Basic information

2012/2032(INI) INI - Own-initiative procedure	Procedure completed
Enhanced intra-EU solidarity in the field of asylum **Subject** 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	TRIANTAPHYLLIDES Kyriacos (GUE/NGL)	27/02/2012
	Shadow rapporteur HOHLMEIER Monika (PPE) GUILLAUME Sylvie (S&D) ROMEVA I RUEDA Raül (Verts/ALE)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	ROMERO LÓPEZ Carmen (S&D)	24/04/2012
DEVE Development	The committee decided not to give an opinion.	
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Migration and Home Affairs	MALMSTRÖM Cecilia

Key events

Date	Event	Reference	Summary
		COM(2011)0835	Summary

02/12/2011	Non-legislative basic document published		
15/03/2012	Committee referral announced in Parliament		
10/07/2012	Vote in committee		
19/07/2012	Committee report tabled for plenary	A7-0248/2012	Summary
10/09/2012	Debate in Parliament		
11/09/2012	Decision by Parliament	T7-0310/2012	Summary
11/09/2012	Results of vote in Parliament		
11/09/2012	End of procedure in Parliament		

Technical information	
Procedure reference	2012/2032(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/08916

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE489.453	23/05/2012	
Amendments tabled in committee		PE491.135	07/06/2012	
Committee report tabled for plenary, single reading		A7-0248/2012	19/07/2012	Summary
Text adopted by Parliament, single reading		T7-0310/2012	11/09/2012	Summary

European Commission

Document type	Reference	Date	Summary
Commission document (COM)	COM(2011)0835	02/12/2011	Summary
Commission response to text adopted in plenary	SP(2012)766	19/12/2012	

Enhanced intra-EU solidarity in the field of asylum

2012/2032(INI) - 02/12/2011 - Non-legislative basic document

PURPOSE: to enhance intra-EU solidarity in the field of asylum.

BACKGROUND: solidarity is one of the fundamental values of the European Union and has been a guiding principle of the common European asylum policy since the start of its development in 1999. It is now enshrined in Article 80 of the Treaty on the Functioning of the European Union.

Solidarity has been recognised as an essential component of the Common European Asylum System (CEAS) since the outset. The need to translate solidarity into concrete measures flows from practical realities since the asylum systems of all Member States are interdependent. An overburdened or malfunctioning system in one Member State has a clear impact on all the others, including through secondary movements. Asylum flows are not constant, nor are they evenly distributed across the EU. They have varied from a peak of 425 000 applications for EU-27 States in 2001 down to under 200 000 in 2006, with a large increase expected this year.

Increased asylum flows can stretch the capacity of some Member States to cope. It is fundamental to increase trust to strengthen solidarity. Implementing the principle of solidarity requires a real commitment by Member States. The tough economic situation for the EU and its Member States makes this even more demanding.

The EU has already developed a series of solidarity tools that constitute a solid basis.

To this end, the Commission proposes reinforcing intra-EU solidarity on asylum around four axes:

- practical cooperation and technical assistance,
- financial solidarity,
- allocation of responsibilities,
- improving tools for governance of the asylum system.

CONTENT: many practical cooperation measures have been undertaken in recent years, latest through the creation of the European Asylum Support Office (EASO), which will further strengthen practical cooperation in the field of asylum.

(1) Strengthen the European Asylum Support Office (EASO): the EASO will further strengthen practical cooperation in the field of asylum. The support office will ensure that practical cooperation can become a major supporting pillar to the asylum system of the Union. The impact of the EASO will depend on the Member States' willingness to use the possibilities it offers and on their commitment to engage in such collaboration. Being able to deploy EASO Asylum Support Teams based on operating plans in requesting Member States will be a new asset for solidarity in the field of asylum. Other operational measures are envisaged in this context, and in coordination with Frontex and Europol.

During the recent events in the Mediterranean (Arab Spring and the war in Libya), the Commission examined the possibility of using the Union's Civil Protection Mechanism to assist Member States facing exceptional migration flows that overwhelm national response capacities:

- Member States to contribute to EASO's activities and assets and make best use of EASO mutual tools;
- Member States to set in early 2012 a quantitative target for their asylum officials to be trained using the European Asylum Curriculum by 2014;
- EASO to provide technical support to Member States in fully implementing the asylum legislation;
- EASO to review in 2012 procedures that will facilitate the secondment of officials to help Member States facing particular pressures on their asylum systems, and to create a pool of experts, case handlers and interpreters that can be mobilised at short notice in crisis situations.;
- EASO to improve the efficiency of deployment of experts by evaluating Operating Plan methodology and the initial experience of Asylum Support Teams in Greece;
- The Commission to evaluate in 2013 the EASO's impact on practical cooperation on asylum and on the CEAS and to propose possible additional measures deemed necessary to ensure effective solidarity and sharing of responsibilities;
- The EASO and Frontex to agree in 2012 clear cooperation arrangements to maximise analysis, technical assistance and deployment of means and experts to improve EU's capacity to act in emergency situations.

(2) Enhancing the added value of financial solidarity instrument: the Commission should maximise the use of the European Refugee Fund until 2013. From 2014, Member States will have a new Asylum and Migration Fund (**AMF**) at their disposal. This shall make a number of important evolutionary improvements that should help achieve EU policy objectives and generate more significant EU added value (please refer to COM(2011)0751 for details of the proposal).

Key action points to financial solidarity are the following:

- Member States to make **best use of the ERF 2011, 2012, 2013 programmes**, including the emergency measures;
- in 2013, programming must be more strategically used, e.g. to support transposition and implementation of legislation adopted within the framework of the 2012 asylum package;
- co-legislators to agree quickly on the **MFF specific instruments** supporting asylum policy;
- Member States to ensure coordination and **complementarity** with **other EU financial instruments** to enhance their capacity to manage asylum flows;

(3) Allocation of responsibilities: a number of measures are proposed:

a. The Dublin Regulation needs reform: the objective of the Dublin Regulation, to assign responsibility for each asylum seeker to a Member State, remains at the core of the CEAS. However, the evolving case-law has posed fundamental questions about how to effectively operate the Dublin system in all circumstances and to ensure that measures taken in the application of the Dublin Regulation fully respect fundamental rights. In order to safeguard its integrity, **improvements must be made to the Dublin system's efficiency** and the level of safeguards for applicants. Negotiations on the Commission's 2008 proposal revealed the **need to enhance mutual trust in the Dublin system**. One of the solutions could be to step up monitoring and problem resolution measures to intervene at earlier stages with evaluation and early warning devices. This should now be given priority in the last phase of the negotiations with a view to meeting the 2012 deadline.

b. Further developing relocation of beneficiaries of international protection: relocation consists of transferring beneficiaries or applicants for international protection from one Member State to another, with the receiving Member State assuming responsibility for examining the application or for integration measures. The idea of relocating applicants for international protection before their protection needs are assessed is contentious. Many questions remain as to how such action would interface with the Dublin system, its practical usefulness and cost-effectiveness compared to other forms of solidarity, and the impact on applicants themselves.

The Commission does not consider it useful to propose an EU mechanism for relocating applicants for international protection for the moment. Such co-financing could also be useful in an emergency. By contrast, there is a consensus that relocating beneficiaries of international protection can be both useful and appropriate. In June 2009, the Commission proposed an EU-wide pilot, the EUREMA (EU Relocation Malta Project), co-financed by the ERF. The pilot project was an important experience for all actors involved. During the project, Member States were creative in finding solutions to many legal and practical issues concerning, for example, granting appropriate status or effective integration measures. The Commission has strongly supported relocation by initiating and driving the pilot project. Based on the experience of the two phases of the project, and taking into account the EASO's future support for relocation activities, the Commission will propose a **voluntary**, permanent scheme, subject to a further impact assessment. It would allow Member States to request assistance through relocation, including in an emergency.

c. Joint processing of applications on the Union's territory: there are many aspects of joint processing that need to be clarified. The essential questions include an assessment of the type of situations where joint processing could be useful. Legal and administrative issues to be considered include compatibility with EU law, legal basis in the Treaties, the question of effective remedy, the status of persons subject to joint processing, who would have the competence to take decisions, the link to transfer of protection and/or mutual recognition of asylum decisions, and reconciliation with the Dublin system. **Joint processing on the Union's territory could become a useful solidarity tool**. It could assist Member States under pressure in reducing backlogs of cases, thus accompanying the Dublin system. It could be a way of disseminating best practice and sharing techniques, again with a view to harmonising asylum systems by increasing trust in each others' asylum systems. The Commission will launch a study to consider these questions in depth. The outcome could be available at the end of 2012.

(4) Ensuring adequate allocation of responsibility in exceptional circumstances: apart from the emergency component of a future permanent relocation scheme, in the event of a mass influx of displaced persons, the Commission will always consider activating the mechanism of the Temporary Protection Directive when the conditions are met. This Directive is a useful tool in an exceptional situation. The events of 2011 in the Southern Mediterranean have not led to an influx of persons into the EU of a comparable scale. Large numbers of asylum seekers and irregular migrants arriving at the EU's southern external border often give rise to search and rescue situations. Member States are bound by obligations under international law to assist any person in distress at sea and to ensure disembarkation in a place of safety as soon as possible. The principle of *non-refoulement* must be fully respected. These obligations also apply to third countries of departure. The Commission encourages Member States to ensure the closest possible cooperation and coordination between them in meeting their obligations.

In this context, the following is proposed:

- co-legislators to speed up negotiations to reform the Dublin Regulation to meet the 2012 deadline and the Commission should launch a 'fitness check' of the Dublin Regulation in
- 2014;
- the Commission to propose in 2012 a **voluntary, permanent relocation scheme for beneficiaries of international protection**;
- the Commission to launch a study on the feasibility and legal and practical implications to establish joint processing of asylum applications, as foreseen in the Stockholm Programme, for results before the end of 2012.

(5) Renewed governance system: following allegations that Greece had not implemented the EU asylum legislation correctly and certain aspects of its asylum system were very poor, including inhumane conditions at detention centres, the Commission launched an infringement procedure against Greece in 2009. However, the Commission recognised that it was necessary to provide various forms of assistance to Greece to improve the situation, given the humanitarian aspect of asylum. It also helped Greece develop a National Action Plan on Asylum and Migration Management. It coordinated assistance by experts from other Member States. It also provided ERF emergency funding, complemented by other sources of EU financial support.

a. Strengthening the resilience of the Dublin system: the Commission, the European Parliament and the Member States have recently discussed how to ensure the proper functioning of the asylum systems of all Member States and how to detect and address emerging problems before they lead to crises and infringement proceedings. The idea of an evaluation and early warning mechanism seems to present a way forward. In practice, an evaluation and early warning process could cover different aspects of governance of each Member State's asylum system. The Commission believes that such a process could substantially improve mutual trust between Member States and with civil society organisations that are often critical of the Dublin system.

b. Building mutual trust through other areas of migration management: although the objectives of each migration-related policy are different, better migration management in the form of better border management and **visa policy can also have a positive impact** on improving mutual trust between Member States in asylum matters. The Commission proposed a number of changes to Schengen governance on 16 September 2011, aimed at safeguarding freedom of movement by improving mutual trust among Member States. The proposals would improve the common management of Schengen by revising the Schengen evaluation mechanism.

On visa policy, one of the amendments to the Visa Regulation may also contribute to the efficiency of Member States' asylum systems. The introduction of a **visa safeguard clause**, as a last-resort measure, would make it possible to suspend visa-free movement from a third country where there is evidence that it has led, *inter alia,* to abuse of the asylum system. This mechanism would in particular allow the Union to maintain a balance between better managing the movement of third-country nationals and ensuring that visa-free travel does not lead to irregularities or abuse.

Key action points are proposed:

- Member States to implement EU law and the Commission to evaluate regularly and pursue infringements;

- Greece to actively pursue implementation of its Action Plan, making full use of the available solidarity measures, to meet every deadline set in the Plan;
- co-legislators to finalise negotiations on the Dublin Regulation with reinforced provisions to support mutual trust between Member States and early warning to detect early problems;
- co-legislators to approve the Schengen package to improve the governance of border management;
- co-legislators to approve the amendment to the Visa Regulation proposed by the Commission on 24 May 2011.

Enhanced intra-EU solidarity in the field of asylum

2012/2032(INI) - 19/07/2012 - Committee report tabled for plenary, single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by de Kyriacos TRIANTAPHYLLIDES (GUE/NGL, CY) on enhanced intra-EU solidarity in the field of asylum, in response to a communication from the Commission on the same subject.

Members recall that the European Union has committed itself to completing the establishment of a Common European Asylum System (CEAS) in 2012, a system in which solidarity has been recognised as an essential component. They nevertheless consider that **solidarity must go hand in hand with responsibility**.

In this context, they welcome the objectives and principles underlying the Commission's communication and recall that the principles of solidarity and responsibility-sharing are enshrined in the Treaties.An effective solidarity framework includes, at the least, the duty on the part of the EU institutions and agencies and the Member States to **cooperate** in order to find ways to give effect to this principle. In their view, solidarity is not limited to Member States' relations with each other, but is also aimed at asylum seekers and beneficiaries of international protection.

Uneven distribution of asylum in Europe: Members underline the fact that while the number of asylum seekers increased during 2011, the last decade has seen **a significant overall decrease in the number of asylum applications in the EU**. Certain Member States face a disproportionate number of asylum requests compared to others, owing to various factors including their geographical characteristics, and that asylum applications are unevenly spread across the EU (in 2011, ten Member States accounted for more than 90 % of asylum applications). In this context, **the Member States most affected by asylum applications must have greater assistance from the EU, both administratively and financially**.

Members call:

- on Member States to ensure that fair and efficient asylum systems are put in place in order to respond to varying asylum flows; in this way, specific entry points at the EU's external borders which constitute 'hot spots' should be prepared to receive a large number of applications;
- on all Member States to meet their obligation to fully implement and apply both EU law and their international obligations on asylum;
- for the optimisation of the use of existing measures, as well as for the development of new targeted measures and tools in order to respond to ever-changing challenges in a flexible yet effective manner;
- for greater cooperation with third countries;
- for the improved collection, analysis and comparison of data, if possible, broken down by gender, in order to monitor and evaluate measures to be taken;
- on Member States to undertake awareness-raising campaigns on xenophobia and racism.

Practical cooperation and technical assistance: Members welcome the establishment of the European Asylum Support Office (EASO) the basic role of which is to coordinate and support the joint action of Member States whose asylum systems and reception facilities are subject to particular pressure. They recall nevertheless that the impact of EASO will depend on the willingness of Member States to make full use of its potential. They therefore call on the EASO to optimise its available resources by focusing its activities on both long-term preventive objectives and short-term reactive measures. In Members' view, the EASO should, above all, support capacity-building measures for underdeveloped or dysfunctional asylum systems, and give priority to emergency situations and to Member States facing particular or disproportionate pressures.

The specific situation of Greece:

Members highlight the extremely difficult situation in Greece in regard to asylum where additional efforts are needed to improve the asylum system and ensure that asylum seekers' rights are respected in full. They recall that measures to reduce the budget deficit preclude allocating national funds to hire more officials. A solution must be found to enable Greece to fulfil its obligations in this regard.

Financial solidarity: Members encourage Member States to make full use of the possibilities available under the **European Refugee Fund** (ERF) in terms of undertaking targeted actions for the improvement of asylum systems. They welcome the creation, as from 2014, of a simpler and more flexible Asylum and Migration Fund (AMF), which will replace the current funds.

As regards the AMF, Members stress the importance of:

- **allocating sufficient resources to support the protection of beneficiaries of international protection and asylum seekers**;
- including safeguards within the AMF, in order **to prevent excessive allocation of funds to only one policy area at the expense of the CEAS as a whole**;
- allocating sufficient resources for **border protection** in order to achieve greater solidarity in this area;
- being **sufficiently flexible and easy** to mobilise as well as offering rapid access, in order to be able to respond rapidly and appropriately to unforeseen pressures or emergency situations affecting one or several Member States;
- reserving a certain percentage of the AMF's budget for measures aimed at helping Member States to fully implement and apply the existing EU asylum acquis and to adhere to all international obligations in this field.

There should always be sufficient resources to fund international protection and solidarity measures for Member States.

With regard to the **allocation of financial responsibility-sharing in the field of asylum**, Members recommend creating a well-resourced mechanism for **receiving larger numbers of asylum seekers and beneficiaries of international protection, in either absolute or proportional terms**, and for helping those Member States with less developed asylum systems. They also recommend that the Member States define their priority areas to address urgent situations and that more substantial financial assistance is provided to Member States wishing to participate in relocation initiatives, in order to alleviate the related financial costs. They stress the importance of strict oversight with regard to the funds' use and management in order to avoid the misallocation of human and financial resources and guarantee compliance with the objectives established. They urge the full exploitation of existing complementarities between other available financial instruments such as the European Social Fund and other Structural Funds, in order to achieve a holistic funding approach for asylum-related policies.

Allocation of responsibilities: Members consider that the Dublin Regulation, which governs the allocation of responsibility for asylum applications, **places a disproportionate burden on Member States constituting entry points into the EU, and does not foresee for a fair distribution of asylum responsibility among Member States**. Generally speaking, this Regulation has led to the unequal treatment of asylum seekers while also having an adverse impact on family reunification and integration. They call on the Commission and the Member States to ensure that asylum-seekers who are returned to a Member State on the basis of the Dublin II Regulation are not discriminated against for the sole reason of being Dublin II transferees. Overall, Members believe that discussions for the determination of the Member State responsible must take account of the fact that some Member States are already facing disproportionate pressures and some asylum systems are partially or fully dysfunctional.

Joint processing of asylum applications: Members deem it essential to engage in further dialogue with regard to responsibility-sharing towards asylum seekers and beneficiaries of international protection, including on the use of tools such as the joint processing of asylum applications and relocation schemes. In their view, a policy of **joint processing could constitute a valuable tool for solidarity and responsibility-sharing** in various cases, in particular where Member States face significant or sudden influxes of asylum seekers or there is a substantial backlog of applications which delays and undermines the asylum procedure at the expense of asylum applicants.

Joint processing could:

- prevent or rectify capacity problems,
- reduce the burdens and costs related to asylum processing,
- expedite the processing time of claims and
- ensure a more equitable sharing of responsibility for the processing of asylum applications.

Members note that joint processing does not necessarily entail a common decision, but could involve support and common processing with respect to other aspects of the asylum procedure, such as identification, preparation of first-instance procedures, interviews, or assessment of the political situation in the country of origin. A joint processing scheme should offer added value with respect to the quality of the decision-making process, ensuring and facilitating fair, efficient and rapid procedures, as well as fully respect the rights of applicants and contain strong guarantees to that end.

Relocation of beneficiaries of international protection and asylum seekers: Members stress that, under certain conditions, the physical relocation of beneficiaries of international protection and asylum seekers is one of the most concrete forms of solidarity and can make a significant contribution to a more equitable CEAS. They also emphasise that while it also represents a solid expression of commitment to international protection and the promotion of human rights, so far few Member States have engaged in relocation initiatives. In this regard, they highlight the importance of projects such as the European Union's Relocation Project for Malta (EUREMA) and its extension, under which beneficiaries of international protection have been, and are being, relocated from Malta to other Member States.

Regretting that this project has not been as successful as expected because Member States were reluctant to participate, they call on the Commission to take into consideration, in its legislative proposal for a permanent and effective intra-EU Relocation Mechanism, the use of an **EU Distribution Key** for the relocation of beneficiaries of international protection, based on appropriate indicators relating to Member States' reception and integration capacities, such as Member States' GDP, population and surface area and beneficiaries' best interest and integration prospects. This EU Distribution Key could be taken into account for Member States which are facing specific and disproportionate pressures on their national asylum systems or during emergency situations.

Members underline that while relocation can both offer lasting solutions for beneficiaries of international protection and alleviate Member States' asylum systems, it must not result in responsibility-shifting.

Mutual trust at the heart of a renewed governance system: Members insist that mutual trust is based on a shared understanding of responsibilities and stress the importance of laying solid foundations for mutual trust among Member States, since this is quintessentially linked to the development of the CEAS.

They underline that: i) while compliance with international protection obligations enhances mutual trust, this does not necessarily result in a uniform application of rules; ii) early warning mechanisms introduced to detect and address emerging problems before they lead to crises can constitute a valuable tool in the field of asylum; iii) infringement proceedings should be more readily used to draw attention to Member States' responsibilities and their failure to adhere to the existing asylum acquis.

Lastly, Members call on the Commission to submit a communication on a framework for the transfer of protection of beneficiaries of international protection and mutual recognition of asylum decisions by 2014. They await the adoption of the Commission's 'Communication on new approaches concerning access to asylum procedures targeting main transit countries' by 2013.

Enhanced intra-EU solidarity in the field of asylum

2012/2032(INI) - 11/09/2012 - Text adopted by Parliament, single reading

The European Parliament adopted by 584 votes to 41, with 54 abstentions, a resolution on enhanced intra-EU solidarity in the field of asylum, in response to a communication from the Commission on the same subject.

Parliament recalls that the European Union has committed itself to completing the establishment of a Common European Asylum System (CEAS) in 2012, a system in which solidarity has been recognised as an essential component. It nevertheless considers that **solidarity must go hand in hand with responsibility**. In this context, it welcomes the objectives and principles underlying the Commission's communication and recalls that the principles of solidarity and responsibility-sharing are enshrined in the Treaties. An effective solidarity framework includes, at the least, the duty on the part of the EU institutions and agencies and the Member States to **cooperate** in order to find ways to give effect to this principle. In its view, solidarity is not limited to Member States' relations with each other, but is also aimed at asylum seekers and beneficiaries of international protection.

Uneven distribution of asylum in Europe: Parliament underlines the fact that while the number of asylum seekers increased during 2011, **the last decade has seen a significant overall decrease in the number of asylum applications in the EU**. Certain Member States face a disproportionate number of asylum requests compared to others, owing to various factors including their geographical characteristics, and that asylum applications are unevenly spread across the EU (in 2011, ten Member States accounted for more than 90% of asylum applications). In this context, **the Member States most affected by asylum applications must have greater assistance from the EU, both administratively and financially**.

Parliament calls:

- on Member States to ensure that fair and efficient asylum systems are put in place in order to respond to varying asylum flows; in this way, specific entry points at the EU's external borders which constitute 'hot spots' should be prepared to receive a large number of applications;
- on all Member States to meet their obligation to fully implement and apply both EU law and their international obligations on asylum;
- for the optimisation of the use of existing measures, as well as for the development of new targeted measures and tools in order to respond to ever-changing challenges in a flexible yet effective manner;
- for greater cooperation with third countries;
- for the improved collection, analysis and comparison of data, if possible, broken down by gender, in order to monitor and evaluate measures to be taken;
- on Member States to undertake awareness-raising campaigns on xenophobia and racism.

European Asylum Support Office (EASO): Parliament welcomes the establishment of the European Asylum Support Office (EASO) the basic role of which is to coordinate and support the joint action of Member States whose asylum systems and reception facilities are subject to particular pressure. It recalls, nevertheless, that **the impact of EASO will depend on the willingness of Member States to make full use of its potential**. It therefore calls on the EASO to optimise its available resources by focusing its activities on both long-term preventive objectives and short-term reactive measures. In its view, the EASO should, above all, support capacity-building measures for underdeveloped or dysfunctional asylum systems, and give priority to emergency situations and to Member States facing particular or disproportionate pressures.

The specific situation of Greece: Parliament highlights the extremely difficult situation in Greece in regard to asylum where additional efforts are needed to improve the asylum system and ensure that asylum seekers' rights are respected in full. It recalls that measures to reduce the budget deficit preclude allocating national funds to hire more officials. A solution must be found to enable Greece to fulfil its obligations in this regard.

Financial solidarity: Parliament encourages Member States to make full use of the possibilities available under the **European Refugee Fund (ERF)** in terms of undertaking targeted actions for the improvement of asylum systems. It welcomes the creation, as from 2014, of a simpler and more flexible Asylum and Migration Fund (AMF), which will replace the current funds.

As regards the AMF, Parliament stresses the importance of:

- a**llocating sufficient resources to support the protection of beneficiaries of international protection and asylum seekers**;
- including safeguards within the AMF, **in order to prevent excessive allocation of funds to only one policy area at the expense of the CEAS as a whole**;
- allocating sufficient resources for **border protection** in order to achieve greater solidarity in this area;
- being sufficiently **flexible and easy to mobilise** as well as offering rapid access, in order to be able to respond rapidly and appropriately to unforeseen pressures or emergency situations affecting one or several Member States;
- reserving a certain percentage of the AMF's budget for measures aimed at helping Member States to fully implement and apply the existing EU asylum acquis and to adhere to all international obligations in this field.

There should always be sufficient resources to fund international protection and solidarity measures for Member States.

With regard to the allocation of financial responsibility-sharing in the field of asylum, Parliament recommends creating a well-resourced mechanism for **receiving larger numbers of asylum seekers and beneficiaries of international protection, in either absolute or proportional terms**, and for helping those Member States with less developed asylum systems. It also recommends that the Member States define their priority areas to address urgent situations and that more substantial financial assistance is provided to Member States wishing to participate in relocation initiatives, in order to alleviate the related financial costs. It stresses the importance of strict oversight with regard to the funds' use and management in order to avoid the

misallocation of human and financial resources and guarantee compliance with the objectives established. It urges the full exploitation of existing complementarities between other available financial instruments such as the European Social Fund and other Structural Funds, in order to achieve a holistic funding approach for asylum-related policies.

Allocation of responsibilities: Parliament considers that the Dublin Regulation, which governs the allocation of responsibility for asylum applications, **places a disproportionate burden on Member States constituting entry points into the EU, and does not provide for a fair distribution of asylum responsibility among Member States**. Generally speaking, this Regulation has led to the unequal treatment of asylum seekers while also having an adverse impact on family reunification and integration. It calls on the Commission and the Member States to ensure that asylum-seekers who are returned to a Member State on the basis of the Dublin II Regulation are not discriminated against for the sole reason of being Dublin II transferees. Overall, Parliament believes that discussions for the determination of the Member State responsible must take account of the fact that some Member States are already facing disproportionate pressures and some asylum systems are partially or fully dysfunctional.

Joint processing of asylum applications: Parliament deems it essential to engage in further dialogue with regard to responsibility-sharing towards asylum seekers and beneficiaries of international protection, including on the use of tools such as the joint processing of asylum applications and relocation schemes. In its view, a policy of **joint processing could constitute a valuable tool for solidarity and responsibility-sharing** in various cases, in particular where Member States face significant or sudden influxes of asylum seekers or there is a substantial backlog of applications which delays and undermines the asylum procedure at the expense of asylum applicants.

Joint processing could:

- prevent or rectify capacity problems,
- reduce the burdens and costs related to asylum processing,
- expedite the processing time of claims and
- ensure a more equitable sharing of responsibility for the processing of asylum applications.

Parliament welcomes the feasibility study launched by the Commission to investigate the legal and practical implications of joint processing on Union territory, since clarification is needed with respect to a series of issues. It notes that joint processing does not necessarily entail a common decision, but could involve support and common processing with respect to other aspects of the asylum procedure, such as identification, preparation of first-instance procedures, interviews, or assessment of the political situation in the country of origin. A joint processing scheme should offer added value with respect to the quality of the decision-making process, ensuring and facilitating fair, efficient and rapid procedures, as well as fully respect the rights of applicants and contain strong guarantees to that end.

Relocation of beneficiaries of international protection and asylum seekers: Parliament stresses that, under certain conditions, the physical relocation of beneficiaries of international protection and asylum seekers is one of the most concrete forms of solidarity and can make a significant contribution to a more equitable CEAS. It also emphasises that while it also represents a solid expression of commitment to international protection and the promotion of human rights, so far, few Member States have engaged in relocation initiatives. In this regard, it highlights the importance of projects such as the European Union‘s Relocation Project for Malta (EUREMA) and its extension, under which beneficiaries of international protection have been, and are being, relocated from Malta to other Member States.

Regretting that this project has not been as successful as expected because Member States were reluctant to participate, it calls on the Commission to take into consideration, in its legislative proposal for a permanent and effective intra-EU Relocation Mechanism, the use of an **EU Distribution Key** for the relocation of beneficiaries of international protection, based on appropriate indicators relating to Member States‘ reception and integration capacities, such as Member States‘ GDP, population and surface area and beneficiaries‘ best interest and integration prospects. This EU Distribution Key could be taken into account for Member States which are facing specific and disproportionate pressures on their national asylum systems or during emergency situations.

Parliament underlines that, while relocation can both offer lasting solutions for beneficiaries of international protection and alleviate Member States’ asylum systems, it must not result in responsibility-shifting.

Lastly, Parliament calls on the Commission to submit a communication on a framework for the transfer of protection of beneficiaries of international protection and mutual recognition of asylum decisions by 2014. It awaits the adoption of the Commission‘s ‘Communication on new approaches concerning access to asylum procedures targeting main transit countries’ by 2013.