# Back to Schengen: Commission recommends phasing out of temporary border controls over next six months

Whilst the overall situation continues to stabilise, there are still a significant number of irregular migrants and asylum seekers in Greece. That is why, as a precautionary measure and whilst alternatives are put in place, the Commission is recommending that the Council prolong controls for the last time, meaning they will have to be lifted in six months' time. During this time, as in the previous periods, controls should only be carried out in a targeted and limited manner and only as a means of last resort. At the same time, the Commission is calling on Member States to increasingly make use of alternative measures that can provide the same level of security, such as proportionate police checks in border areas and along main transport routes. To that effect, the Commission has today also presented a Recommendation on proportionate police checks and police cooperation in the Schengen area.

First Vice-President Frans **Timmermans** said: "Thanks to our joint efforts, our external borders are now stronger and more secure. By working together it is possible to have both security and freedom of movement. This means that in six months' time we will get back to a fully functioning Schengen area without internal border controls."

Commissioner for Migration, Home Affairs, and Citizenship Dimitris Avramopoulos said: "The time has come to gradually return to a fully functioning Schengen system, and today we propose the concrete steps to do it. We recommend that temporary Schengen internal border controls be prolonged for one last time but call on Member States to phase them out, at the same time as compensating with proportionate police checks across their territory."

Commissioner for the Security Union Julian **King** said: "The security of one Member State is the security of all Member States, and this includes exercising their police powers, where needed and justified. We encourage Member States to cooperate together as much as possible in operational police work, using all available tools to enhance security within Schengen."

Important progress has been made in better securing the EU's external borders and limiting irregular migration over the past months. The full roll out of the **European Border and Coast Guard** Agency is progressing steadily since its launch on 6 October 2016; following the **EU-Turkey Statement**, irregular arrivals in Greece have decreased by 97%.

However, despite this progress, all of the conditions of the "Back to Schengen" Roadmap allowing for the lifting all internal border controls are still not fully in place today and the Schengen States concerned are still exposed to a risk of irregular secondary movements. An important number of irregular migrants and asylum seekers are still present in Greece and more

efforts are needed to accelerate the processing of asylum applications, increase relocation and to ensure the resumption of Dublin transfers to Greece. Further efforts are also needed to make the European Border and Coast Guard fully operational (see <a href="today's progress report">today's progress report</a> on the progress achieved and the work still needed in making the new European Border and Coast Guard Agency fully operational). The Commission therefore considers it justified that the Council allows the Schengen States concerned, as a last resort measure and only after having examined alternative measures, to prolong the current temporary internal border controls one last time for a limited period of six months.

In parallel, the Commission is also today recommending that all Schengen States make more effective use of proportionate police checks, including in border areas to remedy threats to public policy or internal security. The Commission considers that proportionate police checks could prove more efficient than internal border controls as they can be applied in a more flexible manner and are easier to adapt to evolving risks. While in some circumstances (for example following a terrorist attack) it may be evident from the outset that police checks alone are not sufficient, in other cases, similar results to those of internal border controls can be achieved by stepping up police checks in border areas. Member States should give precedence to police checks before introducing or prolonging temporary internal border controls.

Member States should also strengthen **cross-border police cooperation**, for example through joint police patrols in cross-border trains, joint threat analyses and enhanced cross-border information exchange. To effectively **prevent irregular secondary movement** without having to reintroduce internal border controls, the Commission recommends that Member States fully apply existing bilateral agreements that allow for the swift bilateral return of third-country nationals.

#### Next Steps

The Council now needs to take a decision on prolonging controls, based on the Commission's recommendation. This is the last time a prolongation of these controls is legally possible under EU rules.

Looking to the future, the Commission is committed to ensuring that the tools already in place are fully used and that the situation is further stabilised.

#### Background

The combination of serious deficiencies in the management of the external border by Greece at that time and the significant number of unregistered migrants and asylum seekers present in Greece who may have sought to move irregularly to other Member States, created exceptional circumstances constituting a serious threat to public policy and internal security and endangering the overall functioning of the Schengen area. These exceptional circumstances led to the triggering of the safeguard procedure of Article 29 of the Schengen Borders Code and the adoption of the <a href="Council Recommendation">Council Recommendation</a> on 12 May 2016 to maintain temporary proportionate controls at

certain internal Schengen borders in Germany, Austria, Sweden, Denmark and Norway for a period of six months.

For more information

<u>Proposal for a Council implementing decision setting out a Recommendation for prolonging temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk</u>

<u>Commission Recommendation on proportionate police checks and police</u> <u>cooperation in the Schengen area (DISCLAIMER: This is a pre-finalised version</u> of the text. Formal adoption will take place on Thursday 4 May)

Questions and answers: Temporary internal border controls, police checks and police cooperation in the Schengen area

FACTSHEET: The Schengen Rules Explained

Back to Schengen - A Roadmap

Third Report from the Commission to the European Parliament, the European Council and the Council on the operationalisation of the European Border and Coast Guard

FACTSHEET: European Border and Coast Guard

## Remarks of High Representative/Vice-President Federica Mogherini at the joint press point following the meeting with the State

Check against delivery!

It was really an honour, a pleasure for me to welcome the State Counsellor here to Brussels, to the EU institutions, for her first official visit after the formation of the government one year ago. I take it as a particular honour also the fact that, in her first visit to Europe, she is visiting the European institutions.

It is really a sign of recognition of our strong friendship, partnership that has deep roots and also very concrete elements in the work we do together. I started by thanking her for a very <u>warm message she delivered</u> on the relevance of the European Union on the occasion of the  $60^{\text{th}}$  anniversary of

the Treaties of Rome. This might not be the central point of the relations between the EU and Myanmar, but seeing how our friends and partners in the world value the partnership with the European Union is something that us Europeans should keep in mind a bit more often and hearing her words on that occasion was particularly important — for me personally and I believe for all of us.

We discussed during a very warm, useful, frank, open, interesting and lively discussion today first of all the ways in which the European Union can continue to support, in the best possible way, the democratic transition of the country, the peace and reconciliation process. The European Union is one of the few international signatories of the Peace Agreement [Nationwide Ceasefire Agreement] as a witness and so we exchanged views on how we can — even better and more — support this process, which is fully in the hands of the people of your country, but that needs to be accompanied by all those who believe in democracy, peace and reconciliation. Any reconciliation and peace process needs time, energy, determination, political leadership that Aung San Suu Kyi has shown in a remarkable manner over decades and in these last months, in very difficult conditions. This is what the European Union continues to support and will continue to support with all our means and all our strength — both politically and financially.

We have also discussed our humanitarian support. Commissioner Stylianides has joined us during our meeting; he will visit Myanmar next week and we took also the opportunity also to prepare his visit. We also discussed the political process; perspectives for the change in the Constitution. We also discussed the situation in Rakhine State that is for us an area of concern but also an area where we are providing key humanitarian support for all communities. This will also be part of the work the that Commissioner Stylianides will do next week.

We also exchanged views on the broader regional situation — the work that the European Union is doing with ASEAN [Association of Southeast Asian Nations], strengthening ourpartnership in many different fields and the fact that we will be in Myanmar in November with all the EU Foreign Ministers for the EU-ASEAN Ministerial Meeting that her excellency will host and chair. That will be another occasion for us to meet and continue our cooperation that, as I said, is for the European Union a key partnership, and if I can, also a key way to show and live in concrete ways our friendship with the people of the country — all of them — in this new era that the country as started to live.

Any new era is a challenge, is difficult, is interesting, but mainly is difficult. Friends are there to accompany difficult processes; that's what the European Union is determined to do. Sometimes we have some bumpy moments ahead of us but the determination, the sense of direction is the same: that of strengthening and supporting the democratic transition and the reconciliation process in the country, knowing all the challenges that are ahead but in a sense of respect, friendship and mutual understanding and support.

I thank you very much for the honour you gave us of being here today.

Q. I just wanted to ask both of you, actually, what exactly the High Representative has encouraged you to do with regards to the Rakhine and whether you believe that any of her suggestions might be things that you'll be putting into practice? If there's anything specific you can tell us about your discussions on that issue?

I can confirm completely what Aung San Suu Kyi just said. For us what is essential is that the living conditions of all communities are improved as a matter of urgency. Let me start by saying that we always condemn any forms of violence, including the ones that took place on 9th October [2016]. And we did it, I think, as the first international actor, condemning and publicly denouncing attacks on the security forces. We believe that all communities need to see an improvement in their lives and we discussed mainly how we can better support the authorities in the country to implement the recommendations of the Annan report. This is, for us, the roadmap. We have appreciated the determination and the endorsement that the State Counsellor made clearly about the recommendations and indications of the Annan report and we believe that is the way forward. So the fact of the matter is that we are ready to support and we discussed practical ways in which, including through humanitarian aid, the European Union can help and support the full implementation of the measures indicated in the report.

Q: This is a question for both of you. What is your position on the calls for an international investigation into the situation of the Rohingya?

The decision by the [United Nations] Human Rights Council to dispatch an independent international fact finding mission is probably one of the very few issues of disagreement between us, if I can say so. Actually, I have not detected any other. We believe that this can contribute towards establishing the facts for the past provided that, as we said before, we fully agree on the need to work together on the way forward. The fact finding mission, to our understanding, is focussed on establishing the truth on the past and we agree on the need to focus on the future and the implementation of the recommendations that are included in the Annan report as I said.

Thank you.

# 5 ways SNP councils will deliver for young people

On Thursday people across Scotland will go to the polls to elect their local council.

#### News story: UK troops deploy to South Sudan to support peacekeeping mission

Touching down in country today, an additional 35 UK military personnel will join the current UK presence providing support to the UN Mission in South Sudan (UNMISS).

This latest addition to the British contingent will provide engineering support to the UN mission, undertaking projects such as the construction of a jetty on the River Nile, helicopter landing sites and other infrastructure improvements, and will be based mainly in Malakal.

In particular, the Royal Engineers will support the construction of a temporary field hospital in Bentiu. On completion of this, a permanent hospital facility, which will support over 1,800 UN peacekeepers and UN staff, will be constructed. These hospitals will be staffed by medical personnel drawn from all three services.

This latest arrival means around 240 British personnel are now based in South Sudan, primarily split between Malakal and Bentiu in support of UNMISS.



The latest deployment of British troops has arrived in South Sudan. Picture: UNMISS.

Along with a small number of staff officers in the UNMISS headquarters in Juba, the total number of UK military deployed will rise to nearly 400 over the coming months, making it one of the UK's largest operational deployments across the world.

### Meeting between the High Representative/Vice-President Federica Mogherini and the Foreign Minister of Mongolia Tsend Munkh-Orgil

Today, the High Representative of the European Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, Federica Mogherini received Mongolia's Minister of Foreign Affairs, Tsend Munkh-Orgil.

HR/VP Mogherini and Minister Munkh-Orgil reviewed the current excellent cooperation between the European Union and Mongolia, which has recently delivered a number of practical results. In particular, the European Union

has tailored its development assistance in support of Mongolia's ongoing structural reforms and has strengthened cooperation on trade-related issues to support Mongolia in improving its business environment and diversifying its economy. HR/VP Mogherini and Minister Munkh-Orgil looked forward to the further intensification of the EU-Mongolia relationship via the EU's ongoing work to strengthen its presence in Ulaanbaatar and the upcoming conclusion and entry into force of the EU-Mongolia Partnership and Cooperation Agreement.

The High Representative and the Minister discussed foreign policy issues notably developments on the Korean Peninsula and political, security and economic dynamics across Eurasia. They both agreed that the EU and Mongolia share common values and a common interest in a stable and prosperous northeast Asia, underpinned by open markets and the rule of law.