

ANSWERS TO THE EUROPEAN PARLIAMENT
QUESTIONNAIRE TO THE COMMISSIONER-DESIGNATE
Ylva JOHANSSON
Commissioner-designate for Home Affairs

1. General competence, European commitment and personal independence

What aspects of your personal qualifications and experience are particularly relevant for becoming Commissioner and promoting the European general interest, particularly in the area you would be responsible for? What motivates you? How will you contribute to putting forward the strategic agenda of the Commission? How will you implement gender mainstreaming and integrate a gender perspective into all policy areas of your portfolio? What guarantees of independence are you able to give the European Parliament, and how would you make sure that any past, current or future activities you carry out could not cast doubt on the performance of your duties within the Commission?

Early in my political career, at the time when Sweden was planning to apply for membership to the EU, I changed political parties and joined the political family, which supported EU Membership. This change of political affiliation was motivated by my strong conviction that Europe was the right choice and destination for my country. Faithful to this conviction, I campaigned actively in favour of Sweden's EU membership during the referendum campaign. It was a great honour to be part of the Swedish Government when Sweden became an EU member. I have been a member of the Swedish Government several times since then.

I am a convinced European and a firm believer in European integration and cooperation. Since Sweden's EU accession, I have played an active role in European projects in different political roles and capacities. Most recently, as Minister of Employment in Sweden, I took an active role in the area of Employment and Social Europe. Throughout my career I have worked on the basis of collaboration and aim to continue this path when working on the Commission's strategic agenda. The European Union is based on common values and it is my firm belief that addressing common challenges can only be on the basis of these values, through compromises and collaboration, which are the cornerstones of the European way of working together.

As Minister, I have been proud to have been part of shaping the Employment, Integration and Migration policy. During my time as a Minister, I have been in five different Governments. These Governments have all been minority Governments, where close cooperation between political groups was of the essence and good cooperation with the Parliament has been key. I see collaboration with the European Parliament as a precondition for success and wish to continue this as a key part of my mandate. Solid collaboration with the European Parliament will enhance my tasks as Commissioner for Home Affairs.

Integrating the gender perspective into all policy areas is something which is close to my heart and which I have been working on for many years throughout my career. I have implemented gender mainstreaming in practice and have a solid experience of gender budgeting, which is an important tool for gender mainstreaming of all government action. All policy decisions which concern people, concern per definition both men and women. It is important that all policy and budget choices consider the effects both on men and women and are elaborated accordingly. Separate statistics for men and women for policy choices are a key tool for this purpose.

Furthermore, this is also enshrined in Article 8 of the Treaty on the Functioning of the European Union, according to which, ‘in all its activities, the Union shall aim to eliminate inequalities and to promote equality between men and women’. It is also part of the Commission’s ‘Strategic engagement for gender equality 2016-2019’, which states that promotion of gender equality is to be ensured by applying a gender-equality perspective into every aspect of EU interventions. Of this subject I have extensive personal experience from a Member State Government level, which I believe would be useful in my new role.

President-elect von der Leyen has put gender equality high on her agenda and committed to lead by example by forming a fully gender-balanced College. I intend to apply the same principle to my team.

I am also committed to building on the No-Women-No-Panel initiative launched in February and make sure that public events organised by the Commission feature gender-balanced panels. I will also bring this up when discussing my own participation in event and panels.

A new gender strategy presents an opportunity to further develop the concept and application of gender mainstreaming across EU policies. A strengthened application of gender mainstreaming in policy-making makes better use of resources, makes policies more efficient, supports sustainable development and creates fairer societies. The Commission will continue to consider gender impacts when preparing all its proposals. Such impacts will be reflected in the explanatory memorandum of the respective proposals.

Gender mainstreaming is applied to the budget process, with the aim of ensuring that budget policy and resource allocation, as well as policy design takes into account the needs and conditions for women and men, girls and boys.

Gender mainstreaming also means paying particular attention, in all activities related to my portfolio, to the impact any initiative may have on women’s role in economy and society at large. There are plenty of ways that this will have a practical impact on my portfolio such as promoting the role of women representatives in the law enforcement area, or the effect that funding in the area of support to migrants has on men and women.

Regarding independence in the performance of my duties, it is a value deeply rooted in my education, my upbringing and my social and cultural identity. Furthermore, I have pursued a long career in politics in a political culture that is shaped by transparency. I have been a Member of the National Parliament and Minister in the Swedish Government since 1988, with the exception of a few years. Throughout my career, independence and integrity have been cornerstone values of all the offices I have held. I intend to continue this way of working also in my next role.

I trust that I have the right qualifications and professional experiences to contribute to the European general interest. I intend to work closely with my fellow Commissioners and Vice-

Presidents and to assist the College in the best way possible in pursuing the European Union's priorities, as set out by the President-elect in her Political Guidelines.

As soon as I am appointed, I commit to comply without fail with the Treaty obligations on independence, transparency, impartiality and availability, as defined in Article 17(3) of the Treaty on European Union and in Article 245 of the Treaty on the Functioning of the European Union.

I will fully respect the letter and spirit of the Treaty, in particular the obligation to act in the European interest and without taking any instructions. I will also honour the Code of Conduct of Members of the European Commission and its provisions on conflicts of interest. My Declaration of Interests is complete and accessible to the public, and I will update it should any change be required.

2. Management of the portfolio and cooperation with the European Parliament

How would you assess your role as a Member of the College of Commissioners? In what respect would you consider yourself responsible and accountable to the Parliament for your actions and for those of your departments? What specific commitments are you prepared to make in terms of enhanced transparency, increased cooperation and effective follow-up to Parliament's positions and requests for legislative initiatives? In relation to planned initiatives or ongoing procedures, are you ready to provide Parliament with information and documents on an equal footing with the Council?

I am proud to have been part of shaping Sweden's Employment, Integration and Migration policy as a Minister in the Swedish government. During autumn 2015, I was responsible for coordinating all Government actions related to the management of the migration and integration situation in Sweden. My task was to ensure that the relevant Ministers and relevant public authorities worked together in a coordinated manner. This particular experience, along with my extensive Government experience, demonstrate my preparedness and readiness to tackle the tough challenges of the Home Affairs portfolio.

The European Union operates on the basis of its humanitarian values, and over the past five years has made proof of these by saving lives and protecting people fleeing war and persecution. The Union also has an important role to play in the world. My motivation is to work for a European Union where we together deliver the security and safety that people expect and deserve in the whole of the European Union.

What motivates me is to give citizens a response to issues, which are of concern to them. EU citizens consider migration and security to be two of the most important challenges facing Europe. Migration and security rank among the priorities and will be at the centre of the politics of the next Commission. The multi-faceted, cross-policy and international dimension of migration and security in the past years have revealed the importance of stronger coherence and coordination at EU and international level. Effectively managing migration, protecting external borders and ensuring security will remain the paramount task for the Home Affairs portfolio and will remain at the centre of political attention.

Role and co-operation with the European Parliament and its committees

If confirmed as a Commissioner, I will take full political responsibility for the activities in my area of competence, as set out in the Mission letter I received from the President–elect on 10 September 2019. I attach great importance to and see great value in the principle of collegiality and will collaborate fully with other Members of the College in the development and implementation of new policy initiatives.

As set out above, engagement with the European Parliament is of paramount importance to me. I will work with Parliament and relevant committees at all stages of both the policy-making process and political dialogue.

Effective interinstitutional cooperation is essential for the EU’s institutional system to work, and for the efficiency and legitimacy of the EU decision-making system. It relies on certain guiding principles that I am fully committed to follow. These include openness, mutual trust, efficiency, and regular exchange of information. President-elect von der Leyen’s Political Guidelines and Mission letters fully reflect these principles, and stress the intention to reinforce the special relationship between the European Parliament and the Commission. If confirmed as Commissioner, I will work towards this objective, and in doing so I will fully respect the provisions of the 2010 Framework Agreement and the 2016 Interinstitutional Agreement on Better Law-Making. I will manage my interactions with Parliament in an open, transparent and constructive way, to build that relationship of mutual trust.

In line with President-elect von der Leyen’s Political Guidelines, I will make myself available to take part in plenary sessions, all relevant committee meetings and trilogue discussions. I will ensure that parliamentary committees are involved in any major developments under my responsibility at the same time I am fully aware of the importance of equal treatment of the Parliament and the Council. This is not only a requirement of the ordinary legislative procedure, but also a necessity for any Member of the College.

I also commit to ensuring that the relations with services under my responsibility are based on the principles of loyalty, trust, transparency, a two-way flow of information, and mutual assistance. Specifically, I will ensure a regular flow of information with the Chair of relevant parliamentary committees, directly communicate with committee members, and ensure that I am available for bilateral meetings. I will also ensure that the European Parliament is regularly briefed, notably before major events and at key stages of international negotiations in areas under my responsibility.

I will also ensure that replies to questions from Members of the European Parliament to the Commission that come under my responsibility; are delivered swiftly and accurately. I will appear before the European Parliament’s plenary and/or committees whenever called to answer a question or provide any particular response.

Transparency

President-elect von der Leyen's Political Guidelines stress that in order to regain citizens' faith in the Union, our institutions should be open and beyond reproach on transparency issues. I will work closely with the European Parliament and Council for more transparency throughout the legislative process. Citizens should know whom we, as institutions that serve them, meet and discuss with and what positions we defend in the legislative process. Strengthening interinstitutional cooperation by promoting legitimacy and accountability will boost the EU's efficiency and good governance.

I am fully committed to implementing the wide-ranging provisions on transparency and the flow of information in the Framework Agreement on relations between the European Parliament and the Commission and the Interinstitutional Agreement on Better Law-Making. In particular, I will ensure that these provisions are respected in my structured dialogues and other contacts with Parliament committees.

In addition, policy proposals under my responsibility will be based on proper consultations of experts and the public, in line with Better Regulation principles.

Follow-up to Parliament's positions and requests for legislative initiatives

President-elect von der Leyen supports a right of initiative for the European Parliament. She committed that her Commission will follow-up on Parliamentary resolutions adopted by a majority of its members with a legislative act, in full respect of proportionality, subsidiarity and better law-making principles. I fully subscribe to this objective and as part of the next College's commitment to a deepened partnership with the European Parliament, I will work hand in hand with Parliament at every stage in debating resolutions under Article 225 TFEU. I commit to work closely with the relevant parliamentary Committees, and be active and present during the preparation of Article 225 TFEU resolutions. I strongly believe that this will improve dialogue, foster confidence and a sense of working together towards a common goal.

The Commission will also effectively respond to Parliament's resolutions within three months after their adoption, in accordance with the Framework Agreement. The Commission will ensure political oversight over the process.

Provision of information and documents

Further to my statement above about ensuring that parliamentary committees are involved in any major developments under my responsibility at the same time as and on an equal footing with the Council, I am fully aware that the provision of information and documents is an essential aspect of deepening the partnership between the European Parliament and the Commission. I therefore commit to fully implement the relevant provisions of the Framework Agreement between the two institutions, and of the Interinstitutional Agreement on Better Law-Making. The Lisbon Treaty sets out the equality of Parliament and Council as co-legislators, and I will ensure that this is respected in terms of how information is shared in areas under my responsibility.

Sector specific questions

- 1. What will be your key priorities within the portfolio you have been assigned to and given that your portfolio overlaps, to a large extent, with the portfolio of the Vice-President for Protecting our European Way of Life, can you identify specifically those areas for which you will be responsible and those for which the Vice-President will be responsible? Do you commit to appear in from the LIBE Committee when requested and at least twice per year?**

The President-elect has made clear in her Political Guidelines that we need a fresh start on migration and asylum, through a New Pact on Migration and Asylum.

My approach will be to listen carefully to different views and help find common ground, on the basis of our common values and humanitarian responsibilities. Building on the work and the results achieved so far, I will be looking across all elements of migration and asylum policy. It remains essential that we pursue a comprehensive approach, looking at the fight against irregular migration, strengthening the external borders, return policies, developing legal pathways, the integration of migrants and cooperation with our partners outside the EU. In all these areas, our humanitarian obligations will remain uppermost in my considerations. I will ensure that the new Pact on Migration and Asylum strikes the right balance between responsibility and solidarity and puts forward pragmatic and realistic solutions. We can only progress by taking account of the positions of both the European Parliament and of the Council. A close dialogue will be necessary to find common ground.

Another of my key priorities is to fill the gaps in our approach to EU internal security and ensure that the Union is up to the new threats we face. I will aim to further improve cooperation and exchange of information between law enforcement authorities and continue to build an effective Security Union. The Security Union goes beyond the concept of cooperation at national level towards a collaborative approach to protecting the collective security of the Union. It aims to close down the space in which hostile actors can operate and to build resilience against attacks in terms of how the EU and Member States respond when needed. To achieve these goals, I would focus first and foremost on ensuring the implementation of existing legislation in particular and most crucially, the key new legislation recently agreed in areas including interoperability and combating terrorism. The fight against terrorism and violent extremism, organised crime, child sexual abuse and exploitation, and cybercrime will remain key areas. I will in particular be looking at stepping up our efforts to deny terrorists the means and space to plan, finance and carry out attacks.

In this work I will see how we can improve the architecture of our law enforcement cooperation and ensure the necessary technological innovation to ensure that we are able to deal with new and emerging threats. The digital era in which we live brings both new challenges and new opportunities. An important part of this will be setting out a balanced legal framework in the proposal on preventing the dissemination of terrorist content online. I will also work to ensure that our laws are applied online as they are offline, and that we can hold accountable those who violate criminal laws, even when they hide behind the anonymity afforded by modern technology. This will also include advancing our efforts to prevent radicalisation both offline and online. The digital world, with all its benefits for society, has also created a space for

criminals to act with seeming impunity. This is not acceptable. We need to equip law enforcement for the digital world.

A direct impact of the migration and security challenges of the past years has been that the Schengen area has been called into question. The swift return to a fully functioning Schengen area of free movement without internal border controls is a key priority. This will require firstly focussing on the implementation of the current Schengen rules, including with a view to paving the way for future enlargement of the Schengen area, and secondly, looking into how to improve the current Schengen rules. The reform of our asylum system and return policy, and a fully effective management of the external borders including stepping-up efforts on combatting smuggling, will further contribute to rebuilding trust into the Schengen area. One key element in this respect will be accelerating the swift implementation and full operationalisation of the reinforced European Border and Coast Guard Agency, which plays a central role in a strong and effectively managed external border, in line with the Political Guidelines.

To bring forward these key priorities, I will work closely with the Vice-President for Protecting the European Way of Life. The President-elect has made clear that Vice-Presidents and Commissioners have different roles. As laid down in the Main Principles of the Working Methods of the President-elect for the next Commission, the Directorate-General for Migration and Home Affairs will report directly to me. The Vice-President will be providing guidance and coordination for my portfolio as well as for several other portfolios, with the support of the Secretariat-General. He will chair a Commissioners Group bringing together several members of the Commission and different parts of the services to shape coherent policies and deliver results. Such a comprehensive and whole of government approach will be of crucial importance for achieving success in the abovementioned policy areas and I will actively contribute to that endeavour.

Together with all the other Commissioners, I will contribute to strengthening the Commission's special partnership with the European Parliament. A solid relationship with the European Parliament is something I value very highly and will ensure that this applies for Home Affairs. I will appear regularly before the Committee for Civil Liberties, Justice and Home Affairs, at least twice a year. I will participate in the inter-institutional discussions on the legislative proposals, and meet the Committee on any occasion where my presence is deemed necessary. Working actively with the Members of this Parliament, notably with Members of this Committee, will be essential in driving forward our key priorities in this area.

- 2. How do you intend to make use of the Commission powers to ensure full transposition and implementation of the existing EU legislative instruments in the field of asylum? Will you maintain the proposals of the Common European Asylum System presented in 2016? How will you ensure that these initiatives will lead to a sustainable solution based on solidarity and a fair sharing of responsibility as included and developed in the Parliament's position on the Dublin Recast Regulation and as laid down in Article 80 TFEU? Will you advocate for the application of the TFEU and qualified majority voting in the Council for the adoption of the CEAS reform proposals? How will you monitor and assess the impact of formal, informal and financial cooperation with third countries on the fundamental rights of asylum seekers and migrants, and how will you update the Parliament on these assessments? Which measures will you put forward to ensure that the best interest of accompanied and unaccompanied minors is a primary**

consideration in all measures elated to them and that they receive the protection and support that is considered in line with the Convention on the Rights of the Child?

As the Guardian of the Treaties, the Commission has a key role to play in ensuring the full transposition and implementation of existing EU legislative instruments in the field of asylum. Infringement procedures are a tool for delivering on our policy objectives and I will not hesitate to use these powers when Member States' laws and practices are not compatible with EU law. In the field of asylum, I will continue to pursue both enforcement and legislative reform to achieve a comprehensive, functioning and truly common asylum system which ensures strong protection of those in need, prevents secondary movements and delivers on the returns of those who are not entitled to stay in the European Union. At the same time, I will continue to engage in a close dialogue with Member States and offer concrete operational and financial support to help them address the challenges they face and equally ensure full compliance with EU law.

On the asylum reform, I commend the European Parliament for having worked swiftly to define its initial position on most of the complex instruments that make up the reform. To move forward, we need now to relaunch and broaden the debate, building on the work achieved to date. Before launching the New Pact on Migration and Asylum, I will ensure a close dialogue with the European Parliament and the Council to find the common ground on which to build a balanced compromise. We know that there are many controversial outstanding elements, but we should also be clear that a solution is essential for a sustainable migration and asylum system. It will also be important that the New Pact will take a holistic approach, putting asylum policy in the context of the full range of policies in this area: the interlinkages between the policies and the scale of the challenge mean that we cannot neglect any aspect.

Based on this new approach, the existing proposals on the table will be reassessed and could be reconsidered, while recognising that great progress was achieved on several of the files. I intend in particular to focus on identifying all forms of solidarity to ensure that all Member States make meaningful contributions to ensure support to those countries most under pressure. Finding sustainable solutions based on solidarity and fair sharing of responsibility, elements that have inspired the Parliament's position on the Dublin Recast Regulation, will remain key factors guiding my work.

My objective in my work on the asylum reform is to overcome divergences and find common ground on the basis our common values and humanitarian responsibilities. For any solution to be sustainable and future-proof, our aim should be to reach the broadest possible convergence on the difficult issues on the table.

I will, in close cooperation with the Vice-President in charge of Protecting our European Way of Life, the High Representative/Vice-President and other Commissioners, continue building partnerships with third countries engaging on the whole range of migration policies in a mutually beneficial manner. Respect for fundamental rights is as important here as in other aspects of migration and asylum policy. Ensuring the respect of the principle of non-refoulement in all circumstances, guaranteeing due process and access to effective legal remedies, are principles deeply embedded in our policy and legal framework. Strong safeguards for fundamental rights will be a key aspect of all formal, operational and financial cooperation with third countries. We will look in-to how to best monitor and assess this compliance as part of the New Pact on Migration and Asylum and I commit to keeping the Parliament regularly informed of progress. Together with the High Representative/Vice

President and other colleagues, I will rely on the work and analysis of the EU Delegations and of the European Migration Liaison Officers, our eyes and ears on the ground. Migration Liaison officers deployed by the EU, but also by Member States, in partner countries of origin, transit and destination will continue to be instrumental in the operational implementation of the comprehensive approach to mobilise EU action and resources in our external work on managing migration.

The best interests of the child will be a key pillar in any new initiative in this area and I will continue to strengthen the rules for the protection of children, notably unaccompanied minors, in full respect of the Convention on the Rights of the Child. The Commission has and will continue to monitor very closely the application of the legal safeguards concerning migrant children, including the obligation to always take their best interests into account.

- 3. In the framework of a holistic approach to migration, which solutions do you envisage for search and rescue activities in the Mediterranean and in the deserts to stop migrants from dying along the migration routes to Europe? How do you assess the role of legal pathways like resettlement, humanitarian visa and labour migration in this respect? How do you evaluate the role of the Libyan Border and Coast Guard in search and rescue activities in the Mediterranean in view of reported human rights violations and demonstrated links with traffickers in human beings in Libya? With regard to saving lives in the Mediterranean, would you consider supporting the initiative of Member States like France and Germany for a temporary arrangement for disembarkations of persons rescued in the Mediterranean in order to replace the ad hoc solutions currently applied? How will you ensure that humanitarian assistance is not criminalised in accordance with the so-called Facilitation Directive? Which are the priority measures, on the one hand, to fight trafficking in human beings (THB) and smugglers so as to break their business models and close the gap they operate inside and outside the European Union, and on the other hand to provide victims of THB with the necessary protection and support?**

As the President-elect stressed in her Political Guidelines, saving lives has always been and will continue to be the Commission's priority. It is our moral duty and legal obligation to save lives at sea and grant protection to those fleeing persecution and serious harm, including as a result of war or conflict. The New Pact on Migration and Asylum will support this imperative in different ways, including opening and enlarging safe and legal pathways, ensuring a reliable and sustainable approach to search, and rescue and fighting against migrant smuggling. Work on all these three objectives will be a key priority.

Europe has a responsibility to support refugee-hosting communities outside the EU and to help provide refugees with basic humanitarian assistance and help them live in dignity. Moreover, Europe should remain a place of protection for those who need it. In addition to moving up a gear in reforming our asylum system and in line with the Political Guidelines, I want to build legal and safe pathways to the European Union. Resettlement has been a success and the EU is a global champion in resettlement efforts. But more needs to be done in view of increasing global needs. I will therefore further work with Member States to ensure that resettlement efforts are stepped up. In addition, I will look at ways to support the establishment of humanitarian corridors to bring urgent help to those in need.

I believe that a functioning EU migration policy should be based on a comprehensive approach where one of our tools to combat irregular migration is to facilitate well-managed and orderly legal migration. We face an increasing need for legal migration for our labour markets to remain competitive, to face the long-term demographic challenges. Cooperation in the field of legal migration can also incentivise third countries to better cooperate with the EU, for example in the field of readmission.

I will take work forward on a new, more sustainable, reliable and permanent approach to Search and Rescue, which will be part of the New Pact on Migration and Asylum. Search and Rescue is mainly regulated by international law, which national authorities must respect, while the Commission has no competence as such to coordinate Search and Rescue operations or to indicate places for disembarkation. Nevertheless, the experience of the last months has highlighted an essential role for the Commission in this area to support and coordinate actions regarding the relocation and distribution of people on board following disembarkation, upon the request of Member States. While sustainable solutions will only come through reform of the Common European Asylum System, I stand ready to consider a role for temporary arrangements among Member States to provide immediate and operational responses to urgent needs for the people on board and the Member States under the most pressure.

Non-Governmental Organisations have also often played a crucial role in saving lives in the Mediterranean. We should recognise their contribution. I consider it obvious that no-one providing genuine humanitarian assistance to migrants in distress should face sanctions as a result. EU law does not criminalise humanitarian assistance to migrants. On the contrary, it provides Member States with the possibility to explicitly exclude it, by using the "humanitarian exemption clause" of the Facilitation Directive. However, I am aware that there have been issues concerning implementation and that the European Parliament has been calling on the Commission to issue guidelines on this humanitarian exception clause. Therefore, during my mandate, I intend to look further at this issue, engaging with the European Parliament, civil society and all relevant stakeholders to find the most appropriate way forward, taking account of your views and experience with the implementation of the existing rules.

In addition, I intend to further develop the work under the Action Plan on Smuggling. We need to keep up the pressure to break the cruel business model of smugglers and human traffickers. This also implies stronger cooperation with third countries of origin, transit or destination.

On questions about European actions in Libya: I do not believe we can stand aside. The engagement with the African Union and the United Nations has as its clear objective to support and assist migrants and refugees in Libya. It is the Libyan Coast Guard, which is responsible for Libyan territorial waters, and it is essential that they do this job in the right way. EU support through training helps to bring standards higher, to detect and dismantle smuggling activities and effectively prevent deaths in Libyan waters. The priority of this training is saving lives at sea and an essential part of it has been dedicated to human rights, in particular women's rights, and dignified treatment of migrants and refugees, in close partnership with IOM and UNHCR. I am conscious that human rights challenges associated with the operations of the Libyan Coast Guard remain an issue. That is why dedicated monitoring has been put in place by Operation Sophia. Respect for fundamental rights is paramount and I will work towards ensuring that this is embedded in all our actions. I also see as a priority to strengthen our engagement with the countries bordering Libya to crack down on the smuggling networks which put people on the path of exploitation and suffering. The joint investigation team in Niger has dismantled dozens

of networks, leading to the arrest of hundreds of smugglers and traffickers. We should look to expand this work.

The situation and conditions of migrants detained in Libya are unacceptable. I will continue calling on the Libyan authorities to empty and close detention centres, in close cooperation with the African Union and the United Nations. At the same time, we should continue to find ways to help the most vulnerable to leave Libya, working with UNHCR on initiatives like the emergency transit mechanism to provide a humanitarian corridor responding to urgent needs. This relies heavily on Member States increasing resettlement and we should continue to use every means, financial and other, to encourage this.

Many migrant smuggling groups are also involved in trafficking in human beings. This pernicious form of organised crime is a grave violation of human rights driven by immense profits. It must be a key part of our work with partners outside the EU. But we must not forget that this is a crime driven from inside Europe – indeed around half of the presumed and identified victims are EU nationals and 22 % trafficked within their own Member State. This is a core issue where the Security Union needs to be at its most effective. We must work harder to ensure that these networks are broken up and that cross-border cooperation closes any possible gaps, cutting the trafficking chain of all perpetrators, traffickers, profit makers, exploiters, users and abusers.

- 4. In 2015 several Member States introduced and maintained since then border control at internal borders within the Schengen area. Considering the importance of preserving the Schengen area both for the freedom and security of EU citizens, how do you intend to address the current situation and ensure the return to fully abolished controls at all internal borders? What steps will you propose to ensure that the rules limiting internal border controls are respected fully by all Member States? Will you commit to bringing infringement proceedings against those Member States – however powerful – which do not respect these rules? Will you maintain, revise or withdraw the proposal of the previous Commission on the revision of the rules of the Schengen Borders Code regarding temporary internal border control?**

The Schengen area of free movement is one of the greatest and most tangible achievements of European integration, transforming the lives of EU citizens. As a direct impact of the challenges in the past years, notably the high number of secondary movements, the Schengen area was put into question. The return to a fully functioning Schengen area without controls at the internal borders is a key priority. The temporary controls at the internal borders, still maintained by some Schengen states, serve as a reminder of the need to further reinforce an effective Schengen area and regain trust.

Trust in our collective capacity to manage asylum requests, to protect external borders and prevent secondary movements and to cooperate efficiently to mitigate security threats are key pillars for a fully functioning Schengen area. For these reasons the strategy on how to return to a fully functioning Schengen area will be a key aspect of the New Pact on Migration and Asylum.

I will examine both legislative and non-legislative ways to reinforce Schengen. I will look at how the Commission's recommendations from 2017 on replacing internal border controls by

proportionate police checks and cooperation could be built on. I will focus on ensuring implementation of the current Schengen rules, including in view of paving the way for further enlargement of the Schengen area, and look at how to improve the way they work. Part of this will be to reassess the proposed amendment to the Schengen Border Code. My objective is to bring more clarity to Member States on what steps they can take short of the reintroduction of internal border controls. I will work with all the Member States concerned to look for solutions allowing for lifting current border controls at internal borders. The reintroduction of border controls at internal borders should remain an option of last resort, allowed only where strictly necessary to respond to a serious threat to public policy or internal security.

In parallel, to reinforce external borders, one of my top priorities is to swiftly implement and fully operationalise recently agreed European Border and Coast Guard Regulation and in particular to accelerate the setting up of the full standing corps. There is also a strong link with modernising our asylum system. Another key component to securing the Schengen area is to strengthen the EU's common visa policy. The revised Visa Code will be implemented as of early next year, but I see more scope to modernise the handling of visa procedures to achieve a modern, customer-friendly and secure way of managing third-country nationals' travel to the Schengen area. I will also continue to engage with key partner countries in the area of visa policy, including on full reciprocity in visa-free travel.

Finally, the implementation of the recently agreed interoperability of EU information systems as well as the development of the new information systems for borders (Entry/Exit System and ETIAS) will contribute to a more effective external border control; this is something I intend to monitor very closely. Progress in these areas will allow us to create a strong and resilient Schengen Area.

As the Guardian of the Treaties, the Commission has a key role to play in ensuring the full transposition and implementation of the existing Schengen acquis. I will use these powers in relation to the functioning of Schengen. This includes the Commission's powers on assessing the necessity and proportionality of any future prolongations of border controls. Furthermore, I will make full use of other mechanisms aimed at ensuring compliance with the Schengen acquis, such as the Schengen evaluation mechanism – a mechanism built on trust among Member States and serving to improve their implementation of EU law.

- 5. As Commissioner designate for Home Affairs, what are your priorities within your portfolio with regards to internal security? How will you assess the current legislative situation? Would you agree that guaranteeing internal security will first and foremost depend on making full use of existing instruments and legislation and identifying whether there are any gaps? How will you ensure that any security measures proposed by you fully respects fundamental rights and the principles of necessity and proportionality, also during and after the national implementation? Do you plan to review and expand the mandate of Europol and to what extent? Do you plan to propose specific legislation to strengthen victims' rights?**

In addition to general appearances in front of the LIBE committee, do you commit to holding a biannual (semestrial) Security dialogue with the LIBE Committee to assess implementation in the area of internal security, to identify gaps and possible solutions to close these gaps?

Society is changing rapidly and as a result, our security challenges evolve. This is why we need to keep working on our policies and tools to combat crime and terrorism, so that our responses are equal to the threats, also building on links and finding synergies between different policy fields. Respect of human rights and fundamental freedoms will be an integral part of my approach.

To build an effective Security Union, based on the foundations developed in the last five years, I will work closely with the Vice-President for Protecting our European Way of Life. In particular, I will continue working towards full transposition and implementation of existing legislation. I will use all means, including infringement proceedings, where necessary, to ensure the correct application of Union law in the area of security. The full and timely implementation of the recently agreed regulations on interoperability of EU information systems remain a top priority that I will monitor very closely. I will also foster close cooperation between the EU Justice and Home Affairs Agencies.

At the same time, I will work to close remaining gaps in our security policies. Securing swift agreement on the proposal for a Regulation to prevent the dissemination of terrorist content online is a top priority. Law enforcement should not fail because digital traces of crimes are not accessible. We need to address this challenge and make sure that our criminal laws are also implemented online.

Given the complex, cross-border and ever evolving nature of threats including in cyber-space, an integrated and comprehensive approach to its security is a must. We need to ensure better cooperation and information sharing across different communities, also between the public and private sectors, as well as looking at both the internal and external dimensions together. We must continue to invest in innovation and research to provide our police with the tools they need to meet the challenges of today and to keep up with fast-moving technological changes. We must improve cross-border cooperation to tackle gaps in the fight against serious crime and terrorism in Europe. I intend to focus on ensuring that Member States have sufficient capabilities and knowledge to face effectively the new security threats posed by criminals making use of new technologies such as Artificial Intelligence and 5G networks.

Law enforcement jurisdiction is limited to national territories, whereas serious crime and terrorism are ever more transnational. The architecture of law enforcement cooperation must be fit to eliminate blind spots and deal with new and emerging threats. Improved cross-border cooperation between law enforcement authorities should ensure that the information needed to investigate organised crime and terrorism is available. I also want to look specifically at high-risk cross-border areas like organised crime.

Europol plays a vital role in the fight against serious cross-border crime and terrorism. During my mandate, the Europol regulation will be evaluated. Depending on the outcome of the evaluation, updates to the Regulation may be necessary.

Efforts to prevent, protect and prosecute terrorism must be stepped up. Further work is needed to reduce the space for terrorists to operate and to restrict their access to explosives, weapons and finance. At the same time, we should build more resilience across our critical infrastructures and step up protection. Our approach to security and protection must be as uncompromising online as it is offline. I will therefore continue efforts to prevent and remove terrorist content online. The EU Internet Forum will remain a key forum to bring together internet platforms and authorities to counter hate speech and terrorist content online. This will be an important part of the continued fight against radicalisation, violent extremism and terrorism.

We already have a set of binding rules providing for basic rights of protection, support, and in certain cases, compensation for victims of crime throughout the Union, but not every victim is the same. As highlighted in the findings and recommendations of the European Parliament's Special Committee on Terrorism, victims of terrorism have different needs than victims of trafficking in human beings. This is why the Commission and the European Parliament have worked closely together on rules for specific categories of victims, such as on child victims of sexual exploitation, trafficking in human beings, victims of terrorism and victims of frauds related to non-cash means of payment. It is crucial that these rules are correctly transposed and applied in all EU Member States. I will work closely with the Commissioners for Justice and for Equality to identify whether there are any gaps in the current legislation and whether we need any additional rules for victims.

I believe that security and the respect for fundamental rights are consistent and complementary policy objectives. Public support for security policy rests on its respect for fundamental rights. At the same time, it is crucial to ensure that there are no blind spots when it comes to the security of our citizens. We need to combine effectiveness with a permanent vigilance for fundamental rights, as well as for necessity and proportionality. Building on recent examples, such as the new legislation on interoperability of EU information systems, I will make sure that fundamental rights, including the right to protection of personal data, are embedded in the design of any future legislation – and then closely monitoring their effective implementation in Member States, using all the powers at our disposal.

In line with the objective to strengthen the Commission's special partnership with the European Parliament, I will appear regularly in front of the Committee on Civil Liberties, Justice and Home Affairs, including in the context of the regular Security dialogues. The European Parliament, and in particular this Committee, has played an important role in building the Security Union. I intend to work actively with the Members of this Parliament and in particular with this Committee to drive forward our key priorities in this area.