

Ylva Johansson

Home Affairs

Hearing due to be held on Tuesday 1 October at 14.30 hours.

European Parliament committee responsible: Civil Liberties, Justice and Home Affairs (LIBE).

Born in 1964, Ylva Johansson has served in a number of ministerial roles in Sweden. She was appointed Minister for Employment and Integration in 2014, by the current Prime Minister, Stefan Löfven, who more recently appointed her Minister for Employment in the government that took office in early 2019. The Swedish Employment Department is responsible for labour, democracy and human rights, gender issues, children rights and immigration issues.



An alumna of Lund University (1985-1988) and of the Stockholm Institute of Education (1991-1992), Johansson also has experience as a mathematics, physics and chemistry teacher. Elected for the first time as a member of the Left Party (V) to the Riksdag in 1988, she joined the Social Democratic Workers' Party (SAP) in 1992 (affiliated to the Socialists and Democrats in the European Parliament). She first joined the Swedish government in 1994, as Minister for Schools, under Prime Minister Ingvar Carlsson. Having left the government for personal reasons in 1998, her career encompassed experience as a Senior Advisor at Telia Business Innovation, and as Deputy Managing Director and Managing Director of Att Veta AB from 2000. Returning to government in 2004, under Göran Persson, Johansson took up the post of Minister for Health and Elderly Care. Re-elected to the Riksdag in 2006, she became Deputy Chair of the Committee on Health and Welfare, and in 2010, Deputy Chair of the Committee on the Labour Market.

This is one of a set of Briefings designed to give Members of the European Parliament an overview of major issues of interest in the context of the hearings of the Commissioners-designate. The full set of Briefings can be found at: https://epthinktank.eu/commissioner_hearings_2019

Background

On [1 December 2014](#), five years after the entry into force of the Lisbon Treaty, the usual powers of the Commission and of the Court of Justice also began to apply in the policy field of justice and home affairs. **Migration** from third countries to the European Union (EU) came to the top of the agenda during the 2014-2019 term. When the number of asylum-seekers and irregular migrants crossing the EU's external borders peaked in 2015, shortcomings in the management of migratory flows and the need for both immediate and long-term solutions became apparent. Cooperation between Member States has seen constant tension, with the countries most exposed to migration inflows repeatedly calling for more EU solidarity, while many Member States perceive their home affairs competences as pertaining to national sovereignty, as defined in [Article 4\(2\) TEU](#). On **internal security** issues, the wave of mostly jihadi terrorist activity which spread throughout Europe between 2015 and 2018, necessitated a more pro-active use of the cooperation tools introduced by the Lisbon Treaty, such as Articles [83](#) or [87](#) TFEU. For instance, as from April 2015, the EU implemented the [European Agenda on Security](#), specifically targeting terrorism, organised crime and cybercrime. The fight against crime at EU level also focused on human trafficking and smuggling, on tackling corruption and on strengthening police cooperation.

Recent developments

Since 2014, the European Commission has taken action to deliver on its priority of an effective, fair and robust EU **migration** policy, on the basis of its 2014 political guidelines and, more specifically, the [European agenda on migration](#). Although the record-high migratory flows to the EU witnessed during 2015 and 2016 had subsided by the end of 2017, migratory pressure is likely to continue. Not only did the Commission implement or propose immediate (emergency) measures to deal with the peak flows, it also proposed longer-term measures to deal with regular (legal) and irregular migration. It did so by focusing on the internal and external dimensions of EU migration policy, on the EU's external borders and on the legal aspects of migration. The [specific measures](#), involving many legal and policy instruments, included initiatives to reduce the incentives for irregular migration, save lives and secure external borders, establish a strong EU asylum policy, and provide more legal pathways for asylum-seekers, and more efficient legal channels for regular migrants. By the [end of its mandate](#), the Commission had been relatively successful in terms of securing the EU's external borders, reducing flows of irregular migrants, and increasing cooperation with third countries. However, it was still encountering difficulties in achieving solidarity and responsibility-sharing for asylum-seekers among the EU Member States.

The 2014-2019 period was very active regarding **internal security**. The March 2017 Directive (EU) [2017/541](#) on combatting terrorism improved the situation in the fight against terrorism, one of the three main targets of the European agenda on security, while the fight against radicalisation and recruitment was reinforced, in particular through the Radicalisation Awareness Network ([RAN](#)) and the [High-level Expert Group on Radicalisation](#). Several laws on financing strengthened the fight against terrorism, notably on cash controls leaving and entering the EU (Regulation (EU) [2018/1672](#) of October 2018), money laundering (Directive (EU) [2018/843](#) of May 2018), and combatting fraud and counterfeiting of non-cash means of payment (Directive (EU) [2019/713](#) of April 2019). The 2014-2019 term also provided the opportunity to better [combat trafficking in human beings](#) and to appoint an [EU Anti-Trafficking Coordinator](#). As regards police cooperation, Regulation (EU) [2016/794](#) of May 2016 reinforces the role of [Europol](#). The European Parliament played an extremely active role on a range of proposals: the [CEPOL](#) Regulation ([2015/2219](#)) of 2015; Directive (EU) [2016/681](#) on the use of passenger name records (PNR); and the Directive on combating terrorism in March 2017. More recently, regulations strengthening the security of ID cards and residence documents ([2019/1157](#), June 2019); on interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration ([2019/818](#), May 2019; of borders and visas ([2019/817](#), May 2019); and on the marketing and use of explosive precursors ([2019/1148](#), June 2019) were all adopted this year. Both the Parliament and Council have adopted positions on a proposal

to tackle [terrorist content online](#), but have yet to consolidate them. The Commission has also increased its involvement with and developed policies on critical infrastructure. It supports a range of initiatives, for example in the fight against crime, and risk and crisis management, through programmes such as the [Internal Security Fund – Police \(ISF – Police\)](#), with €1 billion for 2014-2020.

Priorities and challenges

Public opinion

According to a series of Eurobarometer surveys, EU citizens' support for greater EU involvement in migration issues dropped from 74 % in 2016 to 72 % in 2018. Despite the slight decrease, overall support for EU involvement in migration issues remains very high. Support for increased EU action was highest in Cyprus, Spain and Portugal, and weakest in Austria, Latvia and the UK. According to the Standard Spring 2018 [Eurobarometer 89](#), among the main concerns at EU level, terrorism came in second position (29 % of mentions, a drop of 15 percentage points (pp) since spring 2017), after immigration (29 %, down 1 pp since 2017), and before the economic situation (18 %; +1 pp). Crime was considered a major concern by 17 % of the population (unchanged). The European Council, in its [2019-2024 Strategic Agenda](#), focused on the necessity of protecting citizens and freedoms, including ensuring the integrity of EU territory; fighting illegal migration and human trafficking through better cooperation with countries of origin and transit, agreeing an effective asylum policy, safeguarding the proper functioning of Schengen; strengthening the fight against terrorism and cross-border crime; improving cooperation and information-sharing and protecting the EU against malicious cyber-activities.

Current trends suggest [migratory flows](#) to Europe will continue, which means migration management will remain high on the EU's political agenda. President-elect of the Commission, Ursula von der Leyen, sets migration management as a priority in her [political guidelines](#) for the 2019-2024 European Commission. She plans a New Pact on Migration and Asylum, including relaunch of the [Dublin reform](#), and stresses that this area needs a fresh start and a new way to share the burden. She proposes to focus on two elements, first reinforcing the [European Border and Coast Guard Agency](#), hoping to reach a standing corps of 10 000 border guards as early as 2024. Second, the [EU asylum system](#) requires modernisation to become a truly common policy. President-elect von der Leyen also emphasises the need for a more sustainable approach to [search and rescue](#), moving from ad hoc solutions to a permanent system, as well as updating the rules on [return policy](#). She also points out that cross-border cooperation has to be improved to tackle gaps in the fight against serious crime and terrorism in Europe, including by reinforcing the authority of the European Public Prosecutor's Office (EPPO) to allow investigation and prosecution of cross-border terrorism; and underlines the risks related to money laundering and terrorist financing.

European Parliament

Treaty basis and European Parliament competence

Since the Lisbon Treaty, the EU and its Member States have 'shared competence' on migration, as part of justice and home affairs. [Article 78](#) of the Treaty on the Functioning of the European Union (TFEU) sets out the role of the European Parliament and the Council as co-legislators when adopting measures for a common European asylum system. In the event of a sudden influx of third-country nationals into one or more Member States, the Council can adopt temporary measures on the basis of a Commission proposal and after consulting the European Parliament. Migration policy is governed by Articles [67\(2\)](#), [79](#) and [80](#) TFEU; management of the external border by Articles [67\(2\)](#) and [77](#) TFEU; and asylum policy by Articles [67\(2\)](#) and [78](#) TFEU. The right to asylum is entrenched in [Article 18](#) of the EU Charter of Fundamental Rights. Moreover, EU asylum legislation must be aligned with the international refugee law framework set by the [1951 Geneva Convention and its Protocol](#), which have been incorporated into EU law under Article [78\(1\)](#) TFEU. Most migration and home affairs areas fall under the ordinary legislative procedure. However, Article 4(2) TEU provides that ensuring territorial integrity, maintaining law and order and safeguarding national security is an essential state function to be respected by the Union, the latter falling under the sole responsibility of each Member State. [Article 83\(1\) TFEU](#) is one of the exceptions to this principle: whereas the directives related to the minimum rules on serious crimes with a cross-border dimension are adopted under the ordinary legislative procedure. Denmark, Ireland and the United Kingdom (UK – until Brexit) have specific opt-outs as provided for in Protocols [21](#) (for Ireland and UK), [22](#) (for Denmark) and [36](#) (for UK), annexed to the EU Treaties.

Parliament assessed the various migration policies at stake in its April 2016 [resolution](#) on the situation in the Mediterranean and the need for a holistic EU approach to migration, and developed a set of recommendations regarding the following areas:

- Asylum policy: Parliament advocated substantial reform of the Dublin Regulation and a centralised EU asylum system.
- Labour migration: Parliament highlighted the need for a comprehensive labour migration policy, and for better integration of migrants, to meet the Union's goals for smart, sustainable and inclusive growth and to fill gaps identified in the Union's labour market.
- External borders and Schengen: Parliament stressed that the Schengen Area is one of the major achievements of European integration, and condemned the reintroduction of border controls by certain Member States. At the same time, it emphasised the need for effective management of external borders, with high common standards applied by all Member States at external borders and effective information exchange.

In its December 2018 [resolution](#), with recommendations to the Commission on humanitarian visas, Parliament called on the Commission to propose a regulation establishing a European humanitarian visa by 31 March 2019. On internal security, the European Parliament adopted resolutions, for example, in July 2015 on the European Agenda on Security ([2015/2697\(RSP\)](#)); in October 2015 a follow-up resolution on electronic mass surveillance of EU citizens ([2015/2635\(RSP\)](#)); and in November 2015, on the prevention of radicalisation and recruitment of European citizens by terrorist organisations ([2015/2063\(INI\)](#)); in October 2016, on the fight against corruption and follow-up to the CRIM resolution ([2015/2110\(INI\)](#)); and in December 2018, on findings and recommendations of the Special Committee on Terrorism ([2018/2044\(INI\)](#)).

FURTHER READING

[EU policies – Delivering for citizens: Protection of EU external borders](#), EPRS, European Parliament, 2019.

[EU policies – Delivering for citizens: The migration issue](#), EPRS, European Parliament, 2019.

Voronova S., [Combating terrorism](#), EPRS, European Parliament, 2017.

Eisele K., [Promoting the rights and values, justice and Creative Europe programmes](#), EPRS, 2018.

Milt K., [Police cooperation achievements during the legislative term 2014-2019: the role of the European Parliament](#), Policy Department for Citizens' Rights and Constitutional Affairs, European Parliament, 2019.

Sokolska I., [Common European Asylum System: achievements during the legislative term 2014-2019](#), Policy Department for Citizens' Rights and Constitutional Affairs, European Parliament, 2019.

[European Agenda on Migration](#), European Commission (website).

[Living in the EU: Asylum and Migration](#), EPRS, European Parliament, 2019.

[What Europe does for me website](#), European Parliament.

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