



Council of the
European Union

186707/EU XXVII. GP
Eingelangt am 29/05/24

Brussels, 29 May 2024
(OR. en)

10093/24
PV CONS 24
ECOFIN 595

DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Economic and Financial Affairs)
14 May 2024

1. Adoption of the agenda

The Council adopted the agenda set out in document 9431/24.

2. Approval of 'A' items

a) Non-legislative list

9509/24

The Council adopted all "A" items listed in the document above, including all linguistic COR and REV documents presented for adoption. Statements to these items are set out in the Addendum.

b) Legislative list (public deliberation in accordance with Article 16(8) of the Treaty on European Union)

9510/24

Justice and Home Affairs

1. Eurodac Regulation



9020/24

Adoption of the legislative act

approved by Coreper, Part 2, on 8 May 2024

+ ADD 1 REV 1
PE-CONS 15/24
ASILE

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Hungary and Poland voting against and the Czech Republic, Malta and Slovakia abstaining (legal basis: Article 78(2), points (c), (d), (e) and (g), Article 79(2), point (c), Article 87(2), point (a), and Article 88(2), point (a) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote. Statements to this item are set out in the Annex.

2. **Asylum Procedure Regulation**

Adoption of the legislative act

approved by Coreper, Part 2, on 8 May 2024



9024/24

+ ADD 1 REV 1

PE-CONS 16/24

ASILE

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Hungary and Poland voting against and the Czech Republic, Malta and Slovakia abstaining (legal basis: Article 78(2), point (d) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote. Statements to this item are set out in the Annex.

3. **Regulation establishing a return border procedure**

Adoption of the legislative act

approved by Coreper, Part 2, on 8 May 2024



9025/24

+ ADD 1 REV 1

PE-CONS 17/24

JAI

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Hungary and Poland voting against and Czech Republic and Slovakia abstaining (legal basis: Articles 77(2) and 79(2)(c) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote. Statements to this item are set out in the Annex.

4. **Resettlement Framework Regulation**

Adoption of the legislative act

approved by Coreper, Part 2, on 8 May 2024



9027/24

+ ADD 1 REV 1

PE-CONS 18/24

ASILE

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Poland and Hungary voting against and the Czech Republic and Slovakia abstaining (legal basis: Article 78(2), points (d) and (g) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote. Statements to this item are set out in the Annex.

5. Regulation on crisis situations in the field of migration and asylum



9028/24
+ ADD 1 REV 1
PE-CONS 19/24
JAI

Adoption of the legislative act

approved by Coreper, Part 2, on 8 May 2024

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Austria, Hungary, Poland and Slovakia voting against and the Czech Republic abstaining (legal basis: Article 78(2) (d) and (e) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote. Statements to this item are set out in the Annex.

6. Screening Regulation



9029/24
+ ADD 1 REV 1
PE-CONS 20/24
FRONT

Adoption of the legislative act

approved by Coreper, Part 2, on 8 May 2024

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Hungary and Poland voting against and the Czech Republic and Slovakia abstaining (legal basis: Article 77(2), points (b) and (d) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote. Statements to this item are set out in the Annex.

7. Asylum and Migration Management Regulation



9030/24
+ ADD 1 REV 1
PE-CONS 21/24
ASILE

Adoption of the legislative act

approved by Coreper, Part 2, on 8 May 2024

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Hungary, Poland and Slovakia voting against and Austria, the Czech Republic and Malta abstaining (legal basis: Article 78(2), point (e), and Article 79(2), points (a), (b) and (c) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote. Statements to this item are set out in the Annex.

8. Screening Regulation – consequential amendments

Adoption of the legislative act

approved by Coreper, Part 2, on 8 May 2024



9031/24

+ ADD 1 REV 1

PE-CONS 22/24

FRONT

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Hungary and Poland voting against and the Czech Republic and Slovakia abstaining (legal basis: Article 78(2)(e), Article 79(2)(c), Article 82(1), second subparagraph, point (d), and Article 87(2)(a) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote. Statements to this item are set out in the Annex.

9. Reception Conditions Directive

Adoption of the legislative act

approved by Coreper, Part 2, on 8 May 2024



9021/24

+ ADD 1 REV 1

PE-CONS 69/23

ASILE

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Austria, Hungary and Poland voting against and the Czech Republic and Slovakia abstaining (legal basis: Article 78(2)(f) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote. Statements to this item are set out in the Annex.

10. Qualification Regulation

Adoption of the legislative act

approved by Coreper, Part 2, on 8 May 2024



9022/24

+ ADD 1 REV 1

PE-CONS 70/23

ASILE

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Hungary and Poland voting against and Austria, the Czech Republic and Slovakia abstaining (legal basis: Article 78(2), points (a) and (b), and Article 79(2), point (a) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote. Statements to this item are set out in the Annex.

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

3. **Directive on Faster and Safer Relief of Excess Withholding Taxes (FASTER)** SC 9786/24
9787/24
General approach

The Council reached a general approach on the draft Directive set out in doc. 9925/24. The procedure concerning a Council decision to re-consult the European Parliament will be launched by the General Secretariat of the Council as soon as possible.

4. **‘VAT in the Digital Age’ package** SC 9680/24
(a) **Directive on VAT rules for the digital age** 9681/24
General approach
(b) **Regulation as regards the VAT administrative cooperation arrangements needed for the digital age** 9683/24
(Legal basis: Article 113 TEU)
Political agreement

The Council held an exchange of views with a view to reaching a general approach on the draft Directive on VAT rules for the digital age and a political agreement on the Regulation as regards VAT administrative arrangements needed for the digital age.

5. **Any other business**
Current financial services legislative proposals 8151/24
Information from the Presidency


The Council took note of the information provided by the Presidency about the ongoing work on financial services legislative proposals.

Non-legislative activities

6. **‘VAT in the Digital Age’ package: Implementing Regulation as regards information requirements for certain VAT schemes (Legal basis: Directive 2006/112/EC)**   9684/24

Political agreement

The Council held an exchange of views in a public session with a view to reaching a political agreement on the draft Implementing Regulation as regards information requirements for certain VAT schemes.

7. Economic recovery in Europe
- a) Implementation of the Recovery and Resilience Facility
State of play
 - b) Council Implementing Decisions under the Recovery and Resilience Facility  9303/24 + ADD 1
(Legal basis: Article 21 of Regulation (EU) 2021/241) 9399/24 + ADD 1
Adoption
8. Economic and financial impact of Russia’s aggression against Ukraine
Exchange of views
9. Conclusions on the fiscal sustainability challenges arising from ageing 9159/24
Approval
10. Follow-up to the G20 Finance Ministers and Central Bank Governors meeting of 17-18 April 2024 and the IMF spring meetings 9373/24
Information from the Presidency and the Commission
11. Conclusions on financial literacy 9529/24
Approval

12. Any other business
Coalition of Finance Ministers for Climate Action
Information from the Presidency and the Netherlands

9594/24

-
- S** Special legislative procedure
PP Public deliberation (Article 8(1) of the Council's Rules of Procedure)
C Item based on a Commission proposal
-

Statements to the legislative "A" items set out in doc. 9510/24**Ad "A" item 1:** **Eurodac Regulation**
*Adoption of the legislative act***STATEMENT BY BULGARIA**

“Bulgaria thanks the Spanish and Belgian Presidencies for the hard work during the negotiations with the European Parliament that resulted in finalisation of the asylum reform.

We welcome the political agreement achieved between the co-legislators. The new asylum system will provide for fully-fledged and structured common European response while ensuring a balance between solidarity and responsibility. Being a front line Member State permanently exposed to risk of migratory crisis and with increased commitments for guaranteeing the proper functioning of the Schengen area Bulgaria will rely, in a spirit of solidarity, on fair shared responsibility and support provided by the Union funds for the implementation of the new rules.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe’s Convention on Preventing and Combating Violence against Women and Domestic Violence promotes legal concepts related to the notion of gender that are incompatible with main principles enshrined in the Bulgarian Constitution and intends to differentiate between “sex” as a biological (women and men) category and “gender” as a social construct.

Therefore, Bulgaria is grateful for the efforts made to address the national concerns linked to the use of gender related terms in some acts part of the asylum package given the decision of the Constitutional court of the Republic of Bulgaria.

Bulgaria does not oppose the adoption of the Pact on Migration and Asylum, but wishes to stress that we will interpret the gender-related terminology used in some acts part of the asylum package within the meaning of a biological (women and men) category.”

STATEMENT BY THE CZECH REPUBLIC

“The Czech Republic acknowledges the need of the reform of the current rules governing the EU migration and asylum policy. Several challenges and notably the developments since the refugee crisis of 2015-2016 manifested the vulnerability of our system, which is no longer sustainable. Since only a common solution at the EU level could provide an adequate response to issues that the EU and Member States face both together and individually, we therefore appreciate the effort to address the major shortcomings.

Throughout the negotiations of the Pact on Migration and Asylum, the Czech Republic pursued particularly the objectives of enhanced protection of external borders with a view of a safer Schengen area as well as a functional balance between responsibility and solidarity.

The Czech Republic specifically welcomes the fact that the final compromise does not establish an obligation to relocate third country nationals from other Member States or third countries. At the same time and while appreciating other improvements to the current system, the Czech Republic notes that the outcome of the interinstitutional negotiations did not quite meet the ambition of the Council mandate and that the efficiency of some instruments had been compromised by additional administrative burden on the Member States, generating practical difficulties as well as increased costs.

With a view of the above and in line with the package approach, the Czech Republic decided to abstain from voting on the legislative instruments of the Pact. Yet, the Czech Republic appreciates the spirit of EU unity and views this milestone as a new opportunity to continue, with a reinforced effort, in reforming the EU migration and asylum policy further and with a specific focus on the external dimension and innovative ideas there.”

STATEMENT BY HUNGARY

“Hungary remains firmly convinced of the need to develop a Common European Asylum System which aims at tackling the root causes of illegal migration, minimises and ultimately eliminates the incentives for illegal migration and discourages persons who wish to abuse the asylum system from entering the European Union, and includes the possibility for examining asylum applications in third countries on the basis of the principle of extraterritoriality. To be able to achieve these goals we need to, first and foremost, acknowledge that global migration challenges cannot be solved on the territory of Europe, therefore we should not import unsolvable problems, but take the help where it is needed.

To be able to develop an effective Common European Asylum System, it is essential to strike a balance between responsibility and solidarity, but we believe that this balance has not been achieved by the proposed legislative acts. This lack of balance is clearly proven by the fact that Hungary is not a frontline Member State, however, we are a Member State with significant external borders, who remains responsible for stopping the migratory pressure on the European Union. In addition to this responsibility, the APR Regulation would oblige Hungary to ensure a much higher level of capacity for carrying out border procedures than other Member States, which is unfair and unrealistic given our geographical location.

Since 2015, Hungary has been committed to the protection of the external borders of the European Union, without EU support, in line with its obligations under the Schengen acquis. Our efforts should also be recognised as a form of solidarity. On the contrary, the proposed new legal framework does not consider resources from national budgets spent on the protection of external borders of the European Union as solidarity, but instead imposes additional obligations both in terms of providing solidarity to other Member States and responsibility for stopping illegal migration.

In line with our consistent position, Hungary cannot support the establishment of a solidarity mechanism based on the mandatory distribution of migrants, and therefore does not agree with the introduction of responsibility offsets as a mandatory element of the solidarity framework. The council decisions adopted in 2015 have already proved that a solidarity mechanism based on the mandatory distribution of migrants will not relieve the burden on our asylum systems, on the contrary, it increases the number of arrivals.

Furthermore, Hungary recognises and promotes equality between men and women in accordance with the Fundamental Law of Hungary and the primary law, principles and values of the European Union, as well as commitments and principles stemming from international law. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term ‘gender’ as a reference to ‘sex’ in the relevant legal acts.

Finally, and in line with the repeated call of the European Council, Hungary remains firm on the need to find consensus on an effective migration and asylum policy without creating new pull factors.

Taking into account the aforementioned reasons, Hungary is not in a position to support the adoption of the Eurodac Regulation, as it is an inseparable element of a fundamentally flawed system.”

STATEMENT BY POLAND

“1. The Government of the Republic of Poland appreciates the efforts of the EU Council, the European Parliament and the European Commission to reach a compromise on a comprehensive and responsible response of the European Union to meet the challenges of current migration processes. At the same time, we emphasise that the Government did not have the real chance to participate in the negotiations on the Pact on Migration and Asylum.

2. The Government of the Republic of Poland notes a possibility to improve the management of some of the aspects of migration and asylum system. However further analysis of the legal acts within the Pact shows that they do not sufficiently address the specific situation of the Member States which border with Belarus and Russia and due to this fact have been under constant and high pressure resulted from artificially created migration routes. In this context, it is worth noting that the European Council repeatedly, including its conclusions from 14 and 15 December 2023, has stressed the negative consequences of the phenomenon of instrumentalisation of migration and condemned the instrumental use of migrants by third countries for political purposes.

3. The Government of the Republic of Poland takes the position that the Pact on Migration and Asylum does not assure the right balance between responsibility and solidarity and could potentially be a room for future disputes between EU institutions and Member States.

4. In view of the above, the Government of the Republic of Poland has decided to vote against the all the legal acts falling within the scope of the Pact.”

STATEMENT BY SLOVAKIA

“The Slovak Republic recognizes the need to reform the Common European Asylum System. We greatly appreciate the efforts of all participating Presidencies. At the same time, we are aware that reaching the compromise was not an easy task.

It is however essential, that we do not retreat from the positions that we have held and declared for a long time.

We appreciate that the Pact focuses on solving the causes of migration in the countries of origin, which can help alleviate the pressure on the external borders of the EU.

We believe that the priority of a successful European migration policy should be the consistent protection of EU external borders, as well as an effective return policy.

It is desirable to take all measures to prevent illegal migration and, at the same time, help those in need of international protection.

While we acknowledge that the concept of mandatory relocation quotas has largely been abandoned, we are not convinced that the presented proposals strike the right balance between solidarity and responsibility.

Solidarity is an important principle in managing migration, but we believe the choice of the form must always be entirely in the hands of the Member State. Unfortunately, the proposals do not meet this requirement since financial contributions are mandatory if a certain number of asylum seekers are not relocated. At the same time, if certain conditions are met, Dublin responsibility offsets also become mandatory. These elements constitute strong pull factors and provide incentives for secondary migration.

Considering the above, the Slovak Republic votes against the submitted proposals in the area of solidarity – the Asylum and Migration Management Regulation (AMMR) as well as the Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

In view of the interlinked nature of all submitted proposals, we abstain from voting on the other proposals.”

Ad "A" item 2: **Asylum Procedure Regulation**
Adoption of the legislative act

STATEMENT BY BULGARIA

“Bulgaria thanks the Spanish and Belgian Presidencies for the hard work during the negotiations with the European Parliament that resulted in finalisation of the asylum reform.

We welcome the political agreement achieved between the co-legislators. The new asylum system will provide for fully-fledged and structured common European response while ensuring a balance between solidarity and responsibility. Being a front line Member State permanently exposed to risk of migratory crisis and with increased commitments for guaranteeing the proper functioning of the Schengen area Bulgaria will rely, in a spirit of solidarity, on fair shared responsibility and support provided by the Union funds for the implementation of the new rules.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence promotes legal concepts related to the notion of gender that are incompatible with main principles enshrined in the Bulgarian Constitution and intends to differentiate between "sex" as a biological (women and men) category and "gender" as a social construct.

Therefore, Bulgaria is grateful for the efforts made to address the national concerns linked to the use of gender related terms in some acts part of the asylum package given the decision of the Constitutional court of the Republic of Bulgaria.

Bulgaria does not oppose the adoption of the Pact on Migration and Asylum, but wishes to stress that we will interpret the gender-related terminology used in some acts part of the asylum package within the meaning of a biological (women and men) category."

STATEMENT BY THE CZECH REPUBLIC

"The Czech Republic acknowledges the need of the reform of the current rules governing the EU migration and asylum policy. Several challenges and notably the developments since the refugee crisis of 2015-2016 manifested the vulnerability of our system, which is no longer sustainable. Since only a common solution at the EU level could provide an adequate response to issues that the EU and Member States face both together and individually, we therefore appreciate the effort to address the major shortcomings.

Throughout the negotiations of the Pact on Migration and Asylum, the Czech Republic pursued particularly the objectives of enhanced protection of external borders with a view of a safer Schengen area as well as a functional balance between responsibility and solidarity.

The Czech Republic specifically welcomes the fact that the final compromise does not establish an obligation to relocate third country nationals from other Member States or third countries. At the same time and while appreciating other improvements to the current system, the Czech Republic notes that the outcome of the interinstitutional negotiations did not quite meet the ambition of the Council mandate and that the efficiency of some instruments had been compromised by additional administrative burden on the Member States, generating practical difficulties as well as increased costs.

With a view of the above and in line with the package approach, the Czech Republic decided to abstain from voting on the legislative instruments of the Pact. Yet, the Czech Republic appreciates the spirit of EU unity and views this milestone as a new opportunity to continue, with a reinforced effort, in reforming the EU migration and asylum policy further and with a specific focus on the external dimension and innovative ideas there."

STATEMENT BY HUNGARY

“Hungary remains firmly convinced of the need to develop a Common European Asylum System which aims at tackling the root causes of illegal migration, minimises and ultimately eliminates the incentives for illegal migration and discourages persons who wish to abuse the asylum system from entering the European Union, and includes the possibility for examining asylum applications in third countries on the basis of the principle of extraterritoriality. To be able to achieve these goals we need to, first and foremost, acknowledge that global migration challenges cannot be solved on the territory of Europe, therefore we should not import unsolvable problems, but take the help where it is needed.

To be able to develop an effective Common European Asylum System, it is essential to strike a balance between responsibility and solidarity, but we believe that this balance has not been achieved by the proposed legislative acts. This lack of balance is clearly proven by the fact that Hungary is not a frontline Member State, however, we are a Member State with significant external borders, who remains responsible for stopping the migratory pressure on the European Union. In addition to this responsibility, the APR Regulation would oblige Hungary to ensure a much higher level of capacity for carrying out border procedures than other Member States, which is unfair and unrealistic given our geographical location.

Since 2015, Hungary has been committed to the protection of the external borders of the European Union, without EU support, in line with its obligations under the Schengen acquis. Our efforts should also be recognised as a form of solidarity. On the contrary, the proposed new legal framework does not consider resources from national budgets spent on the protection of external borders of the European Union as solidarity, but instead imposes additional obligations both in terms of providing solidarity to other Member States and responsibility for stopping illegal migration.

Furthermore, Hungary recognises and promotes equality between men and women in accordance with the Fundamental Law of Hungary and the primary law, principles and values of the European Union, as well as commitments and principles stemming from international law. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term ‘gender’ as a reference to ‘sex’ in the relevant legal acts.

Finally, and in line with the repeated call of the European Council, Hungary remains firm on the need to find consensus on an effective migration and asylum policy without creating new pull factors.

Taking into account the aforementioned reasons, Hungary is not in a position to support the adoption of the Asylum Procedure Regulation (APR), as it is an inseparable element of a fundamentally flawed system.”

STATEMENT BY MALTA

“The reform of the Common European Asylum System remains of key importance to provide the right balance between the fair sharing of responsibility amongst all Member States and effective solidarity towards those Member States in need.

In this regard, while thanking the Spanish and Belgian Presidency, and the Commission, for the efforts made during negotiations with the European Parliament, Malta is of the view that the final texts on the Asylum and Migration Management Regulation and on the Asylum Procedures Regulation still do not provide for the right balance.

As already stated in June 2023, Malta, as a small Island Member State with particular vulnerabilities, already faces significant burden through the current acquis. The elements set out in the reform will further increase responsibilities while the solidarity mechanism, even though permanent and mandatory, remains flexible and does not provide the necessary assurances that the needs identified will be fully met.

Malta is therefore abstaining on the Asylum and Migration Management Regulation and on the Asylum Procedures Regulation.”

STATEMENT BY POLAND

“1. The Government of the Republic of Poland appreciates the efforts of the EU Council, the European Parliament and the European Commission to reach a compromise on a comprehensive and responsible response of the European Union to meet the challenges of current migration processes. At the same time, we emphasise that the Government did not have the real chance to participate in the negotiations on the Pact on Migration and Asylum.

2. The Government of the Republic of Poland notes a possibility to improve the management of some of the aspects of migration and asylum system. However further analysis of the legal acts within the Pact shows that they do not sufficiently address the specific situation of the Member States which border with Belarus and Russia and due to this fact have been under constant and high pressure resulted from artificially created migration routes. In this context, it is worth noting that the European Council repeatedly, including its conclusions from 14 and 15 December 2023, has stressed the negative consequences of the phenomenon of instrumentalisation of migration and condemned the instrumental use of migrants by third countries for political purposes.

3. The Government of the Republic of Poland takes the position that the Pact on Migration and Asylum does not assure the right balance between responsibility and solidarity and could potentially be a room for future disputes between EU institutions and Member States.

4. In view of the above, the Government of the Republic of Poland has decided to vote against the all the legal acts falling within the scope of the Pact.”

STATEMENT BY SLOVAKIA

“The Slovak Republic recognizes the need to reform the Common European Asylum System. We greatly appreciate the efforts of all participating Presidencies. At the same time, we are aware that reaching the compromise was not an easy task.

It is however essential, that we do not retreat from the positions that we have held and declared for a long time.

We appreciate that the Pact focuses on solving the causes of migration in the countries of origin, which can help alleviate the pressure on the external borders of the EU.

We believe that the priority of a successful European migration policy should be the consistent protection of EU external borders, as well as an effective return policy.

It is desirable to take all measures to prevent illegal migration and, at the same time, help those in need of international protection.

While we acknowledge that the concept of mandatory relocation quotas has largely been abandoned, we are not convinced that the presented proposals strike the right balance between solidarity and responsibility.

Solidarity is an important principle in managing migration, but we believe the choice of the form must always be entirely in the hands of the Member State. Unfortunately, the proposals do not meet this requirement since financial contributions are mandatory if a certain number of asylum seekers are not relocated. At the same time, if certain conditions are met, Dublin responsibility offsets also become mandatory. These elements constitute strong pull factors and provide incentives for secondary migration.

Considering the above, the Slovak Republic votes against the submitted proposals in the area of solidarity – the Asylum and Migration Management Regulation (AMMR) as well as the Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

In view of the interlinked nature of all submitted proposals, we abstain from voting on the other proposals.”

Ad "A" item 3: **Regulation establishing a return border procedure**
 Adoption of the legislative act

STATEMENT BY BULGARIA

“Bulgaria thanks the Spanish and Belgian Presidencies for the hard work during the negotiations with the European Parliament that resulted in finalisation of the asylum reform.

We welcome the political agreement achieved between the co-legislators. The new asylum system will provide for fully-fledged and structured common European response while ensuring a balance between solidarity and responsibility. Being a front line Member State permanently exposed to risk of migratory crisis and with increased commitments for guaranteeing the proper functioning of the Schengen area Bulgaria will rely, in a spirit of solidarity, on fair shared responsibility and support provided by the Union funds for the implementation of the new rules.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence promotes legal concepts related to the notion of gender that are incompatible with main principles enshrined in the Bulgarian Constitution and intends to differentiate between "sex" as a biological (women and men) category and "gender" as a social construct.

Therefore, Bulgaria is grateful for the efforts made to address the national concerns linked to the use of gender related terms in some acts part of the asylum package given the decision of the Constitutional court of the Republic of Bulgaria.

Bulgaria does not oppose the adoption of the Pact on Migration and Asylum, but wishes to stress that we will interpret the gender-related terminology used in some acts part of the asylum package within the meaning of a biological (women and men) category."

STATEMENT BY THE CZECH REPUBLIC

"The Czech Republic acknowledges the need of the reform of the current rules governing the EU migration and asylum policy. Several challenges and notably the developments since the refugee crisis of 2015-2016 manifested the vulnerability of our system, which is no longer sustainable. Since only a common solution at the EU level could provide an adequate response to issues that the EU and Member States face both together and individually, we therefore appreciate the effort to address the major shortcomings.

Throughout the negotiations of the Pact on Migration and Asylum, the Czech Republic pursued particularly the objectives of enhanced protection of external borders with a view of a safer Schengen area as well as a functional balance between responsibility and solidarity.

The Czech Republic specifically welcomes the fact that the final compromise does not establish an obligation to relocate third country nationals from other Member States or third countries. At the same time and while appreciating other improvements to the current system, the Czech Republic notes that the outcome of the interinstitutional negotiations did not quite meet the ambition of the Council mandate and that the efficiency of some instruments had been compromised by additional administrative burden on the Member States, generating practical difficulties as well as increased costs.

With a view of the above and in line with the package approach, the Czech Republic decided to abstain from voting on the legislative instruments of the Pact. Yet, the Czech Republic appreciates the spirit of EU unity and views this milestone as a new opportunity to continue, with a reinforced effort, in reforming the EU migration and asylum policy further and with a specific focus on the external dimension and innovative ideas there."

STATEMENT BY HUNGARY

“Hungary remains firmly convinced of the need to develop a Common European Asylum System which aims at tackling the root causes of illegal migration, minimises and ultimately eliminates the incentives for illegal migration and discourages persons who wish to abuse the asylum system from entering the European Union, and includes the possibility for examining asylum applications in third countries on the basis of the principle of extraterritoriality. To be able to achieve these goals we need to, first and foremost, acknowledge that global migration challenges cannot be solved on the territory of Europe, therefore we should not import unsolvable problems, but take the help where it is needed.

To be able to develop an effective Common European Asylum System, it is essential to strike a balance between responsibility and solidarity, but we believe that this balance has not been achieved by the proposed regulations. This lack of balance is clearly proven by the fact that Hungary is not a frontline Member State, however, we are a Member State with significant external borders, who remains responsible for stopping the migratory pressure on the European Union. In addition to this responsibility, the APR Regulation would oblige Hungary to ensure a much higher level of capacity for carrying out border procedures than other Member States, which is unfair and unrealistic given our geographical location.

Since 2015, Hungary has been committed to the protection of the external borders of the European Union, without EU support, in line with its obligations under the Schengen acquis. Our efforts should also be recognised as a form of solidarity. On the contrary, the proposed new legal framework does not consider resources from national budgets spent on the protection of external borders of the European Union as solidarity, but instead imposes additional obligations both in terms of providing solidarity to other Member States and responsibility for stopping illegal migration.

Finally, and in line with the repeated call of the European Council, Hungary remains firm on the need to find consensus on an effective migration and asylum policy without creating new pull factors.

Taking into account the aforementioned reasons, Hungary is not in a position to support the adoption of the Regulation establishing a return border procedure, as it is an inseparable element of a fundamentally flawed system.”

STATEMENT BY POLAND

“1. The Government of the Republic of Poland appreciates the efforts of the EU Council, the European Parliament and the European Commission to reach a compromise on a comprehensive and responsible response of the European Union to meet the challenges of current migration processes. At the same time, we emphasise that the Government did not have the real chance to participate in the negotiations on the Pact on Migration and Asylum.

2. The Government of the Republic of Poland notes a possibility to improve the management of some of the aspects of migration and asylum system. However further analysis of the legal acts within the Pact shows that they do not sufficiently address the specific situation of the Member States which border with Belarus and Russia and due to this fact have been under constant and high pressure resulted from artificially created migration routes. In this context, it is worth noting that the European Council repeatedly, including its conclusions from 14 and 15 December 2023, has stressed the negative consequences of the phenomenon of instrumentalisation of migration and condemned the instrumental use of migrants by third countries for political purposes.

3. The Government of the Republic of Poland takes the position that the Pact on Migration and Asylum does not assure the right balance between responsibility and solidarity and could potentially be a room for future disputes between EU institutions and Member States.

4. In view of the above, the Government of the Republic of Poland has decided to vote against the all the legal acts falling within the scope of the Pact.”

STATEMENT BY SLOVAKIA

“The Slovak Republic recognizes the need to reform the Common European Asylum System. We greatly appreciate the efforts of all participating Presidencies. At the same time, we are aware that reaching the compromise was not an easy task.

It is however essential, that we do not retreat from the positions that we have held and declared for a long time.

We appreciate that the Pact focuses on solving the causes of migration in the countries of origin, which can help alleviate the pressure on the external borders of the EU.

We believe that the priority of a successful European migration policy should be the consistent protection of EU external borders, as well as an effective return policy.

It is desirable to take all measures to prevent illegal migration and, at the same time, help those in need of international protection.

While we acknowledge that the concept of mandatory relocation quotas has largely been abandoned, we are not convinced that the presented proposals strike the right balance between solidarity and responsibility.

Solidarity is an important principle in managing migration, but we believe the choice of the form must always be entirely in the hands of the Member State. Unfortunately, the proposals do not meet this requirement since financial contributions are mandatory if a certain number of asylum seekers are not relocated. At the same time, if certain conditions are met, Dublin responsibility offsets also become mandatory. These elements constitute strong pull factors and provide incentives for secondary migration.

Considering the above, the Slovak Republic votes against the submitted proposals in the area of solidarity – the Asylum and Migration Management Regulation (AMMR) as well as the Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

In view of the interlinked nature of all submitted proposals, we abstain from voting on the other proposals.”

Ad "A" item 4: **Resettlement Framework Regulation**
Adoption of the legislative act

STATEMENT BY BULGARIA

“Bulgaria thanks the Spanish and Belgian Presidencies for the hard work during the negotiations with the European Parliament that resulted in finalisation of the asylum reform.

We welcome the political agreement achieved between the co-legislators. The new asylum system will provide for fully-fledged and structured common European response while ensuring a balance between solidarity and responsibility. Being a front line Member State permanently exposed to risk of migratory crisis and with increased commitments for guaranteeing the proper functioning of the Schengen area Bulgaria will rely, in a spirit of solidarity, on fair shared responsibility and support provided by the Union funds for the implementation of the new rules.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe’s Convention on Preventing and Combatting Violence against Women and Domestic Violence promotes legal concepts related to the notion of gender that are incompatible with main principles enshrined in the Bulgarian Constitution and intends to differentiate between “sex” as a biological (women and men) category and “gender” as a social construct.

Therefore, Bulgaria is grateful for the efforts made to address the national concerns linked to the use of gender related terms in some acts part of the asylum package given the decision of the Constitutional court of the Republic of Bulgaria.

Bulgaria does not oppose the adoption of the Pact on Migration and Asylum, but wishes to stress that we will interpret the gender-related terminology used in some acts part of the asylum package within the meaning of a biological (women and men) category.”

STATEMENT BY CZECH REPUBLIC

“The Czech Republic acknowledges the need of the reform of the current rules governing the EU migration and asylum policy. Several challenges and notably the developments since the refugee crisis of 2015-2016 manifested the vulnerability of our system, which is no longer sustainable. Since only a common solution at the EU level could provide an adequate response to issues that the EU and Member States face both together and individually, we therefore appreciate the effort to address the major shortcomings.

Throughout the negotiations of the Pact on Migration and Asylum, the Czech Republic pursued particularly the objectives of enhanced protection of external borders with a view of a safer Schengen area as well as a functional balance between responsibility and solidarity.

The Czech Republic specifically welcomes the fact that the final compromise does not establish an obligation to relocate third country nationals from other Member States or third countries. At the same time and while appreciating other improvements to the current system, the Czech Republic notes that the outcome of the interinstitutional negotiations did not quite meet the ambition of the Council mandate and that the efficiency of some instruments had been compromised by additional administrative burden on the Member States, generating practical difficulties as well as increased costs.

With a view of the above and in line with the package approach, the Czech Republic decided to abstain from voting on the legislative instruments of the Pact. Yet, the Czech Republic appreciates the spirit of EU unity and views this milestone as a new opportunity to continue, with a reinforced effort, in reforming the EU migration and asylum policy further and with a specific focus on the external dimension and innovative ideas there.

STATEMENT BY HUNGARY

“Hungary remains firmly convinced of the need to develop a Common European Asylum System which aims at tackling the root causes of illegal migration, minimises and ultimately eliminates the incentives for illegal migration and discourages persons who wish to abuse the asylum system from entering the European Union, and includes the possibility for examining asylum applications in third countries on the basis of the principle of extraterritoriality. To be able to achieve these goals we need to, first and foremost, acknowledge that global migration challenges cannot be solved on the territory of Europe, therefore we should not import unsolvable problems, but take the help where it is needed.

To be able to develop an effective Common European Asylum System, it is essential to strike a balance between responsibility and solidarity, but we believe that this balance has not been achieved by the proposed legislative acts.

Furthermore, Hungary recognises and promotes equality between men and women in accordance with the Fundamental Law of Hungary and the primary law, principles and values of the European Union, as well as commitments and principles stemming from international law. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term ‘gender’ as a reference to ‘sex’ in the relevant legal acts.

Finally, and in line with the repeated call of the **European Council**, Hungary remains firm on the need to find consensus on an effective migration and asylum policy without creating new pull factors.

Taking into account the aforementioned reasons, Hungary is not in a position to support the adoption of the Regulation establishing an EU framework for resettlement, as it is an inseparable element of a fundamentally flawed system.”

STATEMENT BY POLAND

“1. The Government of the Republic of Poland appreciates the efforts of the EU Council, the European Parliament and the European Commission to reach a compromise on a comprehensive and responsible response of the European Union to meet the challenges of current migration processes. At the same time, we emphasise that the Government did not have the real chance to participate in the negotiations on the Pact on Migration and Asylum.

2. The Government of the Republic of Poland notes a possibility to improve the management of some of the aspects of migration and asylum system. However further analysis of the legal acts within the Pact shows that they do not sufficiently address the specific situation of the Member States which border with Belarus and Russia and due to this fact have been under constant and high pressure resulted from artificially created migration routes. In this context, it is worth noting that the European Council repeatedly, including its conclusions from 14 and 15 December 2023, has stressed the negative consequences of the phenomenon of instrumentalisation of migration and condemned the instrumental use of migrants by third countries for political purposes.

3. The Government of the Republic of Poland takes the position that the Pact on Migration and Asylum does not assure the right balance between responsibility and solidarity and could potentially be a room for future disputes between EU institutions and Member States.

4. In view of the above, the Government of the Republic of Poland has decided to vote against the all the legal acts falling within the scope of the Pact.”

STATEMENT BY SLOVAKIA

“The Slovak Republic recognizes the need to reform the Common European Asylum System. We greatly appreciate the efforts of all participating Presidencies. At the same time, we are aware that reaching the compromise was not an easy task.

It is however essential, that we do not retreat from the positions that we have held and declared for a long time.

We appreciate that the Pact focuses on solving the causes of migration in the countries of origin, which can help alleviate the pressure on the external borders of the EU. We believe that the priority of a successful European migration policy should be the consistent protection of EU external borders, as well as an effective return policy.

It is desirable to take all measures to prevent illegal migration and, at the same time, help those in need of international protection.

While we acknowledge that the concept of mandatory relocation quotas has largely been abandoned, we are not convinced that the presented proposals strike the right balance between solidarity and responsibility.

Solidarity is an important principle in managing migration, but we believe the choice of the form must always be entirely in the hands of the Member State. Unfortunately, the proposals do not meet this requirement since financial contributions are mandatory if a certain number of asylum seekers are not relocated. At the same time, if certain conditions are met, Dublin responsibility offsets also become mandatory. These elements constitute strong pull factors and provide incentives for secondary migration.

Considering the above, the Slovak Republic votes against the submitted proposals in the area of solidarity – the Asylum and Migration Management Regulation (AMMR) as well as the Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

In view of the interlinked nature of all submitted proposals, we abstain from voting on the other proposals.”

Ad "A" item 5: **Regulation on crisis situations in the field of migration and asylum**
Adoption of the legislative act

STATEMENT BY BULGARIA

“Bulgaria thanks the Spanish and Belgian Presidencies for the hard work during the negotiations with the European Parliament that resulted in finalisation of the asylum reform.

We welcome the political agreement achieved between the co-legislators. The new asylum system will provide for fully-fledged and structured common European response while ensuring a balance between solidarity and responsibility. Being a front line Member State permanently exposed to risk of migratory crisis and with increased commitments for guaranteeing the proper functioning of the Schengen area Bulgaria will rely, in a spirit of solidarity, on fair shared responsibility and support provided by the Union funds for the implementation of the new rules.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe’s Convention on Preventing and Combating Violence against Women and Domestic Violence promotes legal concepts related to the notion of gender that are incompatible with main principles enshrined in the Bulgarian Constitution and intends to differentiate between “sex” as a biological (women and men) category and “gender” as a social construct.

Therefore, Bulgaria is grateful for the efforts made to address the national concerns linked to the use of gender related terms in some acts part of the asylum package given the decision of the Constitutional court of the Republic of Bulgaria.

Bulgaria does not oppose the adoption of the Pact on Migration and Asylum, but wishes to stress that we will interpret the gender-related terminology used in some acts part of the asylum package within the meaning of a biological (women and men) category.”

STATEMENT BY THE CZECH REPUBLIC

“The Czech Republic acknowledges the need of the reform of the current rules governing the EU migration and asylum policy. Several challenges and notably the developments since the refugee crisis of 2015-2016 manifested the vulnerability of our system, which is no longer sustainable. Since only a common solution at the EU level could provide an adequate response to issues that the EU and Member States face both together and individually, we therefore appreciate the effort to address the major shortcomings.

Throughout the negotiations of the Pact on Migration and Asylum, the Czech Republic pursued particularly the objectives of enhanced protection of external borders with a view of a safer Schengen area as well as a functional balance between responsibility and solidarity.

The Czech Republic specifically welcomes the fact that the final compromise does not establish an obligation to relocate third country nationals from other Member States or third countries. At the same time and while appreciating other improvements to the current system, the Czech Republic notes that the outcome of the interinstitutional negotiations did not quite meet the ambition of the Council mandate and that the efficiency of some instruments had been compromised by additional administrative burden on the Member States, generating practical difficulties as well as increased costs.

With a view of the above and in line with the package approach, the Czech Republic decided to abstain from voting on the legislative instruments of the Pact. Yet, the Czech Republic appreciates the spirit of EU unity and views this milestone as a new opportunity to continue, with a reinforced effort, in reforming the EU migration and asylum policy further and with a specific focus on the external dimension and innovative ideas there.”

STATEMENT BY LITHUANIA

“Lithuania welcomes the compromise reached on the Pact on Migration and Asylum that will contribute to more effective asylum and migration management in the EU. Lithuania also stresses the importance of ensuring firm and effective EU response measures to the instrumentalisation of migrants by hostile regimes at our external borders.

However, we believe the response measures established in the Crisis regulation could have been even more ambitious and more determined. In this regard, we regret that certain aspects of the Council mandate on Crisis regulation, in particular the provisions establishing maximum duration of border procedure in the cases of instrumentalisation, have not been preserved.

In the spirit of compromise Lithuania has decided to vote in favour of the Crisis regulation, but we call on the EU to continue monitoring the phenomenon of instrumentalisation and developing further solutions to prevent and even more effectively respond thereto.”

STATEMENT BY HUNGARY

“Hungary remains firmly convinced of the need to develop a Common European Asylum System which aims at tackling the root causes of illegal migration, minimises and ultimately eliminates the incentives for illegal migration and discourages persons who wish to abuse the asylum system from entering the European Union, and includes the possibility for examining asylum applications in third countries on the basis of the principle of extraterritoriality. To be able to achieve these goals we need to, first and foremost, acknowledge that global migration challenges cannot be solved on the territory of Europe, therefore we should not import unsolvable problems, but take the help where it is needed.

To be able to develop an effective Common European Asylum System, it is essential to strike a balance between responsibility and solidarity, but we believe that this balance has not been achieved by the proposed legislative acts. This lack of balance is clearly proven by the fact that Hungary is not a frontline Member State, however, we are a Member State with significant external borders, who remains responsible for stopping the migratory pressure on the European Union. In addition to this responsibility, the APR Regulation would oblige Hungary to ensure a much higher level of capacity for carrying out border procedures than other Member States, which is unfair and unrealistic given our geographical location.

Since 2015, Hungary has been committed to the protection of the external borders of the European Union, without EU support, in line with its obligations under the Schengen acquis. Our efforts should also be recognised as a form of solidarity. On the contrary, the proposed new legal framework does not consider resources from national budgets spent on the protection of external borders of the European Union as solidarity, but instead imposes additional obligations both in terms of providing solidarity to other Member States and responsibility for stopping illegal migration.

In line with our consistent position, Hungary cannot support the establishment of a solidarity mechanism based on the mandatory distribution of migrants, and therefore does not agree with the introduction of responsibility offsets as a mandatory element of the solidarity framework. The council decisions adopted in 2015 have already proved that a solidarity mechanism based on the mandatory distribution of migrants will not relieve the burden on our asylum systems, on the contrary, it increases the number of arrivals.

Hungary is convinced that the compromise proposal on the Crisis Regulation would not represent a viable solution for dealing with migratory crisis or instrumentalization, inter alia as it aims to solve the crisis situations primarily through solidarity and allows de facto and de jure mandatory relocation, while doing so would only lead to an exponential increase in the migratory flows, which consequently will deepen the crises and increase the solidarity needs.

Furthermore, Hungary recognises and promotes equality between men and women in accordance with the Fundamental Law of Hungary and the primary law, principles and values of the European Union, as well as commitments and principles stemming from international law. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term ‘gender’ as a reference to ‘sex’ in the relevant legal acts.

Finally, and in line with the repeated call of the European Council, Hungary remains firm on the need to find consensus on an effective migration and asylum policy without creating new pull factors.

Taking into account the aforementioned reasons, Hungary is not in a position to support the adoption of the Regulation addressing situations of crisis and force majeure in the field of migration and asylum (Crisis Regulation), as it is an inseparable element of a fundamentally flawed system.”

STATEMENT BY POLAND

“1. The Government of the Republic of Poland appreciates the efforts of the EU Council, the European Parliament and the European Commission to reach a compromise on a comprehensive and responsible response of the European Union to meet the challenges of current migration processes. At the same time, we emphasise that the Government did not have the real chance to participate in the negotiations on the Pact on Migration and Asylum.

2. The Government of the Republic of Poland notes a possibility to improve the management of some of the aspects of migration and asylum system. However further analysis of the legal acts within the Pact shows that they do not sufficiently address the specific situation of the Member States which border with Belarus and Russia and due to this fact have been under constant and high pressure resulted from artificially created migration routes. In this context, it is worth noting that the European Council repeatedly, including its conclusions from 14 and 15 December 2023, has stressed the negative consequences of the phenomenon of instrumentalisation of migration and condemned the instrumental use of migrants by third countries for political purposes.

3. The Government of the Republic of Poland takes the position that the Pact on Migration and Asylum does not assure the right balance between responsibility and solidarity and could potentially be a room for future disputes between EU institutions and Member States.

4. In view of the above, the Government of the Republic of Poland has decided to vote against the all the legal acts falling within the scope of the Pact.”

STATEMENT BY SLOVAKIA

“The Slovak Republic recognizes the need to reform the Common European Asylum System. We greatly appreciate the efforts of all participating Presidencies. At the same time, we are aware that reaching the compromise was not an easy task.

It is however essential, that we do not retreat from the positions that we have held and declared for a long time.

We appreciate that the Pact focuses on solving the causes of migration in the countries of origin, which can help alleviate the pressure on the external borders of the EU.

We believe that the priority of a successful European migration policy should be the consistent protection of EU external borders, as well as an effective return policy.

It is desirable to take all measures to prevent illegal migration and, at the same time, help those in need of international protection.

While we acknowledge that the concept of mandatory relocation quotas has largely been abandoned, we are not convinced that the presented proposals strike the right balance between solidarity and responsibility.

Solidarity is an important principle in managing migration, but we believe the choice of the form must always be entirely in the hands of the Member State. Unfortunately, the proposals do not meet this requirement since financial contributions are mandatory if a certain number of asylum seekers are not relocated. At the same time, if certain conditions are met, Dublin responsibility offsets also become mandatory. These elements constitute strong pull factors and provide incentives for secondary migration.

Considering the above, the Slovak Republic votes against the submitted proposals in the area of solidarity – the Asylum and Migration Management Regulation (AMMR) as well as the Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

In view of the interlinked nature of all submitted proposals, we abstain from voting on the other proposals.”

Ad "A" item 6: **Screening Regulation**
 Adoption of the legislative act

STATEMENT BY BULGARIA

“Bulgaria thanks the Spanish and Belgian Presidencies for the hard work during the negotiations with the European Parliament that resulted in finalisation of the asylum reform.

We welcome the political agreement achieved between the co-legislators. The new asylum system will provide for fully-fledged and structured common European response while ensuring a balance between solidarity and responsibility. Being a front line Member State permanently exposed to risk of migratory crisis and with increased commitments for guaranteeing the proper functioning of the Schengen area Bulgaria will rely, in a spirit of solidarity, on fair shared responsibility and support provided by the Union funds for the implementation of the new rules.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence promotes legal concepts related to the notion of gender that are incompatible with main principles enshrined in the Bulgarian Constitution and intends to differentiate between "sex" as a biological (women and men) category and "gender" as a social construct.

Therefore, Bulgaria is grateful for the efforts made to address the national concerns linked to the use of gender related terms in some acts part of the asylum package given the decision of the Constitutional court of the Republic of Bulgaria.

Bulgaria does not oppose the adoption of the Pact on Migration and Asylum, but wishes to stress that we will interpret the gender-related terminology used in some acts part of the asylum package within the meaning of a biological (women and men) category."

STATEMENT BY THE CZECH REPUBLIC

"The Czech Republic acknowledges the need of the reform of the current rules governing the EU migration and asylum policy. Several challenges and notably the developments since the refugee crisis of 2015-2016 manifested the vulnerability of our system, which is no longer sustainable. Since only a common solution at the EU level could provide an adequate response to issues that the EU and Member States face both together and individually, we therefore appreciate the effort to address the major shortcomings.

Throughout the negotiations of the Pact on Migration and Asylum, the Czech Republic pursued particularly the objectives of enhanced protection of external borders with a view of a safer Schengen area as well as a functional balance between responsibility and solidarity.

The Czech Republic specifically welcomes the fact that the final compromise does not establish an obligation to relocate third country nationals from other Member States or third countries. At the same time and while appreciating other improvements to the current system, the Czech Republic notes that the outcome of the interinstitutional negotiations did not quite meet the ambition of the Council mandate and that the efficiency of some instruments had been compromised by additional administrative burden on the Member States, generating practical difficulties as well as increased costs.

With a view of the above and in line with the package approach, the Czech Republic decided to abstain from voting on the legislative instruments of the Pact. Yet, the Czech Republic appreciates the spirit of EU unity and views this milestone as a new opportunity to continue, with a reinforced effort, in reforming the EU migration and asylum policy further and with a specific focus on the external dimension and innovative ideas there."

STATEMENT BY HUNGARY

“Hungary remains firmly convinced of the need to develop a Common European Asylum System which aims at tackling the root causes of illegal migration, minimises and ultimately eliminates the incentives for illegal migration and discourages persons who wish to abuse the asylum system from entering the European Union, and includes the possibility for examining asylum applications in third countries on the basis of the principle of extraterritoriality. To be able to achieve these goals we need to, first and foremost, acknowledge that global migration challenges cannot be solved on the territory of Europe, therefore we should not import unsolvable problems, but take the help where it is needed.

To be able to develop an effective Common European Asylum System, it is essential to strike a balance between responsibility and solidarity, but we believe that this balance has not been achieved by the proposed legislative acts.

Furthermore, Hungary recognises and promotes equality between men and women in accordance with the Fundamental Law of Hungary and the primary law, principles and values of the European Union, as well as commitments and principles stemming from international law. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term ‘gender’ as a reference to ‘sex’ in the relevant legal acts.

Finally, and in line with the repeated call of the European Council, Hungary remains firm on the need to find consensus on an effective migration and asylum policy without creating new pull factors.

Taking into account the aforementioned reasons, Hungary is not in a position to support the adoption of the Screening Regulation, as it is an inseparable element of a fundamentally flawed system.”

STATEMENT BY POLAND

“1. The Government of the Republic of Poland appreciates the efforts of the EU Council, the European Parliament and the European Commission to reach a compromise on a comprehensive and responsible response of the European Union to meet the challenges of current migration processes. At the same time, we emphasise that the Government did not have the real chance to participate in the negotiations on the Pact on Migration and Asylum.

2. The Government of the Republic of Poland notes a possibility to improve the management of some of the aspects of migration and asylum system. However further analysis of the legal acts within the Pact shows that they do not sufficiently address the specific situation of the Member States which border with Belarus and Russia and due to this fact have been under constant and high pressure resulted from artificially created migration routes. In this context, it is worth noting that the European Council repeatedly, including its conclusions from 14 and 15 December 2023, has stressed the negative consequences of the phenomenon of instrumentalisation of migration and condemned the instrumental use of migrants by third countries for political purposes.

3. The Government of the Republic of Poland takes the position that the Pact on Migration and Asylum does not assure the right balance between responsibility and solidarity and could potentially be a room for future disputes between EU institutions and Member States.

4. In view of the above, the Government of the Republic of Poland has decided to vote against the all the legal acts falling within the scope of the Pact.”

STATEMENT BY SLOVAKIA

“The Slovak Republic recognizes the need to reform the Common European Asylum System. We greatly appreciate the efforts of all participating Presidencies. At the same time, we are aware that reaching the compromise was not an easy task.

It is however essential, that we do not retreat from the positions that we have held and declared for a long time.

We appreciate that the Pact focuses on solving the causes of migration in the countries of origin, which can help alleviate the pressure on the external borders of the EU.

We believe that the priority of a successful European migration policy should be the consistent protection of EU external borders, as well as an effective return policy.

It is desirable to take all measures to prevent illegal migration and, at the same time, help those in need of international protection.

While we acknowledge that the concept of mandatory relocation quotas has largely been abandoned, we are not convinced that the presented proposals strike the right balance between solidarity and responsibility.

Solidarity is an important principle in managing migration, but we believe the choice of the form must always be entirely in the hands of the Member State. Unfortunately, the proposals do not meet this requirement since financial contributions are mandatory if a certain number of asylum seekers are not relocated. At the same time, if certain conditions are met, Dublin responsibility offsets also become mandatory. These elements constitute strong pull factors and provide incentives for secondary migration.

Considering the above, the Slovak Republic votes against the submitted proposals in the area of solidarity – the Asylum and Migration Management Regulation (AMMR) as well as the Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

In view of the interlinked nature of all submitted proposals, we abstain from voting on the other proposals.”

STATEMENT BY THE COMMISSION

“The modalities to carry out preliminary health checks provided for by the Screening Regulation fall within the competence of the Member States. The possibility for a prima facie individual assessment would be sufficient to conclude that there is no need for a further health check, taking into account the specific individual circumstances. This, as well as the broad definition of qualified medical personnel, will allow Member States to make proportionate use of available resources. Member States can choose adequate and appropriate locations to conduct screening within the territory in a period of three days following apprehension.”

Ad "A" item 7: **Asylum and Migration Management Regulation** *Adoption of the legislative act*

STATEMENT BY BULGARIA

“Bulgaria thanks the Spanish and Belgian Presidencies for the hard work during the negotiations with the European Parliament that resulted in finalisation of the asylum reform.

We welcome the political agreement achieved between the co-legislators. The new asylum system will provide for fully-fledged and structured common European response while ensuring a balance between solidarity and responsibility. Being a front line Member State permanently exposed to risk of migratory crisis and with increased commitments for guaranteeing the proper functioning of the Schengen area Bulgaria will rely, in a spirit of solidarity, on fair shared responsibility and support provided by the Union funds for the implementation of the new rules.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe’s Convention on Preventing and Combating Violence against Women and Domestic Violence promotes legal concepts related to the notion of gender that are incompatible with main principles enshrined in the Bulgarian Constitution and intends to differentiate between “sex” as a biological (women and men) category and “gender” as a social construct.

Therefore, Bulgaria is grateful for the efforts made to address the national concerns linked to the use of gender related terms in some acts part of the asylum package given the decision of the Constitutional court of the Republic of Bulgaria.

Bulgaria does not oppose the adoption of the Pact on Migration and Asylum, but wishes to stress that we will interpret the gender-related terminology used in some acts part of the asylum package within the meaning of a biological (women and men) category.”

STATEMENT BY THE CZECH REPUBLIC

“The Czech Republic acknowledges the need of the reform of the current rules governing the EU migration and asylum policy. Several challenges and notably the developments since the refugee crisis of 2015-2016 manifested the vulnerability of our system, which is no longer sustainable. Since only a common solution at the EU level could provide an adequate response to issues that the EU and Member States face both together and individually, we therefore appreciate the effort to address the major shortcomings.

Throughout the negotiations of the Pact on Migration and Asylum, the Czech Republic pursued particularly the objectives of enhanced protection of external borders with a view of a safer Schengen area as well as a functional balance between responsibility and solidarity.

The Czech Republic specifically welcomes the fact that the final compromise does not establish an obligation to relocate third country nationals from other Member States or third countries. At the same time and while appreciating other improvements to the current system, the Czech Republic notes that the outcome of the interinstitutional negotiations did not quite meet the ambition of the Council mandate and that the efficiency of some instruments had been compromised by additional administrative burden on the Member States, generating practical difficulties as well as increased costs.

With a view of the above and in line with the package approach, the Czech Republic decided to abstain from voting on the legislative instruments of the Pact. Yet, the Czech Republic appreciates the spirit of EU unity and views this milestone as a new opportunity to continue, with a reinforced effort, in reforming the EU migration and asylum policy further and with a specific focus on the external dimension and innovative ideas there.”

STATEMENT BY HUNGARY

“Hungary remains firmly convinced of the need to develop a Common European Asylum System which aims at tackling the root causes of illegal migration, minimises and ultimately eliminates the incentives for illegal migration and discourages persons who wish to abuse the asylum system from entering the European Union, and includes the possibility for examining asylum applications in third countries on the basis of the principle of extraterritoriality. To be able to achieve these goals we need to, first and foremost, acknowledge that global migration challenges cannot be solved on the territory of Europe, therefore we should not import unsolvable problems, but take the help where it is needed.

To be able to develop an effective Common European Asylum System, it is essential to strike a balance between responsibility and solidarity, but we believe that this balance has not been achieved by the proposed legislative acts. This lack of balance is clearly proven by the fact that Hungary is not a frontline Member State, however, we are a Member State with significant external borders, who remains responsible for stopping the migratory pressure on the European Union. In addition to this responsibility, the APR Regulation would oblige Hungary to ensure a much higher level of capacity for carrying out border procedures than other Member States, which is unfair and unrealistic given our geographical location.

Since 2015, Hungary has been committed to the protection of the external borders of the European Union, without EU support, in line with its obligations under the Schengen acquis. Our efforts should also be recognised as a form of solidarity. On the contrary, the proposed new legal framework does not consider resources from national budgets spent on the protection of external borders of the European Union as solidarity, but instead imposes additional obligations both in terms of providing solidarity to other Member States and responsibility for stopping illegal migration.

In line with our consistent position, Hungary cannot support the establishment of a solidarity mechanism based on the mandatory distribution of migrants, and therefore does not agree with the introduction of responsibility offsets as a mandatory element of the solidarity framework. The council decisions adopted in 2015 have already proved that a solidarity mechanism based on the mandatory distribution of migrants will not relieve the burden on our asylum systems, on the contrary, it increases the number of arrivals.

Finally, and in line with the repeated call of the European Council, Hungary remains firm on the need to find consensus on an effective migration and asylum policy without creating new pull factors.

Taking into account the aforementioned reasons, Hungary is not in a position to support the adoption of the Asylum and migration management Regulation (AMMR), as it is an inseparable element of a fundamentally flawed system.”

STATEMENT BY MALTA

“The reform of the Common European Asylum System remains of key importance to provide the right balance between the fair sharing of responsibility amongst all Member States and effective solidarity towards those Member States in need.

In this regard, while thanking the Spanish and Belgian Presidency, and the Commission, for the efforts made during negotiations with the European Parliament, Malta is of the view that the final texts on the Asylum and Migration Management Regulation and on the Asylum Procedures Regulation still do not provide for the right balance.

As already stated in June 2023, Malta, as a small Island Member State with particular vulnerabilities, already faces significant burden through the current acquis. The elements set out in the reform will further increase responsibilities while the solidarity mechanism, even though permanent and mandatory, remains flexible and does not provide the necessary assurances that the needs identified will be fully met.

Malta is therefore abstaining on the Asylum and Migration Management Regulation and on the Asylum Procedures Regulation.”

STATEMENT BY POLAND

“1. The Government of the Republic of Poland appreciates the efforts of the EU Council, the European Parliament and the European Commission to reach a compromise on a comprehensive and responsible response of the European Union to meet the challenges of current migration processes. At the same time, we emphasise that the Government did not have the real chance to participate in the negotiations on the Pact on Migration and Asylum.

2. The Government of the Republic of Poland notes a possibility to improve the management of some of the aspects of migration and asylum system. However further analysis of the legal acts within the Pact shows that they do not sufficiently address the specific situation of the Member States which border with Belarus and Russia and due to this fact have been under constant and high pressure resulted from artificially created migration routes. In this context, it is worth noting that the European Council repeatedly, including its conclusions from 14 and 15 December 2023, has stressed the negative consequences of the phenomenon of instrumentalisation of migration and condemned the instrumental use of migrants by third countries for political purposes.

3. The Government of the Republic of Poland takes the position that the Pact on Migration and Asylum does not assure the right balance between responsibility and solidarity and could potentially be a room for future disputes between EU institutions and Member States.

4. In view of the above, the Government of the Republic of Poland has decided to vote against the all the legal acts falling within the scope of the Pact.

STATEMENT BY SLOVAKIA

“The Slovak Republic recognizes the need to reform the Common European Asylum System. We greatly appreciate the efforts of all participating Presidencies. At the same time, we are aware that reaching the compromise was not an easy task.

It is however essential, that we do not retreat from the positions that we have held and declared for a long time.

We appreciate that the Pact focuses on solving the causes of migration in the countries of origin, which can help alleviate the pressure on the external borders of the EU.

We believe that the priority of a successful European migration policy should be the consistent protection of EU external borders, as well as an effective return policy.

It is desirable to take all measures to prevent illegal migration and, at the same time, help those in need of international protection.

While we acknowledge that the concept of mandatory relocation quotas has largely been abandoned, we are not convinced that the presented proposals strike the right balance between solidarity and responsibility.

Solidarity is an important principle in managing migration, but we believe the choice of the form must always be entirely in the hands of the Member State. Unfortunately, the proposals do not meet this requirement since financial contributions are mandatory if a certain number of asylum seekers are not relocated. At the same time, if certain conditions are met, Dublin responsibility offsets also become mandatory. These elements constitute strong pull factors and provide incentives for secondary migration.

Considering the above, the Slovak Republic votes against the submitted proposals in the area of solidarity – the Asylum and Migration Management Regulation (AMMR) as well as the Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

In view of the interlinked nature of all submitted proposals, we abstain from voting on the other proposals.”

Ad "A" item 8: **Screening Regulation – consequential amendments**
Adoption of the legislative act

STATEMENT BY BULGARIA

“Bulgaria thanks the Spanish and Belgian Presidencies for the hard work during the negotiations with the European Parliament that resulted in finalisation of the asylum reform.

We welcome the political agreement achieved between the co-legislators. The new asylum system will provide for fully-fledged and structured common European response while ensuring a balance between solidarity and responsibility. Being a front line Member State permanently exposed to risk of migratory crisis and with increased commitments for guaranteeing the proper functioning of the Schengen area Bulgaria will rely, in a spirit of solidarity, on fair shared responsibility and support provided by the Union funds for the implementation of the new rules.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe’s Convention on Preventing and Combating Violence against Women and Domestic Violence promotes legal concepts related to the notion of gender that are incompatible with main principles enshrined in the Bulgarian Constitution and intends to differentiate between “sex” as a biological (women and men) category and “gender” as a social construct.

Therefore, Bulgaria is grateful for the efforts made to address the national concerns linked to the use of gender related terms in some acts part of the asylum package given the decision of the Constitutional court of the Republic of Bulgaria.

Bulgaria does not oppose the adoption of the Pact on Migration and Asylum, but wishes to stress that we will interpret the gender-related terminology used in some acts part of the asylum package within the meaning of a biological (women and men) category.”

STATEMENT BY THE CZECH REPUBLIC

“The Czech Republic acknowledges the need of the reform of the current rules governing the EU migration and asylum policy. Several challenges and notably the developments since the refugee crisis of 2015-2016 manifested the vulnerability of our system, which is no longer sustainable. Since only a common solution at the EU level could provide an adequate response to issues that the EU and Member States face both together and individually, we therefore appreciate the effort to address the major shortcomings.

Throughout the negotiations of the Pact on Migration and Asylum, the Czech Republic pursued particularly the objectives of enhanced protection of external borders with a view of a safer Schengen area as well as a functional balance between responsibility and solidarity.

The Czech Republic specifically welcomes the fact that the final compromise does not establish an obligation to relocate third country nationals from other Member States or third countries. At the same time and while appreciating other improvements to the current system, the Czech Republic notes that the outcome of the interinstitutional negotiations did not quite meet the ambition of the Council mandate and that the efficiency of some instruments had been compromised by additional administrative burden on the Member States, generating practical difficulties as well as increased costs.

With a view of the above and in line with the package approach, the Czech Republic decided to abstain from voting on the legislative instruments of the Pact. Yet, the Czech Republic appreciates the spirit of EU unity and views this milestone as a new opportunity to continue, with a reinforced effort, in reforming the EU migration and asylum policy further and with a specific focus on the external dimension and innovative ideas there.”

STATEMENT BY HUNGARY

“Hungary remains firmly convinced of the need to develop a Common European Asylum System which aims at tackling the root causes of illegal migration, minimises and ultimately eliminates the incentives for illegal migration and discourages persons who wish to abuse the asylum system from entering the European Union, and includes the possibility for examining asylum applications in third countries on the basis of the principle of extraterritoriality. To be able to achieve these goals we need to, first and foremost, acknowledge that global migration challenges cannot be solved on the territory of Europe, therefore we should not import unsolvable problems, but take the help where it is needed.

To be able to develop an effective Common European Asylum System, it is essential to strike a balance between responsibility and solidarity, but we believe that this balance has not been achieved by the proposed legislative acts.

Furthermore, Hungary recognises and promotes equality between men and women in accordance with the Fundamental Law of Hungary and the primary law, principles and values of the European Union, as well as commitments and principles stemming from international law. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term ‘gender’ as a reference to ‘sex’ in the relevant legal acts.

Finally, and in line with the repeated call of the European Council, Hungary remains firm on the need to find consensus on an effective migration and asylum policy without creating new pull factors.

Taking into account the aforementioned reasons, Hungary is not in a position to support the adoption of the Screening consequential amendments Regulation, as it is an inseparable element of a fundamentally flawed system.”

Statement by Poland

“1. The Government of the Republic of Poland appreciates the efforts of the EU Council, the European Parliament and the European Commission to reach a compromise on a comprehensive and responsible response of the European Union to meet the challenges of current migration processes. At the same time, we emphasise that the Government did not have the real chance to participate in the negotiations on the Pact on Migration and Asylum.

2. The Government of the Republic of Poland notes a possibility to improve the management of some of the aspects of migration and asylum system. However further analysis of the legal acts within the Pact shows that they do not sufficiently address the specific situation of the Member States which border with Belarus and Russia and due to this fact have been under constant and high pressure resulted from artificially created migration routes. In this context, it is worth noting that the European Council repeatedly, including its conclusions from 14 and 15 December 2023, has stressed the negative consequences of the phenomenon of instrumentalisation of migration and condemned the instrumental use of migrants by third countries for political purposes.

3. The Government of the Republic of Poland takes the position that the Pact on Migration and Asylum does not assure the right balance between responsibility and solidarity and could potentially be a room for future disputes between EU institutions and Member States.

4. In view of the above, the Government of the Republic of Poland has decided to vote against the all the legal acts falling within the scope of the Pact.”

STATEMENT BY SLOVAKIA

“The Slovak Republic recognizes the need to reform the Common European Asylum System. We greatly appreciate the efforts of all participating Presidencies. At the same time, we are aware that reaching the compromise was not an easy task.

It is however essential, that we do not retreat from the positions that we have held and declared for a long time.

We appreciate that the Pact focuses on solving the causes of migration in the countries of origin, which can help alleviate the pressure on the external borders of the EU.

We believe that the priority of a successful European migration policy should be the consistent protection of EU external borders, as well as an effective return policy.

It is desirable to take all measures to prevent illegal migration and, at the same time, help those in need of international protection.

While we acknowledge that the concept of mandatory relocation quotas has largely been abandoned, we are not convinced that the presented proposals strike the right balance between solidarity and responsibility.

Solidarity is an important principle in managing migration, but we believe the choice of the form must always be entirely in the hands of the Member State. Unfortunately, the proposals do not meet this requirement since financial contributions are mandatory if a certain number of asylum seekers are not relocated. At the same time, if certain conditions are met, Dublin responsibility offsets also become mandatory. These elements constitute strong pull factors and provide incentives for secondary migration.

Considering the above, the Slovak Republic votes against the submitted proposals in the area of solidarity – the Asylum and Migration Management Regulation (AMMR) as well as the Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

In view of the interlinked nature of all submitted proposals, we abstain from voting on the other proposals.”

Ad "A" item 9: **Reception Conditions Directive**
Adoption of the legislative act

STATEMENT BY BULGARIA

“Bulgaria thanks the Spanish and Belgian Presidencies for the hard work during the negotiations with the European Parliament that resulted in finalisation of the asylum reform.

We welcome the political agreement achieved between the co-legislators. The new asylum system will provide for fully-fledged and structured common European response while ensuring a balance between solidarity and responsibility. Being a front line Member State permanently exposed to risk of migratory crisis and with increased commitments for guaranteeing the proper functioning of the Schengen area Bulgaria will rely, in a spirit of solidarity, on fair shared responsibility and support provided by the Union funds for the implementation of the new rules.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe’s Convention on Preventing and Combating Violence against Women and Domestic Violence promotes legal concepts related to the notion of gender that are incompatible with main principles enshrined in the Bulgarian Constitution and intends to differentiate between “sex” as a biological (women and men) category and “gender” as a social construct.

Therefore, Bulgaria is grateful for the efforts made to address the national concerns linked to the use of gender related terms in some acts part of the asylum package given the decision of the Constitutional court of the Republic of Bulgaria.

Bulgaria does not oppose the adoption of the Pact on Migration and Asylum, but wishes to stress that we will interpret the gender-related terminology used in some acts part of the asylum package within the meaning of a biological (women and men) category.”

STATEMENT BY THE CZECH REPUBLIC

“The Czech Republic acknowledges the need of the reform of the current rules governing the EU migration and asylum policy. Several challenges and notably the developments since the refugee crisis of 2015-2016 manifested the vulnerability of our system, which is no longer sustainable. Since only a common solution at the EU level could provide an adequate response to issues that the EU and Member States face both together and individually, we therefore appreciate the effort to address the major shortcomings.

Throughout the negotiations of the Pact on Migration and Asylum, the Czech Republic pursued particularly the objectives of enhanced protection of external borders with a view of a safer Schengen area as well as a functional balance between responsibility and solidarity.

The Czech Republic specifically welcomes the fact that the final compromise does not establish an obligation to relocate third country nationals from other Member States or third countries. At the same time and while appreciating other improvements to the current system, the Czech Republic notes that the outcome of the interinstitutional negotiations did not quite meet the ambition of the Council mandate and that the efficiency of some instruments had been compromised by additional administrative burden on the Member States, generating practical difficulties as well as increased costs.

With a view of the above and in line with the package approach, the Czech Republic decided to abstain from voting on the legislative instruments of the Pact. Yet, the Czech Republic appreciates the spirit of EU unity and views this milestone as a new opportunity to continue, with a reinforced effort, in reforming the EU migration and asylum policy further and with a specific focus on the external dimension and innovative ideas there.”

STATEMENT BY HUNGARY

“Hungary remains firmly convinced of the need to develop a Common European Asylum System which aims at tackling the root causes of illegal migration, minimises and ultimately eliminates the incentives for illegal migration and discourages persons who wish to abuse the asylum system from entering the European Union, and includes the possibility for examining asylum applications in third countries on the basis of the principle of extraterritoriality. To be able to achieve these goals we need to, first and foremost, acknowledge that global migration challenges cannot be solved on the territory of Europe, therefore we should not import unsolvable problems, but take the help where it is needed.

To be able to develop an effective Common European Asylum System, it is essential to strike a balance between responsibility and solidarity, but we believe that this balance has not been achieved by the proposed legislative acts.

Hungary's firm position is that, in addition to preventing secondary movements, the aim of the amendment of the Reception Conditions Directive is to support the efficient conduct of the asylum procedure. However, in the period since 2018, it has become even more evident that migratory flows to Europe are also encouraged by pull factors such as the wide range of benefits offered by the current draft (facilitating access to the labour market and providing daily expenses allowance in the form of a monetary amount) or the overly flexible rules on the detention of asylum seekers, which only encourage illegal migration of economic immigrants to Europe who are not eligible for protection.

Furthermore, Hungary recognises and promotes equality between men and women in accordance with the Fundamental Law of Hungary and the primary law, principles and values of the European Union, as well as commitments and principles stemming from international law. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term 'gender' as a reference to 'sex' in the relevant legal acts.

Finally, and in line with the repeated call of the European Council, Hungary remains firm on the need to find consensus on an effective migration and asylum policy without creating new pull factors.

Taking into account the aforementioned reasons, Hungary is not in a position to support the adoption of the recast of the Reception Conditions Directive, as it is an inseparable element of a fundamentally flawed system.”

STATEMENT BY POLAND

“1. The Government of the Republic of Poland appreciates the efforts of the EU Council, the European Parliament and the European Commission to reach a compromise on a comprehensive and responsible response of the European Union to meet the challenges of current migration processes. At the same time, we emphasise that the Government did not have the real chance to participate in the negotiations on the Pact on Migration and Asylum.

2. The Government of the Republic of Poland notes a possibility to improve the management of some of the aspects of migration and asylum system. However further analysis of the legal acts within the Pact shows that they do not sufficiently address the specific situation of the Member States which border with Belarus and Russia and due to this fact have been under constant and high pressure resulted from artificially created migration routes. In this context, it is worth noting that the European Council repeatedly, including its conclusions from 14 and 15 December 2023, has stressed the negative consequences of the phenomenon of instrumentalisation of migration and condemned the instrumental use of migrants by third countries for political purposes.

3. The Government of the Republic of Poland takes the position that the Pact on Migration and Asylum does not assure the right balance between responsibility and solidarity and could potentially be a room for future disputes between EU institutions and Member States.

4. In view of the above, the Government of the Republic of Poland has decided to vote against the all the legal acts falling within the scope of the Pact.”

STATEMENT BY THE SLOVAKIA

“The Slovak Republic recognizes the need to reform the Common European Asylum System. We greatly appreciate the efforts of all participating Presidencies. At the same time, we are aware that reaching the compromise was not an easy task.

It is however essential, that we do not retreat from the positions that we have held and declared for a long time.

We appreciate that the Pact focuses on solving the causes of migration in the countries of origin, which can help alleviate the pressure on the external borders of the EU.

We believe that the priority of a successful European migration policy should be the consistent protection of EU external borders, as well as an effective return policy.

It is desirable to take all measures to prevent illegal migration and, at the same time, help those in need of international protection.

While we acknowledge that the concept of mandatory relocation quotas has largely been abandoned, we are not convinced that the presented proposals strike the right balance between solidarity and responsibility.

Solidarity is an important principle in managing migration, but we believe the choice of the form must always be entirely in the hands of the Member State. Unfortunately, the proposals do not meet this requirement since financial contributions are mandatory if a certain number of asylum seekers are not relocated. At the same time, if certain conditions are met, Dublin responsibility offsets also become mandatory. These elements constitute strong pull factors and provide incentives for secondary migration.

Considering the above, the Slovak Republic votes against the submitted proposals in the area of solidarity – the Asylum and Migration Management Regulation (AMMR) as well as the Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

In view of the interlinked nature of all submitted proposals, we abstain from voting on the other proposals.”

Ad "A" item 10: **Qualification Regulation**
Adoption of the legislative act

STATEMENT BY BULGARIA

“Bulgaria thanks the Spanish and Belgian Presidencies for the hard work during the negotiations with the European Parliament that resulted in finalisation of the asylum reform.

We welcome the political agreement achieved between the co-legislators. The new asylum system will provide for fully-fledged and structured common European response while ensuring a balance between solidarity and responsibility. Being a front line Member State permanently exposed to risk of migratory crisis and with increased commitments for guaranteeing the proper functioning of the Schengen area Bulgaria will rely, in a spirit of solidarity, on fair shared responsibility and support provided by the Union funds for the implementation of the new rules.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence promotes legal concepts related to the notion of gender that are incompatible with main principles enshrined in the Bulgarian Constitution and intends to differentiate between "sex" as a biological (women and men) category and "gender" as a social construct.

Therefore, Bulgaria is grateful for the efforts made to address the national concerns linked to the use of gender related terms in some acts part of the asylum package given the decision of the Constitutional court of the Republic of Bulgaria.

Bulgaria does not oppose the adoption of the Pact on Migration and Asylum, but wishes to stress that we will interpret the gender-related terminology used in some acts part of the asylum package within the meaning of a biological (women and men) category."

STATEMENT BY THE CZECH REPUBLIC

"The Czech Republic acknowledges the need of the reform of the current rules governing the EU migration and asylum policy. Several challenges and notably the developments since the refugee crisis of 2015-2016 manifested the vulnerability of our system, which is no longer sustainable. Since only a common solution at the EU level could provide an adequate response to issues that the EU and Member States face both together and individually, we therefore appreciate the effort to address the major shortcomings.

Throughout the negotiations of the Pact on Migration and Asylum, the Czech Republic pursued particularly the objectives of enhanced protection of external borders with a view of a safer Schengen area as well as a functional balance between responsibility and solidarity.

The Czech Republic specifically welcomes the fact that the final compromise does not establish an obligation to relocate third country nationals from other Member States or third countries. At the same time and while appreciating other improvements to the current system, the Czech Republic notes that the outcome of the interinstitutional negotiations did not quite meet the ambition of the Council mandate and that the efficiency of some instruments had been compromised by additional administrative burden on the Member States, generating practical difficulties as well as increased costs.

With a view of the above and in line with the package approach, the Czech Republic decided to abstain from voting on the legislative instruments of the Pact. Yet, the Czech Republic appreciates the spirit of EU unity and views this milestone as a new opportunity to continue, with a reinforced effort, in reforming the EU migration and asylum policy further and with a specific focus on the external dimension and innovative ideas there."

STATEMENT BY HUNGARY

“Hungary remains firmly convinced of the need to develop a Common European Asylum System which aims at tackling the root causes of illegal migration, minimises and ultimately eliminates the incentives for illegal migration and discourages persons who wish to abuse the asylum system from entering the European Union, and includes the possibility for examining asylum applications in third countries on the basis of the principle of extraterritoriality. To be able to achieve these goals we need to, first and foremost, acknowledge that global migration challenges cannot be solved on the territory of Europe, therefore we should not import unsolvable problems, but take the help where it is needed.

To be able to develop an effective Common European Asylum System, it is essential to strike a balance between responsibility and solidarity, but we believe that this balance has not been achieved by the proposed legislative acts.

Hungary's firm position is that the Qualification Regulation would not be able to provide an adequate response to the changed security realities due to mass immigration, and in the case of the proposed extended definition of family member, we can only hope that the detection of abuse attempts will not place an undue burden on the asylum authorities of Member States.

Furthermore, Hungary recognises and promotes equality between men and women in accordance with the Fundamental Law of Hungary and the primary law, principles and values of the European Union, as well as commitments and principles stemming from international law. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term ‘gender’ as a reference to ‘sex’ in the relevant legal acts.

Finally, and in line with the repeated call of the European Council, Hungary remains firm on the need to find consensus on an effective migration and asylum policy without creating new pull factors.

Taking into account the aforementioned reasons, Hungary is not in a position to support the adoption of the Qualification Regulation, as it is an inseparable element of a fundamentally flawed system.”

STATEMENT BY POLAND

“1. The Government of the Republic of Poland appreciates the efforts of the EU Council, the European Parliament and the European Commission to reach a compromise on a comprehensive and responsible response of the European Union to meet the challenges of current migration processes. At the same time, we emphasise that the Government did not have the real chance to participate in the negotiations on the Pact on Migration and Asylum.

2. The Government of the Republic of Poland notes a possibility to improve the management of some of the aspects of migration and asylum system. However further analysis of the legal acts within the Pact shows that they do not sufficiently address the specific situation of the Member States which border with Belarus and Russia and due to this fact have been under constant and high pressure resulted from artificially created migration routes. In this context, it is worth noting that the European Council repeatedly, including its conclusions from 14 and 15 December 2023, has stressed the negative consequences of the phenomenon of instrumentalisation of migration and condemned the instrumental use of migrants by third countries for political purposes.
3. The Government of the Republic of Poland takes the position that the Pact on Migration and Asylum does not assure the right balance between responsibility and solidarity and could potentially be a room for future disputes between EU institutions and Member States.
4. In view of the above, the Government of the Republic of Poland has decided to vote against the all the legal acts falling within the scope of the Pact.”

STATEMENT BY SLOVAKIA

“The Slovak Republic recognizes the need to reform the Common European Asylum System. We greatly appreciate the efforts of all participating Presidencies. At the same time, we are aware that reaching the compromise was not an easy task.

It is however essential, that we do not retreat from the positions that we have held and declared for a long time.

We appreciate that the Pact focuses on solving the causes of migration in the countries of origin, which can help alleviate the pressure on the external borders of the EU.

We believe that the priority of a successful European migration policy should be the consistent protection of EU external borders, as well as an effective return policy.

It is desirable to take all measures to prevent illegal migration and, at the same time, help those in need of international protection.

While we acknowledge that the concept of mandatory relocation quotas has largely been abandoned, we are not convinced that the presented proposals strike the right balance between solidarity and responsibility.

Solidarity is an important principle in managing migration, but we believe the choice of the form must always be entirely in the hands of the Member State. Unfortunately, the proposals do not meet this requirement since financial contributions are mandatory if a certain number of asylum seekers are not relocated. At the same time, if certain conditions are met, Dublin responsibility offsets also become mandatory. These elements constitute strong pull factors and provide incentives for secondary migration.

Considering the above, the Slovak Republic votes against the submitted proposals in the area of solidarity – the Asylum and Migration Management Regulation (AMMR) as well as the Regulation addressing situations of crisis and force majeure in the field of migration and asylum.

In view of the interlinked nature of all submitted proposals, we abstain from voting on the other proposals.”