



**MINISTRY OF INTERIOR &
ADMINISTRATIVE RECONSTRUCTION
OF THE HELLENIC REPUBLIC**

Athens, 11 December, 2015

Dear Commissioner,

In view of the December European Council, where Heads of States and Governments will aim to speed up implementation of decisions taken so far to cover all aspects of the refugee and migration crisis, the Commission is expected to table proposals on strengthening control of external borders, among others.

Following the recent letter sent by our French and German partners that initiated the dialogue on the expected proposals, we would like to give you an outline of our ideas on the matters concerned.

We have been advocating for a long time the need to swiftly implement decisions, already adopted for months now, to deal with this extraordinary problem that puts to a test our ability to protect and respect human dignity and effectively protect the well being of our citizens; a crisis that tests our own unity and solidarity. While reflecting on ways to ameliorate our planning and action in this regard, we should not lose sight of the need to rapidly implement what we have already decided on a series of aspects of the problem: hotspots, relocation, resettlement, returns. All these are interlinked and failure to act decisively ends up directly affecting the security of our borders.

While it is a fact that the appalling terrorist attacks in Paris have put the pressure on the need to efficiently manage our borders, it is, however, clear that there should be no confusion between terrorism and migration and that EU values and acquis in this field must be safeguarded.

In view of the upcoming Commission's proposals expected to be presented just before the December European Council, Greece would like to share its views and contribute to the ongoing discussion.

Free movement of people inside the Schengen area is an essential component of the European citizenship (articles 20 and 21, Lisbon Treaty). It is therefore imperative, when examining any proposed amendments to the Code, to spare no effort in order to safeguard this fundamental principle that constitutes part of our own identity as a Union. In this endeavor we need to strike the right balance between security and freedom of movement.

Mr. Dimitris Avramopoulos
Member of the European Commission
for Migration, Home Affairs and Citizenship

Already in October, Heads of States and Governments decided that the mandate of Frontex must be enhanced, in accordance with the distribution of competences under the Treaty and in full respect of the national competence of the member states. The Frontex Regulation provides for the initiative and consent of the requesting and host-Member States for an operation to be decided upon, planned and executed. This principle is reflected in a number of articles of the Regulation and echoes the logic behind the solidarity clause of the Lisbon Treaty (article 222). It is, therefore, necessary to retain the principles of initiative and consent, especially since decisions in the context of the Agency are taken by majority.

Enhancing Frontex's mandate should provide for a more vigorous competence on returns, as also provided for in the October EC conclusions. Strengthening and expanding its relevant competency will help stem irregular migratory flows and extend international protection to those who qualify, and contribute to securing the management of legal migration.

The refugee crisis has revealed the limits and shortcomings of the Dublin Regulation in its present form. Frontline countries of the EU have been stressing this all along. The regulation should be thoroughly reviewed and entirely overhauled in order to become a genuine burden-sharing system that would allocate asylum seekers on the basis of objective criteria. In this regard, the first entry criterion should be abolished or downgraded, upgrading the criteria of family reunification and petitioner's own free will.

Dear Commissioner,

The Hellenic Government is looking forward to your relevant proposals on all the above mentioned issues. We would like to assure you that we stand ready to work with the Commission as well as the rest of our partners in order for our response to the migration crisis to be coherent, comprehensive and effective.

Sincerely yours,

Ioannis Mouzalas
Alternate Minister
for Migration Policy

Nikolaos Toskas
Alternate Minister
for Citizen Protection

CC: Mr. Jean Asselborn
Minister of Foreign and European Affairs,
Minister of Immigration and Asylum
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Mr. Étienne Schneider
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