BACKGROUND[1]
Brussels, 11 December 2020

VIDEO CONFERENCE OF MINISTERS FOR HOME AFFAIRS
Monday 14 December 2020

The video conference will be chaired by **Horst Seehofer**, German Federal Minister for the Interior, Building and Community.

Home affairs ministers will hold a debate on the **migration and asylum pact**, on the basis of a presidency paper outlining the progress achieved in the discussions in recent months. Ministers will also receive an update from the Commission on EU **engagement with third country partners** for effective readmission and stronger migration management.

Ministers will exchange views on the priorities set out in the draft conclusions on **internal security** and the European police partnership. They will also take stock of progress made in the implementation of **interoperability.** The presidency will brief ministers about the provisional agreement reached with the European Parliament on the draft regulation on preventing the dissemination of **terrorist content online**.

A **press conference** will take place after the meeting **(+/-17.15)**

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Video conference of ministers for home affairs, 14 December 2020 - meeting page

Press conferences and public events by video streaming

Video coverage in broadcast quality (MPEG4) and photo gallery

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[1] This note has been drawn up under the responsibility of the press office.

HOME AFFAIRS

Pact on migration and asylum

Home affairs ministers will discuss the Commission proposals for a pact on migration and asylum. On the basis of a presidency report, they will hold an exchange of views on key elements of the pact, including on the external dimension, the proposed pre-entry phase, a solidarity mechanism, internal migration and asylum management, various means to improve returns, the role of agencies, legal pathways to enter Europe, and integration.

On 23 September, the European Commission put forward a number of legislative and non-legislative proposals on various aspects of migration and asylum policy.

The legislative proposals include:

- an **asylum and migration management regulation**, establishing a common framework for migration management, criteria for examining asylum applications and a solidarity mechanism
- a **crisis and force majeure regulation**, which provides for specific derogations and establishes a solidarity mechanism to be used in the event of crisis and force majeure situations
- a **screening regulation** to ensure that the procedure applicable to a particular person entering the EU irregularly is identified quickly
- a proposal revising the 2016 **asylum procedures proposal** on the border procedure, subsequent applications and the appeal process
- a proposal revising the 2016 **Eurodac proposal,** to address loopholes and transform Eurodac into an asylum and migration database

The non-legislative texts presented by the Commission include recommendations on preparedness and crisis situations, resettlement and complementary pathways to protection, and search and rescue by private vessels, as well as guidance on the facilitators directive to fight migrant smugglers.

A number of the 2016 proposals, which are at an advanced stage of negotiation, are also part of the pact. These include the EU asylum agency regulation, the reception conditions directive, the qualifications directive, the resettlement framework and the return directive.

At their video conference of 8 October, home affairs ministers had a first opportunity to exchange views on the proposed pact. Following this debate, the examination of the pact continued at technical and political level. The topic was last discussed by ministers at the video conference of 13 November.

For more information:

> Commission proposals for a pact on migration and asylum (press release, 23 September 2020)

> How the EU manages migration flows (background information)

> EU asylum reform (background information)

> Migration flows: Eastern, Central and Western routes (infographic)

Engagement with third country partners on migration

Ministers will receive an update from the Commission on EU engagement with third country partners for effective readmission and stronger migration management. The Commission is expected to provide ministers with an overview of the current status of EU external relations as regards migration.

Cooperation with third countries is one of the key pillars of the EU's migration policy.

The EU works closely with countries of origin to tackle the root causes of migration and forced displacement. It also provides protection and assistance for migrants and asylum seekers stranded along the perilous migratory routes and supports their voluntary return to their countries of origin and the resettlement of those in need of protection.

The EU is also committed to preventing and combating migrant smuggling and trafficking in human beings in a coordinated manner with third country partners.

Cooperation on return and readmission is also a crucial aspect of the EU's migration policy. The European Council and the Council regularly stress the need to reinforce EU policy on return and readmission and make it more effective, through the full implementation of existing readmission agreements and return arrangements and the conclusion of new ones.

Internal security

Ministers will exchange views on the priorities set out in the draft conclusions on internal security and the European police partnership and the need to consolidate further the measures for effective implementation both at national and EU level. These conclusions wrap up the reflection process on the future of internal security cooperation which was initiated in 2019 under the Romanian and Finnish presidencies of the Council. They aim to further improve cooperation in this field to better respond to evolving security challenges and harness the potential of technological developments.

The conclusions reiterate a number of political priorities to be achieved between now and 2025. They also outline in detail the way forward in a number of areas such as law enforcement cooperation, keeping pace with technological progress, global cooperation, fighting transnational organised crime and preventing and combatting terrorism.

The implementation of all these measures is an integral part of the broader efforts that contribute to the EU's objective of offering its citizens a common area of freedom, security and justice, without internal frontiers, where free movement is ensured; which the Schengen area is.

Interoperability

On the basis of a presidency note, ministers will take stock of progress made in the implementation of interoperability. They will focus in particular on the implementation timeline, considering the revised timeline for the new entry/exit system (EES) due to delays aggravated by the COVID-19 pandemic. Ministers will be invited to confirm that they accept this revised timeline.

The new interoperability framework, which will contribute to improving border management and internal security in Europe, is a game changer in the field of information exchange. Its implementation is closely linked with the creation and upgrade of a number of IT systems in the justice and home affairs area, notably the new entry/exit system, the European travel information and authorisation system (ETIAS) and the European criminal records information system regarding third country nationals (ECRIS-TCN), which are expected to be operational by 2022.

The interoperability regulations establish four new tools to improve information flows:

- a European search portal to search simultaneously in multiple EU information systems
- a shared biometric matching service to search and cross-check biometric data in relevant EU information systems
- a common identity repository containing biographical and biometric data of non-EU citizens available in several EU information systems
- a multiple identity detector to detect multiple identities linked to the same set of biometric data

The new rules will help authorities to better detect security threats and combat identity fraud. It will also help to improve checks at external borders and to prevent and combat illegal immigration.

For more information:

> IT systems in the area of freedom, security and justice (background information)

> How interoperable databases will boost Europe's security (infographic)

Terrorist content online

The presidency will brief ministers about the provisional agreement reached with the European Parliament on the draft regulation on preventing the dissemination of terrorist content online.

The aim of the legislation is a swift removal of terrorist content online and the establishment of a single common instrument for all member states for that purpose. Under this agreement the proposed rules will apply to hosting service providers offering services in the EU, whether or not they have their main establishment in the member states. Voluntary cooperation with these companies will continue, but the legislation will provide additional tools for member states to enforce the rapid removal of terrorist content where necessary.

Competent authorities in the member states will have the power to issue removal orders to service providers, requesting them to remove terrorist content or disable access to it in all member states within one hour.

The proposed rules will also ensure that freedom of expression and information and freedom to conduct a business will be respected. The regulation includes effective remedies for both users whose content has been removed and for service providers to submit a complaint. Transparency and accountability are to be guaranteed by annual transparency reports.

Hosting service providers exposed to terrorist content will need to take specific measures to address the misuse of their services and to protect their services against the dissemination of such content.

This proposal was presented by the European Commission on 12 September 2018, following a call for it by EU leaders. The draft regulation builds on the work of the EU Internet Forum, launched in December 2015 as a framework of voluntary cooperation between member states, representatives of major internet companies and Europol to detect and address online terrorist content. However, voluntary cooperation has not been sufficient.

For more information:

> Terrorist content online: Council presidency and European Parliament reach provisional agreement (press release)

> Response to the terrorist threat and recent terrorist attacks in Europe (background information)

Other items

- Work programme of the incoming presidency

The upcoming Portuguese presidency of the Council will present its work programme and priorities for the next six months.