

Provisional measures in the area of international protection for the benefit of Italy and Greece: relocation of applicants

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PURPOSE: to amend Council Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND : the Council adopted two Decisions establishing provisional measures in the area of international protection for the benefit of Italy and Greece:

- under [Council Decision \(EU\) 2015/1523](#), 40 000 applicants for international protection are to be relocated from Italy and Greece to the other Member States;
- under [Council Decision \(EU\) 2015/1601](#), 120 000 applicants for international protection are to be relocated from Italy and Greece to other Member States.

In accordance with Decision (EU) 2015/1601, from 26 September 2016, **54 000 applicants are to be relocated from Italy and Greece** to the territory of other Member States, unless, by that date the Commission makes a proposal to allocate them to a particular beneficiary Member State confronted with an emergency situation characterised by a sudden inflow of persons.

With the aim of ending irregular migration from Turkey to the EU, on 18 March 2016, **the EU and Turkey agreed on a number of action points**, including to resettle, for every Syrian readmitted by Turkey from Greek islands, another Syrian from Turkey to the Member States, within the framework of the existing commitments.

Resettlement under that mechanism will take place, in the first instance, by honouring the commitments taken by Member States in **the conclusions of Representatives of the Governments of Member States meeting within the Council on 20 July 2015**.

Resettlement, humanitarian admission or other forms of legal admission from Turkey under national and multilateral schemes can be expected to relieve the migratory pressure on Member States which are beneficiaries of relocation under Decision (EU) 2015/1601 by providing a legal and safe pathway to enter the Union and by discouraging irregular entries.

Therefore, the solidarity efforts of Member States consisting in voluntarily admitting to their territory Syrian nationals present in Turkey who are in clear need of international protection should be taken into account in relation to the 54 000 applicants for international protection referred to above. **The number of persons so admitted from Turkey by a Member State should be deducted from the number of persons** to be relocated to that Member State under Decision (EU) 2015/1601 in relation to those 54 000 applicants

Therefore, a Member State which chooses to meet its obligations under Decision (EU) 2015/1601 by admitting Syrians present in Turkey through resettlement, should not be able to count that effort as constituting part of its commitment under the 20 July 2015 resettlement scheme.

CONTENT: in relation to the relocation of 54 000 applicants referred to in point (c) of paragraph 1, of Decision (EU) 2015/1601, the amendment proposed by the Council would allow Member States to **choose to meet their obligation** by admitting to their territory Syrian nationals present in Turkey under national or multilateral legal admission schemes for persons in clear need of international protection, other than the resettlement scheme which was the subject of the Conclusions of the Representatives of the Governments of the Member States meeting within the Council of 20 July 2015.

The number of persons so admitted by a Member State shall lead to a corresponding reduction of the obligation of the respective Member State.

To ensure a proper monitoring of the situation, a Member State should, once it chooses to use this option, **report on a monthly basis to the Commission** on Syrians present in Turkey admitted to its territory under the option provided for in this amendment specifying under which scheme, national or multilateral, the person has been admitted and the form of legal admission.