



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 21 June 2012

11748/12

**JAI 462
ASIM 80**

OUTCOME OF PROCEEDINGS

of: Council

on: 21 June 2012

Subject: Council Conclusions on developing cooperation with Turkey in the areas of
Justice and Home Affairs

The Council adopted at its meeting on 21 June 2012 the Conclusions set out in Annex I.

Two statements of the Commission are set out in Annex II.

**Council Conclusions
on developing cooperation with Turkey in the areas of Justice and Home Affairs**

- a) Underlining that illegal immigration flows reaching the EU external borders from Turkey represent a matter of continuing concern for the EU and acknowledging the steps made by Turkey so far to prevent and combat these flows in light of the shared interest of the EU and Turkey in more effective migration and border management;
- b) Stressing the necessity to conclude as soon as possible the readmission agreement negotiated between the EU and Turkey;
- c) Being aware of the importance Turkey attaches to facilitating the travelling of its nationals to the EU territory and to the opening of a perspective of liberalisation of the visa regime, also in light of its EU candidacy status and the positive agenda with Turkey in this context;
- d) Welcoming the steps taken by the Commission and the Presidency to make progress in the dialogue with Turkey after the adoption of the Conclusions at the Justice and Home Affairs meeting on 24 and 25 February 2011 leading *inter alia* to the initialling on 15 March 2012 of the Memorandum of Understanding between FRONTEX and Turkey;
- e) Underlining the need to further strengthen the cooperation with Turkey in the area of Justice and Home Affairs.

The Council

1. Invites Turkey to increase their efforts to effectively prevent and combat illegal immigration flows reaching the EU external borders from Turkey, in accordance with international law, as well as to combat the criminal groups involved in facilitating illegal immigration.

2. Invites Turkey to fully implement the existing bilateral readmission agreements it has with certain EU Member States.
3. Invites the Turkish authorities and FRONTEX to conclude and put into effect, in light of the importance and urgency of the matter, their Memorandum of Understanding on the development of practical cooperation in the area of border management.
4. Invites the Turkish authorities and EUROPOL to conclude, in light of the importance and urgency of the matter, an operational cooperation agreement, which would allow the parties to better combat organised crime and terrorism while fully respecting data protection standards.
5. Invites Turkey and all the EU Member States to strengthen their bilateral cooperation, while fully respecting data protection standards in cooperation on law enforcement issues.
6. Invites the European Commission to establish a broader dialogue and cooperation framework between EU and Turkey to address the full range of Justice and Home Affairs policy fields building on the Stockholm Programme, and in line with the established procedures of the EU-Turkey Negotiating Framework and the relevant Council Conclusions. The European Commission should define in cooperation with Turkey such a broader dialogue and cooperation framework between EU, all its Member States and Turkey so as to include *inter alia* migration, border management, improving cooperation on international protection and security issues and on judicial cooperation in civil and criminal matters, aiming in particular at reinforcing the management at the Greek-Turkish and Bulgarian-Turkish borders (including enhancement of the bilateral cooperation in the field of returns e.g. Joint Return Flights), as well as combating terrorism and cross-border organised crime (including smuggling of and trafficking in human beings, drug trafficking and money laundering). Meetings within the dialogue and cooperation framework should take place at least once a year and the European Commission should report on the dialogue and cooperation framework to the Council and relevant Council working parties regularly, and in any case, every six months.

7. Invites EU Member States in coordination with the European Commission to continue making coherent and coordinated efforts to increasingly exploit all possibilities provided by the existing EU Visa Code, while building on the conclusions of the JHA Council of 24 February 2011.

8. Invites the European Commission, in parallel to the signature of the readmission agreement between Turkey and the EU, to take steps towards visa liberalisation as a gradual and long term perspective within the above mentioned cooperation framework. Such cooperation should be established on the basis of an Action Plan and progress would be founded on a performance based approach and conditioned on an effective and consistent implementation by Turkey of those requirements vis-à-vis the EU and its Member States. Such requirements should in particular, while upholding international obligations, include an effective and full implementation of the readmission agreement vis-à-vis all Member States and effective cooperation on JHA issues with all Member States, a better management of mixed migration flows at its borders, and further alignment with the EU acquis, especially in respect of the visa policy and those third countries whose nationals constitute a significant source of the mixed migratory flows towards the EU and as regards reciprocity, as well as its asylum legislation.

Statement of the Commission

In the context of the broader dialogue and cooperation framework to be established with Turkey, the European Commission will continue to engage in discussions with Turkish authorities with a view to ensuring equal treatment of the citizens of all the Member States of the European Union within the Turkish visa policy.

Statement of the Commission

The European Commission will monitor the implementation of the EU-Turkey Readmission agreement and of the requirements which Turkey will have to fulfil in the context of the EU-Turkey broader dialogue and cooperation framework , in order to ensure that they are implemented in a non-discriminatory way vis-à-vis all the Member States of the European Union.
