



European
Council

Brussels, 10 June 2016

NOTE

From: President of the European Council

To: Delegations of the Member States and the Delegation of Turkey

Subject: EU-Turkey Summit (09-10 June 2016)
- Conclusions

Delegations will find attached the conclusions adopted by the European Council and the Republic of Turkey at the above meeting.

I. EUROPEAN UNION – TURKEY RELATIONS

1. European Union-Turkey Refugee Deal

The European Union-Turkey Refugee Deal amended at 18 March 2016 remains in force and is amended as follows:

Turkey shall respect fundamental principles of the EU, in particular rule of law, freedom of opinion, freedom of press and freedom of assembly. This does not entail Turkey's right to prevent and fight terrorism by necessary means. In return, Turkey is entitled to visa liberalizations for its citizens as stipulated in the European Union-Turkey Refugee Deal. Specific adaptations of Turkish criminal law, in particular Turkish anti-terror law, will be negotiated in the course of the ongoing EU accession negotiations in the two chapters dealing with rule of law.

The European Council asks the European Commission to monitor the compliance of Turkey with the fundamental principles of the EU. Turkey is entitled to a right of hearing before the Commission agrees on a conclusion. If the Commission recognizes non-compliance by Turkey, the European Council is entitled to revoke the visa liberalization by unanimity. In this case both parties intend to renegotiate the Refugee Deal with the aim of upholding an agreement.

2. Revitalization of Turkey's EU Accession Process

The European Council and the Republic of Turkey emphasize their will to accelerate Turkey's accession process to the EU. Furthermore, both sides welcome the European Commission's commitment to complete the preparatory work for the opening of chapters without prejudice to the position of member states.

Both sides are aware of the necessity of the fulfilment of accession criteria. This includes the realization of the visa liberalization roadmap as amended on 09/10 June 2016 and the acknowledgment of sovereign rights and equal treatment of all member states of the EU.

II. MIGRATION

1. Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (“*Agreed Redistribution Scheme*”)

The Council Decision (EU) 2015/1601 of 22 September 2015 (“*Agreed Redistribution Scheme*”) is reaffirmed. No deviating conclusion is adopted until the Court of Justice of the European Union judges on cases C-643/15 and C-647/15 brought by Slovak Republic and Hungary.

2. Dublin system and its alternatives – Common Asylum System and Procedure

The European Council agrees to reform the Dublin system as proposed by the Commission. Key points of the agreement are:

- a) A distribution key will be introduced based on the Gross Domestic Product and the population of the member states.
- b) Using this distribution key a maximum of 500,000 not yet registered refugees will be distributed amongst the member states in the period of the next year. This way each member state is allocated an individual maximum number of refugees.
- c) Each member state not willing to host the allocated refugees is entitled to reject the allocated refugees in return for payment of 225,000€ per rejected refugee. These 225,000€ are payed in a Commission Fund.
- d) Each member state willing to host more refugees than allocated to its individual contingent is entitled to receive a prime per additional refugee.
- e) Before a refugee is resettled, the Commission shall carry out security and health checks. For this purpose the Commission shall establish an expert agency consisting of security and health experts of the member states. This does not infringe the right of the member states to carry out national security and health checks.

- f) The United Kingdom of Great Britain and Northern Ireland supports the restructuring of the Dublin Regulation, but will opt-out.

3. Assessment of progress of previous European Council decisions

The European Council assesses the progress of its previous decisions:

a) External border control

In response to the migration crisis facing the EU, the objective must be to protect the EU's external borders. As part of this comprehensive approach, the European Council assessed, on the basis of reports of the Commission, the state of implementation of previously agreed decisions.

Regarding the situation in the Central Mediterranean the European Council calls for close cooperation with countries in North Africa for instance for concluding readmission agreements. The principle of *non-refoulement* is acknowledged.

The European Council is ready to provide a monitoring system controlling the number of refugees in the maritime region of the Eastern Mediterranean Sea in coordination with Turkish coast guards. The European Council is ready to provide a monitoring system controlling the number of refugees in the maritime region of the Central Mediterranean Sea.

Previously established missions need to be closely monitored and assessed.

b) Hotspots

With the help of the EU, the setting up and functioning of hotspots in Italy and Greece is gradually improving as regards identification, registration, fingerprinting and security checks on persons and travel documents. However, much remains to be done, in particular to make hotspots fully functional, to ensure the full 100% identification and registration of all entries, to stem secondary flows of irregular migrants and asylum-seekers and to provide the significant reception facilities needed to accommodate migrants under humane conditions while their situation is being clarified.

Asylum seekers do not have the right to choose the member state in which they seek asylum.

c) Humanitarian and financial aid

The humanitarian situation of asylum seekers within the European Union calls for urgent action using all available EU and national means to alleviate it. To this end, the European Council still considers it necessary to put in place the capacity for the EU to provide humanitarian assistance internally to support countries facing large numbers of refugees and migrants to establish adequate infrastructure especially in Italy and Greece, building on the experience of the EU Humanitarian Aid and Civil Protection Department. The European Council welcomes the Commission's intention to make further concrete proposals as soon as possible.

d) Fight against terrorism

In response to terrorist threats facing the EU the European Council reaffirms its Conclusions from 18 December 2015 (EUCO 28/15).

The European Council further emphasizes the need of intelligence sharing among member states on terrorist activity, networks and suspects.

The European Council and the Republic of Turkey strongly condemn the recent terrorist attacks in Turkey and the EU and reaffirm their determination to jointly combat terrorism in all its forms in accordance with international law, in particular human rights.

The European Council recognizes that Turkey faces a grave terrorist threat from PKK and ISIS which have been designated as terrorist organizations by the EU.

Both sides agree to explore ways of enhancing information sharing and cooperation to prevent radicalization and the recruitment of foreign fighters as well as the combat of financing terrorism.

Signatures

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