

# EU resettlement framework

2016/0225(COD) - 10/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 452 votes to 154, with 14 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows:

## *Subject matter*

The proposed Regulation establishes:

- a **Union Resettlement and Humanitarian Admission Framework** for the admission of third-country nationals or stateless persons to the territory of the Member States with a view to granting them international protection; or humanitarian status under national law which provides for rights and obligations equivalent to those for beneficiaries of subsidiary protection; and
- **rules on the admission**, by means of resettlement or humanitarian admission, of third-country nationals or stateless persons to the territory of the Member States for the purpose of implementing this Regulation.

This Regulation does not establish a right of third-country nationals or stateless persons to request admission, or to be admitted, to the territory of a Member State. It does not impose an obligation on Member States to admit a third-country national or a stateless person.

Member States should contribute to the Union Resettlement and Humanitarian Admission Plan on a **voluntary basis**.

This Regulation is based on the full and inclusive application of the United Nations Convention Relating to the Status of Refugees of 28 July 1951, as supplemented by the New York Protocol of 31 January 1967 (the 'Geneva Convention').

## *Union Resettlement and Humanitarian Admission Framework*

The Union Framework should:

- provide for the **legal and safe arrival** to the territory of a Member State of third-country nationals or stateless persons who are eligible for admission;
- contribute to increasing the Union's contribution to **international resettlement and humanitarian admission initiatives** with a view to increasing the overall number of available places for resettlement and humanitarian admission;
- contribute to strengthening the **Union's partnerships with third countries** in regions to which a large number of persons in need of international protection has been displaced.

The determination of the regions or third countries from which Union resettlement or humanitarian admission occurs should primarily have as a basis: (a) the UNHCR Projected Global Resettlement Needs; (b) the scope for improving the protection environment and increasing the protection space in third

countries; (c) the scale and content of commitments to resettlement or humanitarian admission undertaken by third countries with a view to collectively contributing to meeting the UNHCR Global Resettlement Needs.

### *Eligibility for admission*

The Regulation defines a common procedure, as well as common eligibility criteria and grounds for refusal of admission, and common principles regarding the status to be granted to persons admitted.

To be eligible for admission, a third-country national or stateless person should also fall within at least one of the following categories: women and girls at risk; persons with legal and/or physical protection needs, including as regards protection from refoulement; victims of violence or torture, unaccompanied minors, persons with medical needs or persons with disabilities or persons in a protracted refugee situation.

In order to ensure **family unity**, all family members in relation to whom a Member State intends to conduct an admission procedure, who are eligible and who do not fall under the grounds for refusal should, as a rule and to the extent possible, be **admitted together**. Should this not be possible, family members not admitted together should be admitted as soon as possible at a later stage.

Admission may be refused to: (a) persons who, during the three years before admission, have not given or have withdrawn consent to be admitted to a particular Member State; (b) persons who have committed one or more crimes which would be punishable with a maximum sentence of at least one year of imprisonment had they been committed in the Member State examining the admission file, unless the prosecution or the punishment would have been statutebarred.

The admission procedure should apply to third-country nationals or stateless persons who have given their **consent** to be admitted and who have not subsequently withdrawn their consent.

### *Common procedure*

An admission procedure consists of the following stages: referral, where applicable, identification, registration, assessment and a conclusion on admission, as well as, in the case of resettlement, a decision on granting international protection or, in the case of humanitarian admission, a decision on granting international protection or humanitarian status under national law. A positive conclusion on admission means that a person in relation to whom an admission procedure has been carried out for the purpose of resettlement or humanitarian admission has been accepted for admission by the Member State that reached that conclusion. In the case of an emergency admission, the assessment of the admission requirements established under this Regulation should be accelerated.

### *Union Resettlement and Humanitarian Admission Plan*

Based on a proposal from the Commission, the Council should adopt, by means of an implementing act, a two-year Union Resettlement and Humanitarian Admission Plan (Union Plan) in the year before the **two-year period** in which it is to be implemented. The Commission should inform the European Parliament of its proposed draft Union Plan without delay, and the Council should keep the European Parliament regularly informed of progress relating to the adoption of the Union Plan.

The Union Plan should include: (a) the total number of persons to be admitted to the territory of the Member States, the proportion of persons subject to resettlement being not less than approximately 60 % of the total number of persons to be admitted; (b) details about the participation of the Member States and their contributions to the total number of persons to be admitted and the proportion of the persons who are to be subject to resettlement, to humanitarian admission and to emergency admission.