

Hotspots and emergency relocation State of play

SUMMARY

The year 2015 saw a record number of migrants arriving in the European Union: Frontex reports that 1.83 million irregular border crossings were detected at the EU's external borders, 1.04 million of them in Greece and Italy. According to Eurostat, 1.29 million asylum applications were lodged in the EU in 2015. Based on the current Dublin system, applicants' first country of entry is responsible for processing their asylum claims. This puts enormous pressure on frontline states.

The Commission's communication on a European Agenda on Migration includes a proposal for a temporary emergency relocation mechanism to relieve the pressure on overburdened states. In parallel, the Commission has launched a 'hotspot' approach to provide assistance along specific sections of the border, characterised by 'disproportionate mixed migratory flows'. The approach entails temporary intervention by EU agencies such as Frontex, the European Asylum Support Office (EASO) and Europol to help national authorities guide asylum-seekers towards asylum procedures and irregular migrants towards return procedures.

Eleven such hotspots had been identified as of February 2016: six in Italy and five in Greece. Currently only three are fully operational. Although work on the hotspot approach is not yet complete and the relocation process only began in October 2015, stakeholders have already pointed to several shortcomings in how they currently operate. Parliament has insisted that the hotspot approach should not undermine the fundamental rights of any persons, refugees or otherwise, arriving at Europe's shores.



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Glossary

Hotspot: Section of the EU's external border or a region under extraordinary migratory pressure, which calls for increased and concerted support by EU agencies.

Relocation: Redistribution among Member States of persons who are already present in the EU and in clear need of international protection.

Asylum: International protection offered by a state on its territory to a third-country national threatened by persecution in his or her own country. Following a successful application, an asylum-seeker is recognised as a refugee in the meaning of the 1951 [Geneva Convention](#).

Context

In 2015, the number of migrants arriving in the European Union grew exponentially. According to the [UN Refugee Agency](#) (UNHCR), 1 015 078 people reached Europe irregularly in 2015 by crossing the Mediterranean, while a further 3 771 are believed to have drowned attempting the same journey. According to [Frontex](#), a total of 1.83 million irregular border crossings were detected at the EU's external borders in 2015, compared to 283 500 in 2014. Detections at the main entry points in Italy and Greece reached 1.04 million in 2015, or nearly five times the amount in 2014. Despite adverse weather conditions, migratory pressure remained high at the end of the year. The highest number of arrivals in the EU was recorded on the Greek islands of Lesbos, Chios and Samos.

[Eurostat](#) data indicate that 1 293 955 asylum applications were lodged in the European Union in 2015. The European Asylum Support Office ([EASO](#)) reported a 90% increase in applications on 2014, with the share of repeat applications decreasing every month since March 2015 to about 3% of the total – the lowest share recorded since 2012. The main countries of origin of applicants in EU+ countries (the 28 EU Member States as well as Norway and Switzerland) were Syria, Afghanistan, Iraq and the [Western Balkan countries](#).

While Member States retain competence for national asylum legislation, the EU has set common standards through its [Common European Asylum System](#) (CEAS). One of the pillars of the system is the [Dublin III Regulation](#), which establishes the criteria for determining which Member State is responsible for examining an asylum application. By default, the first Member State an asylum-seeker enters must process the applicant's claim for international protection. The current migratory flow is localised almost exclusively at the EU's southern borders through the Eastern Mediterranean, Central Mediterranean and Western Balkans routes. However, a large number of asylum-seekers move on to other EU countries because of family or community ties or because they believe they will enjoy better living conditions in those countries. According to [Eurostat](#), the EU Member States that receive the highest number of asylum applications in absolute terms are Germany, Hungary, Sweden, Italy and Austria.

The Commission, responding to the need to adopt a comprehensive approach to migration management, presented on 13 May 2015 its communication on the [European Agenda on Migration](#). The priority actions proposed by the Commission and [approved](#) at the informal meeting of Heads of State or Government on 23 September 2015 were intended to offer short-term relief while also helping to build a resilient system for the long term.

Operational measures to address the situation in overburdened Member States include a proposal to spread asylum applications more evenly by temporarily suspending the Dublin rules regarding persons in clear need of international protection, and relocating them to other EU Member States on the basis of a distribution key. A measure accompanying the relocation system is the hotspot approach to immediately relieve the disproportionate migratory pressures at the EU's external borders.

Hotspot approach

The Commission defines a hotspot as a section of the EU's external border 'characterised by specific and disproportionate migratory pressure, consisting of mixed migratory flows'.¹ A hotspot approach is aimed at creating a platform for EU agencies such as Frontex, EASO and Europol to intervene temporarily and cooperate in specific critical areas of frontline Member States. It is based on an assessment by both the Member State concerned and the relevant EU agency. The approach is triggered by a request from the Member State. However, if a Member State faced with significant pressure does not submit a request, the Commission can also take the initiative, proposing action on the basis of an assessment by Frontex and EASO. One of the possible indicators to be used is the degree of impact attributed to a specific section of the border under Article 9 of the [Eurosur Regulation](#).

An EU Regional Task Force (EURTF) ensures operational and administrative cooperation as part of the hotspot approach. Either Frontex or EASO is chiefly responsible for coordinating the EURTF, depending on whether the most pressing issue is the migrant flow at the border or processing asylum applications. This type of support is explicitly provided for in the regulations establishing [Frontex](#) and [EASO](#). Where the main challenge is to tackle criminal smuggling networks, [Europol](#) takes charge with the assistance of [Eurojust](#), to help national authorities investigate and prosecute more efficiently, including in cross-border situations and through the use of the [European Arrest Warrant](#).

Each EURTF is an organisational headquarters steering the work of one or more hotspot(s) within a Member State, in close cooperation with the relevant national authorities. Most of the operational activity is carried out on the ground in problematic border sections identified as hotspots.

Separate channels for asylum-seekers and irregular migrants

Because hotspots are characterised by mixed migratory flows of asylum-seekers and irregular migrants, the former are channelled to asylum processing centres, where EASO support teams help to prepare case files for the national authorities to process asylum requests. Under the CEAS, EU law provides certain guarantees, such as minimum standards for reception conditions, a face-to-face interview with each asylum-seeker, and the right to appeal against a negative decision. The asylum procedure should last no more than six months in total, but in practice the length varies significantly, not least because of differences in the duration of the appeal procedures under national law.² EU law also stipulates that asylum-seekers should have access to the labour market no later than nine months after lodging an application, but specific conditions also vary.³

Those who, following identification and individual screening interviews, are deemed not to qualify for international protection, or who do not wish to apply for asylum, will be channelled to pre-removal centres. According to guidelines in the [Return Handbook](#) published by the Commission, Member States must ensure the return of irregular

migrants. This can take the form of [assisted voluntary return](#) if the migrants are willing to cooperate, or otherwise [forced return](#) as a last resort. However, the Commission reports that the return rate is generally very low across the EU, with less than 40% of those ordered to leave actually returning. This varies from country to country but also depends on the nationality of the migrants, because some third countries are unwilling to readmit their nationals. Under international law, countries of origin are obliged to take back their nationals, but in practice not all of them do. The Commission and the European External Action Service (EEAS) have negotiated [readmission agreements](#) with third countries to make sure they stand by their commitments and accept returns.

The Commission has also tabled a [proposal](#) for a common EU [list of 'safe countries of origin'](#) comprising Western Balkan countries (Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo, Montenegro, Serbia) and Turkey. National safe-country-of-origin lists already exist, but there are discrepancies between the national lists, and some countries do not apply the concept at all. Classifying a country as safe to return to enables the asylum authorities to fast-track applications from citizens of these countries, and in case of refusal return the applicants to their home countries. The proposal is currently being [discussed](#) in the European Parliament and the Council.

Regardless of which channel the migrant is directed towards, the initial reception of any person should follow a standardised procedure. The specific steps to be taken upon arrival of migrants in border areas are summarised in the table below.

Table 1 – Procedures within the hotspot approach

Procedure	Authority responsible	
Medical screening	Member State	
Screening (identification, fingerprinting and registration in EURODAC database)	Frontex	Member State
Debriefing of migrants to gather information on routes and modus operandi, to be forwarded to Europol	Frontex	Member State
Providing information, including on asylum	EASO	Member State
Possible detention under the Return Directive of migrants to be returned	Member State	
Coordination of return of migrants who do not have a right to stay in the EU	Frontex	Member State

Source: European Commission, [Explanatory note on the 'Hotspot' approach](#), 2015.

Emergency relocation mechanism

Operational measures under the Migration Agenda include the temporary emergency relocation of persons in clear need of international protection from Italy and Greece to other EU Member States. This was considered necessary in the light of the exponentially growing demand for international protection.

The legal basis for this measure is [Article 78\(3\) TFEU](#), which enables the Council, based on a proposal by the European Commission and after consulting the European Parliament, to adopt additional measures if 'one or more Member States [are] being confronted by an emergency situation characterised by a sudden inflow of nationals of

third countries'. The exceptional character of this measure is reflected by the fact that Article 78(3) TFEU has been invoked for the first time since its addition to the Treaties in 1993,⁴ as financial assistance and operational support alone are considered insufficient to manage the unprecedented migratory pressures.

The Commission communication also refers to [Article 80 TFEU](#), which underlines the principle of solidarity and responsibility-sharing between Member States when it comes to border checks, asylum and immigration.

The initial [proposal](#) agreed upon by the [Justice and Home Affairs Council](#) on 20 July 2015 to relocate 40 000 people was followed by the Commission's [second implementation package](#) on 9 September 2015. Referring to the intensification of the migrant influx on the Central and Eastern Mediterranean routes, the Commission considered it indispensable to include an additional 120 000 persons, and proposed to add Hungary as a beneficiary of the scheme. After the Justice and Home Affairs [\(JHA\) Council of 20 July 2015](#) agreed on a draft decision establishing a temporary and exceptional [relocation mechanism](#), the Council adopted the two proposals on [14 September](#) and [22 September](#) respectively.

The Council Decision specifies that the scheme is applicable to persons arriving 'on the territory of Italy and Greece from 25 September 2015 until 26 September 2017, as well as to applicants having arrived on the territory of those Member States from 24 March 2015 onwards'. In addition, relocation is only available to asylum applicants from countries that have an EU-wide average recognition rate of 75% or higher, based on Eurostat quarterly data. According to [Eurostat](#) data for the third quarter of 2015, nationals of eight countries would be eligible for relocation: Central African Republic (85% recognition rate), Eritrea (87%), Iraq (88%), Yemen (88%), Syria (98%), Bahrain (100%), Swaziland (100%), and Trinidad and Tobago (100%).

The emergency relocation scheme applies directly to all EU Member States, except the United Kingdom, Ireland and Denmark. The first two have 'opt-in' rights under the Treaties, and on 1 March 2016 the Commission confirmed the full [participation of Ireland](#) in the mechanism. Although Denmark does not participate in decisions in this field, it has agreed to accept 1 000 refugees under the Council's second Decision. Participation is not mandatory for Schengen associated countries (Norway, Switzerland, Iceland, and Liechtenstein) but the first two have indicated their willingness to participate.

The redistribution key does not apply to Italy and Greece as beneficiary Member States. Hungary was initially also one of the beneficiaries under the second proposal, but rejected the relocation scheme and chose not to participate. During the vote, three other countries – Slovakia, Romania and the Czech Republic – opposed the plan.

On 2 December 2015, [Slovakia](#) applied to the Court of Justice of the European Union (CJEU) to annul the second decision for relocation, arguing that it infringes the principles of institutional balance, legal certainty, representative democracy and

EU Civil Protection Mechanism

The [EU Civil Protection Mechanism](#) is an additional measure designed to provide practical support to countries confronted with a crisis. It mobilises various types of in-kind assistance, including teams and equipment, shelter, medical supplies and other non-food items, as well as expertise. Established in 2001, it has received over 200 requests for assistance in various disasters ranging from the earthquake in Haiti to the conflict in Ukraine. In 2015, the mechanism was activated by five Member States: [Hungary](#), [Serbia](#), [Slovenia](#), [Croatia](#), and [Greece](#) for assistance in coping with the refugee crisis.

proportionality. The Slovak government also believes there has been a breach of essential procedural requirements and a breach of Article 78(3) TFEU. On 3 December 2015, [Hungary](#) also filed a case against the second relocation decision, claiming that Article 78(3) TFEU is not an appropriate legal basis since it does not empower the Council to adopt legislative acts. Hungary also argues that the Council breached Article 293(1) TFEU by departing from the Commission's proposal without reaching unanimity. It points out that the decision curtails the prerogatives of national parliaments as well as those of the European Parliament. However, experts have cast doubt on the likelihood of [Slovakia](#) or [Hungary](#) succeeding in the court cases.

Although Romania and the Czech Republic have confirmed they will not bring cases, the relocation plan is facing challenges from other central and eastern European countries. Poland has also called for a [review](#) of the quota system, referring to security concerns following the terrorist attacks in Paris on 13 November 2015. Furthermore, on 26 January 2016, Poland's Interior Minister, Mariusz Blaszczak, [announced](#) that Poland would veto any new relocation plan that imposed a quota of migrants to be accepted, arguing that such a plan would encourage more arrivals.

The Visegrad Four (V4) countries (the Czech Republic, Hungary, Poland and Slovakia), [reported](#) to be disappointed in having been outvoted in the second relocation decision and critical of the German-led 'open-door' refugee policy, held an extraordinary summit in Prague on 15 February 2016, which resulted in a [joint statement](#) on migration. They expressed their support for EU-level border management measures but repeated their objections to the planned permanent relocation mechanism. The meeting was timed for its impact on the [European Council](#) meeting on 18-19 February 2016.

Sweden, the EU Member State receiving the second highest number of asylum applicants per capita after Hungary, submitted a formal request on 8 December 2015 to have its obligations under the relocation plan temporarily suspended. The Commission, acknowledging the strain of the 'unique' migratory flow on the country's capacity to process asylum applications and provide adequate reception conditions, presented a [proposal](#) on 15 December 2015 for a Council Decision to suspend Sweden's participation in the relocation scheme for one year. The proposal is currently in the [Civil Liberties Committee](#) in the European Parliament. On 10 February 2016, the Commission responded to Austria's notification of 16 December 2015 by tabling another proposal to temporarily suspend the relocation of 30% of applicants allocated to Austria.

Funding

Table 2 – Financial support for Member States under AMIF and ISF

Emergency funding	AMIF emergency assistance	€162 315 885
	ISF-Borders emergency assistance	€37 122 804
Total emergency funding (AMIF + ISF assistance)		€199 438 689
Long-term funding 2014-2020	AMIF Allocation	€3 371 443 411
	ISF-Borders Allocation	€1 532 953 828
	ISF-Police Allocation	€662 000 000
Total long-term AMIF + ISF allocations		€5 566 397 239

Source: European Commission, COM(2015) 510, [Annex 8](#) (figures as of 15 January 2016).

For 2016, the Commission has mobilised emergency financial assistance of €162 million under the [Asylum, Migration and Integration Fund](#) (AMIF) and €37 million under the [Internal Security Fund](#) (ISF) Borders and Visas instrument. This emergency funding comes on top of the national AMIF and ISF programmes for all Member States, the distribution of which for 2014-2020 is set out in an annex to the Commission's 14 October 2015 communication on the state of play of the priority actions. As of January 2016, the total AMIF and ISF allocations for this period amount to €5.6 billion.

State of play

As of January 2016, 11 [hotspots](#) had been identified: six locations in Italy and five in Greece. Three are fully operational while others still require work on their facilities or await a political decision by the national authorities. The Commissioner for Migration, Home Affairs and Citizenship, Dimitris Avramopoulos, has [announced](#) that the initial deadline for setting up all hotspots by November 2015 has been extended to early 2016.

By March 2016, some 6 202 [relocation](#) places out of 160 000 had been made available by 17 Member States and 629 persons had been relocated: 328 from Italy and 301 from Greece. In the period between September and December 2015, 683 persons were [returned](#) on Frontex-coordinated return flights, the top two destination countries being Nigeria and Kosovo.

Italy

The Italian headquarters is located in Catania, Sicily. It coordinates work with other identified hotspots in three ports in Sicily – Pozzallo, Porto Empedocle and Trapani – and a fourth port in Lampedusa. The most recently established hotspots are located in Augusta and Taranto.

The [reception capacity](#) created so far consists of 500 places in Lampedusa, 400 in Trapani and 300 in all other hotspots. Frontex officers are present in four out of six hotspots (Lampedusa, Pozzallo, Taranto and Trapani), and EASO agents in three out of six (Lampedusa, Pozzallo, Trapani). The Commission [has announced](#) that reception facilities are now ready in Pozzallo and Porto Empedocle, but a political decision by the Italian authorities is still pending. The facilities in Taranto and Augusta are expected to be operational by the end of March.

According to the UN Refugee Agency ([UNHCR](#)), 153 842 migrants arrived in Italy in 2015. The Commission published a [State of Play Report](#) on 10 February 2016, observing the following developments in Italy:

- Fingerprinting rates for recent arrivals are reported to have reached almost 100% in operational hotspots (87% overall by January);
- Reception capacity (including hotspots) has been created for 93 000 asylum seekers;
- 328 persons have been relocated as of 1 March 2016;
- 14 133 persons have been forced to return, with 560 detention places created to enforce returns. Returns have been made to Egypt, Tunisia and Nigeria based on existing bilateral agreements.

Figure 3 – Identified hotspots in Italy



Source: Commission, [COM\(2015\) 510](#), Annex 5

Greece

The Greek headquarters is located in Piraeus, which hosts a centre that will receive asylum-seekers from five identified hotspots on the islands of Lesbos, Chios, Samos, Leros and Kos.

Lesbos is the only functional hotspot to date, holding the largest [reception capacity](#) with 2 709 places created in the two centres Moria and Kara Tepe. The reception capacity on other islands had also been developed by March 2016, reaching 2 250 in Chios, 650 in Samos, 330 in Leros and 290 in Kos.

Figure 4 – Identified hotspots in Greece



Source: Commission, [COM\(2015\) 510](#), Annex 4

Frontex officers are already present in all the hotspots. EASO agents are currently present in two: Lesbos and Samos. Greek Defence Minister Panos Kammenos [announced](#) on 16 February 2016 that four out of five identified hotspots had been completed. Having fallen under criticism for slow progress, the Greek authorities brought in the army to help set up the reception facilities. The fifth hotspot in Kos still remains unfinished, with local inhabitants [protesting](#) against the construction of the refugee centre.

According to [UNHCR](#), 856 723 migrants arrived in Greece in 2015. The Commission published a [State of Play Report](#) on 10 February 2016, observing the following developments in Greece:

- The fingerprinting rate is reported to have increased from 8% in September to 78% in January, and is expected to improve further after the creation of further fingerprinting stations by the end of February 2016;
- A [UNHCR rental scheme](#) has been launched to create 20 000 reception places across Greece and 7 000 places in the hotspots by way of a rent subsidy scheme. This means that thousands of migrants currently living in venues and tents previously used for the 2004 Athens Olympics are being given hotel vouchers or cheques to stay in vacant apartments;
- 301 persons have been relocated as of 1 March 2016;
- In 2015, there were 16 131 forced returns and 3 460 [assisted voluntary returns](#), with 5 400 detention places available for use in carrying out returns.

Stakeholders' concerns

Inadequate reception conditions

On 17 November 2015, Médecins Sans Frontières (MSF) presented a [report](#) on migrants' reception to the Italian Parliamentary Commission, severely [criticising](#) the First Aid and Reception Centre in Pozzallo, Sicily. The report points to problems such as overcrowding; unsanitary conditions; lack of separation between men, women and children; inadequate legal and medical services; and lack of communication with the outside world. MSF, which had been providing medical and psychological help in the centre since February 2015, [announced](#) on 30 December 2015 that it would stop providing assistance in the Pozzallo centre from 2016 because minimum reception conditions were no longer being met, but would continue its work elsewhere in Italy, namely in Trapani, Catania, Rome and Gorizia. MSF's negative assessment can be

considered all the more significant because the Pozzallo centre forms part of the hotspot approach.

The European Council on Refugees and Exiles (ECRE) has repeatedly pointed to shortcomings in reception conditions in Greece. After the first hotspot was opened in Moria on the island of Lesbos on 16 October 2015, ECRE [echoed](#) reports from NGOs on the grounds of inadequate reception conditions in the face of increased migratory flows and worsening weather conditions.

This view is shared by commentators such as IRIN, who [argue](#) that instead of facilitating the reception of migrants, the newly established hotspot on Lesbos has added to confusion and increased the suffering of refugees by causing further delays, leaving thousands of people queueing outside for days without access to water or toilets. Months later, in January 2016, the UNHCR [noted](#) that 'the first line reception capacity (on the islands) in Greece is embryonic and below EU standards'.

Lack of recognition of vulnerable groups

In October 2015, Human Rights Watch [criticised](#) the organisation of the Moria registration centre on the Greek island of Lesbos, claiming that there was confusion due to lack of proper communication. It also argued that vulnerable groups such as women with young children, pregnant women and people with medical conditions or disabilities were not recognised or ensured access to basic services.

Border control over human rights

ECRE, also concerned for the well-being of migrants upon reception, has [argued](#) that the EU is mostly 'preoccupied' with protecting its borders rather than ensuring that the human rights of asylum-seekers and migrants are respected.

In a similar vein, some experts [observe](#) that the tough screening policy applied at EU entry points could be seen as a way to quickly divide the influx of migrants into a small number of 'good' and remaining 'bad' ones, leading to the swift return of the latter without proper consideration of their claims. Nationality-checking in border areas, and the use of accelerated procedures for those originating from countries listed as safe countries of origin, are said to be practices tending in that direction. Nevertheless, other commentators [argue](#) that efforts to fingerprint all arriving migrants are not a hasty reaction to recent security threats or an expression of a 'fortress Europe' approach, but merely comply with obligations created in 2000 under the [first EURODAC Regulation](#).

Another much-discussed topic is the potential [extra-territorial processing](#) of asylum applications. This suggestion was included in the first measures under the European Agenda on Migration, with Commissioner Dimitris Avramopoulos explaining that using EU delegations in third countries of origin would remove the need for migrants to undertake dangerous journeys to reach the EU irregularly. No official proposal has yet followed, but some [commentators](#) warn against shifting the pressure onto third countries and creating 'EU-managed asylum camps in inhospitable locations'; those same commentators also see potential benefits, however, such as being able to use EU delegations in countries of origin or transit to provide humanitarian visas or entry permits to persons seeking international protection.⁵

Dublin vs Schengen

In a [report](#) published in January 2016, UNHCR pointed to a lack of operational hotspots in Italy and Greece, which means that most of the migrant flow does not go through the

hotspots. This raises doubts about whether arriving migrants are being registered in compliance with EU standards, or undergoing security checks on arrival.

In reaction to a large influx of migrants moving on from open reception centres in Italy and Greece to other European countries, several EU+ states have used the options under Articles 23, 24 and 25 of the [Schengen Borders Code](#) to temporarily [reintroduce border controls](#). Currently, Denmark, Sweden, Germany, Austria, France and Norway, some of the main destination countries for asylum-seekers, have set up border controls at internal borders within the Schengen free movement area.

The incompatibility of the current Dublin system with the Schengen Borders Code was noted on 12 January 2016 by the Italian Foreign Minister, Paolo Gentiloni, who [insisted](#) there was a need to choose between Dublin and Schengen.

On 2 February 2016, following a Schengen Evaluation Report on Greece, the Commission [adopted](#) a proposal for a Council Recommendation on addressing the serious deficiencies identified in the Schengen Evaluation Report on Greece. Once such a recommendation has been adopted by the Council, the Member State has three months to remedy the situation. If serious deficiencies persist after three months, the Commission may initiate, and the Council may recommend, the application of the procedure under Article 26 of the Schengen Borders Code, which provides for reintroduction of border controls in specific Member States for up to six months to protect the common interest of the Schengen area.

Slow progress on relocation

The relocation plan has been criticised for its slow progress, with one critic claiming that 'at the current pace, it would take more than 750 years to relocate the 160 000 asylum-seekers'.⁶

Speaking in front of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs on 14 January 2015, Commissioner Dimitris Avramopoulos [admitted](#) that relocation in its current state was 'not working' and urged Member State governments to meet their commitments and resist domestic pressure to defend national interests.

Taking note of the challenges encountered, UNHCR has [called for](#) the overall coordination and management of the relocation process between Italy and Greece and relocation destinations to be strengthened. While the former are criticised for foot-dragging, the latter have been reprimanded for lack of solidarity and assistance. But two additional factors are considered to further delay the relocation process: the lack of interest from the asylum applicants themselves and the lack of candidates for relocation, as the migratory flows increasingly consist of nationalities not eligible for relocation.⁷ Instead of sharing reception capacity by relocating asylum-seekers, especially against their wishes, [some experts](#) suggest sharing financial and operational capacity as a logistically and legally less complicated alternative.

European Parliament's position

Parliament has repeatedly called for specific and comprehensive measures to get to grips with the migration challenge. In 2015, it addressed the challenge in its resolutions of [29 April 2015](#) and [10 September 2015](#), commenting on EU initiatives in the area of asylum and migration and urging Member States to show solidarity.

Parliament supported both of the Commission's proposals on relocation, [backing](#) the second proposal to relocate 120 000 asylum-seekers on 17 September 2015, only a week after having [approved](#) the first proposal to relocate an initial 40 000 persons.

On 18 January 2016, the Committee on Civil Liberties, Justice and Home Affairs discussed the draft report on the strategic [own-initiative report](#) on the Situation in the Mediterranean and the need for a holistic approach to migration. The co-rapporteurs, Roberta Metsola (EPP, Malta) and Kashetu Kyenge (S&D, Italy), state that all authorities applying the hotspot approach should operate within their mandates and be provided with sufficient resources to fulfil their tasks. While observing that the purpose of the hotspots is to provide protection and humanitarian aid to people in need, the rapporteurs point out that the categorisation of migrants at hotspots should not undermine respect for the fundamental rights of those who are not deemed to be in need of international protection. Nevertheless, the draft report acknowledges the importance of proper identification of asylum-seekers upon their first entry into the EU.

Regarding relocation, Parliament supports solidarity within the EU and sees the emergency relocation mechanism as a step in the right direction. Parliament also notes that it has been advocating the creation of a binding mechanism for the distribution of asylum-seekers since 2009. The draft report points out that because the relocation decisions only cover nationalities that have a 75%-or-higher asylum recognition rate, it leaves out a large number of applicants from other countries. This could lead to a situation where countries of first arrival are left with more complicated asylum applications requiring longer periods of reception, and, potentially, responsibility for returning applicants ineligible for asylum to their home countries. Thousands of migrants would thereby be stranded in Italy and Greece.⁸ This means that frontline Member States would still incur higher costs and would need to be able to count on adequate resources, assistance, and solidarity from other Member States.

Main references

[Council Decision \(EU\) 2015/1523](#) of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece.

[Council Decision \(EU\) 2015/1601](#) of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece.

[Communication](#) from the Commission to the European Parliament and the Council: Progress Report on the Implementation of the hotspots in Greece, and [Annexes](#), COM(2015) 678 final.

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Endnotes

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