

COMMITTEE ON CIVIL LIBERTIES, JUSTICE
AND HOME AFFAIRS

INVITED COMMITTEE:
COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY

HEARING OF YLVA JOHANSSON
COMMISSIONER-DESIGNATE
(HomeAffairs)

TUESDAY, 1 OCTOBER 2019
BRUSSELS

1-002-0000

PRESIDE: JUAN FERNANDO LÓPEZ AGUILAR*Presidente de la Comisión de Libertades Civiles, Justicia y Asuntos de Interior**(La audiencia comienza a las 14.31 horas.)*

1-003-0000

Chair. – Good afternoon everybody. We are going to get started with this relevant moment in parliamentary terms, namely the hearing of Commissioner-designate Ylva Johansson.

Please be warmly welcome to this meeting of the Committee on Civil Liberties, Justice and Home Affairs (LIBE Committee) of the European Parliament, be welcome to the work of the European Parliament. Thank you for being here.

(Applause)

Yes, be welcome.

Just as a reminder of the procedure will go: first, according to Annex 7 of the Rules of Procedure, which contains the guidelines for the approval of the Commission, Parliament shall evaluate Commissioners-designate on the basis of general competence, commitment and personal independence. Then, we shall assess their knowledge of their respective portfolios, in this case the portfolio of Home Affairs, and their communication skills as well.

I would also like to remind you that the European Parliament submitted a preparatory questionnaire to the Commissioner-designate, with two common questions drafted by the Conference of Presidents and three specific questions prepared by the LIBE Committee ourselves. The Commissioner-designate has replied in writing to those questionnaires and the answers have been distributed to members of this committee in all official languages of the European Union.

I would point out, as well, that the Committee on Legal Affairs has raised no objection to holding this hearing of Commissioner-designate Johansson.

So the debate will be structured as follows: first the Commissioner-designate will present her case, with an opening oral statement no longer than 15 minutes, please Ms Johansson. Right after that, there will be time for questions and answers – up to a maximum of 25 questions from the members, starting as usual by the round of questions to which the political groups are entitled according to their weight, under the so-called D'Hondt system.

The question-and-answer slot for each member will be of five minutes: comprising a one-minute question by the member; two minutes for the answer by the Commissioner-designate; and the possibility of an immediate follow-up, or reaction, question of one minute from the same member who asked the first question, and a one-minute secondary answer by the Commissioner-designate.

That first round of questions will be asked by the designated representatives of every political group in this House. Then there will be a second round of questions, based on the overall distribution for questions among the political groups, including also a representative of the Non-

attached Members of the House. At the end of the hearing, the Commissioner-designate will have five minutes for a closing statement.

Please be mindful in advance of the timing, because we have to ensure that the timing – and therefore the speaking time – is fully respected. Otherwise, I will have to ask the members to finish or close their speaking time if they exceed it. I would not like to be obliged to interrupt anyone here, so please cooperate, and thank you in advance for your understanding.

Interpretation on this occasion is provided in all 23 of the official languages. You should not speak too quickly, please, so that all interpretation systems and interpretation cabins can do their work properly. The debate will be streamed live on Parliament's internet site, and it will be possible to access a video recording of the hearing on the same site.

Also, a preliminary consideration: this hearing happens to be of particular importance to the LIBE Committee. First of all, it is going to be the only hearing in which the LIBE Committee is 'the' committee. We are not sharing this hearing with any other committee of the House. So it falls fully within the competence and jurisdiction of this LIBE Committee, particularly with regard to law-making in this House, to legislative work and pending proposals. Under the Lisbon Treaty, that means that we are specifically competent on European Union asylum and migration policies, border management and Schengen-related policies and – importantly – EU internal security policy, including the fight against organised crime, serious cross-border crime and terrorism, as well as the prospect of the European Public Prosecutor being set in motion.

We all look forward to our exchange on this relevant array of EU policies, which have been challenging EU institutions and Member States' governments in recent years, as we have seen.

We are getting started now and I give the floor to Commissioner-designate Ylva Johansson for her presentation. Ms Johansson, you are more than welcome, and the floor is yours for the next 15 minutes.

1-004-0000

Ylva Johansson, *Commissioner-designate*. – Thank you very much, honourable Chair, honourable Members of this committee. I am very happy to be here in front of you. I understand you are going to give me a tough time, but I must admit that, even though I am nervous, I have been looking forward to this because this is a core part of democracy and you are the directly elected representatives of the European citizens. You are the ones that have to do the hearing and to say whether I could continue to take office or not, so this I really look forward to and I also look forward to hopefully working together with you in the coming five years.

My background is that I've been minister in five different governments in Sweden under three different prime ministers, all minority governments. I'm very familiar with working close to different political groups and to finding compromises and ways forward with Parliament and I understand that these are experiences that I am also going to need to work together with you.

In 2015, Sweden received more refugees than any other Member State per capita. In 2015, one third of all unaccompanied minors that came to Europe came to Sweden. It was a real challenge. The prime minister appointed me with a special responsibility to coordinate all the government actions related to the management of migration and integration in Sweden at that time. I am proud that Sweden could give shelter to so many refugees during this time. And I'm also proud that many of them now are integrated in society and contribute to the economy.

But, at the same time, this made it very clear to me that we are lacking a well-functioning and manageable European system for migration and asylum. We really need a common and sustainable European solution to migration. We need solutions that are predictable, both for individuals and for society.

Migration and security policies are important and can be mutually reinforcing but I would like to be very clear from the beginning, they are separate. Migration should not be seen as a threat to security. Security is linked to freedom. Everybody in Europe should have the freedom to live in a society under the rule of law in the knowledge that public authorities are doing everything in their power to protect them and to combat those who jeopardise that freedom. Threats to security are also threats towards our societies.

But I must also say I would be alert to ensure that the very freedoms we are seeking to protect are not being jeopardised by the security measures taken to do so.

On migration, my mission is to find a new way forward, one which works and which is true to our values. My top priority – and that's going to be difficult, I understand that – is to develop the new pact on migration and asylum. It's going to be difficult, but I must also make clear, failure is not an option in this case. We must have a common European pact on migration and asylum.

We have come a long way but complex and diverse challenges remain. I do think we now have a positive momentum to tackle them with a European approach, building bridges and not walls between Member States. Migration and security feature highly in the political guidelines because we must give citizens a response to the issues they care about most. And both migration and security are in the top three for European citizens.

Migration and security touch upon many policies inside and outside the EU. Coherence and coordination are key. Effectively and predictably managing migration, protecting external borders and ensuring security will remain the paramount task for the Home Affairs portfolio. For this, we must find common ground.

Compromise and collaboration are the cornerstones of the European way of working together, and this is how I intend to proceed. I know that you, as Members of the European Parliament and Members of this important committee, are very skilled and experienced with this way of working.

The European Union is based on values, and these must be our guiding principles. I will not only defend and speak up loudly for these values inside the European Union, but also to the rest of the world. For me, it's crucial to protect our democracies against populism and extremism and to always speak up for human rights.

I'm particularly motivated to tackle the tough challenges of the Home Affairs portfolio. There is no portfolio I would rather have. This is the one I wanted. I'm grateful for the confidence that the President-elect has shown by entrusting me with this important responsibility.

The threats we face today on security are constantly evolving and we need to adapt. I will focus on filling the gaps in our approach to EU internal security and to ensure that the Union is equal to the task. My aim is to build an effective security union based on the foundations developed in the last five years. This means ensuring that the laws in place are effectively implemented. It means closing remaining gaps in our security framework. Organised crime, drugs, human trafficking, child sex abuse and exploitation are all major priorities for me. Too often the most vulnerable members of

our society are the victims of those crimes. I firmly believe that society has to protect them and I will be their strongest advocate.

I will work tirelessly to close down the space for terrorists to plan, finance and carry out their attacks. Fighting all forms of radicalisation is also on top of my agenda. I would like to praise the report of the TERR committee; its recommendations will guide me in my work.

Key to having an impact is better law enforcement cooperation. All the more so with the quick development of new security threats. We need to foster this cooperation, with Europol playing a vital role in this aspect. I'm committed to a solid and evidence-based approach to policy-making in the areas covered by my portfolio. My aim is to apply the principles of better regulations to the preparation of future proposals in my portfolio.

As regards migration, as you all are well aware, discussions have been difficult and divisive. There is an urgent need for common, manageable, sustainable and predictable solutions. There is a new momentum now with the arrival of a new Commission and I have a very clear mission from the President-elect to propose a new pact on migration and asylum.

My approach will be to first listen carefully to different views to help us find common ground – with this Parliament, of course, but also bilaterally with all the Member States. As soon as I am in office, if confirmed by you, I intend to swiftly meet all Member States bilaterally and I will keep this committee closely informed.

I will be looking at a full range of migration policies, asylum, fighting irregular migration, strengthening external borders, return, legal pathways, integration and cooperation with partners outside the EU. Part of this holistic approach will be to look carefully at existing proposals on the table and it's important for me to have a gender perspective in all actions that we take.

I'm fully aware that this committee has worked very hard in a true European way to define an initial position on many of the asylum instruments. This was vital work on which we need to build. Finding sustainable solutions based on solidarity and responsibility must be a key guide for our work. I want to look at ways to close the loopholes between asylum and return. While we must honour our values and legal responsibilities towards those in need of international protection, we also have to ensure that those not eligible to stay are returned. Last year, only one third of those ordered to leave were actually returned.

I think that a credible and sustainable asylum system needs a functioning and humane return policy, fully respecting the non-refoulement principle of international law. The political guidelines also stress the need for legal and safe pathways to the European Union and this, I truly believe, is part of the solution. We should be proud that Europe's share of global resettlement was almost 50% last year but more needs to be done in this area. I will work with Member States to step up resettlement and to look at developing humanitarian corridors for urgent needs.

We cannot tolerate that lives are put at risk in the Mediterranean and are also being lost. A crucial element of the new pact on migration and asylum will be a more sustainable, reliable and permanent approach to search and rescue. I have a clear mission to replace ad hoc solutions. Saving lives at sea is our moral duty. This is linked to stepping up the fight against smugglers and traffickers. We need to do more to break up the cruel business model of smugglers and the criminal networks behind.

Finally, I would like to underline the risk faced today to one of the key achievements of European integration: the Schengen area. The swift return to a fully functioning Schengen area without

internal border controls will be a key objective for me. The more successful our new pact on migration and asylum, the stronger our external borders through the national border coastguard, assisted by Frontex, and the more effective our work against smuggling, the more trust there will be in the Schengen area. This hopefully will also pave the way for further enlargement of Schengen.

My goal is a migration and security policy that works for our citizens, that is balanced and fair and, above all, grounded in our values. I'm fully aware that this is a difficult portfolio (this is what people have been telling me these three weeks since I was presented as the Commissioner-designate) but we must move forward in this area. There is no way we can't do it. So this will be my top priority and I will need your help, your expertise and your experience in this area to move forward. So, it's a great honour if I'm approved to take office on these responsibilities and I look forward to do the work together with you. Thank you.

1-005-0000

Tomas Tobé (PPE). – Thank you, Chair. Let me first welcome the fact that the Commissioner-designate talks about defending our common European values. I do hope that that also means that the Commissioner-designate will also support the European way of life. My question, though, is about our common European security. We see now that we have huge problems with weapons and drugs flowing across our borders. We can also see that we have an increase when it comes to property crimes, with mobile organised crime groups going across Europe, so I wonder what concrete steps are you, Commissioner-designate, ready to take? Are you ready to increase the budgets for Europol? Are you willing to make sure that we can have a centre to fight organised property crime?

1-006-0000

Ylva Johansson, Commissioner-designate. – I think it's crucial to defend our common values – but one word on that: we must not be naive.

Important values that our Union is based on are threatened right now. There are threats to the rule of law and threats to minorities – we have Jewish people who are afraid in our Union again, Muslim people being harassed, and women who do not have the right to decide about their own future. So, I think it's crucially important for this Commission to defend these fundamental values which we are based on.

Security is linked to this, because if we can't fight organised crime in the right way – and, as you said, weapons, explosives and drugs are crossing the borders and are influencing our societies – it's like a poison to society when people cannot feel they are being properly protected by society against crime.

We can see that organised criminals are being more and more professional and developing their business model, and we have to step up to that at European level to be able to fight them in the right way.

When it comes to property crime, this is one of the priorities for Europol that has been decided on right now, together with the Member States, so it is already a prioritised issue.

1-007-0000

Tomas Tobé (PPE). – Commissioner-designate, I understand that you defend our common European values, but could you please just clarify if you will also be supporting the European way of life?

It is also significant that a Commissioner-designate should stress the importance of having Europol focus more on property crime. But the core of my question was more about whether you are open to discussion to make sure we establish a specific centre to try to combat property crime. This is not something that each government in each country can do at the moment.

Also, on the question of security, I know that you're all working now to make sure that you also have security when it comes to our borders, and it would be interesting if you have time in your answer to elaborate on how you will work with security around our borders.

1-008-0000

Ylva Johansson, *Commissioner-designate*. – Of course I support the European way of life. This is about our values and I think it's very important that we step up and defend these values: this is the European way of life and I truly support it. This is a prioritised area for this Commission.

When it comes to property crime, whether there should be a centre or not, I think it would not be wise of me to answer this on a concrete level today. I haven't taken office yet. So let us continue the dialogue on how we should have adequate funding for Europol and what should be their prioritised areas for the coming years.

1-009-0000

Claude Moraes (S&D). – Commissioner-designate, as you said in your statement you have experience of this issue. We saw some terrible scenes on Sunday in the Moria refugee camp and we see search and rescue, but as you know, having been on the front line, this issue, this big issue of yours and your portfolio, has the power to drive some very bad politics. For this reason, it's difficult and this is why it's a difficult portfolio. A number of times you said that failure is not an option, finding sustainable solutions based on solidarity is really important. This is what you've said a number of times in your statement. But the problem is that here in Parliament, this European Parliament, over many years, we have managed to get majorities for all of our key files: Dublin procedures, regulation, reception. We have managed to do this in this European Parliament across our political lines. While we have managed to do this, the Council has blocked everything and this is the problem, so my question to you is what would you do to make progress in this critical area?

1-010-0000

Ylva Johansson, *Commissioner-designate*. – Thank you very much, Mr Moraes, for this very relevant question. I am fully aware that Parliament has been able, as I said, in a true European way, to collaborate and compromise to find a common solution. But we have a blocked situation in the Council and that has been so for many years now, so my mission is to unlock this blocked situation and I have to do what's needed to do that. First, as I said, I will, of course, talk bilaterally to all Member States to find out what are the most important areas that maybe need to be looked upon in a different way and then come forward. It's natural that I can't say exactly how this will be done because my point is I have to listen first and I promise to keep Parliament very well informed on these dialogues – because you are the ones that have been able to do this. I think that I've been trusted with this portfolio and this mission to find a new pact on migration and asylum because I am quite experienced. I've tackled and cracked tough nuts before in my political career. Of course, I am going to use a lot of different things to do that and I am going to need the help from Parliament and especially from the experienced Members of this Committee, but I do think it's possible to do.

1-011-0000

Claude Moraes (S&D). – I acknowledge, Commissioner-designate, the positivity in your opening statement. But if this is not to fail again and your period of office is not to fail, could I put this question to you? Yes, the Council have blocked everything and they could do it again, and your new pact may not be a pact, so my question to you would be: given that we have qualified

majority voting, which is in the Treaties and you would be guardian of the Treaties, is that something that you could sustain?

I mean, could you ask Member States to do that instead of going for unanimity, and, if not, then what kinds of proposals could we see to get this thing moving?

Otherwise, we will see failure again on this critical area that could make or break the EU.

1-012-0000

Ylva Johansson, Commissioner-designate. – It's better to have this opportunity to build a new pact on both migration and asylum. That means that we have more things on the table at the same time, and I think this is important in terms of finding common ground.

If I am approved to take office on 1 November, of course I will start to seek the broadest compromise possible. This is my aim: to try to have everybody on board. But, at the end of the day we need a new pact.

1-013-0000

Dragoş Tudorache (Renew). – Commissioner-designate, my question will take you to Schengen, which has become, over time, synonymous with European integration in one of the most visible EU deliverables to our citizens. Yet several Member States have been ignoring the rules by introducing unjustified border controls and, instead of enforcing those rules, the Commission has put forward legislation to legitimise such border controls.

We have several other Member States – Bulgaria, Romania and Croatia – which follow the rules and fulfil the Schengen criteria, something this House has consistently noted, but which have been held back for years at the doorstep of Schengen, awaiting the outcome of a political process that nobody seems to pin down, neither in terms of how it will happen nor when it will happen.

In your written replies to the questionnaire, you stated that returning to a fully functioning Schengen area will be an element of the new pact on migration. But, Commissioner-designate, the Schengen rules and spirit are being disregarded now, as we speak, and have been disregarded for more than three years.

What would you do concretely, and by when, to ensure that one of the EU's greatest achievements is not caught, or indeed lost, in a long and certainly not easy political negotiation over the migration pact?

1-014-0000

Ylva Johansson, Commissioner-designate. – As I also said in my opening remarks, a swift return to a fully functioning Schengen area without internal borders is a priority, and this is also clear in my mission letter. So this, of course, will be a priority for me. And, of course, that would also include a dialogue with those countries that are now having these internal border controls, we want to get rid of those.

But we must also realise that there is a link between a fully functioning Schengen area and some of the files that are in the asylum package, for example. The current situation is also that the existing Dublin rules are not really functioning well. So this is, of course, also linked. We have to take that into account, but we can't wait, I agree on that.

1-015-0000

Dragoş Tudorache (Renew). – Commissioner-designate, I know that 'yes' or 'no' answers are not easy in such contexts, but I will try a 'yes' or 'no' question.

Will you start infringement procedures against those Member States that maintain temporary controls at internal borders in contradiction of Schengen rules while waiting for the migration pact to happen?

And secondly, how will you concretely engage with the Council and the Member States concerned to ensure the completion of the Schengen area? And, if any, what is the timeline that you give to yourself for that?

1-016-0000

Ylva Johansson, *Commissioner-designate*. – Of course, the last thing is always to start an infringement procedure. That is the role of the Commission, so that could always be the case.

But I do think if I can take office on 1 November, that shouldn't be my first thing to do. I think I should start with a dialogue with the countries and try to find ways forward in other aspects before starting an infringement procedure.

And when it comes to the other questions about a timeline and how we should interact together on this, let me come back to that when I've taken office and then we can discuss this further together.

1-017-0000

Tineke Strik (Verts/ALE). – Commissioner-designate, the new Commission continues to focus on external cooperation as a vital part of EU migration policies, whilst the current practices in Turkey and in Libya give reasons for great concern.

In Turkey, Erdogan threatens to deport one million refugees back to Syria, and, despite the EU-Turkey deal and the cooperation with Libya, actually increases the risk of violating migrants' rights as they are pulled back into appalling circumstances in Libya.

Now you write in your written answers that you will look into how best to assess and monitor the safeguards for fundamental rights in all formal, informal and financial cooperation with third countries, and that is to be applauded, of course. But what new steps will you take to achieve this concretely, and how will you inform and involve Parliament on these results?

Will you ensure that the monitoring includes transparent and independent assessments and will you also conduct, and share with us, an impact assessment before the EU enters into such cooperation, in order to prevent violations taking place?

1-018-0000

Ylva Johansson, *Commissioner-designate*. – The situation in Libya is terrible. It is terrible for the refugees, they are stuck there under conditions that no human being should be living under. This is the reality.

The Commission and the European Union are now working together with UNHCR/IOM helping to get people away from the stuck situation in Libya. This is where we can develop these kind of humanitarian corridors to help people out of Libya, to also help them to be resettled in Member States of the European Union. This is the way I would like to develop further. But, of course, I must rely on the willingness of Member States to welcome resettled migrants. We have had an increase in the number of resettlements in the last years in the EU. I'm proud of that. I think that we should continue further along that way and this could be a way that we could actually help people that are now stuck as refugees in Libya.

1-019-0000

Tineke Strik (Verts/ALE). – Thank you, but actually I mentioned Libya and Turkey as an example of that kind of cooperation which leads to the harming of migrants' rights. And of course it's good that we try to diminish this harm being done, but my question is about how can we ensure that fundamental rights are not affected as a result of this cooperation?

So if you are serious in your written answer that fundamental rights of migrants are a key aspect in external migration, would you be willing to take the first step, namely, ensuring impact assessments and independent monitoring?

Do you agree that this is necessary to keep your promise that fundamental rights are a key aspect? And if that's the case are you prepared to commit to this and share your results, with the committee? This is really key for us. I hope that I won't get an evasive answer but you'll really try to answer concretely if you can confirm that you're ready to do so.

1-020-0000

Ylva Johansson, Commissioner-designate. – Let me first say that EU cooperation with Turkey and Libya is not a cooperation that is harming the human rights of migrants. Migrants' rights are being harmed and human rights are being violated, but this is not by the cooperation. It's also through cooperation that, with for example the UN authorities, we can help migrants. I think that we should continue having agreements with third countries, and I think that an important part of that kind of agreement must be to develop legal pathways to the European Union. This is why we also need that kind of cooperation with third countries when it comes to migration. I will be happy to involve and inform Parliament when it comes to this kind of agreements.

1-021-0000

Annalisa Tardino (ID). – Signora Commissaria designata, io mi ricollego a una domanda del collega precedente, alla quale non ho sentito una concreta risposta.

Lei continua a parlare di un concreto bilanciamento tra i principi di responsabilità e solidarietà, che sappiamo oggi non essere stati concretamente attuati all'interno della politica migratoria, che è risultata oggettivamente fallimentare lasciando i paesi di primo approdo completamente soli nella gestione di questo fenomeno epocale.

Allora io Le chiedo, vorrei capire esattamente che cosa intende quando parla di un compromesso equilibrato, se prevede una forma di ripartizione che non sia solamente solidale, oppure intende limitare a monte i flussi migratori, oppure di fatto il fenomeno migratorio sarà ancora gestito sulla base di uno pseudo accordo temporaneo e volontario, siglato dai quattro Stati firmatari, così come è successo di recente?

1-022-0000

Ylva Johansson, Commissioner-designate. – Well, thank you. I'm not sure I fully follow your question, but then you can ask later on.

Well, the Member States are facing different realities along the way. Of course, in a new pact on migration and asylum, we cannot ignore the European geographical realities, so that means that we need a solidarity mechanism so that we can have proper distribution in the European Union.

But as I understood your question, you asked whether we could deal with migrants outside the European Union – was that correct? Sorry, was that your question?

1-023-0000

Annalisa Tardino (ID). – Io vorrei sapere esattamente che cosa intende quando parla di un compromesso equilibrato, vorremmo capire se nel Suo piano intende ripartire i flussi migratori in maniera obbligatoria, oppure in maniera volontaria, e su questo vorremmo anche dei chiarimenti.

1-024-0000

Ylva Johansson, Commissioner-designate. – As I said earlier to Mr Moraes, it's going to be a difficult task to find common ground to unlock the blocked situation in the Council together with the Member States, and, of course, I can't have all the answers before I start that journey to unblock this situation, but let me be clear on one thing: the solidarity mechanism is not voluntary in the European Union and should not be. We have to help each other in this Union. We have to come back to the concrete way to do that and to what should be the next step for the new pact on asylum and migration after I have assessed the situation.

1-025-0000

Annalisa Tardino (ID). – Quindi, in questo momento, ad oggi, non abbiamo una risposta di fatto, e ne prendiamo atto.

Le volevo fare un'ulteriore, veloce domanda: Lei parla di osservanza del principio di non respingimento e di giusto processo, che sono fondamentali all'interno dell'Unione europea. Però Le chiedo: ogni singolo e giusto processo ha un costo non indifferente che grava sui singoli paesi, soprattutto di primo approdo. Pensa che l'Europa possa risolvere questo problema?

1-026-0000

Ylva Johansson, Commissioner-designate. – Sorry, can you repeat that question?

1-027-0000

Annalisa Tardino (ID). – Mi riferisco a ciò che Lei ha risposto: nelle risposte scritte Lei parla di "osservanza del principio di non respingimento" e di "giusto processo".

Poiché garantire un giusto processo all'interno di ogni singolo Stato membro per ogni migrante ha un costo, mi chiedo se è intenzione dell'Europa sgravare gli Stati membri, soprattutto quelli di primo approdo, di questo onere finanziario.

1-028-0000

Ylva Johansson, Commissioner-designate. – Well, each Member State has the obligation to receive their asylum applications, to process these applications and to establish whether people will return or if it's not possible to effect the return on account of the principle of non-refoulement. This is the responsibility of the Member States. The Commission can help and facilitate the Member States in dealing with this, but it is not an option, under our Treaty or according to international conventions, to follow these kinds of fundamental things.

This is something for each Member State. It cannot be done by the Commission. But we need to help each other, we need to cooperate, and that is why we also need this common pact.

1-029-0000

Nicola Procaccini (ECR). – Good afternoon, Ms Johansson. You state that you are ready to support temporary arrangements for the disembarkation of persons rescued in the Mediterranean. You have, therefore, implicitly backed the joint declaration of Malta signed 10 days ago, which, let me remind you, involves a really limited number of Member States and is going to be applied just to those rescued at sea. Considering that just 9% of arrivals are currently the result of search-and-rescue-operations, how would you manage the remaining 91% of disembarkations, commonly called ghost landings of migrants? Furthermore, how would you guarantee that what was decided in Malta would not work as a pull factor for new departures with the help of NGOs?

1-030-0000

Ylva Johansson, Commissioner-designate. – This agreement from Malta last Monday is a temporary one. It's going to be discussed, as I understand, at the next JHA Council in the coming week whether more countries will join. I think this is a step forward. This is a temporary agreement, but I think it's a step forward and it shows willingness from Member States to cooperate and find solutions in this important area. But I must also be clear: these kind of temporary agreements are not instead of finding a sustainable solution for search and rescue. We have to do that and that's also clear in my mission, and I do not share your view that saving lives at sea and helping them to be disembarked in a proper way is a pull factor.

1-031-0000

Nicola Procaccini (ECR). – You say that you will work on the establishment of a reasonable and sustainable approach to search and rescue with the aim of replacing temporary solutions, like the one found in Malta. But in this framework, would you publically state, once and for all, that just those who genuinely flee from wars or persecutions will be hosted in the European Union, thereby excluding economic and climatic migrants?

1-032-0000

Ylva Johansson, Commissioner-designate. – Each individual that applies for asylum has the right to have their application processed and have a decision on whether they have the right to international protection or not.

This you can't know in advance. But I agree that it's important for economic migrants that we should find better ways for our legal pathways to Europe, both for resettlement and for legal migrants that come to work in Europe. We are an ageing continent. We're going to need more people to contribute to our economy and I look forward to developing new ways that skilled workers can come and contribute to our economy in the European Union.

1-033-0000

Cornelia Ernst (GUE/NGL). – I'm a little bit amazed that you have not talked about questions on law-enforcement cooperation. In your written answer, you said that one of your priorities on law-enforcement cooperation will be to ensure the necessary technological innovations to ensure that we are able to deal with new and emerging threats. My question is now: what do you mean exactly by technological innovation for law enforcement and can you give us a specific example? How would you ensure that such an innovation doesn't violate fundamental rights and the protection of fundamental rights?

1-034-0000

Ylva Johansson, Commissioner-designate. – Thank you, Ms Ernst, this is a very relevant and important question that you put to me.

There are two important aspects here. First, when new technology emerges and develops, we can see that organised criminals are very quick to take this up and they use it and that's why we have to step up to be able to fight them. Of course, we can't face our citizens who are victims of organised crime or terrorism saying 'we couldn't defend you because they used new technology'. I understand this is not what you are saying, but it's important that we can step up to this.

But, I must also say, when it comes to using new law enforcement means and new ways of using technology to protect people, it's also very relevant to take into account that we do things that really protect people and don't things that just intend to do it. It is important that we have assessments, that we evaluate things, that we can be sure that we are actually making a difference on the ground so that we really can answer on the protection – not that we have been, you know, trying to flex our muscles – but it must be in a way that we can actually reach things for our citizens in this area. Of course, it's always important to protect fundamental rights and sometimes

it's the bottom concern and I think that we should include it from the beginning when we develop new proposals in this area.

1-035-0000

Cornelia Ernst (GUE/NGL). – I want to be a little bit more concrete. What do you think, in particular, of the use of facial recognition in public areas? These issues are not regulated at EU level yet, and some countries are developing surveillance systems of entire cities based on the application of AI, while others have banned it, you know that. Do you intend to put forward a coordinated EU approach or not?

1-036-0000

Ylva Johansson, Commissioner-designate. – I must say thank you, Ms Ernst. This is a little bit too detailed a question for me and it would not be wise to answer today. I have to come back to these issues to be more concrete later on.

1-037-0000

Javier Zarzalejos (PPE). – Commissioner-designate, in recent years, horrific terrorist attacks have been committed across Europe. But it is true that at the same time, many attacks have been prevented by police and intelligence services. Of a variety of measures to better counter terrorism, all forms of terrorism, terrorism continues to constitute a major security threat. I hope that you will put this fight against terrorism high up on your agenda.

So let me ask you: which do you consider to be the most pressing challenges in the fight against terrorism? And how would you address them? And in particular, do you consider the current and future architecture of law enforcement cooperation fit to deal with new and emerging threats or how would you address the threat posed by foreign terrorist fighters and their families returning to Europe?

Are you planning to propose new legislation for victims of terrorism or do you foresee other concrete measures in this regard, given that the previous Parliament agreed that further efforts were necessary to address the needs of victims of terrorism?

1-038-0000

Ylva Johansson, Commissioner-designate. – Thank you, Mr Zarzalejos, for putting terrorism on the table. It's an extremely important issue.

You ask what is the most important thing and I would say trust. We need more mutual trust between Member States, between authorities, to help to deal with and to fight terrorism. We need to build and develop mutual trust. I think this is the most important thing. And then, of course, we can help with new ways of sharing interoperability and different kinds of experts and so on, but the core thing is about trust. We can do more if we work more closely together between Member States and between law enforcement authorities.

The other thing is to fight radicalisation. This, I think, is also very, very important and this is a task that has to be tackled in an holistic approach in each Member State, but the EU can help and can also offer expertise in this area and I think this is very, very important.

When it comes to terrorist fighters that might come back to their home nation, this is a decision for each Member State to take, but the Commission can help to facilitate cooperation so that people can really be brought to court and be punished for their terrorist actions.

1-039-0000

Javier Zarzalejos (PPE). – I'd like to see some clarification on a specific point which I think is relevant when we deal with security threats. In your written questions, you stated that obviously the reintroduction of border controls at internal borders should remain a last-resort option,

allowed only where it's strictly necessary to respond to a serious threat to public policy or internal security. But, at the same time, you point out that the high number of secondary movements has led to the questioning of Schengen. Do you consider that secondary movements in themselves pose a risk for security and thus justify the reintroduction of border controls in the Schengen area? Moreover, do you believe that a revision of the Schengen Borders Code will be required?

1-040-0000

Ylva Johansson, *Commissioner-designate*. – Well, Mr Zarzalejos, we have to take secondary movements into account when we find and design a new pact on migration and asylum, but I don't think this is the core area to fighting terrorism. We can see that we have terrorists that are born in Europe and not outside. They are also being fostered here, they are being radicalised here, so to fight terrorism we cannot only rely on our border controls. Of course, we need to better secure our external borders for many reasons, but fighting terrorism, I think, is more complex than that.

1-041-0000

Bettina Vollath (S&D). – You state that respect for fundamental rights and security are consistent and complementary policy objectives. However, unfortunately, this has not always been the case, as different pieces of EU legislation have been found to have been breaching fundamental rights and thus deemed unlawful by the highest court of the EU. How will you ensure that all security measures respect fundamental rights? How will you guarantee that any new measure introduced by you in the field of internal security and border management will do so, as well as pass the test of the court?

One of the ongoing debates regarding technical law-enforcement capabilities has been on encryption. As encryption is a vital necessity in today's world, do you agree that allowing law-enforcement factors in encrypted communications would create such vulnerabilities that would undermine the trust and security of all online services and communication? And how would you safeguard encryption in Europe?

1-042-0000

Ylva Johansson, *Commissioner-designate*. – This is closely related to another question that was raised earlier and, of course, I have to work together with you when I'm going to make new proposals to ensure that they are being prepared in a way that will respect fundamental rights from the beginning and not afterwards.

Specifically on encryption, I think that when new technologies – or when we can see new possibilities for criminals and terrorists to use new technology – it's always the case that we have to see how we can step up to be able to fight those threats. I think this is crucial. But as I said before, we have to do it in a way so that we can assure people that we are finding the right balance between fighting threats, providing security for people, for citizens, and a balance of privacy and fundamental rights of course has to all be respected. This balance – to find this in the right way – we have to also know what kind of impact we really have on security, so that we're not doing things that will just be a new decision that will not be implemented, or not really mean having better safety for our citizens. But if we can be sure that we can do things that are really making things safer then we can find the right balance and this balance, of course, I have to find together with you and together with the Council.

1-043-0000

Bettina Vollath (S&D). – Let's change the field. In your written answers, you state that after evaluation, you could foresee an update to the Europol regulation where necessary. Considering the strict confines of the Treaties concerning the Europol mandate, what kind of an update do you foresee that would not require a treaty change? Will you commit to bringing the Europol

Regulation into conformity with the regulation of the protection and personal data for the EU institutions, bodies and agencies, as foreseen?

1-044-0000

Ylva Johansson, *Commissioner-designate*. – This is an issue that I have to discuss with the Commissioner for Justice because I think this is a shared responsibility between our portfolios, so I will be happy to have that discussion with my colleague, the Commissioner for Justice.

1-045-0000

Malik Azmani (Renew). – I would like to focus on the external dimension, on migration, with you. EU citizens are still waiting impatiently for a sustainable European asylum and migration policy. Do you agree that a sustainable policy entails stepping up EU initiatives to provide adequate shelters for refugees, both within the EU, for example at Moria, as well as in countries of origin and transit?

Do you also agree that this also requires stepping up the readmission and return of irregular migrants and what are your concrete plans to do so? What steps will you take to improve also the implementation of the Return Directive? Will you take the lead among your colleagues to step up international cooperation to tackle irregular migration, by third country agreements, and break the power of the cynical business model of people smugglers and, at the same time, work on legal pathways. Can EU citizens expect from you, Ms Johansson, visible results before the summer of 2020?

1-046-0000

Ylva Johansson, *Commissioner-designate*. – This is a truly important issue. Yes, I will step up with the efforts on return. I think, as I also said in my introductory speech, we have to be clearer, we have to have better processes and we have to close the loopholes between those who are eligible to stay and those who have to return. We have to be much better on this. We have to step up in these areas. We do need to tackle irregular migration and we do need to have closer cooperation with third countries in this area.

I think to destroy the business model of the smugglers is really, really important. We can see that those who are smuggling people are also smuggling other things. These are organised criminals that are really making a lot of money out of this actually, so we have to fight this business model.

There is a role to play, together with our finding agreements with third countries, and this is going to be, of course, where I have to work very closely with the Vice-President for Protecting the European Way of Life, who has to coordinate these efforts, and also to work with the Commissioner for European Neighbourhood Policy and with the Commissioner for International Partnership. This is where we can find solutions and I do think that it is possible to find good win-win solutions by developing better and new legal pathways to Europe. As I said earlier, we have a situation where we are in high need of skilled workers in Europe and, of course, we need to find agreements so that we do not foster 'brain drain', but I think we can have that kind of good agreement with third countries.

1-047-0000

Malik Azmani (Renew). – Maybe to make it more concrete, can you deliver us three concrete actions or two concrete actions that you will do before summer 2020?

Renew Europe will be scrutinised, and you are also based on a concrete agenda with concrete results. But that's the only thing: how we can deliver to our citizens. This is a topic for our citizens, and that we know, and that's the reason I want to hear concrete proposals from you.

1-048-0000

Ylva Johansson, Commissioner-designate. – I understand that you want that. I can't give it to you. You know the situation. If you decide that I can take office, we have a situation that has been blocked for three years in this area for the asylum package, so my mission is to unblock the situation to find a new pact on migration and asylum and it would not be wise of me to promise you that you have impact on the ground in Europe next summer. I think that's not realistic.

1-049-0000

Balázs Hidvéghi (PPE). – A tömeges illegális migrációval szembeni fellépés során lesújtóak az eddigi tapasztalataink. Világossá vált, hogy az eddigiekben a tagállamok erőfeszítéseit az Európai Bizottság különböző mércével mérte. Így például az EU külső határainak a védelme, ami a teljes Unió biztonságához is hozzájárul, nem minősült a szolidaritást kifejező fellépésnek, az illegális bevándorlók befogadása azonban igen. Egyetért-e azzal Biztosjelölt Asszony, hogy az európai felelősség és európai szolidaritás kifejezésének egyik lehetséges formája az EU külső határainak a védelme az illegális határátlépések ellen? Biztosként mit kíván tenni annak érdekében, hogy szakítsanak az eddigi gyakorlattal, és a Bizottság az európai szolidaritás különböző formáit egyenlő mércével mérje? És végezetül milyen módon járulna hozzá ahhoz, hogy végre világosan és külön kezeljék az Európába beutazni kívánó vagy akár már itt lévő gazdasági bevándorlók tömegeit a valóban védelemre szoruló menekültek csoportjától? Köszönöm szépen!

1-050-0000

Ylva Johansson, Commissioner-designate. – First, I must say I do not agree that we have a situation of mass migration to Europe right now. We had that in 2015 and 2016 but now we are down to levels from before the migration crisis. I do not agree either that we have double standards.

To answer your question, to secure our external borders, it's very clear that the Commission has a role to play to assist Member States with protecting the external border. That's why we are stepping up so very much on Frontex, for example. It's, of course, to be able to better protect our external borders and the role of the Commission and the agencies is to do that together with the Member States, which always have their right to protect their borders.

1-051-0000

Balázs Hidvéghi (PPE). – Let me ask, as a follow-up, about cooperation with third countries, countries of origin, countries of transit. What concrete steps do you envisage taking, if you are elected Commissioner, to work with those countries? Especially in light of the fact that, in a decision of this Parliament, the AMF fund for the 2021-2027 period only foresees 5% of the costs, that is it foresees a 5% cap on those kinds of programmes and spending, whereas the Commission's own experts, as I understand, estimate that to be at least 15% for that period?

1-052-0000

Ylva Johansson, Commissioner-designate. – I must say the approach that we will have for the agreements with third countries will be different from country to country and, as I said earlier, this has to be developed together with our close cooperation with the Vice-President and also together with other Commissioners. I would be happy to come back to discuss this with the Committee later on.

1-053-0000

Tanja Fajon (S&D). – Commissioner-designate, I will come back to Schengen because I seriously think it's threatened today. You draw a clear line between the reform of the common European asylum and migration system on one hand and the return to a fully functioning Schengen area of free movement on the other, stating in your written answers that returning to a fully functioning Schengen area will be a key aspect of the new pact on migration. Now, given how complicated the situation is to find some wise and meaningful reform on the Common European Asylum System, knowing that there is quite a mess, I would say, in the Council, do you believe it is wise to link

those two – the reform of the Common European Asylum System and the Schengen Border Code? Is it then your intention to propose specific new legislation on Schengen and the new pact on migration?

Does that mean that you will redraw the current proposal that is on the table and for which the first reading in Parliament has already been proposed? If so, how long will you then allow all Member States really to continue to break the rules? I think it's really illegal and unacceptable what is happening.

1-054-0000

Ylva Johansson, *Commissioner-designate*. – I am happy to have this question so that I can clarify things. There is a link between Schengen and a functioning common asylum system in Europe.

It is not I who makes that link, there is a link between them. And we have a situation where the current Dublin rules are not being followed. This is the case, so there is a link. I do think it's easier to solve things when there are more things on the table at the same time.

But let me be clear. We can't wait to solve this internal border controls problem in Schengen if there is going to be a long wait to solve other issues. So it's not acceptable that they block each other, but if it's possible to solve both together in this new momentum that I do think we have now, then it's good because there are links between both.

I know the very important and difficult job you have been doing on many of these files that have been proposed by the current Commission on the Asylum Package. And I really appreciate that work and I do hope that we can continue with that... but I can't promise you we'll do that because I need to unblock the blocked situation in the Council. I need to have this dialogue bilaterally with the Member States, so I can't make that promise today – so I do hope that we can continue with those, but I can't promise.

1-055-0000

Tanja Fajon (S&D). – I do hope, nevertheless, that you will not allow these illegal practices that we witness for longer than three years, longer than needed. You fear that while saying you support all those Member States or don't plan as a priority to bring infringement procedures, that you're also failing to respect one of the fundamental pillars of the EU Schengen area of free movement.

I would just like to add, when do you expect the next enlargement of Schengen to happen? Will it be with Croatia? Is there a technical or political process, for example, if a country fails to respect the rule of law?

1-056-0000

Ylva Johansson, *Commissioner-designate*. – I have to come back later to this committee on the expansion of the Schengen area with new members. I have to come back to that. Of course, as I said earlier, an infringement procedure is always an opportunity for the Commission, but I think it's not wise to start a new term as a new Commissioner on that foot. I think I'd rather start with a dialogue with the Member States instead.

1-057-0000

Erik Marquardt (Verts/ALE). – Frau Johansson! Wir haben ja in den letzten Jahren erlebt, dass es sehr einfach ist, Menschen mit Migrationsreden Angst zu machen. Wir haben auch erlebt, dass da von Massenmigration gesprochen wird, wo man gar keine Massenmigration erwähnen kann. Ich fand es sehr wichtig, dass Sie gesagt haben, dass wir stolz darauf sein können, Menschen in Not zu helfen und es ist auch wichtig, dass Sie gesagt haben, dass die Seenotrettung der NGO im Mittelmeer kein *pull factor* ist; wir können ja nicht einfach so reden, als sei es unser Ziel, dass die

europäischen Außengrenzen jetzt gefährlicher werden als das Bürgerkriegsland Libyen, damit bloß niemand mehr auf die Idee kommt, aus diesem Bürgerkriegsland zu fliehen.

Ich finde es also wichtig, dass wir uns klarmachen, worauf wir auch stolz sein können- aber können wir denn auf die Situation im Mittelmeer wirklich stolz sein? Das ist eine Frage. Und können wir die NGO nicht besser unterstützen? Wie können wir die NGO im Mittelmeer besser unterstützen, und was ist Ihr konkreter Plan, um die Seenotrettung im Mittelmeer durch staatliche EU- Schiffe wieder sicherzustellen?

1-058-0000

Ylva Johansson, *Commissioner-designate*. – Up until today, this year more than 900 lives have been lost in the Mediterranean. This is an ongoing catastrophe. We have to stop people from getting into those boats. We have to develop legal pathways to Europe and we have to stop smugglers. Even though less lives have been lost this year than the year before, it's still a terrible number. So, I think that my approach will be to focus on stopping the smugglers, helping people to find other ways, not entering these boats.

Having said that, of course, we also need a better system for search and rescue, and that is, of course, the obligation always for Member States, but also for others to save lives. For the situation of NGOs, I know that Parliament had been asking for some guidelines on a clarification, where they have to clarify that genuine humanitarian assistance never should be criminalised. This is an issue which I look forward to looking into more closely and that might be a way forward.

1-059-0000

Erik Marquardt (Verts/ALE). – Ich weiß, dass dies vielleicht nicht der Ort ist, wo man ganz konkrete Antworten gibt. Ich weiß, dass es vielleicht schwer ist, aber es ist auch schwer für Leute, die eventuell im Bürgerkriegsland Libyen sitzen und keine andere Auswegmöglichkeit sehen, als sich auf ein Schlauchboot zu setzen, um diesem Bürgerkrieg zu entkommen.

Ich glaube, wir müssen uns klarmachen, dass dort jeden Tag Menschen ertrinken, und dass wir als Parlament vielleicht auch erwarten können, dass man nicht nur schaut, ob man schafft, dass man vielleicht, sondern dass man vielleicht auch zusagt, Leitlinien zu entwickeln, die humanitäre Hilfe eben nicht mehr unter Strafe stellen, dass man vielleicht zusagt, alles Mögliche zu tun, um wenigstens die Situation, die wir schon hatten – ohne Mitgliedstaaten – wiederherzustellen: dass Frontex-Schiffe Menschen gerettet haben, dass NGO-Schiffe ohne Angst zu haben, dass die Kapitäninnen und Kapitäne ins Gefängnis müssen, dort retten konnten.

Sie könnten doch vielleicht, wenn Sie mich fröhlich machen wollen, einfach sagen, dass Sie diese Situation wiederherstellen wollen, und ganz konkret sagen, was Sie tun wollen.

1-060-0000

Ylva Johansson, *Commissioner-designate*. – Refugees that are stuck and live under terrible, unacceptable conditions that nobody should live under in Libya right now, the solution for them is not to go on these dangerous boats in the Mediterranean. The solution is that we should work together with other actors on humanitarian corridors, and that we should step up on resettlement.

1-061-0000

Peter Kofod (ID). – Som dansker ser jeg med stor bekymring på den kaotiske situation, som den svenske regerings udlændingepolitik skaber, med bombeeksplosioner, voldtægt, hårdkogt bandekriminalitet, islamisk fanatisme, massiv ghettodannelse og social kontrol. Der går en lige linje fra den forfejlede udlændingepolitik til en stribe dybe og seriøse problemer i Sverige. Jeg kan læse mig til, at du, Ylva Johansson, er stolt over at have været med til at forme dette område i Sverige. Du bruger endda ordet "stolt". Selv dine danske kolleger på venstrefløjnen er nu så

bekymrede over den svenske situation, at der arbejdes med at indføre strengere kontrol med indrejse til Danmark fra Sverige. Udlændingepolitikken er kørt af sporet, og kriminaliteten er ude af kontrol. Det er tragisk. Derfor vil jeg gerne spørge dig: Vil du, hvis du bliver kommissær, forsøge at eksportere den forføjede svenske rets-, asyl- og udlændingepolitik til resten af Europa, og hørte jeg rigtigt, at du vil modarbejde lande, som Danmarks, krav på at have egen grænsekontrol?

1-062-0000

Ylva Johansson, *Commissioner-designate*. – First, I must say I do not agree with you, Mr Kofod, on the situation in Sweden and I repeat, I am proud that Sweden could give shelter to so many people during the migration crisis. But it was also very clear to me, from that point, that it's not sustainable to continue without the functioning European common system that can manage migration in a much better way and that we have seen so far. This is very clear to me.

To answer you, of course, I'm not going to be the Swedish Commissioner, I'm not going to impose Swedish policy. I'm going to be a European Commissioner and I'm going to propose European proposals and I'm going to develop those, together with Parliament and together with the Council and, of course, together with the rest of the Commission.

1-063-0000

Peter Kofod (ID). – Du har ikke helt svaret på mit spørgsmål. Jeg vil gerne vide, hvad der sker, når et meget stort politisk flertal i det danske folketing på et tidspunkt kommer til Kommissionen, hvis du bliver kommissær, og siger, at vi gerne vil forlænge vores nationale grænsekontrol - og at vi måske gerne vil gøre det igen og igen og igen og igen, fordi alle målinger viser, alle valgresultater viser, at et stort flertal af danskerne og af de politikere, som danskerne vælger til folketinget (altså vores nationale parlament), støtter grænsekontrol ved vores nationale grænser. Vil du så som kommissær sætte dig ud over det og sige til et flertal af de danske politikere, at det må de ikke? Eller vil du acceptere danskernes helt legitime ønske om selvfølgelig at kontrollere, hvem vi lukker ind i vores eget land?

1-064-0000

Ylva Johansson, *Commissioner-designate*. – We have already touched upon this issue from several other questions and internal border control is not according to the Schengen rules. This is why we have to return to a fully functioning Schengen area and that is very clear in my mission.

1-065-0000

Jorge Buxadé Villalba (ECR). – Señor presidente, hablaré también en español. Señora Johansson, en sus respuestas a las preguntas escritas enviadas por esta comisión, dijo usted que las ONG desempeñan un papel crucial a la hora de salvar vidas en el Mediterráneo y que debemos reconocerles su contribución. Sin embargo, esta misma tarde acaba de señalar que uno de los objetivos de su Comisión va a ser acabar con el modelo de negocio de los contrabandistas. Más allá de opiniones ideológicas y prejuicios, la opinión pública española e italiana, por ejemplo, cada vez en mayor medida, van conociendo la existencia de graves casos de colaboración entre algunas de esas ONG y las mafias que se dedican al tráfico de seres humanos en el Mediterráneo. ¿Cuál va a ser su posición? ¿Qué piensa hacer la Comisión? ¿Cree usted que la Comisión tiene que mantenerse en un constante enfrentamiento por las decisiones de los Estados miembros o respetar las decisiones de estos?

1-066-0000

Ylva Johansson, *Commissioner-designate*. – I think it's important that we respect true humanitarian assistance at sea. A lot of NGOs are involved in this effort right now and I think they're doing a great job on this. But that should not be mixed with smugglers.

As I said earlier to a question, the Parliament has asked for guidelines for working with NGOs and I'm happy to look closer even, if that could be a way forward, together with Parliament to find these guidelines. I don't know if that's an answer to your question.

1-067-0000

Jorge Buxadé Villalba (ECR). – Creo que no ha respondido a mi pregunta. Obviamente, la cuestión es, si en aquellos supuestos donde un Estado miembro acredita administrativa o judicialmente la colaboración, la cooperación de algunas ONG con esas mafias de traslado de seres humanos en el Mediterráneo, ¿cuál va a ser la posición de la Comisión? ¿Va a respetar lo que ya prevé la Directiva de facilitación, es decir, que sea el Estado miembro el que ha de decidir imponer, en su caso, una sanción o va a continuar, vía declaraciones o vía iniciativas en políticas de todo tipo, intentando entrometerse en las decisiones soberanas de los Estados miembros? Y, como ya han dicho muchos de mis compañeros, poniendo de manifiesto que el principal esfuerzo en favor de la seguridad en Europa y en favor del mantenimiento del sistema Schengen lo hacen aquellos Estados que tienen fronteras con el exterior.

1-068-0000

Ylva Johansson, Commissioner-designate. – Of course, Member States should prosecute smugglers. This is what you should do. That is the role of law enforcement, to prosecute smugglers. But, I must also say that those who carry out true humanitarian assistance to those in need should not be criminalised.

1-069-0000

Lena Düpont (PPE). – Herr Vorsitzender, Frau Johansson! Die bisherige Diskussion hat schon sehr deutlich gemacht, dass Asyl und Migration der wichtigste Teil, sozusagen der integrale Teil Ihres Portfolios sein wird. Sie selber haben das Momentum erwähnt, in dem wir uns gerade befinden: neue Wahlperiode, neue Kommission in der Zusammensetzung, wie das Parlament darüber abstimmen wird. Wir haben also Bewegung in der Debatte.

Mir ist es allerdings bis jetzt noch nicht konkret genug, was Sie darauf geantwortet haben. Daher nochmal die Nachfrage: Können wir mit einer baldigen Vorlage von konkreten Vorschlägen rechnen, möglicherweise in den ersten hundert Tagen, und falls das der Fall sein wird, wie werden diese aussehen? Ich habe Sie jetzt so verstanden, dass Sie nicht nochmal ein gänzlich neues Paket schnüren wollen, aber falls dem so ist, welche einzelnen Vorschläge werden Sie weiterverfolgen, in welchem Sinne, und wie wird dann das Verfahren mit dem Parlament aussehen?

1-070-0000

Ylva Johansson, Commissioner-designate. – Thank you Ms Düpont for this question, and you won't have a concrete answer because my first mission and my first priority is to unlock the blocked situation, to find a common ground for a new pact on migration and asylum.

It's going to be difficult. Others have tried before me. So that's why I can't promise you which will be the new proposals, and which proposals I will continue with. I hope to continue with those that have come far in this Parliament but I can't promise you right now and I can't give you concrete answers, because this has to be decided after a dialogue with the Member States, to be able to open up this blocked situation.

And I don't think that there will be new proposals the first 100 days.

1-071-0000

Lena Düpont (PPE). – Sie werden verstehen, dass ich tatsächlich nicht ganz zufrieden bin mit der Antwort. Kommen wir vielleicht nochmal zu einem anderen Bereich, den wir jetzt in der Diskussion auch schon einmal berührt haben. Sie haben davon gesprochen, dass Sie einen neuen, nachhaltigen und tragfähigen Ansatz im Bereich von *search and rescue* formulieren wollen, dass Sie die Adhoc-Lösungen ablösen wollen. Gleichzeitig haben Sie auch gesagt, wir müssen die Menschen davon abhalten, auf die Boote zu steigen, wenn wir Menschenleben retten wollen.

Wie wollen Sie das in die zwingend notwendige Bekämpfung der Schleuserkriminalität einbetten? Bitte mit konkreten Vorschlägen, konkreten Aktionen. Welche Schritte wollen Sie unternehmen, um dieses Geschäftsmodell und die kriminellen Aktivitäten, die damit im Zusammenhang stehen, zu unterbinden, damit wir am Ende tatsächlich die Menschen davon abhalten können, auf die Boote zu steigen?

1-072-0000

Ylva Johansson, *Commissioner-designate*. – The last thing you said I fully agree with. We have to avoid people getting on the boats in the first place. So, that's why it is going to be so important to work together with third countries, to find agreements. And I know that these countries don't want to have these smugglers and organised criminals acting in their country to get people on those boats either. So I think it is a way forward, to work together with agreements with third countries and also to focus on better legal pathways to Europe.

1-073-0000

Jan-Christoph Oetjen (Renew). – I understand that you tell us again and again that you want to propose a new pact on asylum and migration and that you want to compromise and find cooperation with Member States. And I will tell you that Parliament on its side: we have done our homework.

We voted on a mandate to engage in negotiations, and in your written replies you hint at withdrawing the package, while building on what has been achieved so far and taking on account the position of both the European Parliament and the Council.

But the problem is not between Parliament and Council. The problem is within the Council. So I would like to understand why you think that a withdrawal of the files on the common European asylum system could unblock the situation in the Council? Why do you think that that might work?

1-074-0000

Ylva Johansson, *Commissioner-designate*. – This is a very relevant question. I understand that it is difficult when I come and I can't answer in more concrete terms, as you should expect me to, on these issues.

You are very aware that this blocked situation has to be unblocked. The mission I have from the President-elect is to have a broader approach than the asylum package, and to find a new pact on both migration and asylum. My priority is to develop this new pact. Some people say that it's a 'mission impossible' to find new common ground in the Council. I don't think so. It is possible, but I have to be very careful that I don't bind my hands behind my back from the beginning. I therefore have to be quite open on what we have to do in this area.

I hope that we will not need to withdraw things that have already come far in Parliament, but I can't promise you that I won't do that.

1-075-0000

Jan-Christoph Oetjen (Renew). – You know that the Parliament would like to have an achievement on a European asylum system, and I understand that you want to widen your view and take into account migration questions. Do you want to take into account questions of border control and Schengen questions as well? Or do you think that these questions should be beside the questions of migration and asylum? Or do you want to take them into a package?

1-076-0000

Ylva Johansson, *Commissioner-designate*. – I have to come back to that, what should be exactly into a new pact or not. But I think that when a lot of different things are on the table at the same

time, in my experience it's sometimes easier to unblock a blocked situation when you have different things. Whether they should be part of a pact or not, I have to come back to later on.

1-077-0000

Laura Ferrara (NI). – Signora Commissaria designata, sul nuovo patto per la migrazione, io mi auguro che non equivalga al ritiro dei fascicoli attualmente in stallo presso il Consiglio, non fosse altro che, anche come relatrice del regolamento per le procedure d'asilo, posso essere testimone dell'enorme impegno portato avanti dal Parlamento per arrivare a una soluzione che potesse essere sostenibile in maniera trasversale e anche che si possa difendere il *package approach*, in modo tale che non ci siano disequilibri tra gli Stati membri e che non ci sia una politica migratoria inefficace.

Con riguardo quindi al nuovo pacchetto, crede che possano far parte di questo delle vie legali di accesso all'Unione europea, da Lei più volte citate? Intende dare seguito alla relazione López Aguilar sui visti umanitari? Ritiene possibile l'istituzione di centri di accoglienza nei paesi terzi nel Sud del Mediterraneo, in modo che le persone possano chiedere direttamente lì la protezione umanitaria, senza doversi imbarcare e attraversare il Mediterraneo? Nei centri magari gestiti dall'UNHCR in collaborazione con le Agenzie europee.

1-078-0000

Ylva Johansson, Commissioner-designate. – As I said in my introduction, the Parliament, and also you personally, have done a lot of work on these files. You have made a lot of compromises and collaboration and I do really appreciate that. I think this is the true European way of working together to find compromises through building bridges, through different party groups and we need to continue in that way of working.

And, of course, withdrawing the proposal is not a solution, but I have to find a new way forward, and that's why I don't want to promise things here, but that won't solve the issue.

And yes, legal ways must be a part of a new pact. That's why it's both for migration and asylum. So legal pathways to Europe should be part of that, and I am aware of the proposal of humanitarian visas. That could be a discussion that we can continue on, but I must also say that I think it a little bit easier to come forward on resettlement and humanitarian corridors that are already being developed and have been developed quite well in the past few years. But let us continue dialogue on this issue.

1-079-0000

Laura Ferrara (NI). – Vado su un altro campo che è quello della sicurezza interna, in particolare sulla criminalità organizzata.

Mi piacerebbe sapere se rientra nelle intenzioni e nelle priorità della Commissione dare seguito alla relazione CRIM, quindi introdurre in ambito europeo una normativa di contrasto alla criminalità organizzata, inclusa anche quella di stampo mafioso, un fenomeno che chiaramente ha oramai una veste transnazionale, che lede i diritti fondamentali e scoraggia anche la fiducia dei cittadini nei confronti delle istituzioni pubbliche.

E ancora, sulla direttiva riguardante il *child sexual abuse and child exploitation*, vorrei sapere cosa intende fare per garantire che gli Stati membri la attuino pienamente, e che azioni intende intraprendere per intensificare la lotta contro l'abuso sessuale dei minori, investendo in misure preventive, identificando programmi specifici per potenziali trasgressori, e supportando meglio le vittime.

1-080-0000

Ylva Johansson, *Commissioner-designate*. – Thank you Ms Ferraro, these are really important issues and organised crime and mafia-type organisations, they are like poison to society. They threaten cohesion in society and therefore it's not only the victims of the crimes that are suffering, the whole of society and trust in society is suffering. So that's why it's so important to step up in these areas.

I have to come back on the concrete actions when I have taken office and can be more concrete on the steps that we need to take. But I know that there are a lot of files and a lot of proposals that have been adopted by this Parliament and by Council, so I think that in a lot of things there has to be focus on implementation of the decision that has already been made.

But I don't exclude that we should also continue with other proposals in this area and I have to come back to that.

The same when it comes to child sexual abuse, a lot of child pornography is actually being hosted in Europe. So actually in our European Union, in the Member States, this is really a terrible crime that is being committed and we need to have better cooperation also between law enforcement agencies to fight this kind of child sexual abuse.

1-081-0000

Pietro Bartolo (S&D). – Signora Commissaria designata, nella sua lettera d'incarico Le è stato affidato il compito di lavorare su un nuovo approccio sostenibile e affidabile per la ricerca e salvataggio.

Nella Sua risposta scritta ha specificato che l'esperienza degli ultimi mesi ha messo in luce il ruolo essenziale della Commissione nel sostenere e coordinare le azioni per la ricollocazione e la distribuzione delle persone a bordo dopo lo sbarco, su richiesta degli Stati membri.

Nonostante sia vero che la ricerca e il salvataggio sono regolati dalla normativa internazionale e che la Commissione non ha, in principio, competenze di coordinamento, è anche vero che si può fare di più, fornendo sostegno finanziario e materiale agli Stati membri per rafforzare la loro capacità di salvare vite in mare.

Quali azioni concrete e iniziative adotterebbe per conformarsi all'obbligo, incluso nella lettera d'incarico, di stabilire un approccio affidabile e permanente per la ricerca e salvataggio?

1-082-0000

Ylva Johansson, *Commissioner-designate*. – As you pointed out, there is a role for the Commission to play in this area, and it has been playing this role to coordinate and also to facilitate how we can help the whole chain when it comes to search and rescue. So it's not only about specific search and rescue, it's also the embarkation, it's also to facilitate how to distribute people to the right country, to establish the process for their asylum application, for example. So we have to facilitate this chain, and this will be part of the sustainable solution that the President-elect asked me to develop in this area.

1-083-0000

Pietro Bartolo (S&D). – Più concretamente, in base alle Sue precedenti risposte, quali sono i suoi piani e opzioni per affrontare il tema delle operazioni di ricerca e salvataggio, basandosi sul principio di solidarietà, secondo il quale tutti gli Stati membri dovrebbero condividere equamente la responsabilità dei richiedenti asilo, nel pieno rispetto dei principi costitutivi dell'Unione europea e dei diritti fondamentali del quadro normativo internazionale?

1-084-0000

Ylva Johansson, *Commissioner-designate*. – We recently reached a new preliminary agreement on Malta between four countries. I understand it is going to be discussed in the G8 Council next

week, so let's see what will be the outcome of these discussions. I have the impression that a new constructive approach from the Member States is opening up in this area. I hope so, but it's too early to draw conclusions from that. So let me come back in a dialogue with Parliament on this later on.

1-085-0000

Nadine Morano (PPE). – Monsieur le Président, je vais m'exprimer en français.

Madame la Commissaire désignée, je suis surprise que, dans vos réponses écrites en vue de lutter contre l'immigration illégale, vos seules propositions reposent sur le développement de l'immigration légale. Vous n'évoquez pas votre stratégie pour mettre en œuvre une politique effective de retour des clandestins, pourtant indispensable pour que la question migratoire soit traitée de manière responsable, humaine mais ferme.

En Europe, s'il y a un domaine où l'état de droit est souvent bafoué, c'est bien en matière migratoire, lorsque les décisions de justice relatives à la reconduite ne sont pas appliquées, et donc pas respectées. Pourtant, le respect de ces décisions de justice doit être la contrepartie du droit d'asile. Alors que les États membres délivrent, chaque année, des obligations de quitter le territoire à 500 000 déboutés du droit d'asile, seuls 170 000 retours effectifs ont eu lieu en 2018, soit seulement un tiers.

Face à ce déni de justice, les peuples attendent des réponses concrètes. Que comptez-vous faire pour augmenter de manière drastique le retour des étrangers en situation irrégulière?

1-086-0000

Ylva Johansson, Commissioner-designate. – Thank you Ms Morano, I think this is a very important aspect. We need to step up together on the return of those who do not have the right to stay in the European Union.

I think, as I said in my introduction, the right to apply for asylum, the right for international protection, links very closely to those who do not have this right, also should return. So we have to make this function, and it is not functioning well right now. Only one third that had a decision stating they should leave actually returned last year. So this is really an area where we have to step up.

But the Commission is not the one who returns people. It is the responsibility of the Member States to do their own readmissions. But the Commission can help. We can help with readmission agreements for example, with third countries. We can help facilitate in other areas.

So I'll be happy to discuss about whether the Commission can do even more to help on readmissions so that we can have a more efficient system. I do also think that a quicker and more efficient asylum procedure in Member States could also help.

1-087-0000

Nadine Morano (PPE). – Je m'attendais à ce que vous me parliez des accords de réadmission. Seulement 17 ont été conclus. Le Mali, la Côte d'Ivoire, le Cameroun, la Tunisie et plus généralement les États d'Union africaine, desquels proviennent ou par lesquels transitent de nombreux migrants illégaux, ne sont pas couverts par de tels accords. C'est une priorité: êtes-vous d'accord?

Par ailleurs, nous finançons à hauteur de 17 milliards d'euros le développement en Afrique. Jamais je ne vous ai entendue parler de la responsabilité de l'Union africaine et de la responsabilité des pays d'origine. J'attends une réponse sur cette question.

1-088-0000

Ylva Johansson, Commissioner-designate. – I do think that we should develop more readmission agreements with third countries. This is a very important aspect, and the Commission can help to build that. I know that, in some cases, Member States have their own agreements and I think we also need cooperation between the Commission and Member States so that we can find the most efficient way for readmission, because we need that.

1-089-0000

Malin Björk (GUE/NGL). – Välkommen till vårt utskott. Som du har hört här i dag finns det de som vill att Europa ska ta samma väg som Trump – vi kan kalla det den Orbánska varianten – med murar, med öppen rasism mot flyktingar och migranter och med systematiska kränkningar av mänskliga rättigheter. Men vi är faktiskt många fler som vill se ett annat europeiskt åtagande, där vi står upp för asylrätten, står upp för mänskliga rättigheter och där Europa är en kontinent dit människor både kan och vill söka sig.

Jag skulle vilja se tydliga svar från dig att vi nu slår in på en ny väg, där vi står upp för Genèvekonventionen och där vi slutar med den repressiva politiken och de stängda gränserna. Det finns rasistiska krafter som vill ha den australienska modellen där asylsökningar ska hanteras utanför EU i tredjeländer. Jag vill därför ställa följande frågor: Kommer du att vara tydlig och avfärda alla sådana förslag? Kommer du att garantera rätten att söka asyl på EU:s territorium?

Min andra fråga gäller Libyen, men den ställer jag efter ditt svar.

1-090-0000

Ylva Johansson, Commissioner-designate. – I will answer in English.

I agree with you that on a global level, we can see severe threats to migrants and to the right to asylum, and this is frightening.

That's why it is so important that we protect the European way of life – because the European way is the fact that, in our Treaty, we have very clearly defined the right to apply for asylum. This is what the Commission, and I as a Commissioner, will always defend: our fundamental values and the Treaty. This is very clear and we should be proud of it.

The difference between our Union and other parts of the world is that we have these clear rights for migrants to apply for asylum, and that we have these clear values that we stand for – and I'll be happy to fight for both, here in the European Union and at global level.

1-091-0000

Malin Björk (GUE/NGL). – Tack så mycket för svaret. Jag skulle ändå vilja ha det ännu tydligare: Kommer du att avvisa förslag till sådan extraterritoriell asylprocedur, alltså i tredjeländer?

Min andra fråga handlar om Libyen. Där har det dokumenterats människorättsbrott, som allt pekar på att EU är medskyldigt till. Kommer du att avsluta EU:s skamliga samarbete med Libyen och den så kallade kustbevakningen där?

Eftersom jag har tid och du har pratat mycket om säkra och lagliga vägar, är jag som är Europaparlamentets föredragande i ärendet om vidarebosättning. I vårt arbete här i parlamentet har vi tryckt på att detta är ett humanitärt instrument. Det ska inte användas för att göra några *deals* eller för utrikespolitiska manövrar. Kommer du att garantera att EU:s vidarebosättningsprogram bygger på UNHCR och förblir humanitärt i sin essens?

1-092-0000

Ylva Johansson, Commissioner-designate. – First, on Libya, I can't see how things will be improved in Libya by stopping the cooperation from the European Union. We know that there are Libyan coastguards who are threatening or violating human rights. What the EU is doing is educating the

Libyan coastguards on these aspects of humanitarian rights and on how to protect human rights in their actions.

I think we need to review what should be done in Libya, but I must say I don't think that ending the cooperation we have with the humanitarian organisations UNHCR and IOM in Libya and the education of Libyan coastguard on humanitarian rights will improve the terrible situation in Libya.

On resettlement, cooperation with UNHCR is the cornerstone for resettlement, but I won't say no to all other aspects of resettlement. I think resettlement is very important as one of the legal ways to Europe. We can step up our action in this area and I hope to do so together with the Member States.

1-093-0000

Javier Moreno Sánchez (S&D). – Señor presidente. Bienvenida, señora Johansson, y ánimo, que ya llegamos tranquilamente al final. Como usted bien sabe, la igualdad de género y la protección de las mujeres están en el ADN y en el corazón de la acción política de nuestro grupo político. Por ello valoramos positivamente su firme compromiso con la inclusión de la perspectiva de género en todas las políticas que llevará a cabo. Centraré mis preguntas en la lucha contra la trata de personas y en la protección de las víctimas, en particular las mujeres y los niños y, sobre todo, las niñas. Desgraciadamente, el negocio del tráfico de seres humanos se cobra muchas víctimas y mueve muchísimo dinero, cinco mil millones de euros al año. Por ello, debe ser prioritario para la próxima Comisión impulsar una respuesta coordinada de los Estados miembros, reforzar la cooperación con los países terceros y garantizar la protección y el acceso de las víctimas a la justicia. En este sentido, ¿cómo va a garantizar la correcta aplicación de la Directiva de 2011 relativa a la lucha contra la trata de personas y, especialmente, la protección de las mujeres y las niñas? ¿Qué nuevas medidas y qué nuevos recursos financieros va a proponer usted?

1-094-0000

Ylva Johansson, Commissioner-designate. – First, on the implementation of the Directive of 2011 I have to come back on concrete actions to you later on. But I must say, on trafficking, this is really something that concerns me a lot and we know now that half of the victims of trafficking are European citizens. This is not a problem that is crossing our borders, it's a problem that we have here in our Union and a huge majority of those that are victims of trafficking are girls or young women.

I think it's extremely important that we step up the fight towards trafficking and I must say I am ready to consider new legislative proposals in this area, because we know that the criminals are earning a lot of money using these victims, these girls, so I will look into and be ready to consider new legislation in this area. I will also say, I'm ready to consider whether we should have a new strategy for fighting trafficking. I do think that we can do more in this area in the European Union. I think it's a shame that 50% of these victims are EU citizens. We have to do better.

1-095-0000

Javier Moreno Sánchez (S&D). – Afortunadamente, usted no está sola en esta lucha. Tiene a la coordinadora de la Unión Europea para la lucha contra la trata de seres humanos, tiene Europol y tiene el Centro Europeo contra el Tráfico de Personas, que creó Europol. ¿Cómo piensa reforzar sus poderes, su modo de acción? ¿Cómo piensa cooperar con ellos? Y una breve pregunta: hay un colectivo muy sensible, muy vulnerable, que son los menores, sobre todo los menores no acompañados. ¿Qué piensa hacer usted para que este colectivo tan expuesto a abusos de todo tipo [sexuales, laborales o incluso de tráfico de órganos] sea protegido, se pueda identificar y, sobre todo, para que se pueda ayudar a estas víctimas que están en el limbo en muchos de nuestros países?

1-096-0000

Ylva Johansson, *Commissioner-designate*. – Thank you Mr Moreno Sánchez. These are all areas where we have to work more together, to step up, and of course I am responsible for many of those institutions that can help us do it. But we must also see that we have to fight this culture of impunity when it comes to trafficking and also to help the victims.

So I would be happy to come back to you later on proposals or to assess whether we should make some new proposals in this area.

1-097-0000

Damien Carême (Verts/ALE). – Monsieur le Président, Madame Johansson, je venais participer à cette audition avec un a priori plutôt favorable. Si une partie de vos propos m'ont conforté, d'autres, par manque d'engagements réels et précis, sèment un trouble chez moi.

Nous avons trop souvent tendance à oublier dans cette audition que, derrière tous ces mots, il y a des femmes, des hommes, des enfants en extrême souffrance et même trop de morts. Nous leur devons donc des réponses urgentes.

Nous avons compris que vous vouliez éviter que des chercheurs de refuge montent sur des bateaux. Mais concrètement, pour ceux qui risquent leur vie sur ces bateaux, êtes-vous prête à lancer une mission européenne de sauvetage en mer?

Nous avons compris aussi que vous souhaitiez débloquent des discussions sur Dublin, ce qui est en effet indispensable et il est temps de siffler la fin de la récréation. Mais vous n'avez pas répondu sur la méthode du Conseil, qui bloque le dossier en cherchant un accord à l'unanimité, plutôt qu'à la majorité.

Êtes-vous prête à faire respecter les traités et à exiger du Conseil qu'il se mette d'accord à la majorité qualifiée plutôt que par consensus, qui n'est que prétexte à l'inaction?

1-098-0000

Ylva Johansson, *Commissioner-designate*. – Thank you, Mr Carême. I have been answering a lot of questions on search and rescue, and I have no other answers than those I have already given on this.

We have, as I see it, a new constructive approach with this preliminary agreement on Malta last week. There is going to be a discussion in the JHA Council, as I understand it, next week. I hope this will open up a new way forward, but it's also in my mission to come forward to a more sustainable approach on this issue. I have to come back to you in this honourable committee on the issue of search and rescue.

When it comes to the Dublin Regulation and the file that is blocked in the Council – nobody would be happier than me if I could just unblock it and then we are here! But it's not that easy, unfortunately, because then it would have already been done. So part of my very difficult and hard task is to find a way to unlock the situation. As I said earlier, I'm probably going to need a lot of my experience and some other proposals on the table at the same time to be able to unblock the situation.

As I answered earlier, as an incoming Commissioner – if I'm approved – of course I will start with a dialogue to find as broad a consensus as possible. But at the end of the day, we must come forward to make a decision on a new pact.

1-099-0000

Damien Carême (Verts/ALE). – Il est également important d'évaluer l'application des mesures actuelles avant de relancer un pacte.

Vous engagez-vous à évaluer la mise en œuvre des instruments actuels du paquet «asile» et, si oui, dans quels délais – les délais sont extrêmement importants –, mais aussi à veiller à ce que toute nouvelle proposition soit fondée sur les conclusions de ces rapports d'application et accompagnée d'une mesure d'impact rédigée en coopération avec le représentant de la société civile?

1-100-0000

Ylva Johansson, Commissioner-designate. – Well, we already have seven files on the table in the asylum package. I don't want to start from the beginning. I hope that we can build on what Parliament has already been working so hard on. So, my first approach will not be to start from the beginning, but my first option will be to continue on what's already been there. But I have also to go through this process to find out what's needed to unblock the situation and I'll be happy to keep the committee very informed about this and, of course, to continue cooperating in this area.

1-101-0000

Moritz Körner (Renew). – Herr Vorsitzender, sehr geehrte Frau Johanson! In der europäischen Sicherheitspolitik läuft etwas schief. Von den 22 islamistischen Terroranschlägen seit 2014 in der EU sind 22 von Tätern ausgeführt worden, von mindestens einem Täter, der vorher bereits der Polizei bekannt war. Anstatt aber die Zusammenarbeit der Polizei in Europa weiter zu verbessern, hat man in der Vergangenheit immer mehr Daten gesammelt. Man dachte, glaube ich, die Nadel im Heuhaufen schneller finden zu können, indem man den Heuhaufen noch größer macht.

Deswegen meine Frage an Sie: Werden Sie diese fehlgeleitete Politik ändern, oder werden Sie weiter mehr Daten sammeln? Werden Sie zum Beispiel einen neuen Vorschlag für eine Richtlinie über Vorratsdatenspeicherung vorlegen oder die Fluggastdatenspeicherung ausweiten wollen?

1-102-0000

Ylva Johansson, Commissioner-designate. – I must say that in many aspects I agree with you on this. I see that we must improve the cooperation between the police forces and also together with Europol in the European Union. As I answered to another question earlier, the most urgent thing, I think, is trust. We need mutual trust. We need police forces to actually work closer together and I think that this is what we should develop and we should use the data we have. We have a lot of opportunities that we are not using well enough today. This should be the focus.

I would not exclude that it might need to have also further proposals, but I think that we have a lot of things to do by implementing what has already been decided, and also to build on this mutual trust, so that we can work closer together to fight organised crime and terrorists.

1-103-0000

Moritz Körner (Renew). – Ich bin sehr glücklich, zu hören, dass Sie vor allem darauf setzen wollen, die Zusammenarbeit und das Vertrauen der Sicherheitsbehörden untereinander zu stärken. In dem Zusammenhang würde ich Ihnen dann gerne noch zwei Fragen konkreter stellen: Zum einen geht es ja auch bei dem Vorschlag über elektronische Beweismittel um das Vertrauen zwischen verschiedenen nationalen Ermittlungsbehörden. Wie, glauben Sie, werden Sie diesen Vorschlag weiter vorantreiben? Und glauben Sie nicht auch, dass es im Sinne des Vertrauens auch gut wäre, bei der nächsten Verlängerung des SWIFT-Abkommens das Europäische Parlament vorher um Zustimmung zu bitten, wie es in dem Vorschlag vorgesehen ist?

1-104-0000

Ylva Johansson, Commissioner-designate. – I didn't follow the last question, sorry.

1-105-0000

Moritz Körner (Renew). – Ob Sie bei der nächsten Verlängerung des SWIFT-Abkommens mit den USA vorsehen, vorher das Europäische Parlament um Zustimmung zu bitten.

1-106-0000

Ylva Johansson, Commissioner-designate. –When it comes to e-evidence, I will have to come back to you later on, on how we can proceed on that issue. I think that there are a lot of different aspects to take into account. When it comes to international agreements, I will be happy to have a consultation with the Parliament.

1-107-0000

Paulo Rangel (PPE). – I want to welcome you warmly, Commissioner-designate. As this is the last question, let me point out that, after this hearing, you risk being known as the ‘comeback’ Commissioner, because, on key topics, you have systematically answered that you will have to come back to the subject.

In the past five years, we have completely revised the Union’s landscape on information systems. We have addressed loopholes and increased synergies. In your written answers, you state you are committed to implementing these new systems. However, in the previous term we faced enormous obstacles from some political groups, not least yours, the S&D Group. The last example was the Visa Information System (VIS), which your group voted overwhelmingly against.

So, being the rapporteur on that proposal, and bearing in mind the S&D position, are you ready to commit here to setting a clear deadline and an appropriate budget to make it operational?

On the detail, we believe, furthermore, that children are better protected if we can store fingerprints from the age of six. Do you support this proposal, which, by the way, was supported by the Commission?

1-108-0000

Ylva Johansson, Commissioner-designate. – I think that if I’m rightly informed, this is going through the trilogue right now. Isn’t that the case? Yes. So I hope it will be a good, smooth process in the trilogue, but it will not be wise of me to set up a specific timetable before we have gone through this trilogue. I do hope, however, that we will be able to implement it as far as possible, because we are really going to need it. And then when you say I haven’t answered your questions here in the committee, of course that’s up to the committee to decide, to judge whether or not I have answered in a correct and sufficient way. That’s not up to me.

1-109-0000

Paulo Rangel (PPE). – I take note of that, and then I would like to relate to an important part of your portfolio that was not addressed here today, because it’s impossible to address everything, and it is to ensure greater consistency between the internal and the external dimension of security. On-line disinformation, interference with electoral processes are a paramount example of such links and where a more coherent and muscled approach is required from the European Union. So in the next five years, what do you plan to do in this field of disinformation, interference with the electoral process and so on.

1-110-0000

Ylva Johansson, Commissioner-designate. – I fully agree that there is a close link between internal and external security, and we have to build on that and that’s a very important aspect.

And when it comes to these concrete threats towards our democratic procedures, I also have to work closely together with other Commissioners in this area, because it is crucial that we are able to protect our cities, our societies and our democracy. This is going to be very crucial.

1-111-0000

Chair. – That will bring this second round of questions and answers to a closing statement which is due, according to the rules of the game, which are our Rules of Procedure, according to our fair understanding of what due process of law is about, if this were a trial you would have the final say, and you will have it, Commissioner-designate Johansson.

So I would like to thank you, all of you, for your contributions, for having kept so efficiently, and with such good parliamentary discipline, to the timing that was scheduled for this relevant exercise of political and parliamentary scrutiny on the quality and character of every Commissioner-designate, and in this particular case, our Commissioner-designate for the portfolio of home affairs, Ms Johansson. This hearing that we have carried out for the past 2 hours 15 minutes has therefore taken place in a satisfactory fashion.

So it's now your turn for your final statement, you have a right to put an end to this conversation we have just had, through a brief closing a statement of, I suggest, no more than five minutes. So the floor is yours again, Ms Johansson. Thank you for the effort and endeavour that you have carried out in order to meet the concerns of all the questions that you have just listened to and now the floor is yours again.

1-112-0000

Ylva Johansson, Commissioner-designate. – Thank you Chair and thank you honourable members of the committee.

I was, as I said in the beginning, I was looking forward to this and I was right. There's a lot of competence in this committee. There's a lot of knowledge on how things are going, on the ground, in each Member State.

You are truly representatives of the citizens of the European Union and therefore I hope to be able to work closely together with you in the coming five years. I really look forward to doing that – If I'm confirmed, of course.

I think we are in the beginning of a journey together, I hope so. To deliver policies, which are of key importance for our citizens. Both migration and security are on top of citizens' agenda and are things that they really think that we should solve and deal with on a European level. So we have an obligation to deliver on that.

As I said earlier, it's clear to me that we need to defend our values inside of the European Union, but also to bear in mind the impact of our rules outside the Union.

I think that the European Union should always lead by example. Fundamental rights will never be an after-thought for us. That's the European way of life.

On migration, as I told you, my ambition is to solve this. Our common success will be judged not only if, but also by how, we manage to set out the way forward.

I believe it should be a European way forward. That means common solutions, manageable solutions, sustainable and predictable solutions based on our values of fundamental rights.

We clearly need common European solutions for a managed system of migration. We also need on search and rescue a more sustainable, reliable and permanent approach, which is part of an holistic pact, which includes legal and safe pathways.

The European way of doing this in this area is to safeguard the right to apply for asylum and for that application to be assessed swiftly and properly and individually.

Persons who do not have the legal right to stay should be returned in accordance with our legislation and common rules in a dignified way. This is linked to stepping up the fight against smugglers and traffickers.

The best interest of the child and a gender perspective are preconditions for what we do and need to be present in all our policy-making and that I will assure you.

On security and work against terrorism, we have come a long way, but we have to do more. In my opinion, we should not hesitate to take further steps to improve European cooperation and work to further enhance trust between law enforcement authorities.

As I have said to you many times now, I think that trust is the key of cooperation in this area.

More generally, well-functioning cooperation in the area of my portfolio is crucial for the faith that our citizens have in the European project.

As I stressed earlier, compromise and collaboration are the cornerstone of the European way of working together. In the area of the portfolio with which I was entrusted three weeks ago, I believe we need to find more solid European solutions, better cooperation and work to enhance trust.

Trust should always be at the heart of all our work together whether it is between the European institutions, between the Member States or vis-à-vis European citizens.

Trust should be the cement of our European construction. This is how I intend to proceed, if confirmed.

And as I said, I look forward to coming back and to collaborate with this committee with its high level of competence and engagement. Thank you.

1-113-0000

Chair. – Thank you, Commissioner-designate Johansson. Let me say, on behalf not only of the podium of this LIBE Committee but also of the benchers, that we have appreciated your efforts to be up to the portfolio that you are bound to fill with your character and your commitment.

You will have noted that the LIBE Committee is vibrant, at times thrilling. The level of attendance here has been outstandingly high up to the very last minute – two-and-a-half hours after we got started – and that shows something. The LIBE Committee is heavily committed to the wide array of issues encompassed in your portfolio to be: migration, free circulation of people, the Schengen Package, the Asylum Package, asylum issues and all the agencies which are in the constellation of the LIBE Committee, as well as security – which, in the term of the outgoing Committee, was represented by a Commissioner separately from the Home Affairs portfolio, and you are bound to cover them both.

So, surely, if there is such thing as a ‘comeback’ Commissioner-designate, that would be a good signal because this conversation could not bring the discussion of all these issues to an end. The conversation is open-ended. The conversation is open. And we thank you for having exchanged your views throughout this process.

I would only add, if I may, that President-elect Ursula von der Leyen made it explicit in her presentation to Parliament’s plenary, on the occasion of our voting in favour of her ability to

occupy the job of President of the next Commission, that she would do her best to enhance Parliament's capacities, including legislative initiative by the European Parliament. That means, for a committee such as ours, which is a truly law-making committee, a sign of respect not only for pending proposals which are bound to become adopted European legislation but also for initiatives endorsed by the LIBE Committee and taken to the plenary of Parliament, as was the case, for example, with an own-initiative report, on which I was honoured to be the rapporteur, on humanitarian visas.

It is obvious that the LIBE Committees is broad in terms of its competences. This is clear when you see that it is going to be involved in the hearings of at least eight Commissioners-designate: as the lead committee, or by being associated or invited. At least eight of the Commissioners-designate are going to be examined before members of the LIBE Committee. There is, however, only one portfolio which fully, completely and exclusively falls within the competence of this LIBE Committee, and that is why we have not shared this hearing with any other committee of this House, because it is precisely your portfolio which draws all the attention and energy that you have seen through the questions you have just addressed in this session. We thank you for that.

I want to announce that the coordinators are to meet later today, by 19.00 – the location of our meeting will be announced to the coordinators – in order to assess the outcome of this hearing.

Thank-you, Commissioner-designate Johansson.

(The hearing closed at 16.54)