

## INFO FLASH 28/02

The European Commission published its [latest analysis of the economic and social situation in the Member States](#), in order to boost convergence. In the same perspective, the European Parliament discussed key [reports on the future of the EU](#). The Council of the EU adopted a regulation on [visa waiver suspension mechanisms](#), a document that had implications for another decision on [visa liberalisation for Georgians](#).

Among civil society, ECRE reported on a key [Court of Justice of EU ruling increasing human rights protection for asylum seekers in Dublin system](#), the [French-German proposal for CEAS and returns](#) and a [report on the human rights costs of EU-Sudanese cooperation on migration control](#).

This week's relevant publication include policy briefing by the European Parliament Research Service, policy papers by CEPS and a Think tank review by the Council of the EU.

### EU INSTITUTIONS

#### European Commission

**(22/02) European Semester Winter Package: review of Member States' progress towards economic and social priorities.** The European Commission published its annual analysis of the economic and social situation in the Member States, including an assessment of remaining imbalances. The early publication of Country Reports, ahead of the presentation of National Programmes and the update of Country-Specific Recommendations, is part of the Juncker Commission's efforts to streamline and strengthen the European Semester. It aims to allow time for a dialogue with Member States on European and national priorities and to reflect greater focus on employment and social considerations. The Council is expected to discuss the Commission's Country Reports and the results of the In-Depth Reviews. The Commission will then hold bilateral meetings with the Member States on their respective reports. The Vice-Presidents and Commissioners will visit the Member States to meet the governments, national parliaments, social partners and other stakeholders. These discussions follow Member States' increased involvement before the publication of the Country Reports and should continue in the run-up to the preparation of their National Reform Programmes and Stability or Convergence Programmes. The Commission proposes that Member States should involve national parliaments and social partners closely and ensure the ownership of the reform process by a wider range of stakeholders. In particular, Member States will be invited to explain how regional and local authorities are involved in the preparation of the Programme, as the success of implementation also relies on various levels of government. The Commission will propose a new set of Country-Specific Recommendations later in spring. Full press release [here](#). More information on what the Semester is and how it works [here](#).

## European Parliament

**(24/02) Future of the EU: The European Parliament sets out its vision.** Is the EU still fit for purpose in its current form? With no shortage of challenges facing us the European Parliament has looked into how the EU can be improved. On 16 February MEPs adopted three reports setting out how they believe the EU needs to be reformed in order to boost its capacity to act, restore people's trust and make the economy more resilient. The [report](#) by Guy Verhofstadt (ALDE, Belgium) considers what treaty changes might be needed for additional reforms. The [report](#) by Mercedes Bresso (S&D, Italy) and [Elmar Brok](#) (EPP, Germany) looks at what improvements are already possible using the existing system. The report by Reimer Böge (EPP, Germany) and Pervenche Berès (S&D, France) sets out how to bring the economies of countries that have adopted the euro closer together and make them more resilient. Full press release [here](#). Media insight on the three report [here](#) (audio+text).

## European Council / Council of the EU

**(27/02) Visas: Council adopts a revision of the visa waiver suspension mechanism.** The Council [adopted a regulation](#) to revise the suspension mechanism which can be applied to all existing visa liberalisation agreements. The objective of the revised regulation is to strengthen the suspension mechanism. It does this by making it easier for member states to notify circumstances which might lead to a suspension, by enabling the Commission to trigger the mechanism on its own initiative, and by tasking the Commission to send annual reports to the European Parliament and Council on the extent to which visa-exempt third countries continue to meet the necessary criteria. The possible grounds for suspension have been extended, and include a decrease in cooperation on readmission, a substantial increase in the refusal rate of readmission applications, including for third-country nationals in transit, and a substantial increase in the risk to public policy or the internal security of the member states. The use of the mechanism will also be facilitated by shortening reference periods and deadlines in order to allow for a faster procedure. In particular, the reference period for comparing the circumstances leading to the suspension with the situation during the previous year or before visa liberalisation is shortened from six to two months. The suspension can be triggered by a notification of a member state or by the Commission. If a simple majority of member states notify, the Commission will have to adopt an implementing decision temporarily suspending the exemption from the visa requirement for certain categories of nationals of the third country concerned for a period of 9 months. During this period, the Commission shall establish an enhanced dialogue with the third country concerned to remedy the circumstances in question.

**(27/02) Visas: Council adopts regulation on visa liberalisation for Georgians.** The Council [adopted a regulation on visa liberalisation](#) for Georgians travelling to the EU for a period of stay of 90 days in any 180-day period. These measures will not apply to Ireland and the United Kingdom, in accordance with the protocols annexed to the EU treaties. The visa regime of these member states remains subject to their national legislation. In December 2015, the Commission found that Georgia had met all the benchmarks of the visa liberalisation action plan and was therefore ready for the exemption of the visa requirement. Following this, on 9 March 2016 the Commission presented a proposal for visa liberalisation for Georgian citizens. The Council and the European Parliament reached an agreement on the proposal on 13 December 2016. In the context of the current migratory and security situation in the European Union, and taking into account its proposals on visa liberalisation for Georgia, Ukraine, Turkey and Kosovo, the Commission decided in May 2016 to present a proposal for a

regulation revising the current suspension mechanism. The revised suspension mechanism allows, in specific circumstances, to suspend the visa waiver for the nationals of a specific country. The institutions took the view that the entry into force of visa liberalisation for Georgia should be at the same time as the entry into force of the new suspension mechanism. The Council also adopted the regulation on the revised suspension mechanism on 27 February 2017.

## Others

**(27/02) FRA - FRA contributes to task force on gender-based violence survey.** FRA contributes to task force on gender-based violence survey. On 15-16 February, FRA [contributed to the work of the newly-established Eurostat task force](#) for developing a survey on gender-based violence, which met in Luxembourg. The members of the task force were interested in FRA's work in this area, given that the Agency carried out the first EU-wide survey on gender-based violence and the survey's relevance to political and legislative developments such as the Council of Europe Istanbul Convention on preventing and combating violence against women and domestic violence. The task force will work in 2017-2019 to develop and pilot a survey questionnaire, which could be used by the national statistical institutes to collect comparable data on various forms of gender-based violence.

**(27/02) FRA - FRA meets agencies implementing Fundamental Rights Survey pilot.** FRA [met on 13-14 February](#) with the representatives of the 28 agencies which will be responsible for implementing the [Fundamental Rights Survey pilot](#) in their respective countries in 2017. The meeting was organised in London by Ipsos MORI, which is FRA's main contractor and coordinates the data collection activities across countries. The 28 national survey experts were briefed concerning the timeline of the pilot survey and their role in the implementation of the pilot data collection activities and documenting the outcomes.

**(24/02) FRA - Migrant torture and trauma victims overlooked by Member States.** Many Member States fail the migrant victims of torture and trauma by not having systems in place to recognise the ordeals they have suffered and support them on arrival. Such trauma if left untreated can scar them and their families for life, and may lead to suicide. These are some of the findings from the latest summary report of the EU Agency for Fundamental Rights (FRA) on migration-related fundamental rights concerns in selected EU Member States. It examines how victims are being handled by national authorities to highlight how to best offer them the protection they are entitled to. Full press release [here](#). You can access FRA data on [torture and trauma](#) and the February [monthly data collection highlights](#).

**(23/02) Eurostat - Foreign language learning-60% of lower secondary level pupils studied more than one foreign language in 2015-French: second most popular after English.** Learning a foreign language at school is very common in the European Union (EU), with more than 17 million lower secondary school pupils (or 98.6% of all pupils at this education level) studying at least one foreign language in 2015. Among them, more than 10 million (58.8%) were studying two foreign languages or more. Full press release [here](#).

**(23/02) Committee of the Regions - Local leaders urge concerted international action to stabilise Mediterranean.** Local and regional leaders from across the Mediterranean and the European Union have urged national governments and the international community to work more closely with mayors and governors to help stabilise North Africa and the Middle East. The conflict in Libya and the challenges of migration and climate change were particular

concerns for the mayors, governors and regional representatives at the Euro-Mediterranean Regional and Local Assembly (ARLEM), which [met in Malta on 23 February](#). At their principal meeting of the year, members of ARLEM, who are drawn from the European Committee of the Regions (CoR) and from non-EU states in the Mediterranean region, pointed to recent cooperation with Libyan cities as evidence that, even in difficult circumstances, cities can forge partnerships that contribute to stabilisation. In a resolution on Syria, they also said they were "ready to support the Syrian people in their efforts to put an end to civil war and fight extremism and radicalisation", noting that "this help starts in neighbouring cities welcoming refugees and dealing with the humanitarian emergency".

**(22/02) FRA - Child-friendly justice: the child's perspective.** Children involved in court proceedings often feel scared, ignored, and ill-informed, as a new report from the European Union Agency for Fundamental Rights (FRA) shows. By asking children across different EU Member States about their experiences and views, this ground-breaking report shows how far we still have to go to make our justice systems child-friendly. Full press release [here](#). You can download the [full report](#) and the [summary](#).

**(22/02) Frontex - Frontex to boost recruitment in 2017.** With the expansion of its role and activities as the European Border and Coast Guard Agency, [Frontex is looking to significantly increase the size of its staff](#) over the next three years. This year alone, the agency aims to increase its staffing level to 600 from the current level of about 400. Statutory staff, based on their levels and areas of expertise, will be allocated mostly to the following fields of work: assessment and analysis, return activities, operational activities (land, air, and sea), management of pooled resources, liaison officers, Situation Centre/EUROSUR activities, ICT, HR, finance and procurement, communication, and legal affairs. Frontex is offering employment based on five-year renewable contracts. Seconded National Experts (SNEs), coming from relevant EU Member States/Schengen Associated Countries institutions, remain employed by their national employer but are deployed to work temporarily for Frontex (renewable two-year terms, for a maximum of six years). SNEs will be primarily allocated to the following fields of work: analysis, return activities, operational activities (land, air, and sea), and Situation Centre/EUROSUR activities. More detailed information on Frontex's recruitment in 2017 [here](#).

## **COUNCIL OF EUROPE**

**(24/02) Strengthened social rights needed to face frustration in Europe: Cyprus conference.** Why are millions of Europeans willing to support nationalist, xenophobic and anti-democratic forces, sending shockwaves through our political systems," asked Council of Europe [Deputy Secretary General Gabriella Battaini-Dragoni](#), in her opening speech to a conference on social rights in Europe. The [conference in Nicosia, Cyprus](#) – an event organized under the [Cypriot chairmanship](#) of the organisation – focuses on the support that domestic and international courts can provide for social rights in Europe. Over 130 participants, mainly legal professionals and academics, are assessing case law of the European Court of Human Rights and EU's Court of Justice, and of domestic jurisdictions. Judges and experts are focusing on constitutional issues, employment and social security rights. To reduce frustration, the conference goal is to make better use of the [Council of Europe's Social Charter](#), a treaty that guarantees social and economic rights – and a broad range of everyday human rights related to employment, housing, health, education, social protection and welfare. A focus is to inform NGOs, civil society and government authorities throughout Europe of the charter's [Collective Complaints Procedure](#) and its advantages. Full press release [here](#).

## CIVIL SOCIETY

**(24/02) ECRE - New Court of Justice of EU ruling increases human rights protection for asylum seekers in Dublin system.** A new [ruling](#) by the Court of Justice of the European Union (CJEU) increases human rights protection for asylum seekers in the Dublin system. It establishes that a Dublin transfer should be halted if the asylum seeker to be transferred faces an individual risk of inhuman or degrading treatment because of his individual situation. This is notably the case in circumstances where the transfer of an asylum seeker, with a particularly serious mental or physical condition, leads to the applicant's health significantly deteriorating, the Court says. A Member State should suspend the transfer for as long as the applicant's health condition does not render him capable of such a transfer. The case concerned a couple with a new-born child who applied for asylum in Slovenia, whereas Croatia was responsible for their asylum claim according to the criteria under the [Dublin Regulation](#). The mother suffered from depression and periodic suicidal tendencies. While the Court held that the Croatian asylum system is not systematically flawed, the transfer would have presented a serious risk to the woman due to her specific and individual situation. The Court ruled that the individual situation of the woman had to be considered and the transfer had therefore to be halted. "The ruling in CK and Others is crucial since it establishes that evidence of systemic deficiencies in an EU Member State is not the sole criterion to prevent a Dublin transfer. Instead the CJEU aligns itself with previous case law from the European Court of Human Rights and finds that Member States must assess the risks to the individual, and in light of their specific profile, before transferring that person under Dublin. If the receiving Member State cannot provide for the individual's specific needs then the transfer must be prevented," says Amanda Taylor, EDAL Coordinator. Full press release [here](#).

**(24/02) ECRE - French-German proposal for CEAS and returns reduces protection to minimum standards.** A leaked [joint policy note](#) prepared by German and French governments strongly affirms the intention to further limit access to protection in Europe by curtailing procedural guarantees in the CEAS. The policy note lays out a plan for a "crisis mechanism", to operate in times of "mass influx" of refugees. The policy note lays out ways to overcome current legal obstacles preventing the EU from replicating the [EU-Turkey statement](#), described as a "game changer in the Eastern Mediterranean", with other non-EU countries. France and Germany therefore propose to remove human rights safeguards for those arriving in the EU, by removing material standards of return and appeal possibilities, amounting to the possibility to remove everyone entering the EU irregularly. They also suggest establishing a mechanism that would allow admissibility decisions to be taken by other Member States' legal experts in the country "affected by the mass influx." While the proposal argues that current safeguards on the safety of non-EU countries are too high, the definition of the "safe third country" concept in the [Commission proposal](#) for an Asylum Procedures Regulation, has been highly [criticised](#) by ECRE for lowering protection and undermining fundamental refugee law principles. Full press release [here](#).

**(24/02) ECRE - New detention centres at the external EU borders.** Greece is building pre-removal detention facilities on the Aegean islands with the aim of accelerating the implementation of the EU-Turkey statement. These will be separate from the [Reception and Identification Centres](#) on the hotspots where newly arrived refugees and migrants are initially detained. The construction of pre-removal detention centres on the islands marks a shift away from previous efforts of the Greek authorities to transfer people from the hotspots to detention centres on the mainland. Greece currently has six pre-removal centres with a total of 5,215 places in Amygdaleza, Petrou Ralli, Corinth, Paranesti, Xanthi and Orestiada. The expansion of detention practice to promote returns from EU border countries goes beyond

Greece. At the end of 2016, Italy [announced](#) the re-opening of four Identification and Expulsion Centres (CIE) not currently operating. The government also [requested](#) the CIE in Rome, Torino, Brindisi and Caltanissetta to reserve 90 places each, specifically for Nigerian nationals. Full press release [here](#).

**(24/02) ECRE - GUE/NGL report: High Human Rights costs of EU-Sudanese cooperation on migration control and support of appeal against Italian returns to Sudan in front of ECtHR.** Last week, the European United Left/Nordic Green Left European Parliament Group (GUE/NGL) [released a report](#) following a monitoring visit to Sudan highlighting the human rights costs of EU-Sudanese cooperation on migration control. Following the visit the delegation also supported the appeal against Italy in front of the European Court of Human Rights (ECtHR) on the repatriation of five Sudanese asylum seekers. Human rights concerns raised in the report include the EU's planned provision of equipment to the Sudanese police for migration control and border surveillance and its potential use by other governmental forces. The country's northern border, one of the borders covered by cooperation with the EU, is currently controlled by the so-called "Rapid Support Forces," led by former militias who are responsible for mass murder in Darfur. The report also warns about detention and deportation of victims of human trafficking by the Sudanese authorities. Full press release [here](#).

**(22/02) Libya: Focus on anti-smuggling policies and cooperation with Libyan authorities will expose people to ill-treatment and arbitrary detention (joint letter)** – "We, the undersigned non-governmental organisations, are deeply concerned with the direction of the EU-Libya policy as outlined in the Commission Communication on the Central Mediterranean (25.01.17) and reaffirmed in the conclusions of the Malta Summit (03.02.17) and the Council Conclusions (06.02.17), aiming to stop migratory movements through Libya. The decision to transfer the responsibility for managing migratory movements along the central Mediterranean route to Libya will neither reduce human rights abuses, nor end smuggling. Instead, it will significantly increase harm and suffering. EU plans will exacerbate arrests and detention of migrants in Libya and increase exposure to severe human rights abuses." Full letter [here](#).

**(21/02) Bertelsmann Stiftung - Lack of reforms for education and migration in the EU member states.** Embarking poverty, offering good education for everybody, fighting discrimination and strengthening social cohesion, making the health system and the job market more fair: Above all in these five areas the EU member states have to do something. But some countries fail to launch the reforms, that are needed. Especially in the fields of education and migration they don't do enough. That shows our reform barometer for whom we asked 1,000 European scientists. Full article [here](#).

## **PUBLICATIONS**

**EPRS – [How the EU Budget is Spent \(European Social Fund\)](#)**

**EPRS - [Challenges For The EU](#) (Think Tank Review)**

**CEPS - [Gender Inequality and Integration of Non-EU Migrants in the EU](#)**

**CEPS - [Design of a European Unemployment Benefit Scheme](#)**

**Council of the EU (General Secretariat) – [Think Tank Review](#) (January)**