

EU Action Plan on the Western Balkans

Between January and November 2022, almost 130 000 attempted irregular border crossings have been reported by Frontex at the EU external borders on all Western Balkan routes, three times higher than in the same period in 2021. Arrivals are the result of two intersecting flows, with visa-free arrivals in the Western Balkans, travelling onwards to the EU as well as flows of migrants passing through the region irregularly after having followed the Eastern Mediterranean route.

Discussions on addressing this challenge were held at the October Justice and Home Affairs Council and the Berlin Process Ministerial in October. At the EU-Western Balkans Justice and Home Affairs Ministerial of 3 November in Tirana the Western Balkan partners committed to a unified, comprehensive approach which, coupled with determined action by the EU in coordination with Member States, has already started to yield results that now need to be strengthened further.

Under the Instrument for pre-accession assistance (IPA III) from 2021 to date, the EU has put in place an overall package worth EUR 201.7 million in the area of migration and border management for the Western Balkans, with a particular focus on anti-smuggling, border management, judicial and police cooperation, strengthening capacities and key infrastructure and equipment. The Commission is ready to further increase the financial support in 2023 and 2024 to respond to the emerging needs across the region.

This Action Plan identifies **20 operational measures** to build on the progress achieved, strengthening the partnership with the Western Balkans in light of their unique status with EU accession perspective and their continued efforts to align with the EU acquis, as well as key actions to take inside the EU. Priority should be given to strengthening border management, ensuring swift asylum procedures, taking action against smuggling of migrants, fostering readmission cooperation and return and achieving the alignment of visa policies.

The Commission is presenting this Action Plan as a follow up to the discussions at the Extraordinary Justice and Home Affairs Council (Home Affairs) on 25 November, and in view of the EU Western Balkans Summit on 6 December and the Justice and Home Affairs Council on 8 December.

I. Strengthen border management along the routes

Reinforcing border management along the whole migration route is essential to reduce irregular flows, also considering the evolving modus operandi of smugglers, the increased use of violence, and the risks of firearms trafficking and organised crime. Support, training, deployment of border officials and equipment has been delivered to the Western Balkan partners via the Instrument for Pre-accession Assistance (IPA) in coordination with Member States' bilateral actions and based on the needs identified by the Western Balkans authorities. The EU has also concluded status agreements with Albania, Montenegro, and Serbia, allowing Frontex to deploy the European Border and Coast Guard standing corps to joint operations in the region. A similar status agreement was signed with North Macedonia in October 2022 with operations expected to be launched at the beginning of 2023.

To achieve further results it is necessary to:

Support to Western Balkans partners

1. **Strengthen Frontex joint operations and deployments** along the EU's external borders with Western Balkan partners, based on the existing Frontex Status Agreements. In parallel **launch and swiftly conclude** the negotiations of the Frontex

Status Agreements with Albania, Montenegro, Serbia and Bosnia and Herzegovina in line with the new legal framework.

2. **Ensure the effective implementation of the recently adopted IPA programme to strengthen border management capacities** in the Western Balkans through the provision of border management and surveillance equipment and training, amounting to EUR 40 million and focusing on Montenegro, Bosnia and Herzegovina, Serbia and Kosovo*. The next assistance package will be rolled-out in 2023.

Actions in the European Union

3. **Review and potentially increase Frontex support to Member States** at the EU external borders.
4. **Support financially Member States who bilaterally support** Member States and Western Balkan partners in their border management activities. This needs to be complementary and coordinated with assistance provided by EU agencies.

Finally, complementing these actions, the EU needs to continue supporting third countries along the Silk Route to strengthen their border management and migration systems. The Commission has recalled the need for Türkiye to uphold all its commitments under the EU-Turkey statement and has allocated EUR 220 million action to support Türkiye's management of its Eastern borders. This complements reinforced support to provide protection to displaced persons in the country and to ensure safe and legal avenues to Europe through resettlement.

II. Ensure swift asylum procedures and support reception capacity

The EU is committed to strengthening the asylum capacity of Western Balkan partners, including as part of the accession perspective, and is supporting reception across the region through an ongoing IPA programme across the region. Currently, the overall recorded reception capacity is over 14 500 and 7 500 migrants currently accommodated. It is also necessary to ensure more effective asylum processes and procedures in the EU, including through the implementation of key provisions of the asylum acquis as well as by ensuring a seamless asylum and return procedure for those not in need of international protection.

Support to Western Balkans partners

5. **Continue supporting Western Balkans partners in further strengthening and accelerating their asylum and registration procedures**, including through the implementation of the EUAA Joint Roadmaps.
6. **Support the better management of reception capacity** through targeted IPA actions to support accommodation and basic needs to migrants and refugees, building on the model of the pilot IPA programme for the multi-purpose reception centre at Lipa. The EU will continue to work with the Western Balkans partners to develop contingency planning and ensure preparedness for the winter season.

Actions in the European Union

7. **Ensure accurate registration in Eurodac** and identify possible gaps in registration that need to be addressed.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

8. **Set up pilot projects in interested Member States for fast asylum procedures in line with the existing acquis**, notably by applying the border procedure, the Safe Third Country and Safe Country of Origin concepts. The EUAA will provide support to this end.
9. **Swiftly implement the roadmap on better implementation of Dublin transfers** for applicants for international protection to address secondary movements along all routes and increase the effectiveness of the Dublin system.
10. **Step Up the comprehensive migration management team** in Greece based on the existing Memoranda of Understanding and consider setting up migration management teams in other Member States.

III. Fighting migrant smuggling

Over recent years, irregular migration and smuggling of migrants via the Western Balkan route have been a constant focus both at operational and political level. During the EU-Western Balkans Justice and Home Affairs Ministerial on 3 November 2022 the Commission launched an Anti-Smuggling Operational Partnership.

To continue strengthening actions along the whole route it is necessary to:

Support to Western Balkans partners

11. **Make full use of the newly established EUROPOL Operational Task Force** to tackle migrant smuggling at the border between Serbia and Hungary and explore the extension of similar Task Forces at other borders. Also **enhance participation of all Western Balkan partners in the EMPACT** cycle 2022-2025 and its Operational Action Plan (OAP) to fight against criminal networks involved in migrant smuggling.
12. **Ensure the quick and effective implementation of the recently adopted IPA regional anti-smuggling programme** worth EUR 30 million to increase investigations, prosecutions and convictions by Western Balkans' relevant law enforcement and judicial authorities, supported by a consortium of Member States, and in cooperation with relevant EU agencies and international organisations.

Actions in the European Union

13. **Resume and conclude negotiations on the Commission proposal to sanction transport operators** involved in facilitating the smuggling of migrants or trafficking of people. As a bridging measure, the Commission will consolidate an operational toolbox with measures targeting transport operators.

IV. Enhancing readmission cooperation and returns

The full implementation of readmission agreements with Western Balkan partners, is the backbone of return and readmission cooperation. A meeting of the Joint Readmission Committee with Serbia was held on 24 November 2022 and other meetings will follow. This cooperation is reinforced by measures to enhance the possibilities for Western Balkans partners to return third country nationals to their country of origin. Frontex has stepped up its support to the Western Balkan partners by deploying return experts to assist with the return process including counselling, training and support for acquiring travel documents. A new IPA pilot project with IOM in Bosnia and Herzegovina was recently launched. This contributes to a fully functioning EU return policy that remains a key priority for the Union.

To step up returns it is necessary to:

Support to Western Balkans partners

14. **Increase EU action to step up returns from Western Balkan partners.** In this context, the EU will expand the ongoing pilot financed with IPA funds in Bosnia and Herzegovina to other partners in the region. On this basis, a new programme covering both voluntary and non-voluntary returns from the region will be swiftly developed in 2023, focusing on stepping up cooperation and coordination at operational level between the EU, the Western Balkans and countries of origin.
15. **Strengthen the operational capacities** of the Western Balkan partners to carry out returns, including by supporting the development of adequate return facilities. As part of this Frontex support to the Western Balkan partners will be expanded by fostering regional cooperation, deploying return specialists, sharing knowledge and expertise on the return process, providing training (e.g. for return escorts), and facilitating cooperation with countries of origin and the acquisition of travel documents.

Actions in the European Union

16. **Convene Joint Readmission Committees with Western Balkan partners** bilaterally for effective implementation of the EU Readmission Agreements, with a particular emphasis on the readmission of third-country nationals who transit through the Western Balkans without needing a visa.

At the same time, enhanced work on returns will also continue to support Cyprus and Greece in particular, building on the close cooperation already developed. This will include targeted engagement with third countries of origin of irregular migrants, including the convening of Joint Readmission Committees with Pakistan and Joint Working Groups with Bangladesh.

V. Achieving the alignment of visa policy

In line with the Western Balkan partners' commitments in the EU accession process visa policy alignment with the EU is crucial for the good functioning of the visa free regime of the Western Balkans with the EU. On 20 October 2022, Serbia informed the Commission it had adopted a decision establishing a visa requirement for nationals of Burundi and Tunisia. Serbia has committed at the highest level to further align with the list of third countries whose nationals are subject to a visa for short stays in the EU. Alongside this Action Plan, the Commission is presenting its fifth report on the monitoring of the EU visa-free regime with Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia, as well as Georgia, Moldova and Ukraine. The report confirms that progress towards visa alignment is still needed in all the Western Balkan partners assessed. Further harmonisation of Türkiye's visa policy with the European Union also remains important.

To continue progress it is necessary to:

Action by Western Balkan partners

17. **Swiftly align visa policy with the EU**, by reinstating and effectively implementing visa requirements for third countries in line with the EU visa policy.

Actions by the EU

18. **Continue outreach and closely monitor** operational developments on the ground as well as legislative actions by Western Balkans partners, including actions towards visa alignment.

19. **In the context of the visa suspension mechanism and in accordance with Article 8 of the Visa Regulation**, ensure continuous monitoring and assessment of the action of the partners in the region towards visa alignment.
20. **Issue joint demarches and coordinate messages by the EU delegations** and Member State embassies in all Western Balkans partners as well as key countries of origin and transit.

A significant share of the irregular arrivals along the Western Balkans route originates from the Eastern Mediterranean, where Greece, Bulgaria and Cyprus in particular have been exposed to irregular flows and increased migratory pressure over the past year. The full implementation of the EU-Turkey Statement - including resumption of returns and prevention of new migration routes - as well as targeted cooperation with Türkiye to strengthen the management of its eastern border and fight smuggling, remains a priority. To support Member States facing the largest impact in terms of irregular arrivals the implementation of the Voluntary Solidarity Mechanism will be accelerated, and continued support will be provided to achieve faster readmission to countries of origin.

The EU and the Member States will need to work jointly to achieve the goals set out in this Action Plan and to ensure its effective implementation. Reporting and monitoring through the existing Commission and Council mechanisms are instrumental to that end.

In 2022 irregular arrivals to the European Union have increased across all routes confirming once more the need to find sustainable and structural European solutions to our common challenges. Adopting **the Pact on Migration and Asylum** in all its aspects remains the main priority, in line with the Joint Roadmap agreed between the European Parliament and the Council Presidencies, to ensure that a sustainable solution is in place balancing solidarity and responsibility.