

JOINT STATEMENT

of the Ministers of Interior and/or Migration
of the Kingdom of Belgium
the French Republic,
the Federal Republic of Germany
the United Kingdom of Great Britain and Northern Ireland,
the Kingdom of the Netherlands
on migration issues

December 8, 2022

At the invitation of the Netherlands, the Interior and/or Migration Ministers of the Kingdom of Belgium, the French Republic, the Federal Republic of Germany, the United Kingdom and the Kingdom of the Netherlands, in the presence of Frontex and Europol, gathered today in Brussels to discuss migration issues.

The participants stressed that irregular migration into Europe is a growing issue. With detections of irregular border crossings at the external land and sea borders of Europe on the rise across all routes, they expressed their continued commitment to work together as near neighbours, in order to tackle irregular migration in North-Western Europe.

They exchanged views on the current situation and the common progress achieved since November 2021, as well as possible structural and operational responses, in consistency with the Trade and Cooperation Agreement between the EU and the UK. In particular, they discussed: 1) secondary movements across Europe and across the Channel to the UK and 2) migratory flows into Europe and breaking the business model of migrant smugglers through enhanced cooperation with concerned third countries.

The participants noted, one year after the ministerial meeting held in Calais, France, on November 28th 2021 following the tragic death of 27 migrants attempting to cross the Channel, their concern with the growing number of persons attempting to cross the Channel in small boats, with the cynical support of organised crime groups.

They noted the importance of the FR-UK agreement of November 14th, 2022, to deepen cooperation to tackle irregular migration and fight against migrant smugglers.

Taking into account the need to put an end to the illegal activities of smugglers in the Channel area and in order to avoid dangerous crossings to save lives, they pronounced their willingness to work towards an EU-UK cooperation agreement on migration, in consistency with the Trade and Cooperation Agreement between the EU and the UK and without prejudice to necessary discussion on EU level.

They agreed to convene in this format every year at ministerial level.

1. Secondary movements across Europe and the Channel and tackling migrant smuggling

All participants underlined that they are facing an increase in the influx of irregular migrants in 2022. They expressed serious concerns about the growing number of primary arrivals, non-registration at the EU borders and uncontrolled onward (secondary) movements towards North Western Europe. They stressed that this situation leads to high pressure on their reception facilities and damage to public trust in our national and European systems and solutions.

They acknowledged their will to work together on tackling challenges surrounding these issues, being aware that there are no quick fixes. They stressed their readiness to provide refuge to those in need of protection, but emphasised that illegal and dangerous attempts to traffic or smuggle people across our borders in circumvention of border controls must be tackled with the utmost energy.

They agreed secondary movements must be contained. This starts at Europe's external borders, which must be further strengthened. Registration of irregular migrants as well as swift asylum and return procedures at Europe's external borders are crucial and are to be addressed through the current discussion on the European Pact on migration and asylum. The participants underlined their commitment to support the countries at Europe's external border in these challenging tasks, when relevant with the support of EU agencies such as Frontex, for activities that lie within their mandate. They noted the contribution of Frontex, through Joint Operation Opal Coast, to the surveillance of the maritime external border of the EU in the Channel.

They also underlined the need to tackle migrant smuggling and trafficking within Europe. Migrant smuggling is a cross-border criminal activity that puts the lives of migrants at risk, disrespecting human life and dignity in the pursuit of profit. Moreover, it undermines the migration management objectives of the EU and the UK and the fundamental rights of the people concerned.

They noted with satisfaction the remarkable work by national law enforcement agencies with the support of Europol and Eurojust, on targeting high-value criminal targets among migrant smugglers; which led inter alia to coordinated operations such as Operational Task Force Dune, and to arrest of migrant smugglers and the seizure of material, financial means as well as various weapons.

Whilst making use of existing structures and agreements, they agreed to further bolster cooperation between them, to target supply chains facilitating irregular migration and migrant smuggling, including upstream, focused on gathering intelligence to support potential solutions. They agree to strengthen law enforcement and border management cooperation in border areas and increased judicial cooperation. They committed to greater exchange of information and of tactical and strategic intelligence, allowing all their operational teams to respond quickly to developments on the ground and better identify criminal networks. They acknowledged the added value of the Joint Intelligence Cell situated in Calais (*Unité de renseignement opérationnel* URO) and agreed to enhance their cooperation where possible.

When relevant and applicable, they agreed to make full use of European-wide instruments, such as the European Multidisciplinary Platform against Criminal Threats (EMPACT) and Europol, Eurojust and Frontex agencies each in accordance with its mandate.

The participants also pronounced their support for a formal Working Arrangement between the United Kingdom and Frontex, and would welcome prompt start of discussions in accordance with all relevant provisions.¹

Lastly, they committed to the exchange of best practices and to share expertise and knowledge of the most effective use of technology to support the fight against organised migration crime, within the framework set by international law.

¹ REGULATION (EU) 2019/1896 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 November 2019 on the European Border and Coast Guard.

2. Migratory flows into Europe and cooperation with third countries

Expressing their shared concern on the increasing migratory pressure on nearly all European borders, they discussed the need for close coordination and effective cooperation along the various migration routes to Europe and in particular those leading to crossings of the borders of the states present, notably in the Silk Route and Western Balkans regions. With a view to reduce irregular arrivals and improving the effective returns of irregularly staying third-country nationals, they underlined the need to strengthen relations with priority countries of transit and origin in a comprehensive and balanced manner. In this regard, they resolved to engage in a coordinated and result-driven manner with the countries from which the smugglers activities' originate, and will consult regularly on this matter. They noted the nexus between serious organised crime and irregular migration, and committed to tackle this. They committed to identify opportunities for upstream cooperation to tackle these problems ahead of their next meeting.

Furthermore, the ministers would welcome progress in the negotiations with key countries along various migration routes in order to realize operational cooperation agreements between Europol and these countries whereby more information can be shared in view of jointly tackling organised human trafficking and migrant smuggling, while ensuring the required safeguards to preserve fundamental rights and data protection as laid down in international law. They also stressed the importance of the ongoing negotiations between the EU and Interpol, and agreed to use Interpol channels in a coordinated manner toward these countries when it comes to fighting migrant smugglers and their supply chain, while respecting international law.

Lastly, they highlighted the wish to enhance coordination on diplomatic outreach and migration programming to enhance the effectiveness of their efforts and to avoid duplication.