



EUROPEAN COMMISSION

Cabinet of Commissioner Cecilia Malmström
Head of Cabinet

Brussels, 21. 12. 2011
LM/mlr 1397290

Dear Ms Waringo,

Thank you for your letter of 26 October to Commissioner Malmström concerning the influx of asylum seekers from the countries of the Western Balkans to the Member States of the European Union. She has asked me to reply to your letter.

The Commissioner has already expressed her strong commitment to the visa liberalisation process for the countries of the Western Balkans and I take this opportunity to reassure you that this commitment remains unchanged. The large majority of travellers from the visa free Western Balkan countries are *bona fide* travellers. The purpose of the visa liberalisation dialogues, which is to facilitate people to people contacts, to enhance business opportunities and cultural exchanges and to give the possibility for the people of the region to get to know the EU better, therefore continues to be fulfilled.

At the same time, I must stress that the right of visa free travel to the EU comes with obligations and any abuse of this right or a lack of respect for legal obligations will not be tolerated.

I would like to confirm once again that the Commission has never asked that asylum requests from citizens of third countries must stop. The Commission's intention is not to restrict access to the asylum procedure. The efforts of the Commission, the EU Member States and the Western Balkan countries aim at avoiding abuse of the visa free regime without compromising the international standards of protection. The data received by the EU Member States indicates that the number of positive decisions on asylum claims of citizens from the countries of the Western Balkans remains very low (below 1%). This clearly confirms the largely unfounded nature of these asylum claims which put the asylum and reception systems of some EU Member States under great pressure.

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I share the EU Member States' serious concerns as regards the recent increase of unfounded asylum claims from citizens of the visa free countries of the Western Balkans.

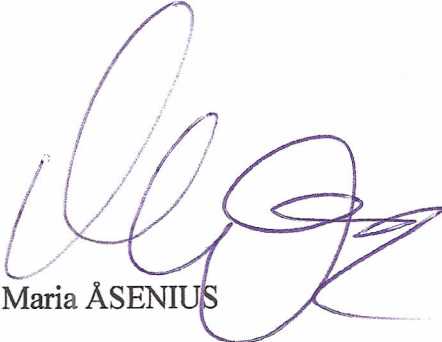
My services are in permanent contact with the competent authorities of the Western Balkan countries and the EU Member States to identify those areas where additional measures need to be put in place in order to tackle the increase of unfounded asylum applications and avoid further abuse of the visa free regime. I would like to emphasise that the only measures targeting minority communities are those aiming at their better integration, e.g. measures to increase employment and schooling, as well as measures to provide better opportunities for housing, medical care, etc.

All other measures reported by the countries of the Western Balkans as well as those reported by the EU Member States are non discriminatory since they are equally applicable to all travellers regardless of their origin. The fact that the majority of the asylum applicants from the Western Balkan countries are from Roma origin does not prove that the measures to tackle abuse of the visa free regime are discriminatory. The need for stricter border control, for instance, is not justified by the high number of asylum seekers from Roma origin, but by the fact that increasing numbers of asylum seekers arrive in the EU without passports or ID documents and are therefore in violation of their countries' rules on exit control, as well as EU rules on entry control.

Any abuse of the visa free regime is equally intolerable and calls for immediate action. In that sense, the scope of the counter measures is dynamic. If the outcome of the risk analysis and investigations suggests the existence of organised networks, appropriate measures must be envisaged.

I would like to emphasise that the better integration of the Roma minority is a matter which receives a great deal of attention from the Commission. It is an indispensable element of the Visa Dialogue and the Stabilisation and Association process for each of the countries of the Western Balkans. As clearly stated in the last Progress Reports issued in October, the European Commission is fully aware of the difficulties this particular minority is facing. However, I am strongly convinced that the abuse of the right of visa free travel to the EU does not provide a solution to the integration of the Roma minority. There is an urgent need for action from all stakeholders, including civil society organisation, to considerably improve the level of education and employment of the Roma minority. These are key areas for ensuring better integration of the Roma minority and I remain committed, together with my services, to working towards this goal.

Yours sincerely,



Maria ÅSENIUS