



## MINISTRY OF INTERIOR

### **TRIO PRESIDENCY OF HUNGARY, POLAND AND ROMANIA OF THE SALZBURG FORUM OUTLINE OF THE 18-MONTH WORK PROGRAMME 01 January 2017 – 30 June 2018**

The Salzburg Forum will continue to be an important regional cooperation initiative on security issues and common points of interest in EU affairs in the JHA Area. While providing a framework for political discussions and forging common positions in key political questions on the Agenda of the European Union, it also functions at regional level in concrete operational cooperation, primarily in the form of expert level workshops. The Forum will also remain an important instrument of outreach towards the countries of the Friends of the Salzburg Forum from the Western Balkans and other key third countries.

However, decision making, the previously cumbersome and slow-paced work of Brussels has considerably increased in speed recently, with the onset of the migratory crisis in 2015. New proposals, new dossiers are introduced almost on a monthly basis. The institutions of the EU are struggling to cope and to remain relevant; while national administrations of the Member States are asked to take positions on crucial issues of national interest with previously unprecedented speed and often under international political pressure. In the meantime, the migratory crisis, the uncontrolled arrival of masses of illegal migrants in the context of mixed flows and the security threats related to it, and the misguided efforts at European Union level to provide common European solutions to problems that primarily concern the remit of competence of nation states, have caused considerable friction and a certain loss of mutual trust among EU Member States – whose primary interest lies still in ever closer cooperation on security issues, if the European Union wants to stay relevant in the new and changing global environment.

Therefore, the Salzburg Forum, if it is to remain efficient and relevant, also needs to reflect and adapt to this changed political scene and reality – its primary function must still be a framework to have discussions on sensitive issues related to policy, and identify potentially common points of interest, work out common positions, and influence the outcome of EU decision making; taking into account the work and results of other regional cooperation initiatives which have become active recently.

It is not possible to determine a final set of dossiers and issues that the Salzburg Forum can and should work on in the 18 months starting from the new year;

However, it is possible to determine a set of **core topics that all consecutive Presidencies (Hungary, Poland, and Romania)** are likely to have to deal with. This must also be a common set in which the views and positions, and interests of all SF-states are most likely to converge.

It is proposed **that at the EU level, the work of the Trio-presidency** should be organized around the following main (core) topics – which are at the same time the most important ones at the EU level

(naturally, consecutive Presidencies will be free to give priority to certain specific topics or issues, within the frame of the main topic):

## 1. Migration - Asylum policy

Without a doubt, the policy responses given to the migratory crisis, past and future, have sparked the greatest debate in the Council of the EU. Recently, based on several legislative proposals from the European Commission, preparatory work has started on the reform of the **Common European Asylum System**. The most important element of the package is the Dublin-reform, or the **Dublin-IV Regulation**.

**The Dublin-system has all but collapsed;** still the European Commission aims to revitalize it. The proposal has controversial elements; especially as regards the corrective allocation mechanism or the one-responsible country principle. The proposal is considered by some MSs as crucial from the point of view of expression of solidarity among EU Member States and the proportionate distribution of the burden of the migratory crisis. Others, notably the majority of the Salzburg Forum MSs have serious concerns about the practicability, workability or the fair nature of the solution proposed, which would – crucially – infringe on MSs competence deriving from their sovereignty to decide on long-term immigration policy. In any case, **the Salzburg Forum could work towards** jointly influencing decision-making on this very important dossier to ensure a balanced approach; taking account of alternative or flexible forms of solidarity, the differences that exist between MSs' immigration policies – but which at the same time ensures the resilience of the Common European System against asylum abuse. The Salzburg Forum can also be vocal on a possible common approach as regards the proposed **Union Resettlement Programme**, which is another step in the way of the Commission's approach of introducing mandatory elements into asylum policy.

Other elements of the Commission's two legislative packages are less controversial, but will likely to provide work for the Council in the coming 1-2 years. The Draft regulations on the transformation of **EASO, as well as on EURODAC** are likely to reach political agreement before the Trio Presidency takes over. Although can be considered more technical dossiers, but the proposals on the Procedures regulation, the Qualifications regulation and the Reception conditions directive will likely be further negotiated in the course of next year.

## 2. Borders – Schengen

**In general**, the Salzburg Forum should play a role in keeping border security, the importance of effectively controlling our external Schengen borders in the centre of the agenda in the JHA area. In line with the general policy guidelines set by the European Council, priority should be given to stemming the flow of irregular migration, and one of the key aspects of this is border management.

The launch of the new **European Border and Coast Guard** is a major step and achievement. Making the EBCG operational and testing its new powers and capabilities (notably the reserve pool) will require many operational decisions the implementation, in the course of which the Salzburg Forum MSs can coordinate and complement each other's actions.

The **Smart borders** –package, and its key element, the Entry/Exit System is an important development and one which will direct consequences and a heavy burden of development costs in terms of infrastructure for almost all Salzburg Forum MSs, as most have external Schengen borders, both blue and green. This is also an area which offers possibilities for joint action/lobbying. The

**Schengen accession of Bulgaria and Romania** is traditionally an issue which merits coordination among the Salzburg Forum MSs – as this unresolved and legally questionable situation creates anomalies which become more and more apparent with the development of new provisions building on the Schengen acquis.

### **3. Internal security**

Salzburg Forum MSs are continuously increasing their contribution and participation in the exchange of information on counter-terrorism, and strive to increase their counter-terrorism efforts.

The border control, law enforcement and migration aspects of **the fight against terrorism** are closely linked. These activities are supported by numerous IT systems that have been established for different purposes and target groups at different times. Addressing the persistent shortcomings of the data supply of EU databases and the EU-wide exchange of information are both priorities. Obstacles – be it legal, privacy, policy or technical – should be resolved, addressing them may require urgent and coordinated action.

The Salzburg Forum supports the elements of the roadmap to improve the exchange of information in the Justice and Home Affairs area adopted in June 2016, and we insist on implementing them. We must not forget that the new security environment requires a new approach. Legislation and technology should support our efforts and provide the necessary solutions, not hinder work.

Besides a more complete channelling of information, emphasis should be placed on information evaluation and assessment. This type of fusion activity can only be achieved with the close cooperation of the European police and national security services. Effective operational cooperation should be kept in mind and maintained in the field of counter-terrorism, taking into account the existing working methods, as well as national and organizational characteristics. We believe that the existing forms of operational cooperation function well.

Due to geographical and historical reasons the **radicalization and foreign terrorist fighters phenomenon** in our countries has a different approach than in many other European countries. However, because of our geographical location the flow of migrants and terrorist affiliated persons are taking advantage of the migration movement, which requires adequate measures and close cooperation with partner countries.

In the area of **cyber crime** and **cyber security** our position is to strengthen the existing institutions.

**Passenger Information Units** may also possess major importance in the fight against terrorism. Hungary and Romania already set up its national PNR unit, while other Member States are working on it. However, it would have significant added value if the possibility of information exchange between individual PIU's could be created. Hungary treats this issue as a priority and continues to work on its development and implementation in cooperation with 5 other Member States and with the funding of the European Commission. The EU PNR Directive adopted this spring will also facilitate the cooperation between Member States on the exchange of PNR data.

**Budapest, 17 October 2016.**