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CROATIAN EMN PRESIDENCY CONFERENCE

Challenges of Irregular Migration on the Eastern Mediterranean – Western Balkan Route in the time of COVID-19

AGENDA

24 June 2020

e-Conference

CONCEPT NOTE

The Eastern Mediterranean – Western Balkan Route is one of the main migratory paths into Europe. Despite downward trends on other routes towards the EU, arrivals on the Eastern Mediterranean route have been increasing up until the outbreak of COVID-19. For the past several months COVID-19 has had an impact on all types of migration into the EU. In this context, it is important to gain a better understanding of existing challenges and possible ways forward in managing migration pressure along the Eastern Mediterranean – Western Balkan Route, while taking into consideration the risks posed by the pandemic.

The aim of the Croatian Presidency EMN e-Conference is to share knowledge, experience and views among representatives from Member States, EU institutions and international organizations on future challenges and solutions for dealing with irregular migration into the EU in the time of COVID-19. The e-conference will concentrate on the Eastern Mediterranean – Western Balkan Route and link it to the challenges of irregular migration and migrant smuggling into the EU in general. The

activities of criminal groups facilitating irregular entries into the EU remains an issue of concern which calls for immediate and responsible action on the side of the EU.

All Member States' and EU activities related to irregular migrants need to be aligned with international and EU standards of fundamental rights protection. With this in mind, the conference will also foster a discussion on the importance for the EU and Member States' authorities to respect migrants' fundamental rights while performing their daily tasks of managing the EU's external borders and performing return procedures. The rising trend in the number of arrivals at the EU borders in the Eastern Mediterranean raises new challenges for the EU as a whole and for frontline Member States in particular. This conference will create a forum to exchange views, explore practical solutions and enhance cooperation and solidarity among Member States, while ensuring the protection of migrants' fundamental rights.

AGENDA

<p>09:00 – 9:20</p>	<p>Welcome speech and introduction – Lidija Pentavec, Head of Section in Division for Illegal Migration, Border Police Directorate, Ministry of the Interior, National Coordinator of the European Migration Network in the Republic of Croatia</p> <p>Keynote speakers:</p> <p>Zoran Ničeno, Head of Border Police Directorate, Ministry of the Interior, Republic of Croatia</p> <p>Johannes Luchner, Director of the Strategy and General Affairs Directorate, DG HOME, European Commission</p>
<p>09:20 – 10:20</p>	<p>Panel 1: General Overview of the Eastern Mediterranean – Western Balkan Route</p> <p>According to the European Border and Coast Guard Agency EBCGA/Frontex data, despite downward trends on other routes towards the EU, the Eastern Mediterranean – Western Balkan route saw growing migratory pressure in the last year. In 2019, there were more than 82 000 irregular migrants detected on the Eastern Mediterranean route, roughly 46% more than in the previous year. Due to its geographical position, the route was exposed to irregular movement both through land and sea borders. Moreover, the Joint Report provided by EBCGA/Frontex, Europol and EASO indicates that “the Western Balkans region is a key transit area for irregular migrants entering the EU via this Route and trying to continue their journey deeper in the EU by land.” Data from this region illustrate that a significant number of irregular crossings were detected at the EU borders on the Western Balkan Route; specifically, 14 000 detections were reported in 2019, an increase of 143% compared to 2018, when 5 844 illegal crossings were recorded. In most cases, irregular migrants had no intention to seek asylum – even those who may have been in need of international</p>

	<p>protection. Instead, they tried to continue their journey towards other EU Member States. Frequently, applications for international protection were made to avoid detention and return, which indicates that the asylum system is often misused. Additionally, the volume of secondary movements of third country nationals who enter irregularly with the help of migrant smugglers, or who stay irregularly upon legal entry, pose a major challenge for the EU as an area of freedom, security and justice.</p> <p>Western Balkan countries face a number of challenges in terms of reception and registration capacities, border management capacities, return capacities and lack of readmission agreements with countries of origin, lack of detention capacities resulting in an insufficient use of detention, amongst others.</p> <p>With the outbreak of the COVID-19 pandemic, the pressure on the Greek-Turkish border decreased, as migrants from the border area were moved to isolation to prevent the spread of the disease. With the end of the pandemic, it is expected that the pressure on the Greek border will continue and probably result in a stronger influx of illegal migrants via the Western Balkan route.</p> <p>Moderator - Goranka Novak Lalić, Faculty of Law, University of Zagreb</p> <p>Panelists:</p> <ul style="list-style-type: none"> • State of play and foresight on the Eastern Mediterranean and Western Balkan Route – Carsten Simon, Head of Risk Analysis Unit, FRONTEX • COVID-19 impact on migrants in an irregular situation – A humanitarian perspective - Naile Busemann – Regional Protection Coordinator for the Western Balkans, International Committee of the Red Cross • EUROPEAN COMMISSION – COVID 19 – EU response-Guidance on the implementation of relevant EU provisions in the area of asylum and return procedures and on resettlement – with emphasis on return, Francisco Gaztelu Mezquiriz, Head of Unit C1, Irregular Migration and Return Policy, European Commission <p>Q&A</p>
10:20-10:35	Break
10:35-11:35	<p>Panel 2: EU Engagement to Prevent and Fight Migrant Smuggling</p> <p>Enhanced border control activities throughout the Western Balkans hinder illegal border crossings and make it more difficult for irregular migrants to leave the region. The limited reception capacities of the countries of the region have put the migration and asylum systems under considerable pressure.</p> <p>Despite considerable support the EU provides to the countries of the region to tackle irregular migration, the smuggling of migrants remains, largely, a low risk – high profit business for smuggling networks. The aim of the panel is to counteract this situation and discuss a cross-cutting, holistic and structured response to turn the smuggling of migrants on the Western Balkan route into a high risk – low profit business. The panel presentations and discussions will try to raise awareness of the current irregular migration situation in the Western Balkans and present a way ahead for a more efficient tackling of migrant</p>

	<p>smuggling, having in mind the effects generated by the pandemic of COVID 19.</p> <p>Moderator - Goranka Novak Lalić, Faculty of Law, University of Zagreb</p> <p>Panelists:</p> <ul style="list-style-type: none"> • <i>Modus operandi</i> of migrant smugglers: presentation of Croatian experiences - Dejan Dretar, Head of Organized Crime Unit, Criminal Police Directorate, Ministry of the Interior, Republic of Croatia • Developing and maintaining good cooperation between Member States and third countries – Alvaro Rodrigex Gaya, Head of Strategy and Outreach, EUROPOL (EMSC) • EU policies addressing migrant smuggling - next steps – Francisco Gaztelu Mezquiriz, Head of Unit C1, Irregular Migration and Return Policy, DG HOME, European Commission <p>Q&A</p>
<p>11:35-11:50</p>	<p>Break</p>
<p>11.50 – 12:50</p>	<p>Panel 3: Protection and Promotion of Fundamental Rights in the Context of Irregular Migration</p> <p>The EU and its Member States are committed to upholding human rights of all migrants, regardless of their status. The EU <i>acquis</i> calls for strong EU external border protection in compliance with human rights law, as enshrined by EU legislation and international instruments. These obligations are transposed in national laws and practices.</p> <p>At operational level, national authorities sometimes face challenges in finding ways to conduct migration management, while at the same time ensuring human rights protection.</p> <p>The panel will identify migrants’ rights that may be affected upon irregular entry at the EU external borders, upon detection within the EU territory and during return operations. The panelists will discuss the EU and national rules and practices in this area and look at relevant case-law of European courts.</p> <p>The discussions will specifically focus on different challenges on the Eastern Mediterranean – Western Balkan route and search for solutions to manage migration flows in full compliance with human rights.</p> <p>Moderator - Goranka Novak Lalić, Faculty of Law, University of Zagreb</p> <p>Panelists:</p> <ul style="list-style-type: none"> • What is the connection between the Greek-Turkish border situation, the Western Balkans route and the ECtHR’s judgment in N.D. and N.T.? - Iris Goldner Lang, Faculty of Law, University of Zagreb • Controlling land borders in compliance with fundamental rights – practical guidance – Tamas Molnar, European Union Agency for Fundamental Rights <p>Q&A</p>

12:50-13:00	Closing remarks Magnus Ovilius , Head of Agencies and Networks Coordination Sector and Chair of the European Migration Network, DG HOME, European Commission
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