# International protection: provisional measures for the benefit of Italy and Greece

2015/0125(NLE) - 09/09/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 498 votes to 158 with 37 abstentions, a legislative resolution on the proposal for a Council decision establishing provisional measures in the area of international protection for the benefit of Italy and Greece.

Parliament approved the Commission proposal subject to the following amendments:

Binding measures: in line with Article 78(3) and Article 80 of the Treaty, Parliament wanted the solidarity measures envisaged in the Decision to be binding. It asked for binding quota for the distribution of person sin clear need of international protection throughout Member States.

Distribution key: in order to relieve the significant asylum pressure from Italy and Greece, but also to act as an important test case with a view to the upcoming legislative proposal on a permanent emergency relocation scheme, Parliament proposed that an initial total of 110 000 asylum seekers should be relocated from Greece and Italy over a two-year period (40 000 from Italy and 70 000 from Greece.)

However, a further increase of relocation places should be considered, if necessary, to adapt to rapidly changing refugee flows and trends.

Any proposal for a permanent emergency relocation mechanism must be based on a more substantial contribution to solidarity and responsibility-sharing among Member States, including a significant increase in the number of available relocation places. It should be built on clearly defined criteria, including on sudden inflow of nationals of third countries and exceptional asylum pressure, allowing for its triggering on the basis of transparent and objective indicators.

Taking account of applicants preferences and of Member States: based on the lessons learned from the pilot project on relocation from Malta (EUREMA), Parliament asked that applicants be given the opportunity to express their preferences. They should rank Member States by order of preference and support their preferences by elements such as:

- family ties in a broad sense;
- social ties such as ties to ethnic and cultural communities, and
- cultural ties to the preferred Member State such as language skills, former stay in a Member State or former study or work relations with companies or organisations of that Member State.

While applicants do not have a right to choose the Member State of their relocation, there must be taken into account their needs, preferences and specific qualifications that could be relevant for the integration of applicants into the labour market of the Member State of relocation.

Relocation procedure: when deciding which applicants should be relocated, special attention should be given to unaccompanied minors.

Parliament asked that Member States provide information about the available capacity for reception of migrants. Italy and Greece shall, with the assistance of EASO, provide applicants with information, in a language that they understand about the Member States involved in the emergency relocation. During the initial processing applicants shall be asked to rank Member States by order of preferences and to support their preference.

The person concerned shall be advised of the Member State of relocation in a comprehensive manner and in a language that the applicant understands or, if the applicants preferences are not taken into account, of the reasons for that decision.

In principle, the applicant must give his or her consent to the relocation to a Member State.

Operational support for Italy and Greece: Parliament specified support must include the initial processing of the applications, including the identification of vulnerabilities and preferences, for the purpose of identifying potential applicants for relocation and the screening of applicants, including their clear identification, fingerprinting and registration of the applications for international protection. The transfer costs to the Member State of relocation should not be an additional burden to Greece and Italy.

Evaluation: by July 2016 the Commission shall submit a mid-term evaluation on the application of the Decision and, where appropriate, shall propose the necessary recommendations for a permanent relocation mechanism, including in perspective of the announced Dublin fitness check.

The Commission shall submit a final evaluation report on the application of the Decision 30 months after its entry into force.

Statement by the European Parliament: Parliament urges the Commission to table a legislative proposal on a permanent relocation scheme based on Article 78(2) and Article 80 by the end of 2015, as announced by the Commission in its European Agenda on Migration.

Parliament reserves its right to prepare a legislative own-initiative report in case the Commission does not come forward with such a legislative proposal in due time.