

EASO, AMIF, THE YEARS 2015-2016, OUTLOOK

**Presented by Boldizsár Nagy,
The Urals State Law University, 2016
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EUROPEAN ASYLUM SUPPORT OFFICE (EASO)

**REGULATION (EU) No 439/2010 OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
of 19 May 2010
establishing a European Asylum Support Office
OJ L 132/11, 29.5.2010**

EASO

Purposes

Coordinate and strengthen **practical cooperation** among Member States and improve the implementation of the CEAS;

Operative support to MS subject to **particular pressure** on their asylum and reception systems

Scientific and technical assistance in regard to the policy and legislation of the Union

EASO

Priorities

Support of training

Country of origin info
(Portal, analyses)

Capacity building
(Support of countries under particular pressure)

Promotion of the implementation of CEAS (Assisting the Commission in supervising implementation)

Start of operation: 19 June 2011.

For developments check: <http://easo.europa.eu/>

Last annual report: [Annual Report on the Situation of Asylum in the European Union 2014](#) published in July 2015

Newsletter:

<https://easo.europa.eu/wp-content/uploads/EASO-Newsletter-March-2016.pdf>

COI:

<https://easo.europa.eu/asylum-documentation/easo-publication-and-doc>

ASYLUM SUPPORT TEAMS

ASTs are multidisciplinary teams of EU experts deployed by EASO in a Member State for a limited time in order to support the asylum system of that Member State.

Experts are made available by MS-s. They appear in EASO 'asylum intervention pool'.

Deployment is upon request and based on agreement between the State and EASO.

ASTs may provide expertise in relation to, among other matters, reception, training, information on countries of origin and knowledge of the handling and management of asylum cases, including those of vulnerable groups.

Costs are born by EASO

Deployments, so far:

Greece, 2011-; Italy, 2013-, Luxembourg, 2012, Bulgaria, 2013-2015; Cyprus 2014 – 2015.

THE ASYLUM AND MIGRATION AND INTEGRATION FUND

THE ASYLUM MIGRATION AND INTEGRATION FUND (AMIF)

Replaces European Refugee Fund, the European Fund for the Integration of third-country nationals and the European Return Fund

2014-2020 (seven years)

Total: **3 137 million** Euros (in current prices)

Member states may use **2 752 million** Euros **of which 360** million to cover specific actions (e..g. joint processing centres, joint returns) + Union Resettlement Programme from third tries + transfer of beneficiaries of international protection from one Member State to another.

THE ASYLUM MIGRATION AND INTEGRATION FUND (AMIF)

Of the remaining **2 392** million

Nationally 20 % must go to measures to support legal migration and promote the effective integration of migrants and 20 % to asylum measures

For resettlement MSs will receive a lump sum of 6,000 euros for each resettled person, which can be increased up to €10,000 for vulnerable persons or persons coming from priority areas.

385 million set aside for Union actions, emergency assistance, the European Migration Network and technical assistance of the Commission

THE ASYLUM MIGRATION AND INTEGRATION FUND (AMIF)

Activities to be funded

- **Asylum systems – reception (non-exhaustive list)**

E.G. The provision of material aid, support services, health and psychological care; translation and interpretation, the provision of legal assistance and representation; alternative measures to detention; accommodation infrastructure and services;

- **Member States' capacity to develop, monitor and evaluate their asylum policies and procedures**

Collect, analyse and disseminate qualitative and quantitative data among others for the early warning mechanism in the Dublin regulation

- **Resettlement and relocation**

E.g. establishment and development of national resettlement and relocation programmes;

THE ASYLUM MIGRATION AND INTEGRATION FUND (AMIF)

Allocation

Minimum amount (5 or 10 million) + % average of 2011-2013 allocations European Refugee Fund + Integration Fund + Return Fund

Examples:

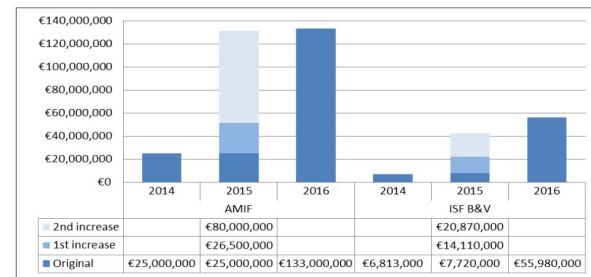
France: 265 565 577

Germany: 208 416 877

Greece: 259 348 877

Hungary: 23 713 477

Increase in funding 2015-2016 Emergency assistance



Resettlement ➔ **EUR 50 million** (25 million in 2015 + 25 million in 2016)
Relocation ➔ **EUR 1040 million** (in 2016)

NB

AMIF – Asylum, Migration and Integration Fund
ISF B&V – Internal Security Fund Borders & Visas
All funds provided by EU budget.

http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/eam_state_of_play_and_future_actions_20160113_en.pdf (20160308)

Union agencies (EASO, Frontex) will also receive financial support from the fund

THE EXCEPTIONAL YEARS 2015 - 2016

**FAILURE OF THE SYSTEM, EFFORTS TO
RESCUE SOLIDARITY WITHIN THE EU
AND WITH OTHER AFFECTED STATES**

SYMPTOMS OF MALFUNCTIONING OF THE CEAS

- Thousands of **deaths** at sea and inland
- The overall **impression of a „crisis“**, which is **seen as a European crisis**
- The increasing **tension between Member States** (e.g. Sweden-Denmark, Austria – Greece, Hungary – Austria, Slovenia, Croatia, etc.)
- **The uneasy relationship with Turkey**
- The grossly **unfair participation in the provision of protection** to refugees reaching EU territory
- The repeated, but **largely fruitless sweeping legislative and political efforts**, including negotiations with transit countries (Western Balkan conference) and states of the regions of origin (Valetta summit), decisions to resettle and relocate refugees and asylum seekers
- **The breakdown of the Dublin system**
- **Fences** at the external and internal borders & **reintroduction of border controls** at Schengen **internal borders**

THE CAUSES OF FAILURE - DESIGN

Dublin: after family and visa/residence permit the external border crossed → perimeter states exposed to large numbers of application → Greece defaults in 2011, Hungary and others in 2015

Minimal tools of **solidarity** before 2015

- AMIF - monetary
- EASO – sending expert teams
- Temporary protection: voluntary offers to take over (never used)

The Dublin regime on determining the state whose duty is to conduct RSD: **manifestly unjust**, NOT burden sharing but shifting

THE CAUSES OF FAILURE - OVERLOAD

Overload number of (first) applications, EU 27 or 28 + Iceland, Liechtenstein, Norway and Switzerland:

| 2011 | 2012 | 2013 | 2014 | 2015 |
|---------|---------|---------|---------|------------|
| 341,795 | 373,550 | 464,505 | 662,165 | 1,322,145* |

Source: Eurostat data (20160313)

But:

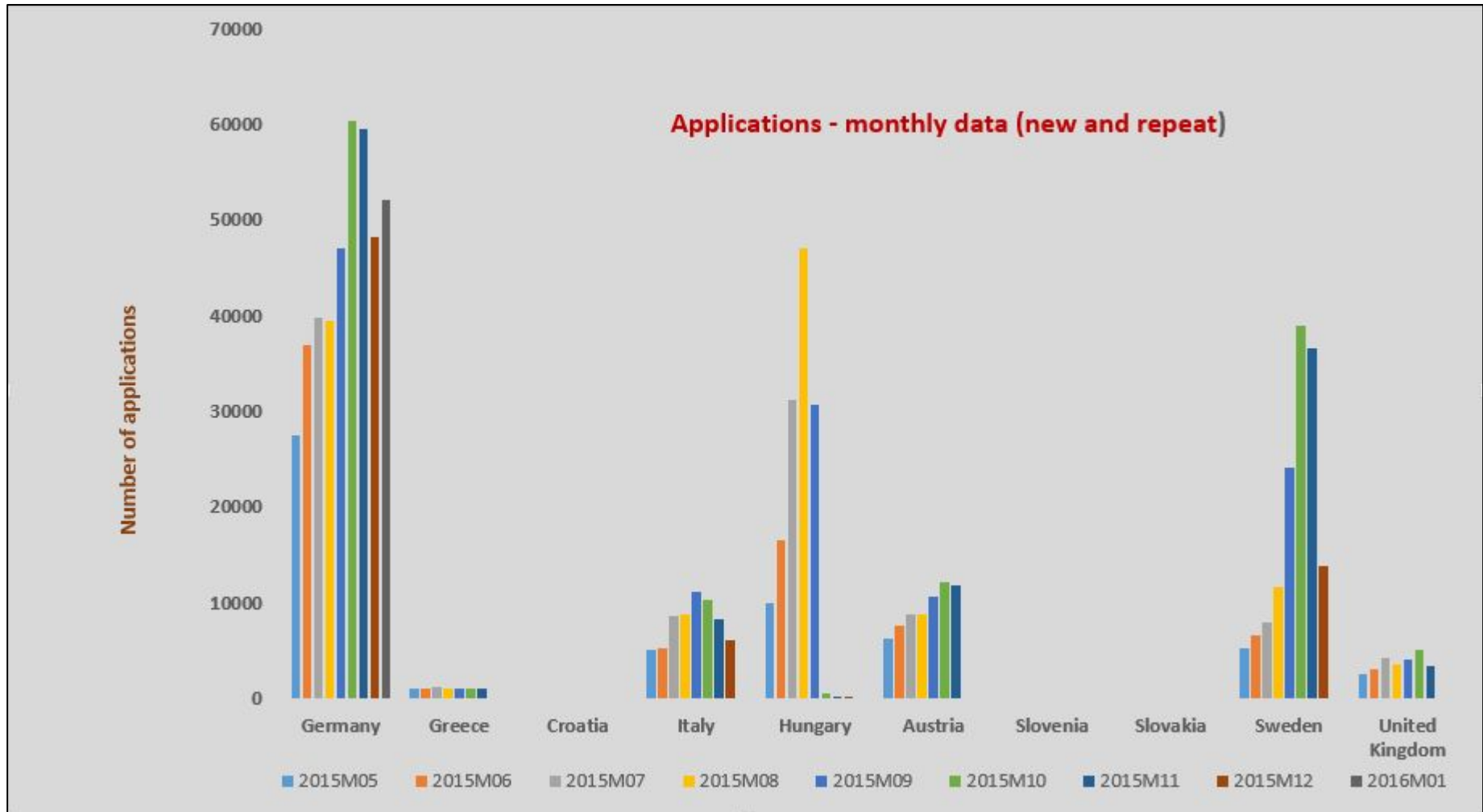
- **highly uneven distribution** UK 39,000, Poland 12,190 Spain 14,785 applications
- Germany 476,620*, Sweden 162,550, Austria 88,180
- Major groups with **unlikely claims** (Serbia, Kosovo, BiH, etc.)

* *Only the formal applications are included. Primary registration includes a further 600000 persons (altogether: 1.091.894)*

<http://www.n-tv.de/politik/Fast-1-1-Millionen-Fluechtlinge-registriert-article16687996.html> (20160313)

Easo's figure
for 2015:
1,349,638
Source:
Latest asylum trends – 2015
overview, p. 1

THE UNEVEN DISTRIBUTION OF ASYLUM APPLICATIONS AND THE IMPACT OF THE HUNGARIAN RESTRICTIVE MEASURES



RAW STATISTICS – COUNTRIES OF ORIGIN, 2015

| | Q4 2014 | | | Q1 2015 | | | Q2 2015 | | | Q3 2015 | | | Q4 2015 | | | Q4 2015 | Change in % | | Last 12 months |
|-----------------------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|---------|---------|---------|---------|---------|---------|-----------------------------|-----------------------------|----------------|
| | Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | Apr. | May | Jun. | Jul. | Aug. | Sep. | Oct. | Nov. | Dec. | | between Q3 2015 and Q4 2015 | between Q4 2014 and Q4 2015 | |
| Non-EU | 62 945 | 58 690 | 62 780 | 61 450 | 66 150 | 61 940 | 59 085 | 68 090 | 90 140 | 116 200 | 141 250 | 165 305 | 167 060 | 154 605 | 104 360 | 426 025 | 1 | 131 | 1 255 640 |
| Syria - (SY) | 14 855 | 13 185 | 12 375 | 11 745 | 8 925 | 10 285 | 11 400 | 13 230 | 20 845 | 31 575 | 48 825 | 60 815 | 58 730 | 51 985 | 34 415 | 145 130 | 3 | 259 | 362 775 |
| Afghanistan - (AF) | 4 305 | 4 220 | 5 555 | 4 680 | 4 205 | 4 380 | 5 540 | 8 995 | 12 975 | 18 360 | 19 340 | 20 505 | 26 295 | 33 850 | 19 110 | 79 255 | 36 | 463 | 178 230 |
| Iraq - (IQ) | 2 040 | 2 040 | 1 840 | 2 315 | 2 455 | 3 155 | 3 570 | 4 615 | 6 330 | 8 090 | 11 920 | 25 495 | 24 665 | 17 755 | 11 165 | 53 585 | 18 | 805 | 121 535 |
| Iran - (IR) | 1 090 | 945 | 850 | 840 | 680 | 760 | 1 005 | 985 | 1 165 | 1 390 | 1 650 | 2 480 | 4 675 | 5 975 | 3 755 | 14 405 | 161 | 399 | 25 360 |
| Albania - (AL) | 1 295 | 1 595 | 1 610 | 2 165 | 2 335 | 3 660 | 5 470 | 5 620 | 6 655 | 8 960 | 9 345 | 8 270 | 6 280 | 4 340 | 2 830 | 13 450 | -49 | 199 | 65 935 |
| Pakistan - (PK) | 2 130 | 1 875 | 1 720 | 1 735 | 1 690 | 1 920 | 2 230 | 2 690 | 3 960 | 6 655 | 9 370 | 5 320 | 3 930 | 3 890 | 3 015 | 10 835 | -49 | 89 | 46 400 |
| Stateless | 1 960 | 1 525 | 1 270 | 875 | 530 | 405 | 545 | 845 | 1 265 | 1 410 | 1 610 | 2 640 | 3 690 | 3 510 | 1 620 | 8 815 | 56 | 85 | 18 940 |
| Eritrea - (ER) | 3 265 | 2 275 | 1 490 | 1 375 | 930 | 1 045 | 1 570 | 3 595 | 4 210 | 4 255 | 4 385 | 3 580 | 4 360 | 2 175 | 1 615 | 8 150 | -33 | 16 | 33 095 |
| Nigeria - (NG) | 2 355 | 1 665 | 1 710 | 1 470 | 1 455 | 1 385 | 1 465 | 2 180 | 2 580 | 3 675 | 3 610 | 4 075 | 3 380 | 2 760 | 1 890 | 8 025 | -29 | 40 | 29 915 |
| Russia - (RU) | 1 220 | 1 125 | 1 160 | 1 095 | 1 115 | 1 045 | 1 095 | 1 090 | 1 465 | 1 475 | 1 900 | 2 365 | 2 295 | 1 830 | 1 615 | 5 740 | 0 | 64 | 18 385 |
| Bangladesh - (BD) | 1 760 | 1 140 | 1 115 | 835 | 705 | 825 | 745 | 935 | 1 145 | 1 930 | 3 560 | 2 195 | 1 830 | 1 590 | 1 395 | 4 815 | -37 | 20 | 17 695 |
| Ukraine - (UA) | 2 170 | 1 820 | 1 440 | 1 345 | 1 800 | 1 980 | 2 025 | 1 665 | 2 085 | 1 770 | 1 470 | 1 925 | 1 715 | 1 695 | 1 345 | 4 755 | -8 | -12 | 20 830 |
| Somalia - (SO) | 1 305 | 1 095 | 1 070 | 1 095 | 1 185 | 1 310 | 1 365 | 2 085 | 2 030 | 2 105 | 1 915 | 2 035 | 1 865 | 1 550 | 1 040 | 4 455 | -26 | 28 | 19 575 |
| Sudan - (SD) | 720 | 530 | 515 | 370 | 365 | 450 | 425 | 650 | 915 | 1 770 | 1 470 | 1 270 | 1 205 | 835 | 1 185 | 3 225 | -28 | 82 | 10 910 |
| Gambia - (GM) | 1 345 | 1 005 | 1 180 | 1 055 | 1 040 | 1 025 | 800 | 915 | 1 025 | 1 140 | 1 200 | 1 205 | 1 360 | 850 | 600 | 2 805 | -21 | -21 | 12 205 |
| Kosovo - (XK) | 3 540 | 7 495 | 13 075 | 13 850 | 22 470 | 12 550 | 5 320 | 2 690 | 2 260 | 1 995 | 1 365 | 1 640 | 1 110 | 760 | 870 | 2 740 | -45 | -89 | 66 885 |
| Serbia - (RS) | 2 320 | 2 380 | 2 310 | 2 345 | 2 135 | 2 015 | 1 725 | 1 655 | 1 630 | 1 775 | 1 610 | 1 505 | 1 130 | 1 005 | 565 | 2 700 | -45 | -61 | 19 090 |
| MK - (MK) | 705 | 695 | 530 | 650 | 670 | 910 | 710 | 850 | 1 195 | 1 495 | 1 050 | 990 | 880 | 770 | 370 | 2 020 | -43 | 5 | 10 545 |
| Mali - (ML) | 1 315 | 865 | 645 | 600 | 620 | 790 | 520 | 620 | 600 | 755 | 815 | 970 | 840 | 745 | 435 | 2 020 | -21 | -28 | 8 315 |
| Algeria - (DZ) | 615 | 510 | 470 | 475 | 480 | 630 | 665 | 760 | 875 | 540 | 620 | 555 | 725 | 660 | 630 | 2 015 | 17 | 26 | 7 620 |
| Morocco - (MA) | 365 | 320 | 310 | 355 | 320 | 405 | 425 | 425 | 470 | 335 | 350 | 430 | 455 | 685 | 780 | 1 915 | 72 | 92 | 5 430 |
| Senegal - (SN) | 730 | 695 | 605 | 680 | 800 | 805 | 665 | 665 | 685 | 900 | 955 | 945 | 775 | 575 | 430 | 1 780 | -37 | -12 | 8 880 |
| Georgia - (GE) | 720 | 590 | 565 | 545 | 455 | 525 | 530 | 510 | 710 | 505 | 425 | 640 | 585 | 640 | 500 | 1 720 | 10 | -8 | 6 560 |
| Ethiopia - (ET) | 320 | 280 | 225 | 285 | 180 | 200 | 265 | 430 | 720 | 610 | 555 | 545 | 680 | 545 | 455 | 1 685 | -2 | 104 | 5 475 |
| Lebanon - (LB) | 175 | 115 | 115 | 130 | 125 | 115 | 130 | 90 | 140 | 110 | 110 | 240 | 460 | 735 | 455 | 1 655 | 259 | 302 | 2 840 |
| China - (CN) | 485 | 320 | 400 | 395 | 460 | 430 | 425 | 455 | 535 | 400 | 430 | 535 | 705 | 545 | 375 | 1 630 | 19 | 35 | 5 695 |
| CD - (CD) | 470 | 395 | 485 | 405 | 460 | 430 | 475 | 415 | 500 | 490 | 445 | 530 | 550 | 500 | 525 | 1 575 | 8 | 17 | 5 720 |
| Guinea - (GN) | 445 | 345 | 380 | 325 | 340 | 460 | 400 | 375 | 460 | 535 | 445 | 595 | 615 | 475 | 455 | 1 540 | -3 | 31 | 5 480 |
| Ghana - (GH) | 540 | 470 | 355 | 275 | 230 | 270 | 260 | 405 | 415 | 685 | 650 | 895 | 675 | 505 | 305 | 1 490 | -33 | 9 | 5 570 |
| Ivory Coast - (CI) | 375 | 375 | 290 | 285 | 350 | 430 | 430 | 415 | 520 | 565 | 540 | 670 | 555 | 440 | 380 | 1 375 | -22 | 33 | 5 575 |
| Other (non-EU) | 8 015 | 6 800 | 7 105 | 6 860 | 6 625 | 7 355 | 6 895 | 7 240 | 9 785 | 9 940 | 9 300 | 9 450 | 10 050 | 10 440 | 10 225 | 30 720 | 7 | 40 | 104 170 |

Countries selected here are those with the highest number of asylum applicants registered during Q4 2015

RAW STATISTICS – ASYLUM COUNTRIES IN THE EU, 2015

| | Q4 2014 | | | Q1 2015 | | | Q2 2015 | | | Q3 2015 | | | Q4 2015 | | | Q4 2015 | Change in % | | Applicants per million population (1) Q4 2015 | Last 12 months |
|----------------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|---------|---------|---------|---------|---------|---------|-----------------------------|-----------------------------|--|----------------|
| | Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | Apr. | May | Jun. | Jul. | Aug. | Sep. | Oct. | Nov. | Dec. | | between Q3 2015 and Q4 2015 | between Q4 2014 and Q4 2015 | | |
| EU-28 | 69 195 | 64 860 | 69 180 | 67 960 | 72 555 | 68 455 | 64 760 | 72 960 | 95 710 | 122 370 | 146 990 | 170 710 | 171 785 | 158 595 | 108 710 | 439 090 | 0 | 116 | 865 | 1 321 560 |
| Belgium | 2 275 | 1 895 | 2 205 | 1 715 | 1 640 | 1 745 | 1 620 | 2 095 | 2 880 | 3 590 | 5 585 | 6 830 | 6 020 | 5 725 | 5 220 | 16 970 | 6 | 166 | 1 505 | 44 660 |
| Bulgaria | 1 430 | 1 380 | 1 500 | 1 070 | 1 045 | 1 110 | 1 130 | 1 345 | 1 630 | 1 870 | 1 445 | 2 075 | 3 545 | 2 415 | 1 695 | 7 655 | 42 | 78 | 1 065 | 20 365 |
| Czech Republic | 120 | 90 | 130 | 125 | 115 | 195 | 130 | 110 | 105 | 100 | 105 | 125 | 130 | 135 | 140 | 405 | 23 | 19 | 40 | 1 515 |
| Denmark | 1 855 | 1 115 | 765 | 640 | 440 | 460 | 555 | 880 | 1 090 | 1 035 | 1 815 | 2 690 | 3 635 | 5 030 | 2 670 | 11 330 | 104 | 203 | 2 000 | 20 935 |
| Germany | 22 250 | 22 500 | 20 370 | 26 875 | 27 695 | 33 865 | 28 720 | 27 595 | 37 030 | 39 825 | 39 480 | 47 185 | 60 355 | 59 615 | 48 270 | 168 240 | 33 | 158 | 2 070 | 476 510 |
| Estonia | 30 | 10 | 10 | 5 | 15 | 30 | 30 | 10 | 25 | 20 | 10 | 45 | 20 | 10 | 10 | 40 | -44 | -18 | 30 | 230 |
| Ireland | 130 | 155 | 170 | 215 | 200 | 210 | 265 | 255 | 335 | 290 | 330 | 405 | 265 | 290 | 210 | 765 | -26 | 68 | 165 | 3 275 |
| Greece | 890 | 670 | 955 | 1 065 | 1 015 | 915 | 980 | 1 145 | 1 120 | 1 235 | 1 050 | 1 155 | 1 045 | 1 170 | 1 315 | 3 530 | 3 | 40 | 325 | 13 205 |
| Spain | 730 | 640 | 610 | 840 | 860 | 1 240 | 1 345 | 1 065 | 1 305 | 1 170 | 1 045 | 1 425 | 1 490 | 1 765 | 1 230 | 4 485 | 23 | 126 | 95 | 14 780 |
| France | 6 110 | 4 945 | 5 835 | 4 440 | 5 630 | 6 090 | 5 650 | 4 745 | 5 600 | 5 735 | 5 580 | 7 370 | 8 060 | 7 370 | 9 485 | 24 915 | 33 | 48 | 375 | 75 750 |
| Croatia | 45 | 30 | 25 | 25 | 25 | 15 | 15 | 10 | 10 | 10 | 10 | 25 | 25 | 20 | 15 | 60 | 36 | -39 | 15 | 210 |
| Italy | 8 980 | 6 865 | 5 660 | 4 785 | 5 140 | 5 505 | 4 590 | 5 180 | 5 335 | 8 610 | 8 825 | 11 195 | 10 440 | 8 365 | 6 115 | 24 925 | -13 | 16 | 410 | 84 085 |
| Cyprus | 205 | 150 | 140 | 165 | 140 | 165 | 165 | 135 | 150 | 165 | 125 | 350 | 240 | 260 | 205 | 705 | 10 | 42 | 830 | 2 265 |
| Latvia | 30 | 15 | 30 | 15 | 15 | 15 | 25 | 35 | 50 | 30 | 20 | 45 | 70 | 10 | 5 | 85 | -9 | 11 | 40 | 330 |
| Lithuania | 35 | 70 | 75 | 30 | 30 | 15 | 25 | 25 | 10 | 35 | 35 | 25 | 35 | 25 | 30 | 85 | -8 | -54 | 30 | 315 |
| Luxembourg | 130 | 120 | 85 | 90 | 95 | 105 | 80 | 95 | 105 | 115 | 190 | 380 | 385 | 425 | 440 | 1 250 | 84 | 275 | 2 225 | 2 505 |
| Hungary | 5 425 | 9 130 | 14 075 | 11 925 | 16 695 | 4 925 | 6 690 | 9 970 | 16 580 | 31 285 | 47 095 | 30 795 | 615 | 325 | 230 | 1 170 | -99 | -96 | 120 | 177 135 |
| Malta | 135 | 80 | 120 | 95 | 170 | 130 | 115 | 180 | 120 | 145 | 130 | 175 | 235 | 195 | 160 | 590 | 33 | 76 | 1 380 | 1 845 |
| Netherlands | 2 245 | 1 450 | 1 455 | 1 055 | 955 | 990 | 1 320 | 2 370 | 3 060 | 3 140 | 5 470 | 6 620 | 10 120 | 6 360 | 3 515 | 19 995 | 31 | 288 | 1 185 | 44 970 |
| Austria | 3 155 | 3 690 | 4 200 | 4 030 | 3 255 | 2 920 | 4 040 | 6 390 | 7 675 | 8 790 | 8 795 | 10 780 | 12 275 | 11 930 | 7 280 | 31 485 | 11 | 185 | 3 670 | 88 160 |
| Poland | 815 | 680 | 645 | 610 | 600 | 630 | 750 | 680 | 860 | 1 145 | 1 375 | 1 690 | 1 430 | 1 270 | 1 145 | 3 845 | -9 | 80 | 100 | 12 190 |
| Portugal | 40 | 60 | 40 | 40 | 80 | 60 | 80 | 80 | 90 | 70 | 75 | 70 | 70 | 65 | 75 | 205 | -6 | 46 | 20 | 850 |
| Romania | 195 | 80 | 100 | 105 | 80 | 165 | 210 | 90 | 85 | 90 | 110 | 80 | 90 | 85 | 65 | 240 | -13 | -36 | 10 | 1 260 |
| Slovenia | 40 | 15 | 40 | 15 | 15 | 25 | 15 | 15 | 15 | 10 | 20 | 40 | 25 | 45 | 35 | 105 | 47 | 12 | 50 | 275 |
| Slovakia | 30 | 40 | 45 | 15 | 10 | 35 | 10 | 25 | 10 | 10 | 10 | 10 | 15 | 15 | 160 | 190 | 533 | 65 | 35 | 330 |
| Finland | 410 | 325 | 405 | 305 | 325 | 355 | 340 | 515 | 770 | 1 480 | 2 890 | 10 815 | 7 005 | 5 715 | 1 830 | 14 550 | -4 | 1 178 | 2 660 | 32 345 |
| Sweden | 8 175 | 5 995 | 6 945 | 4 890 | 4 045 | 4 105 | 3 915 | 5 375 | 6 610 | 8 060 | 11 725 | 24 260 | 39 055 | 36 585 | 13 830 | 89 470 | 103 | 324 | 9 180 | 162 450 |
| United Kingdom | 3 290 | 2 655 | 2 550 | 2 770 | 2 230 | 2 430 | 1 950 | 2 555 | 3 055 | 4 305 | 3 645 | 4 055 | 5 095 | 3 385 | 3 320 | 11 800 | -2 | 39 | 180 | 38 800 |
| Iceland | 25 | 5 | 35 | 15 | 15 | 10 | 15 | 5 | 20 | 20 | 45 | 60 | 55 | 45 | 35 | 135 | 5 | 116 | 415 | 345 |
| Liechtenstein | 5 | 5 | 10 | 5 | 0 | 10 | 5 | 15 | 20 | 10 | 10 | 35 | 20 | 10 | 15 | 45 | -20 | 144 | 1 180 | 150 |
| Norway | 1 045 | 870 | 770 | 595 | 530 | 535 | 580 | 1 225 | 1 145 | 1 395 | 2 330 | 4 935 | 8 660 | 8 155 | 1 030 | 17 850 | 106 | 566 | 3 455 | 31 110 |
| Switzerland | 2 380 | 1 675 | 1 510 | 1 560 | 1 415 | 1 490 | 1 375 | 2 195 | 3 800 | 3 895 | 3 890 | 4 540 | 4 745 | 5 680 | 4 865 | 15 290 | 24 | 175 | 1 855 | 39 445 |

(1) Relative to population as of 1st of January 2015

Source: Eurostat: Asylum quarterly report, 3 March 2016, http://ec.europa.eu/eurostat/statistics-explained/extensions/EurostatPDFGenerator/getfile.php?file=193.225.200.93_1459254533_99.pdf (320160329)

THE CAUSES OF FAILURE

Free rider member states

Greece, Italy, Hungary, Croatia, Slovenia, Austria

Ought to: register claim, submit fingerprint to Eurodac + start RSD procedure + keep within territory

Instead: **allowing to leave** or **actively transporting** to next MS

**WHAT SOLIDARITY IS CONCEIVABLE *AMONG* EU
MEMBER STATES GOING BEYOND AMIF? =
RELOCATION, HOTSPOTS**

RELOCATION DECISIONS

Relocation: distributing among Member States those asylum seekers who are already within the EU and have a good chance of being recognised – i.e. members of groups with 75% recognition rate in the previous quarter (Syrians, Iraqis and Eritreans)

2 decisions:

- COUNCIL DECISION (EU) 2015/1523 of **14 September** 2015
40 000 persons **24,000 from Italy, 16,000 from Greece**
- COUNCIL DECISION (EU) 2015/1601 of **22 September** 2015
120 000 persons First year: **15,600 from Italy and 50,400 from Greece** Second year: 54,000 either from the same two or from other Member States.

No relocation to Denmark, Ireland, UK, Greece and Italy – 23 MS take up the 40 plus 120 thousand

Relocating MS get 6000 Euros/head

In exchange: Greece, Italy must develop „roadmap”

MEMBER STATES' SUPPORT TO EMERGENCY RELOCATION MECHANISM

28 JANUARY 2016 COMPARED TO 15 MARCH 2016

Member States' Support to Emergency Relocation Mechanism

(Communicated as of 28 January 2016)

| Member States | National Contact Points Appointed | Liaison Officers Appointed | | Reply to EASO call - Experts | Reply to Frontex call - Border guards | Relocation | | | |
|----------------|---|----------------------------|-----------|---------------------------------------|---|--|----------------------------|----------------------------|---|
| | | Italy | Greece | | | Places Made Available | Relocated from Italy | Relocated from Greece | Remaining Places from the 160,000 |
| Austria | ✓ | ✓ | ✗ | 45 | 26 | ✗ | ✗ | ✗ | 1953 |
| Belgium | ✓ | ✓ | ✓ | 15 | 4 | 30 | 14 | ✗ | 3798 |
| Bulgaria | ✓ | ✓ | ✓ | 1 | ✗ | 1302 | ✗ | ✗ | 1302 |
| Croatia | ✓ | ✗ | ✗ | 2 | 11 | ✗ | ✗ | ✗ | 968 |
| Cyprus | ✓ | ✓ | ✓ | ✗ | ✗ | 30 | ✗ | ✗ | 320 |
| Czech Republic | ✓ | ✗ | ✗ | 35 | 8 | ✗ | ✗ | ✗ | 2691 |
| Denmark | N/A | N/A | N/A | 5 | 50 | ✗ | ✗ | ✗ | N/A |
| Estonia | ✓ | ✓ | ✓ | 1 | 1 | ✗ | ✗ | ✗ | 329 |
| Finland | ✓ | ✓ | ✓ | 1 | 2 | 150 | 96 | 44 | 1958 |
| France | ✓ | ✓ | ✓ | 6 | 59 | 900 | 19 | 43 | 19651 |
| Germany | ✓ | ✓ | ✓ | 13 | 50 | 40 | 11 | 10 | 27515 |
| Greece | ✓ | N/A | N/A | 1 | ✗ | ✗ | ✗ | ✗ | N/A |
| Hungary | ✓ | ✗ | ✗ | 1 | 4 | ✗ | ✗ | ✗ | 1294 |
| Ireland | ✓ | ✓ | ✓ | 2 | ✗ | 20 | ✗ | 10 | 590 |
| Italy | ✓ | N/A | N/A | ✗ | 4 | ✗ | ✗ | ✗ | N/A |
| Latvia | ✓ | ✓ | ✓ | ✗ | ✗ | 481 | ✗ | ✗ | 481 |
| Lithuania | ✓ | ✓ | ✓ | 1 | 14 | 40 | ✗ | 4 | 667 |
| Luxembourg | ✓ | ✓ | ✓ | 6 | ✗ | 90 | ✗ | 30 | 527 |
| Malta | ✓ | ✓ | ✗ | 2 | ✗ | 131 | ✗ | ✗ | 131 |
| Netherlands | ✓ | ✓ | ✓ | 6 | 23 | 100 | 50 | ✗ | 5897 |
| Poland | ✓ | ✓ | ✗ | ✗ | 18 | 100 | ✗ | ✗ | 6182 |
| Portugal | ✓ | ✓ | ✓ | ✗ | 12 | 130 | 10 | 16 | 2925 |
| Romania | ✓ | ✓ | ✓ | 11 | 23 | 300 | ✗ | ✗ | 4180 |
| Slovakia | ✓ | ✓ | ✓ | 2 | 20 | ✗ | ✗ | ✗ | 902 |
| Slovenia | ✓ | ✓ | ✓ | 1 | ✗ | ✗ | ✗ | ✗ | 567 |
| Spain | ✓ | ✓ | ✓ | 30 | 41 | 50 | 18 | ✗ | 9305 |
| Sweden | ✓ | ✓ | ✗ | 2 | 6 | 300 | 39 | ✗ | 3727 |
| United Kingdom | N/A | N/A | N/A | 10 | 29 | N/A | ✗ | ✗ | N/A |
| Norway | ✗ | ✗ | ✗ | 2 | 3 | ✗ | ✗ | ✗ | tbc |
| Switzerland | ✗ | ✗ | ✗ | ✗ | 2 | ✗ | ✗ | ✗ | tbc |
| Liechtenstein | ✗ | ✗ | ✗ | ✗ | ✗ | 43 | ✗ | ✗ | tbc |
| Iceland | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | tbc |
| TOTAL | All concerned EU Member States have now notified | 20 | 17 | 201 experts (of 374 requested) | 447 border guards (of 775 requested) | 17 Member States 4237 places (of 160,000) | 257 (out of 39,600) | 157 (out of 66,400) | 97,860 (of initial 98,256)¹ |

RELOCATION (state of play as of 15 March 2016)

| 937 people have been relocated since the launch of the scheme | | |
|---|----------------------|-----------------------|
| Member States | Relocated from Italy | Relocated from Greece |
| Austria | X | X |
| Belgium | 24 | X |
| Bulgaria | X | 2 |
| Croatia | X | X |
| Cyprus | X | 6 |
| Czech Republic | X | X |
| Denmark | X | X |
| Estonia | X | X |
| Finland | 96 | 77 |
| France | 41 | 242 |
| Germany | 20 | 37 |
| Hungary | X | X |
| Ireland | X | 10 |
| Latvia | X | 6 |
| Lithuania | X | 6 |
| Luxembourg | X | 30 |
| Malta | 15 | 6 |
| Netherlands | 50 | 48 |
| Poland | X | X |
| Portugal | 65 | 84 |
| Romania | X | 15 |
| Slovenia | X | X |
| Slovakia | X | X |
| Spain | 18 | X |
| Sweden | 39 | X |
| TOTAL | 368 | 569 |

Red circle: increased value between 28 January and 15 March

RELOCATION AS OF APRIL 21

Member States' Support to Emergency Relocation Mechanism

(Communicated as of 21 April 2016)

| Member States | National Contact Points Appointed | Liaison Officers Appointed | | Reply to open EASO calls - Experts | Reply to Frontex call – Poseidon Rapid Intervention | Reply to Frontex call – joint operations (closed) | Reply to Frontex call – joint operations (ongoing) | Relocation | | | |
|----------------|-----------------------------------|----------------------------|--------|------------------------------------|---|---|--|-----------------------|----------------------|-----------------------|-----------------------------------|
| | | Italy | Greece | | | | | Places Made Available | Relocated from Italy | Relocated from Greece | Remaining Places from the 160,000 |
| Austria | ✓ | ✓ | ✗ | 48 | ✓ | ✗ | ✓ | ✗ | ✗ | ✗ | 1953 |
| Belgium | ✓ | ✓ | ✓ | 15 | ✓ | ✗ | ✗ | 30 | 24 | ✗ | 3788 |
| Bulgaria | ✓ | ✓ | ✓ | 2 | ✓ | ✗ | ✗ | 1302 | ✗ | 4 | 1298 |
| Croatia | ✓ | ✗ | ✗ | 2 | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | 968 |
| Cyprus | ✓ | ✓ | ✓ | ✗ | ✓ | ✗ | ✗ | 30 | ✗ | 6 | 314 |
| Czech Republic | ✓ | ✗ | ✗ | 45 | ✓ | ✓ | ✗ | 30 | ✗ | ✗ | 2691 |
| Denmark | N/A | N/A | N/A | 5 | ✓ | ✓ | ✓ | ✗ | ✗ | ✗ | N/A |
| Estonia | ✓ | ✓ | ✓ | 2 | ✓ | ✓ | ✓ | 46 | ✗ | 7 | 322 |
| Finland | ✓ | ✓ | ✓ | 1 | ✗ | ✗ | ✗ | 270 | 148 | 111 | 1819 |
| France | ✓ | ✓ | ✓ | 20 | ✓ | ✗ | ✓ | 1300 | 137 | 362 | 19215 |
| Germany | ✓ | ✓ | ✓ | 22 | ✓ | ✓ | ✗ | 40 | 20 | 37 | 27479 |
| Greece | ✓ | N/A | N/A | 1 | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | N/A |
| Hungary | ✓ | ✗ | ✗ | 2 | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | 1294 |
| Ireland | ✓ | ✓ | ✓ | 4 | ✗ | ✗ | ✗ | 50 | ✗ | 10 | 590 |
| Italy | ✓ | N/A | N/A | ✗ | ✓ | ✗ | ✓ | ✗ | ✗ | ✗ | N/A |
| Latvia | ✓ | ✓ | ✗ | 7 | ✓ | ✗ | ✗ | 481 | 1 | 21 | 459 |
| Lithuania | ✓ | ✓ | ✓ | 5 | ✓ | ✗ | ✗ | 100 | ✗ | 6 | 665 |
| Luxembourg | ✓ | ✓ | ✓ | 7 | ✓ | ✗ | ✗ | 150 | ✗ | 30 | 527 |
| Malta | ✓ | ✓ | ✗ | 5 | ✗ | ✗ | ✗ | 131 | 15 | 6 | 110 |
| Netherlands | ✓ | ✓ | ✓ | 13 | ✓ | ✗ | ✗ | 200 | 50 | 142 | 5755 |
| Poland | ✓ | ✓ | ✓ | 7 | ✓ | ✓ | ✓ | 100 | ✗ | ✗ | 6192 |
| Portugal | ✓ | ✓ | ✓ | ✗ | ✓ | ✗ | ✗ | 1642 | 107 | 89 | 2752 |

Source:

http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf
(20160422)

RELOCATION AS OF APRIL 21

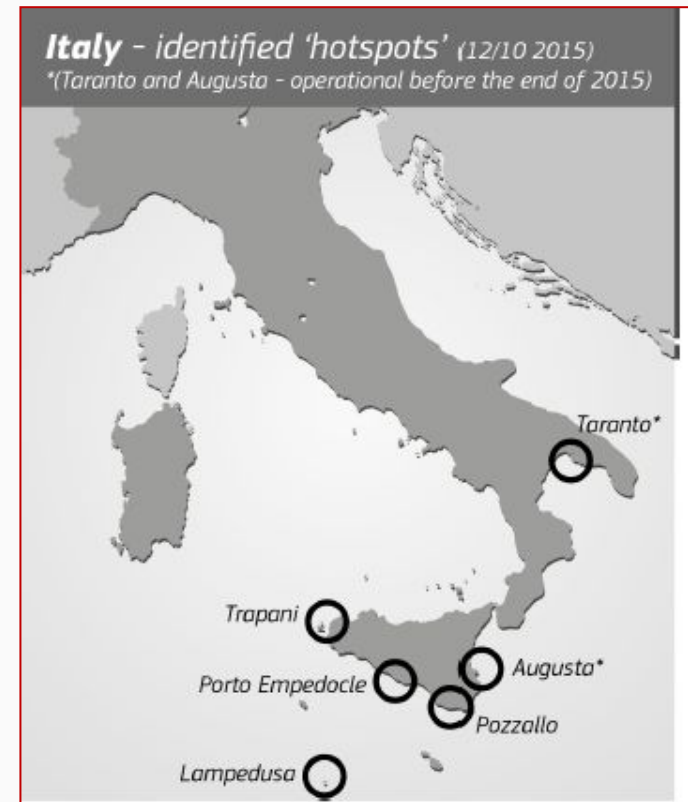
| Member States | National Contact Points Appointed | Liaison Officers Appointed | | Reply to open EASO calls - Experts | Reply to Frontex call – Poseidon Rapid Intervention | Reply to Frontex call – joint operations (closed) | Reply to Frontex call – joint operations (ongoing) | Relocation | | | |
|----------------|---|----------------------------|-----------|--|---|---|--|--|----------------------------|----------------------------|---|
| | | Italy | Greece | | | | | Places Made Available | Relocated from Italy | Relocated from Greece | Remaining Places from the 160,000 |
| Romania | ✓ | ✓ | ✓ | 14 | ✓ | ✗ | ✗ | 515 | 6 | 29 | 4145 |
| Slovakia | ✓ | ✓ | ✓ | 3 | ✓ | ✓ | ✓ | ✗ | ✗ | ✗ | 902 |
| Slovenia | ✓ | ✓ | ✓ | 1 | ✓ | ✗ | ✗ | 40 | ✗ | ✗ | 567 |
| Spain | ✓ | ✓ | ✓ | 36 | ✓ | ✓ | ✓ | 200 | 18 | ✗ | 9255 |
| Sweden | ✓ | ✓ | ✗ | 3 | ✓ | ✗ | ✗ | 300 | 39 | ✗ | 3727 |
| United Kingdom | N/A | N/A | N/A | 13 | ✗ | ✗ | ✗ | N/A | ✗ | ✗ | N/A |
| Norway | ✗ | ✗ | ✗ | 10 | ✓ | ✗ | ✗ | ✗ | ✗ | ✗ | <i>tbc</i> |
| Switzerland | ✗ | ✓ | ✗ | 2 | ✓ | ✗ | ✗ | 30 | ✗ | ✗ | <i>tbc</i> |
| Liechtenstein | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | 43 | ✗ | ✗ | <i>tbc</i> |
| Iceland | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | <i>tbc</i> |
| TOTAL | All concerned EU Member States have now notified | 22 | 17 | 294¹ experts (of 5224 requested) | 759 offers (of 1112 requested) | 107 border guards offered | 461 border guards offered (of 1412 requested) | 22 Countries 7030 places (of 160,000) | 565 (out of 39,600) | 860 (out of 66,400) | 96,788 (of initial 98,256)² |

Source:

http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf
(20160422)

HOTSPOTS

Hotspots = in Italy and Greece: **complex sites** where experts from different EU MS work together in receiving and screening the applications and organising the return of those not in need of international protection. **6 in Italy, 5 in Greece.**



THE STATE OF PLAY WITH THE HOTSPOTS

END OF JANUARY, 2016

GREECE

| | LESVOS | CHIOS | SAMOS | LEROS | KOS |
|--------------------------|---|---|---|---|---|
| Total Reception Capacity | 1500 | 1100 | 850 | 1000 | 1000 |
| EU Presence | Frontex: 293 Officers (Debriefing, screening, fingerprinters and registration teams. Border Surveillance Officers, Advance Level Document Officer, Team Leaders, Frontex Supporting Officers) | Frontex: 95 Officers (Debriefing, screening and Advance Level document expert teams. Border Surveillance Officer) | Frontex: 84 Officers (Screening and debriefing teams. Border Surveillance Officer and Advance Level Document Officer) | Frontex: 32 Officers (Screening and debriefing teams. Border Surveillance Officer and Advance Level Document Officer) | Frontex: 35 Officers (Screening and debriefing teams. Border Surveillance Officer and Advance Level Document Officer) |
| | EASO: 58 Member State experts under the EU-Turkey Agreement, 3 members of EASO staff, and 57 interpreters, 2 press officers | EASO: 4 Member State experts under preparation of the EU-Turkey Agreement, 1 member of EASO staff, 4 interpreters | EASO: 2 Member State experts under preparation of the EU-Turkey Agreement, 1 member of EASO staff, 2 interpreters | 0 | 0 |
| | Europol: 4 officers | Europol: 2 officers | Europol: 1 officers | Europol: 2 officers | |

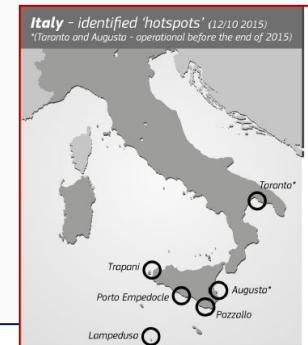
ITALY

| | HOTSPOTS IN ITALY | | | | | |
|--------------------------|--|---|-----------------|---------|--|---|
| | LAMPEDUSA | POZZALLO | PORTE EMPEDOCLE | AUGUSTA | TARANTO | TRAPANI |
| Total Reception Capacity | 500 | 300 | 300 | 300 | 300 | 400 |
| EU Presence | Frontex: 14 Officers (Debriefing, screening and fingerprinting teams, Frontex supporting officers) | Frontex: 14 Officers (Debriefing and screening teams) | 0 | 0 | Frontex: 4 Officers (Debriefing and screening teams) | Frontex: 15 Officers (Debriefing and screening teams) |
| | EASO: 2 Member State Experts | EASO: 2 Member State Experts | 0 | 0 | EASO: 2 Member State Experts | EASO: 2 Member State Experts |
| | EASO: 2 cultural mediators (Arabic, Tigrinya) | EASO: 2 cultural mediators (Arabic, Tigrinya) | | | EASO: 2 cultural mediators (Arabic, Tigrinya) | EASO: 2 cultural mediators (Arabic, Tigrinya) |



Source:

http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_hotspots_en.pdf
http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_hotspots_en.pdf (20160427)



**WHAT SOLIDARITY WITH THOSE STATE WHO
HOST MOST REFUGEES? RESETTLEMENT, EU
TRUST FUND FOR SYRIA /"MADAD TRUST
FUND"/, EMERGENCY TRUST FUND FOR
AFRICA**

SOLIDARITY WITH THOSE HOSTING REFUGEES AND SUPPORT FOR OTHER AFFECTED STATES

4,555 people have been resettled since the launch of the scheme*

| | |
|----------------|------|
| Austria | 1395 |
| Belgium | 212 |
| Czech Republic | 52 |
| France | 15 |
| Ireland | 251 |
| Italy | 96 |
| Netherlands | 231 |
| United Kingdom | 1864 |
| Norway | 6 |
| Liechtenstein | 20 |
| Switzerland | 413 |

*Based on information made available by Member States and Associated Countries as of 15 of March 2016

- **Resettlement of 22 thousand** refugees from outside of the EU in the next two years finally decided on 1 October 2015.
- **Trust Fund to support Syrian refugee hosting countries** (500 million Euros from the budget of the EU in 2015, to be matched by another 500 million donated directly by the MS) (See also the later Turkey – EU deal)
- **Emergency Trust Fund for stability** and addressing the root causes of irregular migration and displaced persons **in Africa**. „The Commission considers that national contributions should match the **€1.8 billion EU funding.**”

COM(2015) 510 final COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL Managing the refugee crisis: State of Play of the Implementation of the Priority Actions under the European Agenda on Migration, p. 10.)

SOLIDARITY WITH THOSE HOSTING REFUGEES AND SUPPORT FOR OTHER AFFECTED STATES

Financial pledges to Trust Funds, € million

(Communicated as of 22 March 2016)

| Member States | Africa Trust Fund | Syria Trust Fund ¹ | Total |
|-----------------------------------|-------------------|-------------------------------|----------------|
| Total Pledged | 81.71 | 60.05 | 141.76 |
| Contribution from EU financing | 1800 | 500 | 2300 |
| Total required² | 3600 | 1000 | 4600 |
| Shortfall | 1718.29 | 439.95 | 2158.24 |

Source: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_member_state_pledges_en.pdf (20160329)

THE DEAL WITH TURKEY, 29 NOVEMBER 2015

EU's contribution

- More frequent and regular summits
- **High level dialogue** on economic and on energy cooperation, prospect for a customs union
- **Accession negotiations** revived, concrete talks to resume in December 2015
- **Visa** liberalisation accelerated
- A Refugee Facility for Turkey was established. „The EU is committed to provide an initial **3 billion** euro of **additional resources.**” as „burden sharing within the framework of Turkey-EU cooperation”.

THE DEAL WITH TURKEY, 29 NOVEMBER 2015

Turkey's contribution

Activate Joint action plan of 15 October 2016:

- „stemming the influx of irregular migrants” (including into Turkey!)
- „both sides will, as agreed and **with immediate effect**, step up their active cooperation on migrants who are **not in need of international protection, preventing travel to Turkey and the EU**”
- „ensuring the application of the established bilateral **readmission provisions** and **swiftly returning** migrants who are not in need of international protection **to their countries of origin** [not to Turkey!]”
- „decisive and **swift action** to enhance the fight against **criminal smuggling networks**”
- Turkey intends to adopt measures to further **improve the socio-economic situation** of the Syrians under **temporary protection**.

THE EUROPEAN COUNCIL MEETING (WITH TURKEY), 7 MARCH 2016

The Council's own summary (<http://www.consilium.europa.eu/en/press/press-releases/2016/03/07-eu-turkey-meeting-statement/>)

Return all new irregular migrants crossing from Turkey into the Greek islands with the costs covered by the EU;

Resettle, for every Syrian readmitted by Turkey from Greek islands, **another Syrian from Turkey** to the EU Member States, within the framework of the existing commitments;

Accelerate the implementation of the **visa liberalization** roadmap with all Member States with a view to lifting the visa requirements for Turkish citizens at the latest by the **end of June 2016**;

Speed up the disbursement of the **initially allocated 3 billion euros** to ensure funding of a first set of projects before the end of March and **decide on additional funding** for the Refugee Facility for Syrians;

Prepare for the decision on the **opening of new chapters** in the accession negotiations as soon as possible, building on the October 2015 European Council conclusions;

Work with Turkey in any joint endeavour **to improve humanitarian conditions inside Syria** which would allow for the local population and refugees to live in areas which will be more safe

WHAT, ACTUALLY?!

Statement text:

„Turkey confirmed its commitment in implementing the bilateral Greek-Turkish readmission agreement to accept the rapid return of **all migrants not in need of international protection** crossing from Turkey into Greece and to take back all irregular migrants apprehended on Turkish waters.”

...

„Following their meeting with Prime Minister Davutoğlu, ... [the heads of state and government] warmly welcomed the additional proposals made today by Turkey to address the migration issue. They agreed to work on the basis of the principles they contain: **to return all new irregular migrants crossing from Turkey into the Greek** islands with the costs covered by the EU;”

All, or all not in need of international protection?!

THE EU-TURKEY „STATEMENT” – THE DEAL OF 18 MARCH 2016

„[A]ny application for asylum will be processed individually by the Greek authorities in accordance with the Asylum Procedures Directive, in cooperation with UNHCR”

- right to stay till first instance decision, unless inadmissible
- right to appeal

„All new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey. This will take place in full accordance with EU and international law, thus excluding any kind of collective expulsion.”

- Contradicts to the promise to process every claim
- EU law: return directive = voluntary departure preferred, appeal against removal decision, strict conditions for detention

„[T]emporary and extraordinary measure”

- For how long? Does extraordinariness waive rights?

„Migrants not applying for asylum or whose application has been found unfounded or inadmissible in accordance with the said directive will be returned to Turkey”

- So far very few applied in Greece (11 370 out of 880 000), now they will
- Inadmissibility: is Turkey a safe third country and/or a country of first asylum?!

THE EU-TURKEY „STATEMENT”

– THE DEAL OF 18 MARCH 2016

„For every Syrian being returned to Turkey from Greek islands, another Syrian will be resettled from Turkey to the EU taking into account the UN Vulnerability Criteria”

- How can Syrians be returned if they applied for asylum (recognition rate in EU above 98% in Q4 of 2015)?
- What about Dublin and the right to join family and be processed there?

„[R]esettlement under this mechanism will take place, ... honouring the commitments [of 20 July 2015], of which 18.000 places for resettlement remain. Any further need for resettlement will be carried out through a similar voluntary arrangement up to a limit of an additional 54.000 persons.” ... The Commission's will propose an amendment to the relocation decision of 22 September 2015 to allow for any resettlement commitment undertaken to be offset from non-allocated places under the decision... Should the number of returns exceed the numbers provided for above, this mechanism will be discontinued.”

- A mechanism up to 72 000 resettlements. No plan for afterwards
- Purely voluntary

Visa liberalisation among Schengen states for Turkey by the end of June 2016

Opening Chapter 33 in the accession negotiations

CONCLUSION

SUMMARY

PROGRESS, SLOW MOTION OR COLLAPSE?

- Common asylum procedure and a uniform status has not been achieved. The **recasts are still minimum standards**, decision making is national and divergent
- The **CJEU** has embarked on a genuine **harmonisation** but it is a slow and **fragmented** process
- **Intra-EU solidarity is minimal**, neither and agreed intra EU relocation rule exists nor does the Dublin III regulation address effectively the real problems of periphery states exposed to large pressures
- The EU **does not have its fair share in alleviating the global** (and especially the North African and Syrian) refugee situation

SUMMARY

PROGRESS, SLOW MOTION OR COLLAPSE?

- **Attention on third countries**, the externalisation of asylum policy is increasing, with a dual agenda: on the one hand enhancing rescue at sea, human rights guarantees, and exceptionally regularised access to the EU territory (resettlement), on the other hand **increasing control and shifting RSD to transit countries**.
- The very **large number of arrivals** in the form of a mixed flow in 2015 constitute a **major challenge**.
- Several member States (Greece, Hungary, Croatia, Slovenia, Austria) **breach the EU law** for long periods and in respect of hundreds of thousands of persons.
- **Germany may not be expected** to provide **protection** for all in need and **return** those, who do not need it
- It is **unrealistic and morally untenable** to expect the non-EU states (Turkey, Lebanon, Jordan, Macedonia, Serbia etc.) to contribute more in the way of „retaining” the refugees in the region.
- Unless an **EU – wide response** emerges the system (Dublin and Schengen) will collapse

THANKS!

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THE EXCEPTIONAL YEARS 2015 - 2016

**FAILURE OF THE SYSTEM, EFFORTS TO
RESCUE SOLIDARITY WITHIN THE EU
AND WITH OTHER AFFECTED STATES**

SYMPTOMS OF MALFUNCTIONING OF THE CEAS

- Thousands of **deaths** at sea and inland
- The overall **impression of a „crisis“**, which is **seen as a European crisis**
- The increasing **tension between Member States** (e.g. Sweden-Denmark, Austria – Greece, Hungary – Austria, Slovenia, Croatia, etc.)
- **The uneasy relationship with Turkey**
- The grossly **unfair participation in the provision of protection** to refugees reaching EU territory
- The repeated, but **largely fruitless sweeping legislative and political efforts**, including negotiations with transit countries (Western Balkan conference) and states of the regions of origin (Valetta summit), decisions to resettle and relocate refugees and asylum seekers
- **The breakdown of the Dublin system**
- **Fences** at the external and internal borders & **reintroduction of border controls** at Schengen **internal borders**

THE CAUSES OF FAILURE - DESIGN

Dublin: after family and visa/residence permit the external border crossed → perimeter states exposed to large numbers of application → Greece defaults in 2011, Hungary and others in 2015

Minimal tools of **solidarity** before 2015

- AMIF - monetary
- EASO – sending expert teams
- Temporary protection: voluntary offers to take over (never used)

The Dublin regime on determining the state whose duty is to conduct RSD: **manifestly unjust**, NOT burden sharing but shifting

THE CAUSES OF FAILURE - OVERLOAD

Overload number of (first) applications, EU 27 or 28 + Iceland. Liechtenstein, Norway and Switzerland:

| 2011 | 2012 | 2013 | 2014 | 2015 |
|---------|---------|---------|---------|------------|
| 341,795 | 373,550 | 464,505 | 662,165 | 1,108,470* |

Source: Eurostat data (20160212)

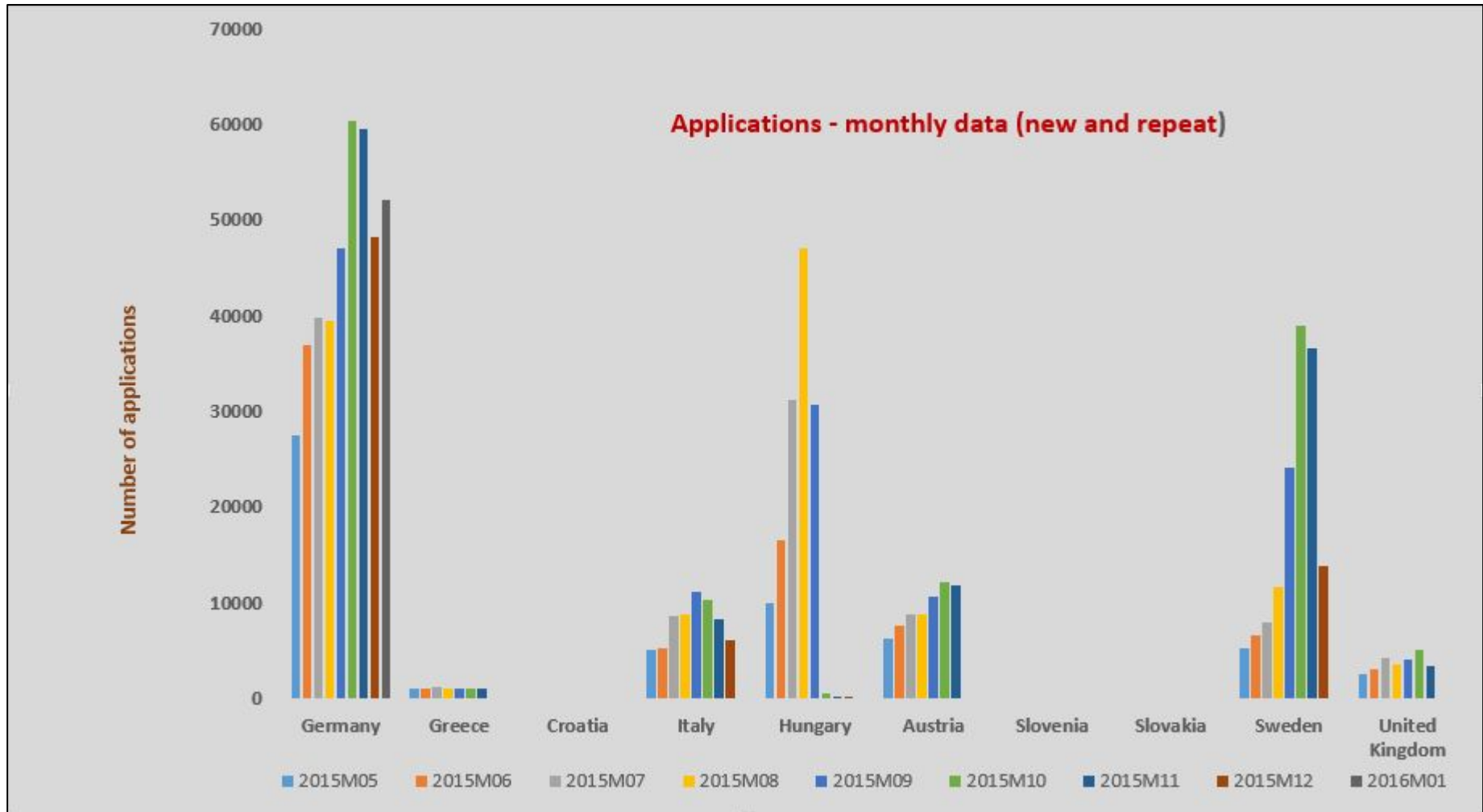
- Not the final figure yet, data for several countries missing

But:

- **highly uneven distribution** UK **35,670** (Jan-Nov), Poland **11,040** (Jan – Nov) Spain: **10,295** (Jan-Sept) applications
- Germany **476,615** (Jan – Dec), Sweden **162,560** (Jan – Dec), Austria **80,895** (Jan – Nov)
- Major groups with **unlikely claims** (Serbia, Kosovo, BiH, etc.)

Easo's figure
for 2015:
1,349,638
Source:
Latest asylum trends – 2015
overview, p. 1

THE UNEVEN DISTRIBUTION OF ASYLUM APPLICATIONS AND THE IMPACT OF THE HUNGARIAN RESTRICTIVE MEASURES



THE CAUSES OF FAILURE

Free rider member states

Greece, Italy, Hungary, Croatia, Slovenia, Austria

Ought to: register claim, submit fingerprint to Eurodac + start RSD procedure + keep within territory

Instead: **allowing to leave** or **actively transporting** to next MS

**WHAT SOLIDARITY IS CONCEIVABLE *AMONG* EU
MEMBER STATES GOING BEYOND AMIF? =
RELOCATION, HOTSPOTS**

RELOCATION DECISIONS

Relocation: distributing among Member States those asylum seekers who are already within the EU and have a good chance of being recognised – i.e. members of groups with 75% recognition rate in the previous quarter (Syrians, Iraqis and Eritreans)

2 decisions:

- COUNCIL DECISION (EU) 2015/1523 of **14 September** 2015
40 000 persons **24,000 from Italy, 16,000 from Greece**
- COUNCIL DECISION (EU) 2015/1601 of **22 September** 2015
120 000 persons First year: **15,600 from Italy and 50,400 from Greece** Second year: 54,000 either from the same two or from other Member States.

No relocation to Denmark, Ireland, UK, Greece and Italy – 23 MS take up the 40 plus 120 thousand

Relocating MS get 6000 Euros/head

In exchange: Greece, Italy must develop „roadmap”

MEMBER STATES' SUPPORT TO EMERGENCY RELOCATION MECHANISM

COMMUNICATED 28 JANUARY 2016

Member States' Support to Emergency Relocation Mechanism

(Communicated as of 28 January 2016)

| Member States | National Contact Points Appointed | Liaison Officers Appointed | | Reply to EASO call - Experts | Reply to Frontex call - Border guards | Relocation | | | |
|----------------|---|----------------------------|-----------|---------------------------------------|---|--|----------------------------|----------------------------|---|
| | | Italy | Greece | | | Places Made Available | Relocated from Italy | Relocated from Greece | Remaining Places from the 160,000 |
| Austria | ✓ | ✓ | ✗ | 45 | 26 | ✗ | ✗ | ✗ | 1953 |
| Belgium | ✓ | ✓ | ✓ | 15 | 4 | 30 | 14 | ✗ | 3798 |
| Bulgaria | ✓ | ✓ | ✓ | 1 | ✗ | 1302 | ✗ | ✗ | 1302 |
| Croatia | ✓ | ✗ | ✗ | 2 | 11 | ✗ | ✗ | ✗ | 968 |
| Cyprus | ✓ | ✓ | ✓ | ✗ | ✗ | 30 | ✗ | ✗ | 320 |
| Czech Republic | ✓ | ✗ | ✗ | 35 | 8 | ✗ | ✗ | ✗ | 2691 |
| Denmark | N/A | N/A | N/A | 5 | 50 | ✗ | ✗ | ✗ | N/A |
| Estonia | ✓ | ✓ | ✓ | 1 | 1 | ✗ | ✗ | ✗ | 329 |
| Finland | ✓ | ✓ | ✓ | 1 | 2 | 150 | 96 | 44 | 1958 |
| France | ✓ | ✓ | ✓ | 6 | 59 | 900 | 19 | 43 | 19651 |
| Germany | ✓ | ✓ | ✓ | 13 | 50 | 40 | 11 | 10 | 27515 |
| Greece | ✓ | N/A | N/A | 1 | ✗ | ✗ | ✗ | ✗ | N/A |
| Hungary | ✓ | ✗ | ✗ | 1 | 4 | ✗ | ✗ | ✗ | 1294 |
| Ireland | ✓ | ✓ | ✓ | 2 | ✗ | 20 | ✗ | 10 | 590 |
| Italy | ✓ | N/A | N/A | ✗ | 4 | ✗ | ✗ | ✗ | N/A |
| Latvia | ✓ | ✓ | ✓ | ✗ | ✗ | 481 | ✗ | ✗ | 481 |
| Lithuania | ✓ | ✓ | ✓ | 1 | 14 | 40 | ✗ | 4 | 667 |
| Luxembourg | ✓ | ✓ | ✓ | 6 | ✗ | 90 | ✗ | 30 | 527 |
| Malta | ✓ | ✓ | ✗ | 2 | ✗ | 131 | ✗ | ✗ | 131 |
| Netherlands | ✓ | ✓ | ✓ | 6 | 23 | 100 | 50 | ✗ | 5897 |
| Poland | ✓ | ✓ | ✗ | ✗ | 18 | 100 | ✗ | ✗ | 6182 |
| Portugal | ✓ | ✓ | ✓ | ✗ | 12 | 130 | 10 | 16 | 2925 |
| Romania | ✓ | ✓ | ✓ | 11 | 23 | 300 | ✗ | ✗ | 4180 |
| Slovakia | ✓ | ✓ | ✓ | 2 | 20 | ✗ | ✗ | ✗ | 902 |
| Slovenia | ✓ | ✓ | ✓ | 1 | ✗ | ✗ | ✗ | ✗ | 567 |
| Spain | ✓ | ✓ | ✓ | 30 | 41 | 50 | 18 | ✗ | 9305 |
| Sweden | ✓ | ✓ | ✗ | 2 | 6 | 300 | 39 | ✗ | 3727 |
| United Kingdom | N/A | N/A | N/A | 10 | 29 | N/A | ✗ | ✗ | N/A |
| Norway | ✗ | ✗ | ✗ | 2 | 3 | ✗ | ✗ | ✗ | tbc |
| Switzerland | ✗ | ✗ | ✗ | ✗ | 2 | ✗ | ✗ | ✗ | tbc |
| Liechtenstein | ✗ | ✗ | ✗ | ✗ | ✗ | 43 | ✗ | ✗ | tbc |
| Iceland | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | ✗ | tbc |
| TOTAL | All concerned EU Member States have now notified | 20 | 17 | 201 experts (of 374 requested) | 447 border guards (of 775 requested) | 17 Member States 4237 places (of 160,000) | 257 (out of 39,600) | 157 (out of 66,400) | 97,860 (of initial 98,256)¹ |

RELOCATION (state of play as of 03 March 2016)

| 660 people have been relocated since the launch of the scheme | | |
|---|----------------------|-----------------------|
| Member States | Relocated from Italy | Relocated from Greece |
| Austria | X | X |
| Belgium | 14 | X |
| Bulgaria | X | 2 |
| Croatia | X | X |
| Cyprus | X | 6 |
| Czech Republic | X | X |
| Denmark | X | X |
| Estonia | X | X |
| Finland | 96 | 44 |
| France | 41 | 94 |
| Germany | 20 | 37 |
| Greece | X | X |
| Hungary | X | X |
| Ireland | X | 10 |
| Italy | X | X |
| Latvia | X | 6 |
| Lithuania | X | 4 |
| Luxembourg | X | 30 |
| Malta | 15 | 6 |
| Netherlands | 50 | 48 |
| Poland | X | X |
| Portugal | 45 | 20 |
| Romania | X | 15 |
| Slovenia | X | X |
| Slovakia | X | X |
| Spain | 18 | X |
| Sweden | 39 | X |
| TOTAL | 338 | 322 |

Red circle: increased value between 28 January and 3 March

HOTSPOTS, AMIF

Hotspots = in Italy and Greece: **complex sites** where experts from different EU MS work together in receiving and screening the applications and organising the return of those not in need of international protection. **6 planned for Italy, 5 for Greece.**

AMIF: Asylum, Migration and Integration Fund 2014-2020: 2,6 billion Euros!

To support the reception of asylum seekers and the integration of refugees and beneficiaries of subsidiary protection



THE STATE OF PLAY WITH THE HOTSPOTS

END OF JANUARY, 2016

GREECE

Planned site, capacity:

Lesvos (2709) Chios (2250) Samos (650) Leros (330) Kos (290)

Actually functioning:

Lesvos (184 Frontex officers, 8 EASO experts and staff)

Samos (53 Frontex officers, 5 EASO experts and staff)



ITALY

Planned site, capacity:

Lampedusa (650) Pozzallo (300) Porte Empedocle (300) Augusta (300) Taranto (300)
Trapani (400)

Actually functioning:

Lampedusa (24 Frontex officers, 2 EASO experts and staff)

Pozzallo (21 Frontex officers, 2 EASO experts and staff)

Taranto (6 Frontex officers, 0 EASO experts and staff)

Trapani (14 Frontex officers, 2 EASO experts and staff)

**WHAT SOLIDARITY WITH THOSE STATE WHO
HOST MOST REFUGEES? RESETTLEMENT, EU
TRUST FUND FOR SYRIA /"MADAD TRUST
FUND"/, EMERGENCY TRUST FUND FOR
AFRICA**

SOLIDARITY WITH THOSE HOSTING REFUGEES AND SUPPORT FOR OTHER AFFECTED COUNTRIES

- **Resettlement of 22 thousand** refugees from outside of the EU in the next two years finally decided on 1 October 2015.

3,407 people have been resettled since the launch of the scheme*

| | |
|-----------------------|------|
| Austria | 1348 |
| Belgium | 123 |
| Czech Republic | 25 |
| Ireland | 176 |
| Italy | 96 |
| Netherlands | 226 |
| United Kingdom | 1000 |
| Norway | 6 |
| Liechtenstein | 20 |
| Switzerland | 20 |

*Based on information made available by Member States and Associated Countries as of 16 February 2016

- **Trust Fund to support Syrian refugee hosting countries** (500 million Euros from the budget of the EU in 2015, to be matched by another 500 million donated directly by the MS) (See also the later Turkey – EU deal)
- **Emergency Trust Fund for stability** and addressing the root causes of irregular migration and displaced persons **in Africa**. „The Commission considers that national contributions should match the **€1.8 billion EU funding**.”

COM(2015) 510 final COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL Managing the refugee crisis: State of Play of the Implementation of the Priority Actions under the European Agenda on Migration, p. 10.)

SOLIDARITY WITH THOSE HOSTING REFUGEES AND SUPPORT FOR OTHER AFFECTED STATES

Member States' financial pledges since 23 September 2015, € million

(Communicated as of 28 January 2016)

| Member States | Africa Trust Fund | Syria Trust Fund ¹ | Humanitarian aid pledged since 23 September 2015 ² | | | Total |
|--------------------------------|-------------------|-------------------------------|---|-------|-------|----------------|
| | | | World Food Programme | UNHCR | Other | |
| Total Pledged | 81.41 | 52.05 | 441.99 | | | 575.45 |
| Contribution from EU financing | 1800 | 500 | 500 | | | 2800 |
| Total required | 3600 | 1000 | 1000 | | | 5600 |
| Shortfall | 1718.59 | 447.95 | 58.01 | | | 2224.55 |

THE DEAL WITH TURKEY, 29 NOVEMBER 2015

EU's contribution

- More frequent and regular summits
- **High level dialogue** on economic and on energy cooperation, prospect for a customs union
- **Accession negotiations** revived, concrete talks to resume in December 2015
- **Visa** liberalisation accelerated
- A Refugee Facility for Turkey was established. „The EU is committed to provide an initial **3 billion** euro of **additional resources.**” as „burden sharing within the framework of Turkey-EU cooperation”.

THE DEAL WITH TURKEY, 29 NOVEMBER 2015

Turkey's contribution

Activate Joint action plan of 15 October 2016:

- „stemming the influx of irregular migrants” (including into Turkey!)
- „both sides will, as agreed and **with immediate effect**, step up their active cooperation on migrants who are **not in need of international protection, preventing travel to Turkey and the EU**”
- „ensuring the application of the established bilateral **readmission provisions** and **swiftly returning** migrants who are not in need of international protection **to their countries of origin** [not to Turkey!]”
- „decisive and **swift action** to enhance the fight against **criminal smuggling networks**”
- Turkey intends to adopt measures to further **improve the socio-economic situation** of the Syrians under **temporary protection**.

THE EUROPEAN COUNCIL MEETING (WITH TURKEY), 7 MARCH 2016

The Council's own summary (<http://www.consilium.europa.eu/en/press/press-releases/2016/03/07-eu-turkey-meeting-statement/>)

Return all new irregular migrants crossing from Turkey into the Greek islands with the costs covered by the EU;

Resettle, for every Syrian readmitted by Turkey from Greek islands, **another Syrian from Turkey** to the EU Member States, within the framework of the existing commitments;

Accelerate the implementation of the **visa liberalization** roadmap with all Member States with a view to lifting the visa requirements for Turkish citizens at the latest by the **end of June 2016**;

Speed up the disbursement of the **initially allocated 3 billion euros** to ensure funding of a first set of projects before the end of March and **decide on additional funding** for the Refugee Facility for Syrians;

Prepare for the decision on the **opening of new chapters** in the accession negotiations as soon as possible, building on the October 2015 European Council conclusions;

Work with Turkey in any joint endeavour **to improve humanitarian conditions inside Syria** which would allow for the local population and refugees to live in areas which will be more safe

WHAT, ACTUALLY?!

Statement text:

„Turkey confirmed its commitment in implementing the bilateral Greek-Turkish readmission agreement to accept the rapid return of **all migrants not in need of international protection** crossing from Turkey into Greece and to take back all irregular migrants apprehended on Turkish waters.”

...

„Following their meeting with Prime Minister Davutoğlu, ... [the heads of state and government] warmly welcomed the additional proposals made today by Turkey to address the migration issue. They agreed to work on the basis of the principles they contain: **to return all new irregular migrants crossing from Turkey into the Greek** islands with the costs covered by the EU;”

All, or all not in need of international protection?!

CONCLUSION

SUMMARY

PROGRESS, SLOW MOTION OR COLLAPSE?

- Common asylum procedure and a uniform status has not been achieved. The **recasts are still minimum standards**, decision making is national and divergent
- The **CJEU** has embarked on a genuine **harmonisation** but it is a slow and **fragmented** process
- **Intra-EU solidarity is minimal**, neither and agreed intra EU relocation rule exists nor does the Dublin III regulation address effectively the real problems of periphery states exposed to large pressures
- The EU **does not have its fair share in alleviating the global** (and especially the North African and Syrian) refugee situation

SUMMARY

PROGRESS, SLOW MOTION OR COLLAPSE?

- **Attention on third countries**, the externalisation of asylum policy is increasing, with a dual agenda: on the one hand enhancing rescue at sea, human rights guarantees, and exceptionally regularised access to the EU territory (resettlement), on the other hand **increasing control and shifting RSD to transit countries**.
- The very **large number of arrivals** in the form of a mixed flow in 2015 constitute a **major challenge**.
- Several member States (Greece, Hungary, Croatia, Slovenia, Austria) **breach the EU law** for long periods and in respect of hundreds of thousands of persons.
- **Germany may not be expected** to provide **protection** for all in need and **return** those, who do not need it
- It is **unrealistic and morally untenable** to expect the non-EU states (Turkey, Lebanon, Jordan, Macedonia, Serbia etc.) to contribute more in the way of „retaining” the refugees in the region.
- Unless an **EU – wide response** emerges the system (Dublin and Schengen) will collapse

THANKS!

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