

## ANNEX

Following the European Council of 9 February 2023, the European Commission's services and the Romanian authorities agreed to step up their cooperation and pilot tools or practices, based on the applicable Union and national legislation, with the support of the relevant EU Agencies, in the following areas for a duration of 6 months.

### **Asylum**

*In 2022, Romania received relatively low number of applications for international protection and it is considered a good country for testing innovative practices because the profile of the asylum applicants is such that for a sizeable part of their applications can be examined in the accelerated procedure. Romania received 12.355 applications for international protection with the main countries of origin being India (1.485), Bangladesh (1.365), Syria (1.315) and Pakistan (805). Romania has also received 4395 applications from Ukrainian nationals, applications registered before the activation of the Temporary protection mechanism. The total number of rejected applications in 2022 stands at 3.285 with top nationalities being India (885), Bangladesh (690), Pakistan (370).*

*Against this background, the following measures/actions are proposed:*

- Given that many of the applicants come from countries with low protection approval rates, test the use of the accelerated procedure in an enhanced manner, allowing the fast processing of applications where the grounds foreseen by the Romanian asylum law for the application of the accelerated procedure are applicable: applicants coming from safe countries of origin, applicants posing a threat to the public security and applications likely to be unfounded.
- Identify best practices to promote an effective use of the accelerated procedure, respecting all the applicable guarantees for vulnerable applicants and for applicants at large. In this context, the project should also serve for showcasing good practices related to the initial screening and verifications that are being made upon apprehension in order to identify the cases where the accelerated procedure can be applied.
- Make improved use of the Operational Plan concluded with the European Agency for Asylum with targeted assistance to enhance processing capacity at the reception centre in Timisoara, where applicants undergoing the accelerated procedure following irregular crossing of the border from Serbia will be transferred to for the duration of the asylum procedure.
- Explore possibilities for support with transportation to the center of Timisoara from the place of apprehension at the border.
- Identify solutions to promote legislative amendments with a view to ensure the issuance of a return decision at the same time as the negative decision on international protection, and for aligning and streamlining the respective appeals procedures.

### **Returns**

*In 2022, from 936 persons placed in pre-removal facility in the view of the normal procedure for return 773 (83%) were returned, out of which 66% to their countries of origin and 33% to a third country of transit, namely Serbia based on the readmission agreement.*

*Against this background, the following measures/actions are proposed:*

- Identify solutions to promote legislative amendments with a view to ensure the issuance of a return decision at the same time as the negative decision on international protection, and for aligning and streamlining the respective appeals procedures. Accelerate the process of joining the Frontex Joint Reintegration Services programme to provide reintegration support to returnees. Frontex is ready to provide the necessary support and training and to deploy return counsellors, as necessary.
- Enhance voluntary returns by exploring the possibility of developing a tailored Assisted Voluntary Return and Reintegration scheme based on EU funding, offering targeted incentives for voluntary return, applicable to irregular migrants present in Romania before a specific cut-off date, prioritising or dedicated to specific nationalities.
- Explore possibilities for EU support with acquisition of vehicles for transportation of migrants from the place of apprehension at the border to the center of Timisoara and to the airports where commercial flights are available for returns.
- Engage in bilateral exchange with other Member States, facilitated also through the High-Level Network on Returns and Frontex, for good practices particularly on return counselling.
- Facilitate returns to the country of origin in view of limiting secondary movements and preventing the use of the Western Balkans route towards the Schengen area.

### **Border management and international cooperation**

*Romania is an active host of the Joint Operation Terra by Frontex that covers the entirety of its external land border sections with Serbia, Ukraine and Moldova. The border section with Serbia is considered of critical importance and the deployments for green border surveillance are fully meeting the operational needs agreed between Frontex and Romania that are in line with the national hosting capacities. During 2022, cooperation activities performed with the Serbian border authorities consisted of 724 joint patrol missions, aiming at checking certain locations (tree lines, abandoned houses, canals, etc.) on which there was information that they were used for preparatory activities in order to illegally cross the Romania-Serbia border. In 2022, 700 requests for readmission were sent to Serbia and only 16 responses were negative. In this context, it is suggested to show case this good practice and further enhance the cooperation with Serbia and with relevant EU agencies in the following areas:*

- Romania will continue its successful management of its external border with Serbia based on continued activities for prevention of irregular migration with the Serbian authorities as implemented by the common patrol protocol for the purpose of prevention of irregular entries.
- Europol will continue to support the Romanian authorities in the framework of the recently established Joint Investigation Team Trinket. Europol staff and guest officers will continue providing operational support on the spot to Police and Border Police within the frame of Europol's Ukraine Action Plan. Based on operational needs, ad hoc operational meetings can be convened with relevant Member States and third countries in the region of Timisoara to coordinate organised crime investigations. Furthermore, the scope of Operational Task Force LADDER (Szeged) initiated by Europol with Hungary and the Republic of Serbia could be extended to the Timisoara region, or a new operational Task Force could be initiated, subject to further assessment of operational data and agreement of action leaders.

- Romania will fully participate in and support the EMPACT cycle 2022-2025 and its Operational Action Plan (OAP) to fight against criminal networks involved in migrant smuggling.
- Romania will maintain the maximum hosting capacity for Frontex standing corps officers for border surveillance (at the Romanian-Serbian border) while exploring the possibility to increase access to databases to contribute to a more efficient use of the standing corps.
- The soon to be transitioned into operation Frontex Mobile Surveillance Vehicles (MSS) will be deployed in Romanian land border and will be used for the border surveillance. These assets will enhance the capabilities of Romania.
- Frontex aerial surveillance will continue to be implemented within the JO Terra with at least one Fixed Wing Aircraft.
- The Commission services will assess the need for funding of complementary equipment for maintaining a high level of border surveillance and control at the Romanian-Serbian border. They will review the needs assessment from Romania, in cooperation with Frontex, in order to find ways to consolidate existing operations, and the already available funding to Romania. This should also include examining the possibilities for additional funding to Romania in order to support the implementation of this project.

**Next steps:**

Steering meetings between the Commission services, EU Agencies and the Romanian authorities will take place on a monthly basis to ensure coordinated actions on the ground and exchange of information between all stakeholders.

Phase 1 (a few weeks):

Further meetings at technical level between the relevant authorities, with the aim to further detail (i) the exact steps under each area covered by the pilot scheme, (ii) the support that is required from the agencies; (iii) the monitoring of the implementation to conclude on added value of the relevant tools and practices at the end of the pilot scheme.

Phase 2 (6 months):

Implementation of the defined actions and provision of additional support.

Phase 3 (1 month):

Final joint reporting on results of the pilot scheme on migration indicators, lessons learnt, and conclusions going forward.