

## ECJ ruling on refugees: no more excuses to delay transfers from Italy and Greece

**European Parliament rapporteur for relocation decisions, Ska Keller (Greens, DE), and Civil Liberties Committee Chair Claude Moraes (S&D, UK) welcome decision by European Court of Justice.**

The Court ruled today against Hungary and Slovakia's appeal against the EU decision to relocate refugees from Greece and Italy, stating that the scheme "actually contributes to enabling Greece and Italy to deal with the impact of the 2015 migration crisis and is proportionate".

Ska Keller said: "Now that the ECJ has dismissed the actions of Hungary and Slovakia against the redistribution of refugees, there is no excuse. Finally, those member states which have so far boycotted redistribution must also deliver. Solidarity in the EU is not a one-way street. Government leaders such as Viktor Orbán cannot demand more money for border protection, while blocking the reception of refugees from Greece and Italy."

She added: "This ruling is a milestone for the EU. The ECJ confirmed that solidarity is a key principle of the common asylum policy. All member states must now live up to their obligations; it is insane that most countries are still lagging far behind. The European Commission should also follow-up with the infringement proceedings initiated against Hungary, the Czech Republic and Poland for not doing their part".

Claude Moraes said: "Member States cannot dodge their responsibilities; today's verdict has shown this. The Parliament has consistently called on Member States to quickly uphold their commitments, since the adoption of the relocation mechanism in 2015. Yet two years later, only 28 000 people out of the 160 000 have been relocated."

According to Moraes, “the fact that collectively Member States have relocated less than a quarter of the modest figure of 160 000 people from Italy and Greece draws attention to significant gaps in the EU’s response to the biggest refugee crisis on the continent since World War II. We urgently need to have in place an organised and compassionate response.”

### Quick facts

Against the background of severe migration and refugee crises in the summer of 2015, the EU adopted two emergency decisions to relocate thousands of refugees. 160 000 asylum seekers with a high chance of being granted refugee status from Italy and Greece were to be relocated by September 2017 to other member states where their applications would be processed.

Both Hungary and Slovakia appealed the European Court of Justice to annul the [second Decision, which foresaw the relocation of 120 000 asylum-seekers](#), denouncing what they considered wrong legal grounds and arguing that it was not proportionate nor adequate for the purpose sought.

Last June, the European Commission announced [infringement procedures against the Czech Republic, Hungary and Poland](#) for non-compliance with their obligations under the relocation decisions. Neither Hungary nor Poland have so far relocated anyone, while the Czech Republic has not done so since August 2016.

According to UNHCR data, around 50 000 asylum-seekers are still stuck in Greece. Italy had a record number of arrivals in 2016, with 181 436 migrants and asylum-seekers reaching its shores. So far this year, 99 742 people have arrived in the country, mainly from Libya.

### Further information

[European Court of Justice press release on the ruling in cases C-643/15 \(Slovakia\) and 647/15 \(Hungary\)](#)

[EP study on Implementation of the 2015 Council Decisions on relocation of asylum-seekers from Italy and Greece \(March 2017\)](#)

[State of play of MS support to the relocation mechanism \(updated frequently\)](#)

[EP urges EU countries to speed up relocation of refugees, particularly children \(Press release, 18 May 2017\)](#)

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