

## The need for solidarity in EU asylum policy

In early September 2020, a fire in the over-crowded migrant camp of Moria in Greece pushed thousands of people onto the streets, exacerbating the already dire conditions faced by asylum-seekers and migrants. The incident also shows the need to find a solution to a crisis of solidarity in EU asylum policy that has remained unresolved since the unprecedented influx of migrants into the EU in 2015. The European Commission presented a new Pact on Asylum and Migration on 23 September 2020. In that, it puts forward a compromise on solidarity and fair sharing of responsibility for asylum-seekers among EU Member States.

### Background

While [migrant arrivals](#) to the EU have long been decreasing, a November 2019 European Court of Auditors' [report](#) suggested that Greek hotspots were overflowing with people, and the situation of [unaccompanied minors](#) in them was particularly critical. This is especially the case in Moria on the Aegean island of Lesbos, where some 12 000 people were stuck in a camp designed for 3 000. The fire in the camp, which started on 8 September 2020, following an outbreak of Covid-19, once again exposed a lack of solidarity in the EU, not least during the [coronavirus pandemic](#), to alleviate the migratory pressure on the frontline Member States, which have borne the brunt of the influx. In recent years, the EU has provided the Member States most affected by migrant arrivals with significant [financial and practical support](#), notably through the EU budget, the deployment of personnel and equipment and the new [emergency support instrument](#). However, the continued failure to reform EU asylum policy, as well as the implementation of [temporary solidarity](#) measures based on ad hoc solutions, has exposed a crisis of solidarity that shows no sign of being resolved.

### Lack of solidarity

Lack of consensus on how to interpret [solidarity](#), as enshrined in [Article 80 TFEU](#), was already apparent during the 2015 emergency relocation plan intended to alleviate the [migratory pressure](#) on Greece and Italy. The Commission referred non-complying Member States to the Court of Justice, resulting in the [judgment](#) of 2 April 2020. Furthermore, discussions in the Council on the reform of the [Dublin Regulation](#), the main pillar of the common European asylum system ([CEAS](#)), have been ongoing for four years, with the prospect of agreement on a permanent mechanism to ensure fair sharing of responsibility for asylum-seekers looking unlikely. Disagreements over the CEAS were also reflected in the 2018 'disembarkation crises', when Italy and Malta repeatedly prevented NGO and other vessels conducting search and rescue activities in the Mediterranean from disembarking people rescued at sea in their ports. The situation led to no more than a [commitment](#) by four Member States to a legally non-binding scheme with voluntary pledges for relocation of migrants before disembarkation in the central Mediterranean. The Commission also launched a new [relocation scheme](#) in March 2020 to speed up the relocation of unaccompanied minors from the Greek islands to other EU Member States. However, by the end of August 2020 out of the 1 600 places envisaged, only [207](#) minors have been relocated to EU countries, with an [additional 400](#) pledged.

### The way forward

The [Commission President](#), Ursula von der Leyen, has made it clear that Member States fulfilling their duties in terms of accepting asylum-seekers and those which are most exposed must be able to rely on the solidarity of the whole EU. She also [stressed](#) that the new EU asylum system 'should include finding new forms of solidarity and should ensure that all Member States make meaningful contributions'. This was also echoed by Vice-President [Margaritis Schinas](#), stating that the new [Asylum and Migration Pact](#), presented on [23 September 2020](#), would include a 'system of permanent, effective solidarity' to distribute asylum-seekers among EU countries. The European Parliament has [called](#) consistently for an automatic, binding mechanism for the fair distribution of asylum-seekers among all EU Member States and for limits on access to EU funds for non-cooperative countries, including in its October 2017 [first-reading report](#) on the recast of the Dublin Regulation.

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Author: Anja Radjenovic, Members' Research Service

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[ep@ep.europa.eu](mailto:ep@ep.europa.eu) (contact) <http://www.eprs.ep.parl.union.eu> (intranet) <http://www.europarl.europa.eu/thinktank> (internet) <http://epthinktank.eu> (blog)