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| From: | Presidency |
| To: | Permanent Representatives Committee/Council |
| Subject: | Addressing migration – Considering new ways to prevent and counter irregular migration |

Encouraging Member States to exchange views on “new and innovative” solutions in the field of migration is a top priority during the Hungarian Presidency. Therefore, starting with the informal meeting of Justice and Home Affairs Ministers on 22 July 2024, the Presidency has initiated a series of discussions on possible innovative approaches in the field of migration, with a special focus on enhancing European Union (EU) actions in the external dimension of migration and the need for a stronger return policy. In this context, on 16 September, Coreper held a comprehensive discussion on how to make the EU return system more effective, which showed the commitment of Member States to address all relevant aspects rapidly. During this exchange, a number of Member States mentioned “*return hubs*” as one of the potential “new” solutions that should be further explored.

At the Justice and Home Affairs Council of 10 October 2024, Ministers agreed that the review of the current legal framework for returns should enable possible innovative solutions such as the “*return hubs*”. They emphasised that the feasibility of these solutions should be carefully examined by experts, while ensuring full compliance with EU and international law, and with a strong commitment to upholding fundamental rights. With the aim of exploring the operational aspects, the Strategic Committee on Immigration, Frontiers and Asylum – SCIFA held a strategic discussion on the concept of “*return hubs*” at its meeting of 14 November 2024. The aim of the discussion was to explore key preconditions and safeguards related to the concept. The discussions will continue at expert level to analyse the technical and legal aspects of the concept with the aim to guide the further work on this matter.

Finally, an initial discussion linked to the upcoming revision of the *safe third country concept* will take place at Coreper on 11 December.

In parallel to these discussions on innovative solutions, on 30 October Coreper discussed the voluntary return of Syrian refugees on the basis of a non-paper presented by the Commission, which was followed by an informal breakfast with UNHCR and IOM in early December.

As irregular migration to Europe continues to be a serious challenge, aggravated by multiple root causes, we are witnessing a major policy shift in Europe, which provides a new impetus for our work. A clear signal for this shift can be observed in the European Council conclusions of 17 October 2024, which stressed that “...*new ways to prevent and counter irregular migration should be considered...*”¹.

The Presidency would like to underline that turning certain “new” solutions into practice requires a wide range of initiatives in the external dimension of migration, while avoiding the unintended creation of new migratory routes or additional burden on the EU Member States. Developing new and deepening existing cooperation with our third country partners of origin and transit is instrumental in this endeavour. It is an integral part of the sustainable implementation process and an essential element for significantly reducing the number of illegal departures and further improving the situation of migrants, asylum seekers and refugees as closely as possible to their country of origin.

¹ Doc. 25/24, “European Council meeting (17 October 2024) - conclusions

The Presidency firmly believes that any viable “innovative” solution should be grounded in shared objectives, collaborative efforts and mutual trust, in line with the Team-Europe approach, and ensuring the support of multilateral and regional institutions as well. Options for any solution should also be first analysed from the practical feasibility point of view so that it gives a chance to agree on it with a given third country partner. These principles should serve as the guiding framework for our ongoing work, which may include the development of a comprehensive "toolbox" outlining the instruments at our disposal to fulfil our collective responsibility together with partner third countries. Measures that aim to facilitate and enable the cooperation of our partners who are willing to participate in implementing "new" initiatives should be based on utilising all relevant EU policies, instruments, and tools, including diplomacy, development, trade, and visas but also bilateral tools of particular Member States in the Team-Europe spirit. Measures such as enhanced reintegration support, assisted voluntary returns of irregular migrants residing in the partner country to their countries of origin, voluntary resettlement, dedicated capacity building and technical assistance, legal pathways in line with national competencies and operational cooperation (also with the involvement of the relevant EU agencies) should also be used. Additionally, encouraging voluntary returns, as well as intensifying our collaboration with UNHCR and IOM, and other relevant organisations, should be part of this “toolbox”.

Questions for the Ministers:

- 1) *Would you agree that in parallel with the technical work on innovative solutions, we need to define a set of EU policies, instruments and tools (“toolbox”) with the aim to ensure their coordinated use, thereby increasing our joint leverage and alleviating the burden on partner third countries willing to participate in implementing “innovative solutions” linked to migration?*
 - 2) *What measures in your view should be part of this comprehensive “toolbox”?*
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