

To the President of the  
House of Representatives of the States General  
Binnenhof 4  
The Hague

Date: 15 February 2021

Re Government response to the AIV advisory report on European asylum policy

Dear Madam President

This letter presents the government's response to advisory report no. 117 'European Asylum Policy: Two Major Accords to Break the Impasse' by the Advisory Council on International Affairs (AIV). The government would first like to express its appreciation for the AIV's thorough analysis and recommendations. The government is grateful that the AIV's examination of this complex issue was broad and comprehensive, which resulted in political-strategic recommendations. Since spring 2016, the EU member states have been unable to reach agreement on legislative proposals aimed at reforming the Common European Asylum System. The recommendations are intended to offer prospects for breaking this impasse.

The central point the advisory report makes is that fundamental disagreements between member states on how to reform the system have stood in the way of a solution to the political impasse for years now. Meanwhile, the current system has major shortcomings and the EU is insufficiently equipped to cope should a new migration crisis arise. In the AIV's view, the way forward lies in the adoption of two political accords: an internal accord that strikes a new balance in terms of solidarity and responsibility-sharing among the member states and an external accord aimed at bolstering internal policy by concluding effective readmission agreements with third countries on the basis of shared interests. The AIV observes in this regard that an internal accord will require all parties to make a fundamental political and practical commitment.

The government has informed the House of its position on European asylum and migration, and in particular the European Commissions' proposals of 23 September 2020, via the process for assessing new commission proposals (the BNC process).<sup>1</sup> The government believes in a humane and effective migration policy that affirms the dignity of migrants and is based on a comprehensive approach. Reform is needed to curb irregular migration, to bolster reception and protection of refugees in the region, to address the root causes of migration (primarily by combating poverty and inequality), to create a resilient asylum system based on solidarity within the EU and in the Netherlands, to prevent unlawful residence and promote return, to support legal migration routes for labour migrants who make a meaningful contribution to the Dutch (knowledge) economy and Dutch society, and to encourage integration and participation.<sup>2</sup>

The government's policy is consistent with the AIV's point of departure: that any solution will require concurrent steps in both the internal and external dimensions. Stronger, crisis-resistant procedures in EU member states will enable a more effective response to the pressure of irregular migration but will not reduce it. For that, we need to work with our international partners. What is more, member states of first arrival will lack confidence in the effectiveness of the internal asylum system if the prospects for return are insufficient. The government therefore considers the internal and external dimensions of EU asylum policy to be inextricably linked. Like the AIV, the government believes that cooperation and concrete agreements on the external dimension would

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<sup>1</sup>Parliamentary Papers, House of Representatives, 2020-2021 session, 22 112, numbers 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963 and 2964.

<sup>2</sup>Parliamentary Papers, House of Representatives, 2017-2018 session, 19 637, no. 2375.

boost the member states' confidence in an internal accord. For this reason, in meetings at EU level the government emphasises that result-oriented, progressive action is needed to achieve the broad-based partnerships envisaged by the Commission. The government also endorses the AIV's call for opportunities for bilateral cooperation with other member states on specific issues, in so far as such cooperation enhances – or at the very least does not undermine – cooperation at EU level. In addition to the bilateral activities with Greece referred to by the AIV, the government is currently working with its Benelux partners and with Germany to improve the functioning of the Dublin system.

With respect to the other issues addressed by the AIV in the advisory report, the government would refer to the comprehensive agenda on migration, the policy document 'A Renewed Agenda on Migration' and the various assessments by the Working Group for the Assessment of New Commission Proposals (BNC) in which the government has formulated its response to the proposals. The government's position, as set out in these documents, is largely consistent with the AIV's advisory report, though it does diverge from the AIV's views on a few points. Given the government's current caretaker status and its agreements with the House, it will refrain from proposing any policy changes in the area of migration and leave it to the next government to determine to what extent policy adjustments should be made on the basis of the AIV's recommendations.

Stef Blok  
Minister of Foreign Affairs.