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icon for external dimension of the eu's asylum policy

In addition to effective legislation, policies and practices within the EU, a well-functioning asylum management system requires systematic cooperation with external partners through comprehensive and mutually-beneficial partnerships. This collaboration centres around promoting solutions in other parts of the world. As such, the aims of activities implemented under the external dimension of the EU migration and asylum policy include addressing the root causes of irregular migration; combating smuggling networks; enhancing cooperation with third countries on returns and readmissions; working with partner countries toward border management; and providing support for protection solutions in other parts of the world. A number of financial instruments facilitate the implementation of the external dimension of the EU policy in the areas of asylum and migration, including:

- The Multiannual Financial Framework, which includes a stream of funding – under ‘Heading 4’ – entirely dedicated to migration and border management;
- The Neighbourhood, Development and International Cooperation Instrument – Global Europe, which as of 2021 merged former EU external financing instruments, including the European Development Fund and the European Neighbourhood Instrument. NDCI-Global Europe supports countries most in need to overcome long-term developmental challenges. Its geographic component allows for the possibility to finance migration-related programmes for any third country or region. In addition, the NDICI's thematic component features migration and forced displacement as one of the global challenges to address;216
- The Instrument for Pre-Accession Assistance, which supports reforms in the enlargement region with financial and technical assistance, among others in the area of enhancing beneficiary countries’ capacity for migration management;
- The EU Humanitarian Aid Instrument, which provides assistance, relief and protection to people affected by natural or manmade disasters and similar emergencies;
- The EU Facility for Refugees in Turkey, which provides for a joint coordination mechanism, designed to ensure that the needs of refugees and host communities in Turkey are addressed in a comprehensive and coordinated manner;
- The EU Regional Trust Fund in Response to the Syrian crisis, which provides support to Syrian refugees and Syria's neighbouring countries;

- The EU Emergency Trust Fund for Africa, created to address the root causes of instability, forced displacement and irregular migration and to contribute to better migration management;
- The Trust Fund for Peace in Colombia, aimed to foster a stable and lasting peace in Colombia;
- The Bêkou Trust Fund, which addresses existing needs in the Central African Republic in close cooperation with the national authorities;
- The EU External Investment Plan, which focuses on EU neighbouring and African countries and aims at generating more investment and development;
- Efforts also include international donor conferences to provide assistance to specific countries experiencing humanitarian crises; and

AMIF for the period 2021-2027 covers among its specific objectives the strengthening and development of all aspects of CEAS, including its external dimension.

Cooperation with international partners in the area of asylum and migration management is multilateral and comprises a number of focus areas, including:

Addressing root causes of irregular migration

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Preventing irregular migration requires orchestrated action to address its root causes, including efforts to prevent conflicts, promote respect for fundamental rights, foster economic and social development, and take proactive action towards climate change. EU initiatives in this area have focused on creating economic and employment opportunities, increasing the resilience of communities, enhancing local governance and improving overall capacity to manage migration effectively.217

Combating smuggling networks

icon Combating smuggling networks

Working in cooperation with international partners, the EU has systematically worked over the past years to tackle migrant smuggling and safeguard the fundamental rights of migrants. Initiatives in this area include the establishment and implementation of solid legal frameworks; operational partnerships against smuggling and trafficking; capacity-building for law enforcement and judicial authorities in partner countries; joint investigation teams; information-sharing mechanisms, such as the Africa-Frontex Intelligence Community; information and awareness-raising campaigns to promote informed decision-making on migration; and coordinated engagement with countries of origin and transit impacted by state-led instrumentalisation of migration.

The renewed Action Plan against Migrant Smuggling, presented by the European Commission in September 2021, sets out the key pillars and concrete actions needed to counter and prevent smuggling,218and to ensure that the fundamental rights of migrants are fully protected. It aims to prevent loss of life, reduce unsafe and irregular migration and facilitate orderly migration management. EU agencies, in particular Europol, Frontex and Eurojust, play a key role in this

area, as they can offer assistance in line with their mandates, including through facilitating the exchange of information, providing technical support, capacity-building and training, and deploying liaison officers. Europol's European Migrant Smuggling Centre has served as a key hub for coordinating such action against migrant smuggling.219

Facilitating returns, readmission and reintegration

icon facilitating returns, readmission and reintegration

Apart from providing protection to those in need and addressing irregular migration, an integral component of a well-functioning migration and asylum system is the effective return, readmission and reintegration of persons who are not in need of protection. Throughout 2021, EU policymakers continued to highlight the importance of developing and further enhancing cooperation in the area of return and reintegration between countries of origin, transit and destination in a comprehensive and mutually-beneficial manner.220, 221 Key instruments in this area are the readmission agreements and arrangements between the EU and partner countries.

To improve the effectiveness, coordination and impact of EU and national efforts, the European Commission adopted in April 2021 the EU Strategy on Voluntary Return and Reintegration.222 The strategy comprises practical measures to enhance the legal and operational framework for voluntary returns; increase the quality of returns and the sustainability of reintegration programmes; establish better links with development initiatives; and strengthen cooperation with partner countries in this area.223 The focus is not only on returns from EU to third countries but also on supporting returns from transit countries to countries of origin.224

In the strategy, it is reiterated that the EU will support the ownership of reintegration processes in partner countries with capacity-building, providing staff with the necessary skills, and supporting governance structures to cater to the specific economic, social and psychosocial needs of returnees.225 The establishment of a dedicated returns division in Frontex is meant to ensure an efficient and sustainable implementation of returns within the framework of the EU policy. The EU Return Coordinator, supported by a High-Level Network, will promote coordination and coherence in national practices on returns.226

Working with partner countries toward migration and border management

icon working with partner countries in border management

EU migration and asylum policy has long been based on the premise that multilateralism and international engagement are key to responding effectively to a complex migratory reality. In 2021, these efforts focused on jointly-defined priorities of the EU and its partners, which were developed through bilateral dialogues and regional fora.227, 228, 229 Setting common goals, delivering capacity-building activities, and the provision of financial and operational support have had a positive impact in developing comprehensive migration governance. Support by the EU and its agencies – including the EUAA – has allowed partner countries to strengthen their asylum and reception systems and develop protection-oriented migration management.

A key stream of work in this area is also assisting partner countries in improving border management. EU status agreements have facilitated work to this end and enabled Frontex to provide operational and technical support, also by carrying out joint operations and deploying

teams in partner countries. Status agreements are in different stages of development with Albania (the first joint operation of Frontex on non-EU territory), Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia. In addition, Frontex has concluded working arrangements for operational cooperation with 18 countries.230

EU support for protection worldwide

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The very core of a functional asylum system is to provide effective protection to those in need. Supporting protection solutions in other parts of the world has been a key theme in the EU's external migration policy, with the EU and Member States being leading providers of humanitarian support to refugees, asylum seekers, internally displaced persons and host communities around the world.231
To alleviate human suffering caused by the Syrian crisis, the EU and Member States have mobilised approximately EUR 25 billion since 2011. In June 2021, the European Council agreed to continue to support Syrian refugees and host communities, and the European Commission announced a 4-year package of over EUR 5.7 billion which will be channelled to refugees in Iraq, Jordan, Lebanon, Syria and Turkey.232

The EU continued the delivery of a multi-million humanitarian aid package to Rohingya refugees in Bangladesh and Myanmar, while humanitarian aid across African countries supports persons affected by conflicts, epidemics and natural disasters and their host communities.233 Assistance also continued for displaced Venezuelans who comprise the largest displaced population in the history of the Americas.234

The EU Facility for Refugees in Turkey, for which a total of EUR 6 billion has been allocated, offers a joint coordination mechanism to ensure that the needs of refugees and host communities in the country are addressed in a comprehensive way. Initiatives implemented through the facility focus on humanitarian assistance, education, migration management, health, municipal infrastructure and socio-economic support.235 Up to November 2021, more than 2 million people had benefited from the projects.236 A mid-term evaluation report on the Facility, published in 2021, concluded that it had provided assistance at an unprecedented scale and reach and had made a significant contribution to the welfare of Syrians and other refugees fleeing the conflict in the region. The findings also indicated that the EU needs to do more to mitigate social tensions for refugees, including developing a social cohesion strategy.237

In 2021 major developments took place in Afghanistan, where the withdrawal of the United States and coalition forces – and the subsequent Taliban takeover of the country – instigated large waves of displacement, adding to the already-extensive displacement that existed in the country. Ongoing conflict, insecurity and a severe drought that occurred in spring 2021 caused large-scale suffering and displacement both within the country and in the region in general.238 As of December 2021, an estimated 3.4 million people were internally displaced239 and close to 6.5 million Afghans still lived as refugees in neighbouring Iran and Pakistan, many of them without being registered or having a legal status.240

Afghanistan was already a priority for the EU in providing support. The EU has made a long-term commitment to support people in Afghanistan toward increasing prospects of peace, security

and prosperity. Since 2002, the EU has provided more than EUR 4 billion in development aid to Afghanistan, which makes Afghanistan the largest beneficiary of EU development assistance in the world.241

Following the conflict escalation in 2021, the EU worked toward developing a uniform response to the crisis,242 while civil society organisations issued a joint statement offering recommendations to the EU and European countries for urgent actions along five areas:

i) Evacuation, resettlement and other safe routes to protection for Afghans;

ii) Provision of humanitarian assistance;

iii) Re-establishing security for the people of Afghanistan;

iv) Ensuring rapid access to fair asylum procedure; and

v) Suspending deportations to Afghanistan.243

In August 2021, EU Home Affairs Ministers, together with representatives of the European Commission, European External Action Service, Frontex, Europol, the EUAA and the EU Counter-Terrorism Coordinator, adopted a joint statement on the EU's response to the situation. The statement highlighted that the evacuation of EU citizens and, to the extent possible, Afghan nationals who had cooperated with the EU and its Member States and their families was a matter of priority. The EU reiterated its commitment to continue to coordinate with international partners, in particular the UN and its agencies, on the stabilisation of the region and to ensure that humanitarian aid reaches vulnerable populations. The EU committed to strengthen its support to third countries, in particular neighbouring and transit countries, which host large numbers of migrants and refugees.244

In September 2021, the European Council adopted a set of conclusions on Afghanistan defining the EU's line of action for the near future. Regarding the EU’s engagement with the Taliban-appointed caretaker cabinet, the Council agreed on five benchmarks that would serve as guiding principles for future engagement:

i) Allowing the safe, secure and orderly departure of all foreign nationals and Afghans who wished to leave the country in line with UN Security Council Resolution 2593 (2021).

ii) Promoting, protecting and respecting all human rights and, in particular, full enjoyment of the rights of women and girls, children and people belonging to minorities, and respecting the rule of law and the freedom of speech;

iii) Allowing the implementation of humanitarian operations in Afghanistan in line with the humanitarian principles of humanity, neutrality, impartiality and independence and full respect of International Humanitarian Law;

iv) Preventing Afghanistan from serving as a base for hosting, financing or exporting terrorism to other countries; and

v) Establishing an inclusive and representative government through negotiations.245

An up to EUR 1 billion Afghan Support Package was announced in October 2021 by the President of the European Commission, Ursula von der Leyen, to address urgent needs in the country and the region. The package combines EU humanitarian aid with the delivery of targeted support for the basic needs of the Afghan people, channelled to international organisations on the ground and neighbouring countries.246 The overall package includes EUR 227 million humanitarian funding for life-saving and life-sustaining emergency assistance in the following sectors: food and nutrition, shelter, water and hygiene-related activities, medical care, education and protection.247

As of January 2022, the EU had launched projects totalling EUR 268.3 million, focusing on maintaining education, sustaining livelihoods and protecting public health, including for refugees, migrants and internally displaced people in Afghanistan, as well as in Iran, Pakistan and Central Asia. The funds are channelled through UN agencies working in Afghanistan and neighbouring countries (UNICEF, WFP, UNDP, UNHCR, WHO and the IOM), as well as through the Norwegian Refugee Council.248

The EU involvement in Afghanistan also included acting as the chair of the Core Group of the Solution Strategy for Afghan Refugees' Support Platform, strengthening the international response to the situation in Afghanistan and stimulating political, financial and material commitments.249 Taking a holistic approach, the focus of the EU strategy has been not only on Afghanistan, but also on addressing migration- and protection-related challenges along the route. It includes assisting countries in Afghanistan's neighbourhood, as well as transit countries, supporting protection systems, addressing needs of the host communities and reinforcing programmes of law enforcement cooperation to tackle migrant smuggling and trafficking networks.250 The EU also worked toward assisting with the evacuation of Afghan nationals and offering safe and legal pathways to protection *(see In focus 3).*

Developing legal pathways to Europe: A focus on Afghanistan

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Providing safe and legal pathways to persons in need of protection is a key priority for the EU, enabling the most vulnerable refugees to reach Europe without becoming victims to smuggling networks or undertaking dangerous journeys. Between January 2020 and June 2021, amidst disruptions caused by the COVID-19 pandemic, approximately 13,500 persons were resettled by EU Member States. 251

In July 2021, the High-Level Forum on Resettlement, Humanitarian Admission and Complementary Pathways, convened by the Commissioner for Home Affairs, Ylva Johansson, and organised for the first time with the ministerial participation of Canada and the United States, marked the beginning of a new reinforced cooperation between the EU and key players on the global scene in addressing growing resettlement needs identified by UNHCR.252,253 Ahead of the resettlement forum, a number of NGOs issued a joint statement appealing to EU institutions and Member States to use this opportunity to "demonstrate global leadership on refugee protection and chart the way forward as the international community recovers and rebuilds from COVID-19".254With the global health situation improving gradually, participants in the forum indeed expressed their determination to work together and coordinate efforts in providing

solutions for refugees around the world.255 In the forum, the Commission invited Member States to step up their efforts and make increased resettlement pledges for 2022.

By December 2021, 15 Member States had agreed to assist 60,000 refugees through resettlement and humanitarian admissions, including 40,000 people from Afghanistan,256 which was naturally a major area of focus in 2021 and will continue to be in 2022. Part of the EU response to the situation in the country was to offer pathways to safety for those who needed it the most. Following an extraordinary meeting of Home Affairs Ministers in August 2021, Commissioner Johansson called on Member States to increase resettlement quotas to help those in need of international protection and to offer complementary legal pathways.257

In August 2021, Member States conducted evacuations from Afghanistan to bring into safety not only their nationals but also Afghan nationals who had cooperated with international political and military actors (for example interpreters) and civil society workers, human rights activists and journalists. Receiving countries adopted different practices in the type of stays which were issued to evacuated Afghan nationals, ranging from offering a protection status as resettled refugees to channelling them through the asylum process (typically a fast-track mode) or offering residence permits outside of protection status.258 To support evacuation efforts in Afghanistan, the EU put in place a dedicated crisis cell between 15-30 August 2021. The crisis cell consisted of 100 staff from EU institutions and a support team in Kabul. During this period, the cell assisted with the evacuation of more than 17,500 people from Kabul, including an estimated 4,100 EU nationals and 13,400 Afghan nationals, while EU Member States together evacuated a total of 22,000 Afghans.259 Direct evacuations from Afghanistan ceased on 31 August 2021, but indirect evacuations continued through Iran or Pakistan or through Qatar.260

The Justice and Home Affairs Council of 31 August 2021 concluded that EU Member States could provide support in the form of resettlement, while a September 2021 resolution of the European Parliament called on the EU and its Member States to cooperate with the evacuation of persons at risk and establish humanitarian corridors for Afghan refugees seeking protection in neighbouring countries.261

To highlight the importance of offering safe pathways to Afghan nationals and strategise on a future course of action, in October 2021, Commission Vice-President Borrell and Commissioner Johansson convened a high-level forum focusing on providing protection to Afghans. The forum brought together Ministers of Foreign Affairs and Ministers of the Interior of EU+ countries, representatives of the European Parliament, the UN High Commissioner for Refugees, Filippo Grandi, and the Director-General of the International Organization for Migration, António Vitorino, to discuss the situation in Afghanistan and in neighbouring countries, as well as options for mobilising further support for Afghans at risk. Participants discussed planning for safe and legal pathways for Afghan nationals considered most at risk, as well as reception and integration measures for Afghan evacuees.262, 263 During the forum, the UN High Commissioner for Refugees asked EU governments to resettle 42,500 Afghans in need of protection over the next 5 years. Commissioner Johansson suggested that this could be an attainable target. She added that the range of possible solutions could include broader ways of protecting Afghan people, beyond resettlement, and proposed to put in place a multi-annual support scheme for Afghans at risk.264

Commenting on the external dimension of the EU policy on migration and asylum, ECRE expressed the opinion that increasing emphasis seems to be placed on what third countries can do to address migratory flows. For ECRE, this may lead to an imbalance in protection responsibilities between the EU and developing countries which host displaced persons.265 ECRE also expressed concerns on the use of visa facilitation or restriction as leverage toward third countries to elicit their cooperation on returns and readmissions,266 while it also warned against linking asylum and return procedures too closely.267

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