregularly arriving migrants. In this particular case, a Tunisian national arrived in Italy by boat on 20 September. After quarantining him on a ship, the Italian authorities registered him and served a deportation order. A background check did not reveal any security issue and he was let go. Instead of returning to Tunisia, he travelled to France where he went on killing three people.

Solidarity mechanisms

Finally, the von der Leyen Commission has taken a new approach to the delicate question of solidarity between the member states when it comes to carrying the burden of asylum claims. Under the banner of ‘permanent effective solidarity’, the Commission promises that a member state under migration pressure would be able to ‘push the solidarity button’ at any time.⁹

The Commission would conduct an annual planning exercise of collecting ‘solidarity offers’ to form a ‘solidarity reserve’ of member state commitments to relocate asylum seekers, to undertake ‘return sponsorships’ (see below), or to contribute material assistance and personnel. A ‘solidarity forum’

⁹ M. Schinas, speaking at the webinar ‘The New Pact on Migration: Will the Member States Sign up?’.



would be called if the solidarity reserve were not sufficient to respond to an ongoing migration crisis. If this forum did not produce sufficient results, the Commission would mandate an increase in member state solidarity.

The means of exercising solidarity is another invention of the New Pact. Doing away with previous proposals to mandate asylum seekers' relocations to each member state, the Commission, aware of political constraints, has devised a new alternative, return sponsorships. Asylum-seeker relocation would not be mandatory for any member state under any circumstance. Instead, a member state could opt to try to return an individual from a member state under migration pressure.

For example, instead of relocating an Eritrean asylum seeker from Italy to Czechia, the Czech government could return a failed Senegalese asylum seeker from Italy to Senegal. If the repatriation had not been successful after eight months, the Czech government would have to bring the Senegalese individual to the Czech territory to continue the effort to return him to Senegal. Although it is not specified in the Commission proposal, it would be difficult to imagine how the Czech government would secure the Senegalese national to prevent him absconding without detaining him.

If a member state contributes personnel, equipment or logistical assistance, and if the type of offer is judged as adequate by the Commission, that member state's obligation to relocate asylum seekers or to return illegally staying individuals would be reduced by up to 50%. The Commission would financially reward those member states that opt for relocations.

Implementation

In the Communication that accompanies the New Pact, the European Commission restates its preparedness to commit EU agencies, such as the proposed European Union Agency for Asylum, to better monitoring of the implementation of the existing and new rules at the member state level. It also indicates its preparedness to resort to infringement proceedings where necessary.¹⁰ Hopefully this commitment will be matched with legal action where merited, without the EU bodies fearing political repercussions for their insistence on the rule of law.

¹⁰ European Commission, *A New Pact on Migration and Asylum*, Communication, COM (2020) 609 final, 23 September, 6.



If the plans contained in the New Pact are adopted, the bulk of their implementation will lie with the national capitals despite increased capacity at the EU level. Increased political, legal, administrative, logistical and financial capacity will be needed to implement the proposals. No Commission document can make up for the political will of the member states.

As yet, there have been few indications that member states are realising the need to commit additional capacity to their asylum and migration administrations or, equally important, of an increased willingness to assist fellow member states under migration pressure. The member states that provide assistance will need to be reassured that the receiving front-line member states have sound asylum and migration procedures and reception conditions in place to make effective use of the assistance provided.

If the New Pact is indeed signed by the legislators, national and EU-level asylum-management machinery will have to be enlarged to fully execute functions such as screening and asylum border procedures.

Conclusions and recommendations

The overall thrust of the proposals contained in the New Pact goes in the right direction. Proposals such as return sponsorships; measurable logistical, administrative and personnel contributions; the solidarity forum; and the return coordinator are innovative. The new crisis-management mechanism should be welcomed by anyone who observed the destructive political consequences of the 2015–16 migration crisis. Alongside the determination to increase the EU's justice and home affairs diplomacy, develop tailored talent partnerships with third countries, boost refugee resettlements and secure the external border, these measures support the existing positive trend of balancing the EU's human rights commitments with the need to maintain democratic support for the bloc's asylum and migration policy.

As for screening and the border procedures, it is difficult to imagine how they could work without empowering national executives to be able to automatically detain arrivals in order to prevent absconding during the 12 weeks proposed as the maximum time for conducting the asylum border



procedure. Unaccompanied children should be exempt from automatic detention.

The new idea of offering different options for solidarity contributions by the EU's members opens up the potential for new conflict among the member states. In the zero-sum game of participating in solidarity and sharing responsibility for asylum cases across the EU, there is a danger of setting the parameters in such a way that there will be winners and losers among the member states. The Commission is aware of the travails of such an approach, and has set expectations with slogans such as 'No one will like the new EU migration pact'.

This complex solidarity mechanism is, no doubt, a response to the complex challenge of organising solidarity among often unwilling member states. While a better mechanism for sharing solidarity has not been proposed, the ability of the EU's smaller states to return people to their home countries in Africa and Asia is limited. Their diplomatic clout is smaller than that of Germany or France.

In the long run—and going beyond the proposals in the New Pact—the office of the EU return coordinator could be turned into a fully-fledged mechanism for EU-executed migrant repatriations. Such a procedure would not require a change to the treaties if all the member states opted for a voluntary transfer of the responsibility for repatriation to the EU level.

Returning to the present Pact, it remains to be seen whether the member states will accept the solidarity mechanism as proposed by the Commission and whether it will work in practice. There are no simple solutions to the challenge of organising solidarity inside a common migration space.

As for the half-hearted reform of the existing system for allocating responsibility for asylum claims, the problem is perhaps not in the criterion of irregular entry but rather in the overly generous interpretations of the Refugee Convention by European courts. Following judgments of the European Court of Justice and the European Court of Human Rights, front-line states are obliged to allow entry onto their territory to anyone who illegally crosses their external border. The alternative is an illegal push-back to the country of departure.



In the long run, Europe will not be able to live with such a stark contradiction between the existing interpretations of its human rights obligations on the one hand, and the geopolitical reality of strong irregular migration pressures, sometimes bringing in groups of migrants without valid asylum claims. The Afghanis currently attempting to cross from Turkey to Greece and the Tunisians heading to Italy are cases in point.

The Commission's insistence on preventing push-backs will therefore need to be accompanied by guidance for the member states on how to secure their borders, a supreme function of a state. The political and administrative costs of exposure to illegal border crossings for countries such as Greece, Malta, Cyprus, Croatia and Spain cannot be underestimated. The EU bodies' high-level support to Greece during the March 2020 border and migration crisis shows that these institutions are aware of these costs. It is not clear if this support will continue in situations of much lower but still significant pressure, as currently prevail.

In the interest of good migration management, it would be advisable that the Commission, especially in its external communications, emphasise that the EU's borders are closed to illegal entries but that the EU is supporting refugees globally and will continue to do so. In addition, it should be stressed that the EU is open to controlled refugee resettlements administered with the assistance of the office of the UN High Commissioner for Refugees.

As in the legislative period 2014–19, it is possible that migration realities will force the member states' hand in a manner not envisaged in the Commission's proposals or that events will, in fact, speed up agreement on parts of the proposed portfolio. The hope is that the New Pact proves adequate to the immigration and geopolitical realities in which the EU finds itself.

Appendix: package of proposals

While the Commission has proposed a number of new legislative acts, it has retained a number of bills proposed but not adopted in the 2014–19 term. The Commission has also announced that it will submit further legislative proposals in the near future. In addition, it has submitted, or announced that it will submit, a number of non-legislative proposals.



Legislative proposals

- Asylum and Migration Management Regulation, including a new solidarity mechanism
 - to improve planning, preparedness and monitoring at national and EU levels
- Regulation for screening third-country nationals at the external borders
- Regulation addressing situations of crisis and force majeure, repealing the Temporary Protection Directive, and attached Commission Recommendations (also called the Migration and Preparedness and Crisis Blueprint)
 - to immediately grant protection in crisis situations

Withdrawal of legislative proposals

- Dublin IV Directive

Amended versions of previously submitted legislative proposals

- Asylum Procedures Regulation
 - introducing an 'end-to-end' border procedure covering asylum, and where relevant returns, following pre-entry screening; simpler asylum rules
- Eurodac Regulation for the comparison of biometric data from fingerprints
 - to support the data needs of the new framework for EU asylum and migration management; changes include counting individual applicants rather than applications

Unchanged legislative proposals submitted by the previous Commission that have been retained

- Regulation on the EU Asylum Agency (political agreement already exists)



- to ensure full operational support to member states on asylum procedures whenever needed, greater convergence across the EU in the assessment of protection needs and reception conditions, and monitoring of member state practices
- Qualifications Directive (political agreement already exists)
 - to ensure greater convergence of recognition rates across the EU and to discourage unauthorised movements within the EU
- Reception Conditions Directive (political agreement already exists)
 - to ensure asylum seekers are received under harmonised and decent conditions throughout the EU and to prevent unauthorised movements within the EU by imposing reporting obligations on asylum seekers; to ensure earlier access to the labour market and education for children
- Union Resettlement Framework (political agreement already exists)
 - to ensure safe and legal pathways for those in need of protection and to provide a stable framework for the EU contribution to global resettlement efforts
- Return Directive (proposal amended in 2018)
 - to speed up return procedures, better prevent absconding and secondary movements, and increase effective returns
- EU Blue Card Directive

Non-legislative proposals

- Commission Recommendation on cooperation among member states concerning operations carried out by private entities for the purpose of search and rescue
 - Guidance for the member states (Q3 2020)
 - European expert group (Q4 2020)
- Commission Guidance on authorised entry, transit and residence
- Commission Recommendation on legal pathways to protection in the EU



- Strategy on voluntary returns and reintegration (Q1 2021)
- Strategy on the future of Schengen (Q1 2021)
 - a Schengen Forum (Q4 2020)
- *Action Plan Against Migrant Smuggling* (Q2 2021)
- a set of non-legislative initiatives for working with international partners¹¹
 - this includes annual reports by the Commission on levels of cooperation with relevant third countries; visa measures to be used as leverage
- a comprehensive *Action Plan on Integration and Inclusion* (Q4 2020)
- implementing the renewed European Partnership for Integration with social and economic partners (Q1 2021)

Legislative proposals to be submitted in the future

- a Skills and Talent Package (Q4 2021), including
 - revision of the Long-term Residents Directive
 - a review of the Single Permit Directive

Other documents and proposals

- *Communication from the Commission on a New Pact on Migration and Asylum* (summary of the proposals)
- 'Roadmap to Implement the New Pact'
- *Commission Staff Working Document on the New Pact* (with detailed qualitative and quantitative analysis and assessment)
- appointment of a return coordinator (Q1 2021)
- assessment of the strengthening of the Employers Sanctions Directive (Q4 2020)

¹¹ See European Commission, 'Roadmap to Implement the New Pact', Annex to European Commission, *A New Pact on Migration and Asylum*, Communication, COM (2020), 609 final, 3.



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