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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL**

First report on relocation and resettlement

1 Introduction

In 2015, around 880,000 persons arrived in the European Union through Greece and Italy. In May 2015, for the first time in the history of European migration policy, the Commission proposed to relocate people in clear need of international protection within the EU, from Member States under extreme pressure to other Member States of the European Union. In September 2015, the Council adopted two legally binding decisions¹ which established a temporary and exceptional relocation mechanism for 160,000 applicants in clear need of international protection from Greece and Italy.²

At the same time, with a view to addressing the global migratory crisis comprehensively and to showing solidarity with third countries equally affected, the Commission recommended an EU resettlement scheme for 20,000 people in need of international protection. In July 2015, Member States, together with Dublin Associated States, agreed to resettle over two years 22,504 people in need of international protection from the Middle East, Horn of Africa and Northern Africa.

As the flows continue in 2016, so far however only 937 people have been relocated from Italy and Greece, and only 4,555 have been resettled. The unsatisfactory level of implementation of both schemes is due to a variety of factors, including the lack of political will of Member States to deliver in a full and timely manner on their legal obligations to relocate. Until recently, the wave-through policy along the Western Balkan route was an additional obstacle to the relocation scheme as most eligible applicants travelled onwards instead of being relocated in an orderly fashion. In parallel, Member States were reluctant to resettle as people continued to arrive in an irregular way.

Following the Commission's report³ on how to restore order on the Eastern Mediterranean/Western Balkans route as well as the Conclusions of the European Council of 18-19 February and of the meeting of the Heads of State or Government of 7 March⁴, Member States agreed to adopt a European approach and end the wave-through policy. They also noted the need to stand by Greece in this difficult moment, taking account of the very difficult humanitarian situation which is rapidly developing on the ground. In that regard, with the flows continuing, more than 100,000 migrants could be stranded in Greece within a month, according to the United Nations High Commissioner for the Refugees (UNHCR). They therefore called for a substantial acceleration of the implementation of relocation to alleviate the heavy pressure that presently weighs on Greece.

This Communication responds to the obligation under Article 12 of the two Council Decisions to report to the Council every six months on the implementation of the Decisions and the

¹ 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 and 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.

² Out of those 160 000, 54 000 were intended to be relocated from Hungary in the Commission proposal, but will be relocated from Italy and Greece instead if no amending decision to the second Council Decision on relocation is made by September 2016.

³ COM(2016)85 final.

⁴ EUCO 1/16; SN 28/16.

roadmaps for Italy and Greece. It also responds to the Commission commitment under the Roadmap "Back to Schengen"⁵ to report on a monthly basis on the implementation of relocation and resettlement. This Communication summarises the challenges identified and lessons learned in these first months of implementation of the relocation and resettlement schemes and proposes recommendations and actions in the short term to improve the implementation rate.

2 Relocation

2.1 Legal background and participating countries in the EU relocation schemes

Following the two decisions in September 2015, 106 000 asylum applicants are due to be relocated from Italy⁶ and Greece⁷ by September 2017. The remaining 54,000 were assigned to be relocated from Italy and Greece, unless a proposal is submitted by the Commission to the Council before 26 September 2016 to adapt the relocation mechanism⁸. Moreover, in line with the Council Conclusions of 20 July 2015, the Member States still have to pledge on the allocation of the remaining 7,744 places under the first Council Decision, out of a total of agreed 40,000 places. Member States have an obligation to relocate from Italy and Greece the number of persons allocated to them as per Annexes I and II to Council Decision (EU) 2015/1601⁹ as well as those agreed in Council Decision (EU) 2015/1523¹⁰ in line with the figures defined in the Council Conclusions of 20 July 2015. This obligation is to be fulfilled over a two-year period.

In line with their special positions under Protocols 21 and 22 of the Treaty on the Functioning of the European Union, the United Kingdom and Ireland are not bound by this Decision, but can decide to opt in. On 6 October 2015, Ireland opted-in to both Council Decisions and is already relocating applicants from Italy and Greece. In addition, Dublin Associated States (Switzerland, Norway and Liechtenstein) expressed their interest in participating in the relocation scheme and are finalising the necessary bilateral arrangements with Italy and Greece to start relocation as soon as possible. Hungary and Austria have not pledged any places for relocation under Decision 2015/1523. Hungary and Slovakia have lodged actions¹¹ before the Court of Justice of the EU to review the legality of the second Council Decision on relocation. These actions do not have suspensive effect and the Member States thus remain obliged to relocate under the decision in question.

The migratory pressure on Sweden and Austria has led these two Member States to request temporary suspension of the obligations under the Council Decisions on relocation. To address these requests, in December 2015 the Commission adopted a proposal for a Council Decision on the temporary suspension of the obligations of Sweden under both Council Decisions on relocation¹² and in February 2016 a proposal for a Council Implementing

⁵ COM(2016) 120 final.

⁶ 39,600 asylum applicants are to be relocated from Italy under the two Council Decisions on relocation.

⁷ 66,400 asylum applicants are to be relocated from Greece under the two Council Decisions on relocation.

⁸ Article 4(3) of Council Decision (EU) 2015/1601.

⁹ Council Decision (EU) 2015/1601 of 22 September 2015.

¹⁰ Council Decision (EU) 2015/1523 of 14 September 2015.

¹¹ C-643/15 and C-647/15.

¹² COM(2015) 677 final.

Decision on the temporary suspension of 30% of the number of applicants to be relocated by Austria under Council Decision (EU) 2015/1601. The decision regarding Austria was adopted by the Council on 10 March 2016. As a result, Austria benefits from a one-year suspension for the relocation of 1,065 applicants. The proposal regarding Sweden is still being discussed by the Council and the European Parliament.

2.2 Roadmaps submitted by Italy and Greece

In line with Article 8 of the Relocation Decisions, Greece and Italy have submitted to the Commission and the Council roadmaps with measures in the area of asylum, first reception and return, aimed at enhancing the capacity, quality and efficiency of their systems in these areas as well as with measures to ensure appropriate implementation of the Relocation Decisions. The roadmaps have been communicated to all Member States and Dublin Associates States and discussed in the relocation workshop organised by the Commission on 21 September 2015 and the Relocation and Resettlement Forum on 1 October 2015.

The Commission has regularly reported¹³ on the progress achieved so far by both Greece and Italy in the implementation of the priority actions in key areas the roadmaps refer to: establishing functioning hotspots, implementing the relocation programme, ensuring effective returns of migrants not entitled to international protection, improving border management and creating sufficient and adequate reception capacity.

Concerning Italy, it has committed under its roadmap to set up six hotspots, five in Sicily and one in Apulia. Currently, four hotspots have been rendered operational while one has been turned into a relocation hub, a fifth hotspot has been announced by Italy at the Justice and Home Affairs Council of 10 March 2016 and its final location should be communicated to the Commission within the shortest delay. As indicated in the roadmap, the Italian hotspots are closely related to the relocation process for which a standardised and efficient procedure has been developed with a strong involvement of the European Asylum Support Office (EASO) in the process. A procedure for the transfer of unaccompanied minors under the Relocation Decisions needs still to be put in place. In terms of second level accommodation for asylum seekers, the places currently available are in line with those declared in the roadmap. However, some efficiency gains would be desirable in particular by establishing a more organised distribution of asylum seekers across the Italian territory. Reception places for unaccompanied minors are available according to the roadmaps, although additional places should be made available in order to ensure smooth transition between first and second level reception. On the other hand, reception for persons to be returned remains extremely limited and below the threshold declared in the roadmap leading to significant challenges for the swift implementation of return operations. The ongoing work on the reform of the Italian asylum system should be completed before the summer with a view to address remaining

¹³ Communication from the Commission "Managing the refugee crisis: immediate operational, budgetary and legal measures under the European Agenda on Migration" (COM(2015) 490, 23 September 2015).

Communication from the Commission "Managing the refugee crisis: State of play of the implementation of the priority actions under the European Agenda on Migration" (COM(2015) 510, 14 October 2015).

Communication from the Commission "Progress Report on the Implementation of the hotspots in Greece" (COM(2015) 678, 15 December 2015).

Communication from the Commission "State of Play of the implementation of the priority actions under the European Agenda on Migration (COM(2016) 85, 10 February 2016).

Communication from the Commission "Progress report on the implementation of the hotspots approach in Greece" (COM (2016) 141 final, 4 March 2016).

shortcomings and ensure a leaner asylum procedure, including in respect of reducing the fragmentation in the quality of the decision making across the country.

Concerning Greece, it has committed under its roadmap to establish five hotspots. Four are currently operational with one still to be finalised on the island of Kos. Processes in the hotspots appear to be efficient and effective for the registration of high numbers of third country nationals on a daily basis while some further improvements in the central IT system are underway in order to deal with the high increase in the fingerprinting input. Systematic checks against security databases need to be fully established and efforts are still required to detect and ensure follow-up to cases of document fraud. Although information provision and registration of relocation candidates is part of the hotspot approach in Greece, the Greek Asylum Service and EASO are present only in three islands. In light of the sudden increase of third country nationals present on its territory, Greece is now stepping up the accommodation system through the involvement of the military and with the support of the European Union through funding and the European Union Civil Protection Mechanism. EASO has started expanding its operations to increase the registration capacity of Greece. Concerning returns, Greece has recently increased readmissions to Turkey. However, the detention capacity remains rather limited and several detention centres are in need of refurbishment.

It should be noted that progress still needs to be made by Greece as regards its general asylum system. The measures required in this respect have been identified by the Commission in a recommendation of 10 February 2016.¹⁴ Greece has reported on this on 4 March. The Commission has made a preliminary assessment of the reply and will be in touch with the Greek authorities with a view to seek additional clarifications. The Commission will continue to monitor closely the progress made by Greece and will carry out its assessment on whether the conditions are such as to allow Member States to progressively resume individual transfers to Greece under the Dublin Regulation, ahead of the June European Council.

Annexes 3 and 4 provide an overview of the progress made by Italy and Greece in the implementation of the roadmaps and the steps which remain to be taken.

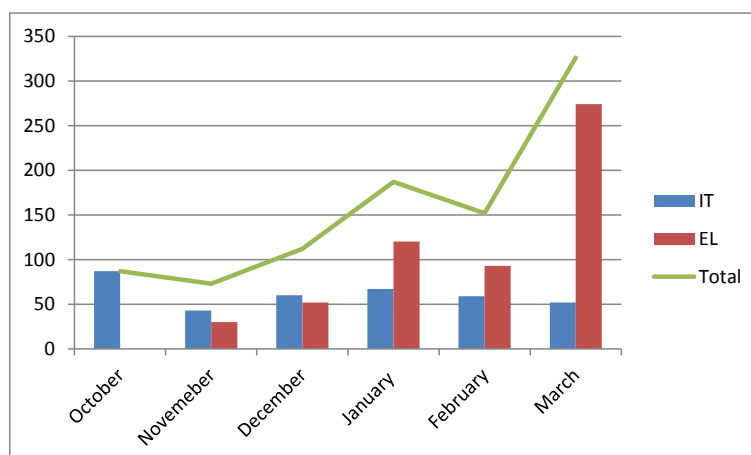
2.3 Main trends following five months of implementation of the relocation schemes

- ***Slow implementation rate but first signs of a positive trend:*** By 15 March 2016, 937 people had been relocated (368 from Italy and 569 from Greece). However, the experience in the first weeks of March where 287 people (241 of which from Greece alone) have been relocated swiftly showed that if Member States are committed, relocation can work.

As shown in figure 1 below, the pace of relocation has significantly increased in the first weeks of March, but is still insufficient to meet the objectives of the two Council Decisions on relocation, which are emergency measures intended to relieve the significant asylum pressure on Greece and Italy. Given that these pressures are acute, in particular in Greece, the need for stepped-up action becomes all the more compelling.

¹⁴ Commission Recommendation addressed to the Hellenic Republic on the urgent measures to be taken by Greece in view of the resumption of transfers under Regulation (EU) No. 604/2013, C(2016) 871, 10 February 2016.

Figure 1- Relocation Transfers October 2015-15 March 2016



Member States have made statements in different fora making 6,884 relocation places available. However, as of 15 March, **the total number of indications** of readiness to relocate swiftly applicants for international protection (the "formal pledges") by Member States of relocation amounts to 3,723. On the positive side, most Member States have appointed **liaison officers**, who play a key role in the procedure.

- **Rapid increase in the number of applicants:** During the first five months of implementation, the number of applicants for relocation was low (e.g., around 20 persons per day in Greece). This was partially due to the limited trust by migrants in the relocation scheme.

However, in the first weeks of March, the number of applicants has increased significantly (e.g., 300 people per day in Greece). Partially, this is a consequence of the restrictions imposed at the Greece/former Yugoslav Republic of Macedonia border but also of the additional efforts to disseminate information, including the deployment of EASO mobile teams outside the hotspots to maximise outreach. Nevertheless, the risks of absconding once the person is notified of the Member State of relocation remain.

- **Increased number of nationalities eligible for relocation but also increased unpredictability regarding new nationalities potentially covered by the Council Decisions:** Relocation applies to nationalities with an EU-average recognition rate for international protection of 75% or more. This information is based on Eurostat data and updated on a quarterly basis on the basis of Eurostat reports. The Commission then informs EASO about the nationalities eligible for relocation, which in turns informs the national contact points. Thus, every four months nationalities can be added or withdrawn from the list of those eligible for relocation creating uncertainty among migrants and stakeholders. Based on the latest Eurostat quarterly data (4th quarter of 2015), the nationalities eligible for relocation are currently¹⁵ Burundi, Central African Republic, Eritrea, Costa Rica, Saint Vincent and the Grenadines,

¹⁵ When the Council Decisions were adopted, the nationalities eligible for relocation were Syria, Iraq and Eritrea. At the first update- (Q3-2015), the nationalities eligible for relocation were: Bahrain, Central African Republic, Eritrea, Iraq, Syria, Swaziland and Yemen.

Bahrain, Iraq, Maldives, Syria, and British overseas countries and territories.¹⁶ Compared to the previous quarterly report, Yemen and Swaziland are no longer eligible for relocation.

- ***Relocation of vulnerable applicants for international protection, including unaccompanied minors is proving challenging:*** Only a very limited number of unaccompanied minors (UAM) (one or two from Greece to Finland) have been relocated despite the Council Decisions on relocation requesting vulnerable applicants to be processed as a priority. The reasons for this are varied including the reluctance of Member States of relocation to accept relocation of UAM and the lack of specific procedures in Italy and Greece to allow the relocation of UAM. Relocation of UAM is a complex process and some migrants, particularly Eritreans in Italy, have claimed to be adults in order not to be separated from the group they have arrived with. Italy and Greece are developing new procedures to be able to swiftly relocate UAM, in line with the best interest of the child and their national legislation. Italian authorities and FRONTEX are providing experts on age assessment. Several organisations are also stepping up efforts to provide for adequate reception facilities in Greece (e.g. UNICEF Child and Family Support Hubs).

More generally, no specific data is available regarding the number of relocation transfers of vulnerable applicants for international protection. However, experience on the ground shows that many applicants belong to this category (e.g., pregnant women, disabled persons, elderly persons). Despite the call to Member States to transmit indications regarding their capacity to receive particularly vulnerable persons, almost no Member State has reported any credible capacity.

2.4 Action by the Commission and EU agencies

The Commission sent **administrative letters** to Member States of relocation on 10 February calling to accelerate the implementation of the Council Decisions and addressing many of the obstacles identified. It has also sent similar letters to Italy and Greece with recommendations to improve and accelerate the relocation procedure. In addition, the Commission has opened infringement procedures against Italy and Greece on the implementation of Eurodac Regulation and against Greece in relation to the Reception Conditions Directive.

As foreseen under the relocation scheme, Italy and Greece receive **funding** through their Asylum, Migration and Integration Fund (AMIF) national programmes (additional lump sum of EUR 500 for each person relocated) to support their efforts on relocation. Financial assistance is also provided to the Member States of relocation who will receive a lump sum of EUR 6,000 for each person relocated under their AMIF national programmes. A total of 1,040 million EUR have been earmarked for the relocation of 160,000 persons and the AMIF national programmes have been revised to include the amounts corresponding to 98,547 persons to be relocated (for a total of EUR 644,5 million). Finally, substantial financial support has been made available under AMIF Emergency Assistance for the International

¹⁶ Some of these nationalities represent less than 200 applicants for international protection in the EU in the reference period. Since the Council Decisions on relocation do not include any provisions on the minimum number of decisions for calculating the EU-wide average, nationalities with very few decisions but all positive easily fall under the scope of the Council Decisions on relocation.

Organisation for Migration (IOM) to support the implementation of the emergency relocation mechanism in Greece and Italy.

On 10 March the Commission adopted modifications to the work programmes for 2016, increasing the financing for emergency assistance of AMIF and the Internal Security Fund (ISF) with an additional EUR 275.5 million. To finance the additional emergency funding, AMIF and ISF funds foreseen in the EU's budget for 2016, which had not yet been allocated, will be used. The increase of the emergency funding follows the conclusions of the European Council of 18-19 February 2016, calling for urgent action to address the humanitarian situation in Greece and along the Western Balkans, using all available EU and national means to alleviate it. The original budget of EUR 188.98 million for emergency assistance under AMIF and ISF for 2016 has now been reinforced with an additional EUR193.5 million for AMIF and EUR 82 million for ISF to a total of EUR 464 million for 2016 to address the most urgent funding needs of Member States in the context of the refugee crisis.

The Commission has set up a **Migrants' Information Strategy Task Force (MIS)** gathering all relevant institutional actors, following a request of the JHA Council to ensure that asylum seekers and migrants receive adequate information. The Task Force coordinates information activities, including content-production and dissemination of information material, at inter-institutional level and guarantees consistency of such activities with the Migrants' Information Strategy.

The Commission has created a dedicated hotspots team which is **present on the ground** together with FRONTEX, EASO and Europol.

In addition to the significant deployment of experts, including mobile teams, EASO is developing several tools to assist in the various steps of relocation (information leaflets, pre-departure information, matching tool, tool for the identification of vulnerable cases). A specific training concept, including modules tailored for the needs of unaccompanied minors and for hotspots, has also been developed.

2.5 Actions to be undertaken by the Member States of Relocation

Main obstacles and challenges to overcome

- Insufficient and limited number of formal pledges
- Incorrect use of preferences by Member States
- Lengthy response time to relocation requests
- Obstacles related to security checks
- Unjustified rejections
- Lack of pre-departure information by the Member State of relocation
- Insufficient response to EASO Call for experts

- **Insufficient and limited number of pledges:** the number of pledges is clearly insufficient to meet the obligations under the Council Decisions on relocation. The total number of formal pledges is of 3,723 on 15 March 2016, which represent 2.33% of the

160,000 relocation transfers to be implemented. Three Member States (Croatia, Hungary and Slovakia) have not made available any places for relocation so far. Only 18 Member States have pledged to relocate from Greece and 19 Member States from Italy. Many Member States have only made very limited pledges in light of their total allocation and for a limited period of time. The low number of pledges affects particularly Greece. Following the restrictions applied at the Greece/former Yugoslav Republic of Macedonia border it becomes imperative to step up rapidly the rate of pledges to help alleviate the very difficult humanitarian situation that is rapidly developing on the ground.

- **Incorrect use of preferences by Member States:** the main objective of preferences is to facilitate integration of the relocated person in the Member State of relocation.¹⁷ However some Member States have expressed long or constraining lists of preferences for the profile of the applicants to be relocated. Some Member States of relocation are reluctant to receive relocation requests concerning specific nationalities, single applicants, or unaccompanied minors, due to lack of interpretation, integration programmes or reception capacity; others clearly state that they would only accept families. The majority of Member States use the preferences as a means to exclude possible candidates rather than to allow for a better matching process for better integration. Italian and Greek authorities try as much as possible to meet the preferences expressed (always respecting the principle of non-discrimination) even if these are not binding on Greece and Italy. Some Member States of relocation have used the non-respect of preferences as a ground for rejecting a relocation request, which is not allowed under the Council Decisions.¹⁸
- **Lengthy response time to reply to relocation requests:** A speedy reply by the Member State of relocation is crucial to increase the credibility of the relocation scheme. However, the relocation procedure in general exceeds the two-month time limit set out in the two Council Decisions on relocation, due in part to the lack of a swift reply by Member States of relocation.¹⁹ This prevents the relocation scheme from reaching the regular and constant pace it would require to become fully operational and to meet the urgent needs on the ground. It also makes relocation transfers even more complex to run as the acceptance and the transfer of large groups create logistical challenges for Italy, Greece and the IOM.

The lengthy response time is also compromising the effectiveness of the relocation mechanism by undermining trust in the eyes of the migrants who often opt for the programme only to find out that the swift transfer they were promised does not materialise, contributing to increased risk of absconding.

- **Obstacles related to the security checks, including the exchange of fingerprint data:** The main reason for delays in responding to relocation requests is additional security checks. Since the Paris attacks in November 2015, several Member States want to conduct security checks on applicants for relocation prior to replying to the relocation request.

¹⁷ Cf. Recital 28 of Council Decision (EU) 2015/1523 and Recital 34 of Council Decision (EU) 2015/1601.

¹⁸ According to Article 5(7) of the Council Decisions on relocation, rejections can take place “only where there are reasonable grounds for regarding him or her as a danger to their national security or public order or where there are serious reasons for applying the exclusion provisions set out in Articles 12 and 17 of Directive 2011/95/EU”.

¹⁹ For example, Poland submitted its pledge on 16 December. No relocation request has been accepted by 15 March. On the other hand, Portugal submitted its second pledge on 26 February 2016 and the relocation took place on 7 March. In fact, in the case of Portugal, transfer took place within a week after receipt of the relocation request from Greece.

This is in line with the Relocation Decisions, but these additional security checks should, nevertheless, be carried out as swiftly as possible. The main issues regarding security checks are the following:

- Systematic security interviews.²⁰ Some Member States are requesting systematic interviews to assess whether the applicant would fall under the rejection grounds of the Council Decisions. This is often linked to the extensive application of the exclusion clause²¹ of the Council Decisions²² which should be strictly interpreted. The existence of rejection grounds should emerge mainly from the relocation files submitted by Italy and Greece, which include dedicated fiches concerning elements identified in the process potentially pointing at those exclusion grounds;
- Many Member States have repeatedly requested the fingerprints of applicants obtained for purposes of the Eurodac Regulation²³ via DubliNet as necessary to carry out security checks. The Commission has already informed Member States that this is not allowed under the current legal framework and has presented to the Member States alternative solutions for exchanging fingerprints via police cooperation channels.

Greece and Italy have stepped-up efforts to conduct security checks both at the hotspots and the mainland responding to the relevant concerns of the Member State of relocation. These checks include searching their national databases, as well as European and international databases (SIS and Interpol's SLTD, VIS) before sending any relocation request. The capacity at the hotspots has also been increased including additional Eurodac machines, X-rays machines, stable internet connection and increased capacity of the server. In addition, Italy is planning to appoint a security correspondent to be in close contact with Liaison officers for security purposes. These checks should offer enough reassurances to the Member State of relocation and reduce the number of additional security checks and interviews.

- **Unjustified rejections of relocation requests:** Some Member States have used a general reference to national security, public order or application of the exclusion provisions of the Qualification Directive²⁴ to reject applications without providing specific justifications. This practice of failing to motivate the rejections is not in line with the Council Decisions on relocation and is contrary to the spirit of loyal cooperation.
- **Lack of pre-departure information by the Member State of relocation:** providing pre-departure information is crucial to ensuring a cooperative attitude of applicants as well as to avoid absconding and secondary movements. Many migrants desire to go to a specific Member State and come with pre-conceived ideas knowing only a few Member States (e.g. those where they have relatives or acquaintances). In addition, misinformation is continuously disseminated through social media. Pre-departure information at the moment of the notification of the relocation decision to the applicant is therefore crucial. The Italian and Greek authorities need to be able to provide high-quality and attractive information to reassure applicants about the Member State to which they will be

²⁰ Interviews to determine the refugee status of the applicant to be relocated before accepting a relocation request would be clearly against the letter and spirit of the scheme and should not be requested.

²¹ Articles 12 and 17 of Directive 2011/95/EU.

²² Article 5(7) of both Council Decisions on relocation.

²³ Regulation (EU) No 603/2013.

²⁴ Directive 2011/95/EU.

transferred. Liaison officers play a crucial role by responding to applicants' questions and concerns. However, the majority of Member States of relocation have so far not prepared appropriate pre-departure information packages. This makes it more difficult to gain the trust of the applicants to be relocated to less known Member States and to make sure they remain committed to the process without absconding.

- **Insufficient response to EASO's calls for experts:** despite the fact that Member States offered 201 experts to the general call from EASO for 374 experts, the response is inadequate for specific calls and actual deployments. This is clearly insufficient given the critical situation, particularly in Greece. In addition, experts tend to be available for limited periods of time which reduces the efficiency of deployment as experts leave when they become operational and newcomers need to be trained. On 1 March EASO published a new call requesting 39 experts for Greece; only 12 experts have been offered. In view of the deteriorating situation in Greece, another call was launched on 9 March requesting 57 additional experts.

2.6 Actions to be undertaken by Italy and Greece

Main obstacles and challenges to overcome

- Need to make all hotspots fully operational and continue implementing the roadmaps
- Insufficient reception and registration capacities in Greece
- Insufficient coordination capacity
- Insufficient follow-up of applicants

For both Italy and Greece

- **Need for Italy and Greece to make all hotspots operational and continue implementing the roadmaps:** While significant progress has been made with the operation of 4 hotspots out the 5 planned in Greece (Annex 3) and the 4 out of 6 opened in Italy (Annex 4) despite the relatively low level of arrivals reported so far, it should be ensured that all hotspots are fully functional as soon as possible. However, the finalisation of the hotspot implementation must not be used as a reason to limit the number of pledges. In addition, it is possible to relocate people from outside the hotspots provided the conditions in Article 3(2) and Article 5(9) of the Council Decisions are met (eligible nationality, identification, registration and fingerprint).
- **Insufficient coordination capacity:** the increasing number of actors involved in the relocation procedure and the need for accelerating the registration of applicants and transfers require additional coordination efforts including to oversee the activity of the multiple NGOs providing information in the hotspots. The development of the Standard Operating Procedures and the protocols under preparation should improve the situation.
- **Insufficient follow-up of applicants:** keeping applicants regularly and adequately informed about the state of play of their application is crucial to avoid absconding and reassure them that they are still part of the relocation scheme, particularly in case of late

replies by the Member State of relocation. However, currently, a close follow-up is not ensured.

For Greece

- **Insufficient reception capacities in Greece:** having adequate reception facilities is critical to avoid risks of absconding and to provide the space required to properly inform migrants about the relocation procedure. Following the Leaders' Meeting on refugee flows along the Western Balkans Route of 25 October and in line with its roadmap, Greece committed to put in place 50,000 accommodation places aimed at addressing the reception needs of both asylum seekers and irregular migrants. So far, 40,351 reception places appear to be available. In addition, the UNHCR has not concluded all the agreements needed to reach the target of 20,000 places under the rental scheme. Moreover, the rental scheme is more suitable for medium to long-term reception of asylum applicants rather than relocation applicants, due to the nature of the accommodation provided and its scattered locations. Due to the increasing number of applicants stranded in Greece, there is an urgent need to provide dedicated reception sites for relocation applicants. The Commission is therefore in the process of assessing possible modifications to the UNHCR rental scheme. Moreover, the Commission will swiftly start the implementation of the Contingency and Response Plan,²⁵ under which additional financial support will be provided to Greece.
- **The registration capacity in Greece:** the increasing numbers of migrants joining the relocation scheme largely exceeds the capacity of the Greek Asylum Service for daily registration. Currently the waiting time between the moment the migrant decides to join the relocation scheme and the moment he/she can register the asylum application is around three weeks. Greece is reinforcing its capacity with 100 additional staff to be recruited by June.²⁶ In addition EASO is piloting a new system to support the Greek asylum office in registering relocation cases directly in English. If successful, this system will be extended to all regional Greek asylum offices where cases for relocation may need to be registered.

2.7 Recommendations to remedy identified challenges

Main recommendations to the Member States of relocation

- Increase significantly the number and frequency of pledges;
- Reply to relocation requests from Italy and Greece within one week upon receipt;
- Accelerate the carrying out of additional security checks with the objective of performing them within one week and with a focus on duly justified cases;
- Provide pre-departure information packages including qualitative and attractive information to applicants following EASO's guidance note;
- Respond as a matter of urgency to EASO calls for experts to support Italy and in

²⁵ An additional EUR 275.5 million under the Asylum, Migration and Integration Fund and Internal Security Funds have been approved on 10 March by the Commission to support Greece.

²⁶ The Asylum Service will be reinforced with 29 new employees in April. In total 100 employees will be hired by June this year. The current registration capacity of the service stands at 80 cases per day across the country.

particular Greece, ensuring greater continuity in the deployment of experts;

Main recommendation to Greece and Italy

- Increase the capacity of the Greek Asylum Service, with the support of EASO, to register applicants to be relocated, matching the significant increase in the number of eligible migrants interested in joining the scheme;
- Complete the full operation of all hotspots;
- Step-up efforts to carry out systematic security checks and to improve the quality of information provided in the relocation requests sent to Member States, and appoint a security correspondent;
- Improve the coordination capacity by finalising and implementing as soon as possible Standard Operating Procedures and Protocols for relocation;
- Increase the reception capacity of Greece by making available the 50,000 places committed under the roadmap as soon as possible;
- Finalise as soon as possible the procedures to facilitate the relocation of unaccompanied minors.

An ideal workflow for relocation based on the experience in the first week of March in Greece is indicated in Annex 5.

2.7.1 On the part of Member States of relocation

Actions to address the limited number of pledges: All Member States of relocation should increase the number of formal pledges made via DubliNet respecting the maximum three-month timeframe established in the Council Decisions. These pledges should be consistent with the quota allocated to the Member State of relocation and take full account of the emergency situation on the ground.

Actions to reduce the incorrect use of preferences: Member States of relocation should limit to the extent possible the preferences expressed, using them only in view of better integration and should be ready to welcome all types of migrants (families, unaccompanied minors, single male applicants).

Actions to speed up the response time to relocation requests: Member States of relocation should reply to relocation requests **within one week**. In this sense, in relation to security checks, Frontex should carry out systematic 1st line security checks, including access to SIS and a strengthened role for Europol in the 2nd line checks should be foreseen while Italy and Greece continue their efforts to carry out systematic security checks and to improve the quality of information provided in the relocation requests sent to Member States.

Member States of relocation should focus additional checks, and particularly security interviews, on duly justified cases, i.e., grounded and motivated suspicions that the person may fall under one of the rejection grounds. The reasons should be communicated as early as possible to the Italian and Greek authorities. In any case, these additional checks, including interviews, should be carried out within the one week response time target not to delay the process. Where Member States of relocation have reasonable grounds for rejection based on national security, public order or risk of exclusion, these should be specified to Italy and Greece.

Actions to address challenges related to the relocation of vulnerable applicants and UAM: Member States of relocation should make available as soon as possible places for vulnerable persons and UAM and increase their reception capacities for this type of applicant as well ensure appropriate guardianship.

Actions to increase migrants' acceptability and trust in the scheme and avoiding withdrawals: Member States of relocation should step up significantly pre-departure information particularly for Member States less known to migrants. Member States of relocation should provide as soon as possible information material to the asylum authorities of Greece and Italy as well as to EASO and the IOM following the guidance note developed by EASO. The Liaison officers should be provided with adequate information material and be present during the notification phase to reply to migrants' questions and address his/her concerns. The training activities that EASO is planning should also provide for the exchanges of best practices among Member States, including on information aspects, and the building of mutual trust.

Actions to avoid secondary movements following the relocation transfers: Member States of relocation should make full use of the tools available in the asylum *acquis* (reporting obligations, providing applicants for international protection with material reception conditions only in kind, detention under some circumstances). Dublin transfers to Greece should be resumed when conditions are met.²⁷

Actions to reinforce EASO's capacity to support Italy and Greece: all Member States should respond to EASO call for experts and increase the flexibility in their deployment to cover the two years covered the Council Decisions.

2.7.2. On the part of Italy and Greece

Actions to speed up registration of applicants: Greece should finalise the recruitment of an additional 100 staff as soon as possible and upscale and accept reinforced EASO support in the registration procedure. The target should be to ensure migrants can register their asylum application within maximum three days from the moment they join the scheme.

Actions to improve coordination: Italy should adopt and fully implement the Standard Operating Procedures applicable to the hotspots. Italy and Greece should finalise and fully implement the Protocols for relocation in cooperation with all relevant stakeholders (UNHCR, IOM, EASO, NGOs, and the Commission).

Actions to improve reception capacities in Greece: Greece should as soon as possible make available the 50,000 places it has committed to under the roadmap, including for newly arrived migrants. The UNHCR should conclude the implementing agreements to reach the target of 20,000 places under the rental scheme as soon as possible and ensure a centralised system of accommodation for migrants participating in the relocation scheme. This is crucial to ensure effective transfers at the various step of the process, cultural orientation and reduce the risks of absconding.

²⁷Recommendation addressed to the Hellenic Republic on the urgent measures to be taken by Greece in view of the resumption of transfers under Regulation (EU) No. 604/2013, C(2016) 871, 10 February 2016; Communication from the Commission to the European Parliament, the European Council and the Council, Back to Schengen - Back to Schengen – A roadmap COM(2016) 120 final, 4 March 2016.

Actions to speed up response time to relocation requests: Italy and Greece should carry out systematic checks including searching their national databases, as well as European and international databases (SIS and Interpol's databases, VIS) and perform security interviews before sending any relocation request; Italy and Greece should submit complete information in the relocation requests sent to Member States of relocation. The relocation request should include (1) the registration file; (2) information about the security checks carried out; (3) the results of the security checks; and (4) the hotspots through which the migrants have transited; Italy and Greece should appoint a security correspondent also in view of facilitating the exchange of information, including fingerprints via police cooperation channels. The Commission and Member States' experts should assist Italy and Greece in further elaborating security-related questions and to provide guidance on formulating rejections.

Actions to address challenges related to the relocation of vulnerable applicants and UAM: Italy and Greece should finalise as soon as possible the procedures to facilitate the relocation of UAM, in line with their best interests, and make use of the tools available prepared by EASO.

2.7.3 On the part of EASO

Actions to reduce the incorrect use of preferences: EASO should finalise the development of a matching tool as soon as possible, and at the latest by the end of June, to facilitate the processing of applications for relocation, in particular in view of the likely increased number of applications during the summer. However, the matching mechanism would only be feasible and effective if preferences expressed are broad enough.

Action to reduce time of response to relocation: EASO should continue supporting Italy and start supporting Greece in carrying out specific interviews to detect potential exclusion grounds during the registration of their applications.

Actions to address challenges related to the relocation of vulnerable applicants and UAM: EASO should continue disseminating its tool to identify vulnerable applicants and improve the data collection regarding relocation of vulnerable cases. In addition, EASO is developing a tool for conducting Best Interest Assessment for unaccompanied children eligible for relocation which may be of use in the hotspots and beyond.

Actions to increase migrants' acceptability and trust in the scheme and avoiding withdrawals:

- EASO should increase visibility at information sites (hotspots and mainland). EASO experts should be clearly identified, as well as provided with adequate equipment. It is also crucial to ensure consistency of information, for example EASO could provide one to two-day training to newcomer experts on the information script to follow and on how to provide this information. EASO should also manage the migrants' expectations when delivering information particularly as regard the procedure, stressing the lack of choice regarding the Member State of relocation;
- EASO and IOM should step-up their role in pre-departure information and cultural orientation from notification until departure to the Member State of relocation. One EASO or IOM staff member could present during the notification of the decision.

EASO should be immediately informed about asylum-seekers who express uncertainty regarding accepting the decision. Dedicated information sessions could be carried out by EASO and the relevant Liaison officer after the notification of the decision;

- EASO should step up information campaigns, including additional leaflets/brochures, videos, social media, in cooperation with the Commission and other stakeholders. This would be essential to increase the trust of applicants for relocation and counter the smugglers' narrative. These activities could include (a) a Facebook page specific for relocation where EASO and Member States can publish success stories of relocation, and generally more targeted presence in social media also through Twitter and mobile apps; (b) more videos where applicants that have been successfully relocated tell their experience; (c) Increased involvement of the migrant community in the Member States of relocation, particularly of those that have been successfully relocated.

2.7.4 In addition, the Commission will continue supporting fully Italy and Greece and will also continue to:

- Contribute to better coordinate via the existing fora (meetings of Liaison officers, meetings with the respective National Contact Points, Relocation and Resettlement Forum and the Friends of Hotspots) as they have proved to be useful to discuss the legal issues, practical challenges and bottlenecks of the relocation mechanism with all relevant stakeholders, creating networks and improving mutual trust particularly after a successful relocation experience.
- Monitor implementation: Ensuring the full and correct implementation of the EU asylum acquis is a key component of the EU response to the migration crisis and a priority for the Commission under the European Agenda on Migration.

3 Resettlement

3.1 State of Play

Following the **Commission Recommendation of 8 June 2015 on a European resettlement scheme**²⁸, 27 Member States²⁹ together with Dublin Associated States agreed on 20 July 2015³⁰ to resettle through multilateral and national schemes 22,504 displaced persons from outside the EU who are in clear need of international protection within two years. While some Member States have been engaged in resettlement programmes for many years through the UNHCR, this is a first common EU effort on resettlement and for a number of Member States it is their first experience with resettlement.

Based on the information received from the participating States **4,555** people were resettled until 15 March 2016 to Austria, Belgium, Czech Republic, France, Ireland, Italy, the Netherlands, the United Kingdom, Norway, Liechtenstein, and Switzerland under the scheme.

²⁸ C(2015) 3560 final.

²⁹ Hungary does not participate.

³⁰ 11130/15; "Conclusions of the Representatives of the Governments of the Member States meeting within the Council on resettling through multilateral and national schemes 20 000 persons in clear need of international protection".

A majority of States participating in the scheme indicated that their resettlement efforts are primarily, but not exclusively, directed at Syrians staying in Jordan, Lebanon and Turkey. All persons resettled in the framework of the scheme have to be referred to the participating States by the UNHCR, which therefore plays a key role in the process.

The scheme is supported by EU funds; in total over EUR 150m have been made available to the Member States for implementation. Five Member States – Finland, France, Ireland, Sweden, the United Kingdom – have indicated their intention to resettle a considerably higher number of persons than they have pledged under 20 July scheme and ensure their implementation under the national programmes.

All Member States are putting strong focus on **security screening**, for which they themselves are responsible and which can take place at several stages of the resettlement procedure. There is a strong and **good cooperation with UNHCR**, which is seen as an indispensable partner in the process. Many Member States also rely on **IOM's logistical support** in pre-departure and departure procedures.

Even though the priority regions agreed under the Conclusions of 20 July 2015 are rather broad, most participating States have decided to resettle from the countries neighbouring Syria.

3.2 Challenges

Unlike the obligations under the two relocation schemes, the Member States' commitments under the resettlement scheme of 20 July 2015 are based on **voluntary** pledges. While the scheme is an important milestone in terms of joint EU resettlement efforts, it does not create a clear resettlement framework with common rules and procedures for the participating states, but is to a large extent a compilation of national programmes and procedures, which are in some Member States still in preparatory stages. While some Member States have pledged under the 20 July Conclusions their entire national resettlement quota (Netherlands), some others have pledged numbers on top of their national quota (France). In addition, Member States, such as Finland or the United Kingdom, have pledged numbers which represent only a part of their respective resettlement engagements. Moreover, the resettlement scheme of 20 July does not set out any time-table of intervals in which resettlements should be carried out, including the numbers of persons to be resettled within a certain period of time. Such a loosely coordinated framework results in a lack of oversight and fragmented information and makes it difficult for the Commission to monitor the functioning of the scheme.³¹

- There are substantial **divergences** among the Member States as regards their respective resettlement programmes and practices, such as the selection criteria, length of procedures, pre-departure orientation programmes, integration tools, the status granted to persons admitted, residence permits as well as the number of places available for resettlement.
- Member States select candidates for resettlement on the basis of selection missions or by reviewing the files submitted to them by the UNHCR. This has an influence on the **duration of the procedure**, which can last from several weeks to up to two years

³¹ For the state of play on the basis of information provided by Member States and Associated States see Annexes 6 and 7.

between the submission of the case by the UNHCR until arrival in a host country. In addition, several Member States mentioned the fact that they had to delay the implementation of the resettlement plans due to an increase in the number of spontaneous arrivals of migrants and asylum seekers.

- Lack of **reception capacities** and finding adequate accommodation was frequently mentioned as a particular challenge, especially in cases of resettling larger families, or when dealing with especially vulnerable cases. **Exit clearances** by the third countries, were also cited as problematic in some cases, causing significant delays in the procedure and arrivals having to be rescheduled.
- Where embassy staff of the Member States is involved in taking biometrics or issuing travel documents for resettlement candidates a **lack of human resources capacity** and the need for **adequate training** have been mentioned.
- **Capacity building in the field of resettlement:** While several EU countries, such as Sweden, Denmark, the Netherlands, Germany or Finland, for example, have been resettling for a number of years already, by the end of 2017 under the new European scheme, 10 Member States³² are expected to resettle for the first time, although none of them has started implementing the programme yet. Challenges which those Member States face include building capacity for establishing a national resettlement mechanism, a lack of experience in conducting missions and selecting candidates, providing optimal conditions for integration of resettled refugees, and winning public support for resettlement among the general public. Several of them have expressed interest in drawing from expertise, experience, and good practice on the mechanisms used by Member States with long tradition of resettlement. Specific needs appear to be focused on support and assistance in conducting selection missions, negotiation and coordination with the third countries from which resettlement takes place, organising pre-departure cultural orientation programmes, medical examinations, travel arrangements, and putting in place first reception and integration mechanisms.

3.3 Addressing the challenges

- **Sharing knowledge and experience and working with partners**

It is clear that exchanges of practice and experience, especially between those Member States which are new to resettlement and those which have a longer tradition of resettlement should be stepped up. In addition, practical cooperation in the resettlement process through, for example, sharing of logistics, organisation of flights, and local exchange of information on individual cases, could be considered.

To facilitate such practical exchanges Member States should make use of bilateral visits to respective resettlement programmes. A good example of such practice was a practical working visit to the Dutch national resettlement programme organised in the margins of the ATCR (Annual Tripartite Consultations on Resettlement) workshop on 18 February 2016. Member States with a long experience in resettlement should be encouraged to organise such

³² Bulgaria, Croatia, Cyprus, Estonia, Greece, Lithuania, Malta, Poland, Slovakia, Slovenia.

visits and invite counterparts from across the EU, in particular from those countries which are only just starting with resettlement. The visits could include elements of the arrival procedure, such as registration and settling in, as well as participation in selection missions.

Practical cooperation could also be explored in the framework of the EU-FRANK³³ project funded by the EU, which aims at facilitating resettlement and refugee admission through sharing of knowledge. The project run by the Swedish Migration Agency between 2016-2020 aims at offering operational support to Member States to increase or start resettlement programs and facilitate their increased capacity for resettlement and humanitarian admission. A study visit to Sweden by Estonia, Latvia, Lithuania and Poland took place in October 2015. As of April, Member States are expected to be offered, through a "buddying system", an opportunity to join as observers in other Member States' resettlement activities, such as in field selection missions, cultural orientation programmes, transfer of refugees, or reception arrangements.

The Forum for exchange of experience among the resettling states offered by the ATCR, including its workshops, is a valuable tool. Emerging Member States should continue to be encouraged to take part in these exchanges.

Finally, the Commission has organised four Resettlement and Relocation Forums in which all Member States as well as UNHCR and IOM participated, and will continue to organise such meetings regularly. These meetings as well as EASO workshops on resettlement are good opportunities for exchanges and learning among national experts. A closer cooperation with other partners in the resettlement process, namely UNHCR, IOM, civil society, and local governments/municipalities could also help resolve several challenges faced by the resettling States. Working with municipalities and NGOs could in particular be explored to overcome the problems of reception arrangements and capacities and integration measures.

- **Improved monitoring of the scheme**

For the credibility of the scheme it is important that the pledges agreed are honoured, despite possible changes in circumstances for Member States particularly affected by the flows of migrants and refugees. In this context it is important that progress is regularly monitored and reported. This element, however, needs to be strengthened, as the information on the progress of the scheme, including for the purpose of this report, has been collected through different channels (including the questionnaire sent on 8 March to which 17 States replied, under the Integrated Political Crisis Response (IPCR) arrangements), which can result in incomplete or patchy information.

Eurostat collects yearly data on resettlement and will continue to do so also in the context of this scheme. However, in the current situation a more regular and detailed information on the progress made is needed. EASO has therefore launched a monthly data collection on resettlement as of March and the first information is expected to be available in April³⁴. The

³³ EU-FRANK: Facilitating Resettlement and Refugee Admission through New Knowledge. Apart from Sweden, the partners include the Netherlands, Belgium, Italy, Hungary, Switzerland, UNHCR and EASO. Interest has been signalled also from Austria, Germany, Estonia, Latvia, Lithuania, Poland, the Czech Republic, France, and Portugal.

³⁴ The proposal for the collection was endorsed by the EASO Management Board at its meeting of 20-21 January 2016.

Commission calls on the Member States and Associated States to ensure a smooth and timely collection of information. If more urgent or specific information is needed from the resettling States, the IPCR network may still be used.

- **Link to global resettlement efforts**

The EU's resettlement effort should ensure that the Union takes on its fair share of the global responsibility to provide legal pathways to refugee protection. The UNHCR High-level meeting on Global Responsibility Sharing through Pathways for Admission of Syrian Refugees in Geneva on 30 March 2016 will be the first next opportunity for the EU and its Member States to increase their support for and participation in international initiatives aimed at addressing global migration and refugee challenges, and press for increased pledging.

- **Implementing the Voluntary Humanitarian Admission Scheme with Turkey**

To implement the Voluntary Humanitarian Admission Scheme with Turkey and in line with the Statement of the Heads of State or Government of 7 March 2016, work should continue towards putting in place a credible scheme. Concrete political commitments are needed from the Member States and Associated States interested in taking part in the scheme, in particular as regards the number of persons to be admitted and in which timeframe. In addition, the conditions for launching and operating the scheme need to be agreed by all sides, including with the Turkish authorities.

- **A structured system of resettlement in the EU**

Building on the experience with the ongoing resettlement and humanitarian admission initiatives, the Commission will bring forward an EU wide resettlement proposal to frame the EU's policy on resettlement. This will allow for a common and more coordinated approach to safe and legal arrival in the EU for persons in need of protection. This initiative will also enable the EU to pool European resettlement efforts more systematically and to take on its fair share of the global responsibility in providing a safe haven for the world's refugees.

4 Way forward

Following the recommendations outlined in this report, Member States should continue to improve the implementation of relocation and resettlement schemes and address outstanding challenges. Most urgently, the relocation pace has to be picked up significantly and consistently to respond effectively to the emergency humanitarian situation on the ground.

The relocation process involves several stakeholders and different factors have contributed until now to this very low implementation. This report shows that while problems are still to be addressed, Italy, Greece and the various agencies involved in relocation are stepping up efforts to ensure their part in the process is implemented smoothly. However, these efforts have to be matched with a similar commitment by the Member States of relocation. The willingness of the Member States of relocation to fully implement their obligations is crucial to make relocation work to ensure that the scheme delivers on its objective of providing emergency support to both Italy and Greece to enable them to cope better with the mass influx of migrants.

The Commission has calculated that in order to meet the number of commitments already allocated (106,000) under the two Council Decisions on relocation averaged over the remaining 18.5 months, a monthly relocation rate of 5,679 should be achieved as a minimum. This would imply an average of around 187 transfers per day and a relocation procedure of maximum two weeks. The experience of the recent relocation transfers to Portugal from Greece proves that the relocation procedure can also be implemented within one week. Based on this calculation, **the Commission considers that at least 6,000 relocations should be completed by the time of its Second Report on Relocation and Resttlement on 16 April, and that, stepping up the rate, at least 20,000 relocations should be completed by the Third Report on 16 May, in view of the emergency humanitarian situation on the ground.**

In parallel, in order to underline the importance attached to solidarity with affected third countries in the region and the role of legal pathways for migration, Member States need to deliver on the remaining 17,949 resettlement places. Over the remaining period, Member States would need to resettle on average 855 people in need of protection on a monthly basis.

In line with its commitment under the Roadmap "Back to Schengen", the Commission will report on a monthly basis on the progress made in implementing the relocation and resettlement commitments.



Brussels, 16.3.2016
COM(2016) 165 final

ANNEX 1

ANNEX

to the

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL**

First report on relocation and resettlement

Annex I: Relocations from Greece by 15 March 2016

Member State	Formally pledged ¹	Effectively Relocated	Commitment legally foreseen in the Council Decisions
Austria ²			1491
Belgium			2415
Bulgaria	160	2	831
Croatia			594
Cyprus	65	6	181
Czech Republic	20		1655
Estonia	23		204
Finland	170	77	1299
France	570	242	12599
Germany	40	37	17209
Hungary			988
<i>Iceland</i>			
Ireland	40	10	240
Latvia	26	6	295
<i>Liechtenstein</i>			
Lithuania	80	6	420
Luxembourg	70	30	309
Malta	6	6	78
Netherlands	150	48	3797
<i>Norway</i>			
Poland	65		4321
Portugal	330	84	1778
Romania	255	15	2572
Slovakia			652
Slovenia	30		349
Spain	150		6647
Sweden ³			2378
<i>Switzerland</i>			
TOTAL	2,250	569	63,302

¹ Transmitted via DubliNet under Article 5(2) of the Council Decision.

² Commission proposal for 30% suspension of the obligations of Austria under the Relocation decisions for one year (COM(2016)80 final). Adopted on 10 March 2016.

³ Commission proposal for a full suspension of the obligations of Sweden under the Relocation decisions for one year (COM(2015)677 final) still under discussion by the Council and the Parliament.



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ANNEX 2

ANNEX

to the

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL**

First report on relocation and resettlement

Annex II: Relocations from Italy by 15 March 2016

Member State	Formally pledged ¹	Effectively Relocated	Commitment legally foreseen in the Council Decisions
Austria ²			462
Belgium	30	24	1397
Bulgaria	90		471
Croatia			374
Cyprus	15		139
Czech Republic	10		1036
Estonia	8		125
Finland	150	96	779
France	200	41	7115
Germany	10	20	10327
Hungary			306
<i>Iceland</i>			
Ireland	20		360
Latvia	20		186
<i>Liechtenstein</i>			
Lithuania			251
Luxembourg	30		248
Malta	17	15	53
Netherlands	50	50	2150
<i>Norway</i>			
Poland	35		1861
Portugal	388	65	1173
Romania	260		1608
Slovakia			250
Slovenia	10		218
Spain	50	18	2676
Sweden ³	50	39	1388
<i>Switzerland</i>	30		
TOTAL	1,473	368	34,953

¹ Transmitted via DubliNet under Article 5(2) of the Council Decision.

² Commission proposal for 30% suspension of the obligations of Austria under the Relocation decisions for one year (COM(2016)80 final). Adopted on 10 March 2016.

³ Commission proposal for a full suspension of the obligations of Sweden under the Relocation decisions for one year (COM(2015)677 final), still under discussion by the Council and the Parliament.



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ANNEX 3

ANNEX

to the

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL**

First report on relocation and resettlement

Annex III: Greece – State of Play Report

Recommendation December 2015	Status
<p>Hotspot Areas</p>	<p>Greece needs to complete the construction of the hotspots at Lesvos, Leros and Chios, in line with the planned timetable. Construction works at Kos should commence immediately and a location in Samos should be identified in order to roll-out the hotspot by end of January.</p> <p>✓ Four hotspots (Lesvos, Chios, Samos and Leros) are operational with the assistance and temporary coordination of the Army, although several actions still needed to be completed to make them function at full speed (e.g. third line of registration in Lesvos, connection of networks to accommodation container in Samos, certain services in Leros and Samos, etc.).</p> <p>X Works have started in Kos (Pyli former camp) and the hotspot and are advancing, however no final completion date has been communicated.</p> <p>X The national procurement procedure for the services necessary for the operation of the hotspots (namely catering, cleaning) has not yet been finalised. The Greek Army is launching expedited procurement for the following services: transportation, catering, medical services, cleaning for all hotspots and reception and reception centers. First contract awarding is expected for this week.</p>

Recommendation December 2015	Status
<p>Greece should, in collaboration with the European Commission, EU agencies, and UNHCR, optimise the organisation of the hotspots based on an island by island evaluation of the needs and drawing on the findings of the inter-Agency pilot project. In this context, a structured system for disembarkation at official disembarkation points as well as transportation to the hotspot areas should be established.</p>	<p>✓ Coastal Patrol Teams have been deployed by Frontex in Lesbos, Chios and Samos. In Leros, the disembarkation procedures are undertaken in a controlled manner: almost 100% of arrivals are taking place at Farmakonisi island and subsequently migrants are transferred to Leros by Coast Guard and FRONTEX officers.</p> <p>✓ In the short term the local authorities, often assisted by NGOs, carry out the transportation of migrants from disembarkation points to the registration centres and from the registration centres to the ports.</p> <p>X The government has committed to table the framework legal act (in the form of an amendment of Law 3907/2011) concerning the establishment and coordination mechanisms of the hotspots in Parliament in the next days. Once the legal framework act is in place, the Standard Operating Procedures will be adopted through a common ministerial decision which will define roles and procedures in the management of the hotspots. The hotspot managers/governors will be appointed as well.</p> <p>X A sufficient number of buses should be swiftly made available in order to further upgrade the disembarkation system on the islands. The Netherlands offered vehicles (vans), including trailers to Greece. The vehicles and trailers are equipped with medical content. Other Member States should contribute further to the request for buses under the Union Civil Protection Mechanism (UCPM).</p> <p>X Transportation of those who are not in need of international protection from the hotspots areas directly to available detention facilities needs to be established.</p>

Recommendation December 2015	Status
<p>On the basis of a refined needs assessment, Member States should make available the necessary experts in order to ensure the full roll-out of the hotspots as soon as construction works are concluded. Greece should in turn ensure that a sufficient number of team leaders are deployed and should ensure that sufficient security personnel are present in the hotspot areas.</p>	<p>X The Hellenic Police should increase further its presence in the hotspots facilities in order to ensure the security of the facilities and of the personnel of the agencies deployed. X Frontex and the European Asylum Support Office (EASO) have increased their presence (currently at 559 and 16 officers respectively), but more experts are still needed especially since additional hotspots are operational. Member States have not provided sufficient experts. X Greece should continue providing team leaders</p>
<p>Greece should procure – without further delay and making use of accelerated/simplified procedures provided for in Directives 2004/18/EC and 2014/24/EU in case of "urgency" or "extreme urgency" – the necessary additional fingerprinting machines.</p>	<p>In terms of registration (Eurodac): ✓ All the 90 fingerprinting machines ordered by EASO have been delivered to the Greek authorities. ✓ 6 fingerprinting stations have been procured by the Hellenic Police and have been deployed in Lesvos. ✓ 3 fingerprinting stations were deployed by Frontex in Idomeni at the border between Greece and the former Yugoslav Republic of Macedonia for the registration of migrants who have not been registered at the hotspots. ✓ Both the Commission and Frontex have observed that significant progress has been made since September 2015 and at this time all migrants over 14 referred to the hotspots are registered in line with the Schengen Borders Code X The connections of the Eurodac stations to the IT network, and the central server capacity, are not yet secure and reliable (slow). The Commission and EU-LISA are supporting the Hellenic Police in improving the functionality of its IT systems and in order to enhance its capacity to fully support the registration system.</p>

Recommendation December 2015	Status
<p>IT systems should be updated to first deploy a fully-fledged Automated Fingerprinting Identification System (AFIS) and then to ensure that interconnections between national and EU/international databases are established, thereby allowing for a full check of arriving migrants against Schengen Information System (SIS) II/Interpol Stolen and Lost Travel Documents (STLD) databases.</p>	<p>In terms of security checks:</p> <ul style="list-style-type: none"> ✓ In hotspots, terminals are now technically available to allow checks against SIS, Interpol and Europol database in addition to the national police database of third country nationals. ✓ EUROPOL is in the process of finalising the deployment of teams in all the hotspots to perform second level security checks on the EUROPOL database. ✓ The single automated access system to the relevant security databases (national, SIS and Interpol), has started operating in all hotspots. X Systematic checks against these databases need to be fully established with the relevant follow-up. A full Automated Fingerprint Identification System should be further developed.
<p>Greece, with the support of the European Commission and EU Agencies, should define the needs in terms of cultural mediators/interpreters and strengthen their presence in the hotspot areas.</p>	<ul style="list-style-type: none"> X The Greek authorities should define their needs in terms of cultural mediators/interpreters. X The Greek authorities should put a pool of interpreters in place, possibly through a framework contract in order to be able to provide interpretation services at short notice.
<p>Coordination needs to be further improved by making systematic and effective use of the coordination mechanisms that have been put in place. Appointed coordinators for the islands should be empowered by way of dedicated Terms of Reference to coordinate all relevant governmental and non-governmental players involved in the hotspot locations.</p>	<ul style="list-style-type: none"> ✓ The draft act establishing the hotspots (see above) includes dedicated provisions for the appointment of hotspot coordinators, police coordinators and special coordinators to manage the relationship with all the stakeholders involved in the hotspot procedure. X Once the new legislation is in place, the Greek authorities need to swiftly follow the relevant procedure in order to appoint the permanent coordinators for hotspots foreseen under the newly adopted legislation.

Recommendation December 2015	Status
<p>EUROPOL should strengthen its presence in Greece and should conclude operational agreements with the Greek authorities in order to support them in fighting smuggling. Support should include the launch of financial investigations, actions against document fraud, and better use of Immigration Liaison Officers (ILO) networks in third countries as sources of relevant information.</p>	<p>✓ Europol officers currently deployed in Greece:</p> <ul style="list-style-type: none"> • 1 Europol officers in the EU Regional Task Force in Piraeus, • 4 Europol officers in Lesbos • 2 Europol officers in Chios, • 2 Europol officers in Leros , • 2 Europol officer in Samos. <p>✓ Advanced Level Document experts (ALDO) have been deployed by Frontex in all hotspot areas alongside dedicated equipment for the detection of fraudulent documents.</p> <p>X The Hellenic Police has decided to use a new and more sophisticated registration document, including security features, to be used in all hotspots. However, although a new stamp is already used, there is as yet insufficient security paper. Special printers will be needed to print data on this new registration document.</p> <p>X Greece should procure more equipment to detect document fraud to supplement those already deployed. It is expected that a request for funding will be submitted in this regard.</p> <p>X The Greek authorities need to ensure appropriate follow-up on cases of detected fraudulent documents and strengthen law enforcement operations on the islands to curtail the smuggling business.</p>
<p>The Hellenic Police should provide training to police officers placed in the hotspots for forged document identification.</p>	<p>X Still under consideration.</p>

Recommendation December 2015	Status
<p>Relocation</p>	<p>Information provision to refugees about the relocation programme needs to be stepped up, inter alia by increasing the presence of the staff of the Greek Asylum Service and of EASO in the hotspots as well as by producing and distributing information material to potential relocation candidates about the relocation process and their rights and duties in that context. The Member States Liaison Officers should provide relocation candidates with information on the assigned destination countries, including on their asylum and reception systems.</p>
	<p>✓ The Asylum Service is active in Lesvos, Chios and Samos. EASO has deployed experts in Samos for the provision of information.</p> <p>X Information to migrants regarding their rights as asylum applicants and their rights and obligations under the relocation scheme should be systematically provided in all hotspots throughout the whole process, including already before fingerprinting, in all relevant languages. The EASO should deploy experts for this purpose in the remaining hotspot locations.</p> <p>X More Member States should provide information packages for people to be relocated (only a few Member States (Belgium, Ireland, Poland and Portugal) have produced such information so far). EASO is also leading a process for the co-ordination of pre-departure information by Member States of Relocation, Member States should swiftly respond to the guidance that has been provided by the Agency.</p>
	<p>The capacity to register and process asylum applications needs to be substantially increased. To this end, the Greek Asylum Service intends to hire 40 additional staff by mid-February which should increase its capacity to be able to register 100-120 applications per day. Further staff increases are needed to step up the registration as required.</p>
	<p>✓ EASO is supporting the Greek authorities in Lesvos and Samos to screen the nationalities of the applicants for relocation.</p> <p>✓ 37 persons will be recruited by April and an additional (up to) 40 persons in June 2016. The remaining posts foreseen will be recruited in January 2017. The necessary funding is secured through emergency funding under the Asylum, Migration and Integration Fund (AMIF).</p> <p>✓ A pilot project to increase registration capacity has started with the support of EASO. Given the current bottleneck in registration capacity and the increasing interest in relocation by eligible Third Country Nationals the pilot should be swiftly completed and expanded.</p>

Recommendation December 2015	Status
<p>Member States should substantially reduce the response time to relocation requests submitted by the Greek authorities (and refrain from excessive ad hoc checks taking place in Greece).</p>	<p>X Responses of Member States to relocation requests continue also to be slow and this is in part the reason for a significant withdrawal rate from the relocation process.</p> <p>X Member States do not provide adequate information in advance concerning their relocation planning. This is absolutely necessary in order to allow the Greek authorities to increase the efficiency of the process.</p> <p>X Several Member States request systematic security interviews to be performed.</p>
<p>Member States should substantially increase their pledges under the relocation programme.</p>	<p>X Insufficient pledges and number of persons relocated: By 15 March, only 18 Member States had made relocation pledges to Greece. It should also be noted that recently, pledges from MS have considerably increased, and currently exceed the number of applicants eligible for relocation registered by Greece, however such pledges will be quickly exhausted given the increased interest of migrants to enroll in the programme.</p>
<p><i>Additional measures identified after the adoption of the Communication in December</i></p>	
<p>A total of 123 relocation applicants have absconded and 88 withdrew their application since the start of the scheme</p>	<p>X Greece should make sure that asylum applicants for relocation are gathered in dedicated facilities where their cases can be closely followed.</p> <p>X Member States should finalise, in collaboration with EASO, targeted information packages. These should to be provided to asylum applicants who are to be relocated upon notification of their country of destination (see above).</p>
<p>One Unaccompanied Minor has been transferred to Finland. 10 requests are still pending, 3 of which have been accepted by Finland again since the inception of the relocation process</p>	<p>X Greece should finalise dedicated procedures for the transfer of Unaccompanied Minors.</p> <p>X Member States should pledge dedicated places for Unaccompanied Minors.</p>
<p>Some Member States have invoked criteria other than those foreseen in the Council Decision to reject relocation files.</p>	<p>X Member States should strictly apply the criteria foreseen under the Council Decision when rejecting relocation applications. In particular, relocation applications should not be rejected for reasons linked to the preferences expressed by the Member State concerning the profiles of the applicants to be relocated.</p>

Recommendation December 2015		Status
Return	<p>The Greek authorities need to develop a clear strategy for forced returns identifying priority third countries for engagement and addressing shortcomings in their detention system. Greece needs to streamline its administrative procedures in order to allow for swift return.</p>	<p>✓ Greece is using simplified procedures to issue return decisions to third country nationals not entitled to protection.</p> <p>✓ Frontex launched on 15 February an operational support plan to Greece, Italy and Bulgaria.</p> <p>X Greece, with the Commission and with the technical support of Frontex, should agree, as a matter of priority, on a clear implementation path for the operational plan for return and readmission activities following the declaration of the EU-Turkey Summit, based on a clear planning and needs assessment by Greece, providing support to all elements in the execution of the return procedure, as necessary.</p> <p>X Greece should make full use of the possibilities offered by the Greek legislation in line with the Return Directive to maintain irregular migrants in detention up to the 18-month maximum limit to avoid that detention is ended before effective removal.</p> <p>X Greece should make full and swift use of the possibilities of support from EU-funded programmes on return, in particular EURINT, ERIN and Eurlo.</p>
	<p>Greece needs to step up forced and voluntary returns, as well as take the necessary steps to ensure the immediate absorption of the available AMIF national programme funding.</p>	<p>✓ An emergency Assisted Voluntary Return (AVR) programme has been financed under AMIF supporting the voluntary return of 1,000 migrants. So far over 1,800 migrants have registered for voluntary departure.</p> <p>X The tendering procedure for the new AVR Programme to be financed under the AMIF national programme has been completed and the contract should be signed this week.</p> <p>X An emergency forced return programme (to be implemented by the Hellenic Police) has been financed under AMIF. However, the tendering procedure for transportation (provision of tickets) for forced return operations on commercial flights is ongoing and needs to be finalised as a matter of urgency.</p>

Recommendation December 2015	Status
<p>The return activities of the Greek authorities should focus more on the nationalities most relevant in the context of hotspots (Pakistanis, but also Afghans, Iranians and Bangladeshis), instead of the current focus on nationals of Albania and the former Yugoslav Republic of Macedonia.</p>	<p>X See above with regard to an operational plan. Such a plan should take into account the nationalities currently entering Greece as part of irregular migratory flows, which do not fall under a refugee- profile.</p>
<p>Information concerning Assisted Voluntary Returns should be promoted to migrants already while they stay in the hotspot areas. An outreach campaign should also be considered in areas close to the border with the former Yugoslav Republic of Macedonia.</p>	<p>✓The International Organization for Migration (IOM) has opened dedicated offices in Lesvos and is present in Samos. X Dedicated arrival points should be urgently set up in other hotspots and in Central Greece for migrants who are returned from Idomeni in order to be offered the opportunity of AVR. X The IOM should be present in all detention centres in Greece to offer the AVR option to migrants to be returned.</p>

Recommendation December 2015	Status
<p>The European Commission, supported by Member States, should further step up engagement with third countries to ensure easier readmission of migrants which are not entitled to international protection. This also includes in particular further efforts to ensure readmission of third-country nationals by Turkey.</p>	<p>✓ The results of the recent exchanges with the Pakistani authorities were endorsed by the Joint Readmission Committee. As a priority, an important step is now to confirm concretely this positive step with new flights in the following weeks from Greece to Pakistan.</p> <p>✓ In March 519 irregular migrants were readmitted by Turkey.</p> <p>X Following on the common declaration of the EU-Turkey Summit, the Greek authorities should enhance their efforts in particular by speeding up the readmission requests to Turkey and minimising the risk that migrants abscond during the procedure. Turkey should also collaborate more closely with the Greek authorities so that the number of migrants accepted for readmission and actually readmitted increases substantially (only 8 persons readmitted out of 5,148 requests accepted by Turkey in 2015). An important progress towards that goal was registered lately withre-admissions to Turkey during the month of</p> <p>X Frontex, assisted by Member States, should make swift practical arrangements with Greece under the new operational plan in order to support with the timely submission of readmission requests to Turkey and transportation of migrants from the place where they are apprehended and/or in detention to one of the three places of departure agreed in the Greek-Turkish Protocol.</p> <p>X Greece has invited Turkey to appoint liaison officers to be deployed in Greece with the view of facilitating readmission requests.</p> <p>X Greece should ensure full physical availability of migrants accepted by Turkey for readmission (where necessary by means of timely pre-removal detention).</p>

Recommendation December 2015	Status
<p>Frontex should ensure that joint return flights make regular stopovers in Greece in order to perform return operations.</p>	<p>✓ Frontex, assisted by Member States, is coordinating and supporting all joint return operations with stopovers in Greece. ✓ A Frontex joint return operation to Pakistan, with a stopover in Greece, is planned for 16 March, as a first step in a series of new efforts to intensify Frontex joint return operations with involvement of Greece. X The Greek authorities need to report to Frontex their specific needs on a regular and timely basis in order for joint return operations to be planned and executed.</p>
<p>Conditions in the detention centres need to be improved urgently.</p>	<p>✓ The Greek authorities are proceeding with a Framework Contract for the provision of catering services for the closed pre-removal centres for 2016-2018. On the basis of legal provisions adopted on 29 January 2016, the Hellenic Police has undertaken to provide food until the relevant agreement is in place. X Beyond catering services, certain closed pre-removal facilities, in particular on the islands, should be refurbished where necessary and should be properly maintained, in order to provide appropriate accommodation to migrants in line with EU standards. Where considered necessary, new locations for detention centres on the islands should be identified and developed, in particular in view of swift readmission to Turkey.</p>
<p>The European Commission, supported by Member States, should further step up engagement with third countries to ensure easier readmission of migrants which are not entitled to international protection including through the targeted use of the Trust Fund for Africa.</p>	<p>✓ The Joint Committees on Readmission with Turkey and Pakistan were held on 19 January and 2 February 2016 respectively. The Commission visited Afghanistan and Nigeria to discuss readmission.</p>

Recommendation December 2015		Status
Improving border management	Greek authorities and Frontex should swiftly define the operational details of the deployment of Frontex officers at the northern Greek border.	<p>✓ The Frontex operation on the Northern Greek border is ongoing. As had been agreed with Frontex, Greece has appointed 105 police officers, including 5 team leaders, to work alongside 25 Frontex officers. Their deployment is co-financed by Frontex. The refurbishment of the offices for the Frontex-Hellenic Police joint operations at the old railway station near Eidomeni has been completed.</p> <p>X So far Frontex has only been able to deploy 9 out of these 25 officers due to shortfalls in the pledges from Member States. A possible extension of the scope of the operational support provided for by Frontex in this region would also require a further commitment from Member States.</p> <p>✓ Frontex will support the Greek authorities in verifying the identity of third country nationals and whether they have been registered in the relevant databases.</p> <p>✓ Frontex has offered stepping up the operational support at the northern borders of Greece, including the one with Albania with a view to ensure effective surveillance of those borders thus preventing irregular secondary movements and channelling migration flows, in accordance with the Schengen Borders Code, towards the border crossing points.</p>
	Further to the RABIT activation, Member States should immediately make available staff and equipment to ensure that the needs identified by Greece and Frontex are fully met.	<p>✓ The Rapid Intervention Poseidon in the Aegean islands has been launched on 28 December 2015. Currently there are 775 guest officers deployed under the operation (243 crew members, 248 fingerprinters, 53 screening experts, 30 advanced documents experts, 75 interpreters, 16 debriefing experts, 8 Frontex support officers, 31 team leaders, 71 coordination staff).</p> <p>X Member States' pledges have reached 65% of the necessary coverage.</p>
Reception capacity	Greece needs to rapidly complete the construction of all 7,000 places for all five hotspot islands	<p>✓ The places in the hotspots should be available alongside the completion of the construction works. If necessary and depending on the situation in each island, the authorities may foresee additional spare capacity.</p>

Recommendation December 2015	Status
	<p>✓ UNICEF, the UNHCR and Save the Children have started a pilot project in Kos, Lesbos and Idomeni to provide dedicated care for minors. This is also intended to be extended to Samos and Leros.</p> <p>✓ Medical screening is foreseen in all hotspots as a final step in the registration procedure.</p> <p>X Greece should put in place adequate accommodation capacity for unaccompanied minors and other vulnerable groups, after they are transferred from the islands.</p>
	<p>✓ The Greek authorities are proceeding with a Framework Contract for the provision of catering services for the reception facilities for 2016-2018.</p>
	<p>More structural solutions need to be found regarding the provision of food and other basic needs in the reception facilities.</p>

Recommendation December 2015	Status
<p>Greece should continue to increase its reception capacity in line with the Western Balkans Leaders' meeting commitments.</p>	<p>✓ The total number of places that are currently available in reception facilities in Greece is 40,351 (excluding the UNHCR rental scheme). These include:</p> <ul style="list-style-type: none"> • 23,388 places in open reception facilities in the mainland. While some of these facilities are only suitable for short-term stay, others are suitable for longer stay; • 1,221 places in dedicated facilities for asylum-seekers and unaccompanied minors in the mainland and the islands; • 5,950 places in reception facilities in the hotspots (including the 1,100 places in the reserve facility of Kara Tepe in Lesvos); • 4,433 other places in first-line reception facilities in the islands (outside the hotspots); • 5,359 places in pre-removal centres. <p>When the planned expansion of the Schisto, Diavata, Malakasa, and Agios Andreas facilities is completed, the total number of places in reception facilities in Greece will reach 46,351 (excluding the UNHCR rental scheme).</p> <p>The UNHCR has signed implementing agreements with NGOs Praksis, Nostos, Iliaktida, Solidarity Now, and Arsis for the provision of a total of 16,250 places that will gradually become available in 2016 in the context of the UNHCR rental scheme. On 11/3/2016, the UNHCR was hosting 1,387 asylum-seekers at premises provided through the rental scheme.</p> <p>X With the support of the European Commission and the UNHCR, Greece should continue to expand and upgrade its reception capacity in order to cater for the migrants and refugees in its territory.</p> <p>X With the support of the European Commission and the UNHCR, Greece should continue to expand and upgrade its reception capacity in order to cater for the migrants and refugees in its territory.</p>

Recommendation December 2015	Status
<p>Member States should respond immediately to the EUCPM request for assistance.</p>	<p>✓ Last December, Greece submitted a first request for assistance in the context of the Union Civil Protection Mechanism (UCPM)</p> <p>✓ On 29 February, Greece submitted an updated request for in-kind assistance via the UCPM.</p> <p>X Up to now, 14 Member States and Norway have offered in kind assistance.</p>



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ANNEX 4

ANNEX

to the

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL**

First report on relocation and resettlement

Annex IV: Italy – State of Play Report

Recommendations December 2015		Status
HOTSPOT AREAS	The hotspots in Pozzallo and Villa Sikanìa/Porto Empedocle should be opened by end 2015. Refurbishment works for additional hotspots should also start with a view to having them ready by end of February 2016.	<ul style="list-style-type: none"> ✓ Lampedusa (since October 2015) and Pozzallo (since 19 January 2016) are open and operational. ✓ Trapani was declared open in December 2015, additional works in terms of construction and procedures have been completed in February; the Hotspot is fully operational. X Taranto was declared open on 29 February 2016 by Italy and visited by the Commission the same day. The Hotspot facility is being tested this week. X No clear plans for the refurbishment of Augusta and Porto Empedocle have been developed. Minister Alfano has confirmed at the JHA Council on 10.03 the opening of a fifth location, the official determination should be confirmed as soon as possible. ✓ To support the procedure of assignment of the place of disembarkation following search and rescue events and to reinforce coordination, direct contacts between the Ministry of the Interior and the International Coordination Centre have been established via the Frontex operational coordinator based at Pratica di Mare. ✓ Standard Operating Procedures (SOP) outlining the activities and their logical sequence in the hotspots have been drafted by the Ministry of the Interior with support from the Commission, Frontex, Europol, the European Asylum Support Office (EASO), the International Organization for Migration (IOM) and the UNHCR. A consolidated draft was delivered to the Ministry of the Interior on 8 February 2016. The Italian Ministry of the Interior is to adopt and circulate those SOPs to all relevant actors as a matter of urgency.
	The Italian authorities should take measures immediately to increase medical presence in the hotspots so as to enable a multiplication of	<ul style="list-style-type: none"> ✓ The requirement to have a 24/7 medical presence was inserted in the Standard Operating Procedures for hotspots. X The Italian authorities have to ensure that medical presence in open and forthcoming

	<p>screening and fingerprinting lines, streamlining the overall time it takes for a migrant to complete all steps/formalities in the hotspot.</p>	<p>hotspots will effectively be 24/7 in all locations. Specialized medical assistance should also be developed if need be. Such presence needs to be increased to enable multiple screening and fingerprinting lines, shortening the overall time it takes for a migrant to complete all steps/formalities in the hotspot. Coordination among the stakeholders intervening should be developed.</p> <p>X Ideally, a uniform health record would be used for all IT disembarkation (the "Personal Health Record" developed by IOM with support of the Commission and the European Centre for Disease Prevention and Control could serve as an example).</p>
	<p>Further efforts, also at legislative level, should be accelerated by the Italian authorities in order to provide a more solid legal framework to perform hotspot activities and in particular to allow the use of force for fingerprinting and to include provisions on longer term retention for those migrants that resist fingerprinting. The target of a 100% fingerprinting rate for arriving migrants needs to be achieved without delay.</p>	<p>✓ Fingerprinting rates reported by the Italian authorities, the IOM and Frontex have almost reached 100% in recent disembarkations in operational hotspots.</p> <p>✓ The Ministry of the Interior submitted an application for emergency funds to procure additional fingerprinting machines and update computer systems to avoid double fingerprinting. The Commission adopted the award decision on 8 February 2016. Roll-out of the purchased machines will take place soon.</p> <p>X A draft law to improve legal framework with regard to longer retention and to clarify fingerprinting operations (including, as a last resort, the proportionate use of force) has been ready at technical level for some time now.</p> <p>X Fingerprinting of migrants disembarked outside hotspot facility cannot be independently confirmed. All disembarkation should take place in designated and operational hotspot facilities or should be covered by interventions of the mobile Hotspot team which is in the process of being established.</p>
	<p>The presence of EUROPOL in hotspot operations needs to be extended, improved and clarified to step up investigation against migrant smugglers. Clear,</p>	<p>✓ The role of Europol is described in hotspot Standard Operating Procedures. Contacts between Europol, the Commission and police branch (the Ministry of the Interior), including the Europol National Unit, are ongoing to improve Europol's</p>

	<p>standardised provisions on the part of the Italian State Police and judicial authorities have to be issued in order to enable a purposeful exchange of (real-time) information with EUROPOL, both with staff that would be additionally deployed on the ground and through contact with Headquarters in The Hague as needed via SIENA.</p>	<p>involvement on the ground on the basis of good practices developed with some prosecutors and of a needs assessment developed by the Commission on the ground.</p> <p>X Currently, the presence of Europol is limited to one staff member deployed to the EU Regional Task Force Catania. With the recent opening of the European Smuggling Centre at Europol, at least a second staff member is to be deployed soon to reinforce the mobile Hotspot team based in Sicily. Further resources continue to be necessary to ensure a proper and effective presence of Europol.</p>
	<p>IT systems should be updated without delay to ensure that interconnections between national and EU/international databases are established, allowing for a full check of arriving migrants against SIS II/Interpol STLD databases.</p>	<p>✓ The Italian authorities provided clarifications insofar as taken fingerprints are systematically checked by forensic police staff against the national AFIS (Automated Fingerprint Identification System) and against Eurodac. In case of migrants carrying documents or of positive AFIS/Eurodac hits, nominal data is checked against the main IT police database, Sistema di Indagine (SDI). SDI is connected to SIS and Interpol databases. The Italian authorities will need to provide further information concerning the interconnection with the Interpol database.</p> <p>X Interconnection between databases is still limited. In particular there is no direct and automatic connection between the registration process (foglio notizie) and the SIS, Europol and Interpol databases. This should be established as a matter of priority in order to allow systematic checks.</p> <p>X The Italian authorities are upgrading their procedures to ensure systematic checks of arriving migrants against existing databases at national, European and international level are conducted (for fingerprints: against AFIS and Eurodac, for nominal data: against SDI, SIS and Interpol databases).</p>
	<p>The Italian authorities should continue improving their system of transfers from hotspot areas to the mainland, in particular by</p>	<p>X Tender procedure for plane transportation to be launched, review by IT procurement authority (CONSIP) has been concluded, the terms of reference are being drafted. The Italian authorities should take action</p>

	<p>developing a system of air transportation. If necessary, this could be supported by the Asylum, Migration and Integration Fund (AMIF – national programme).</p>	<p>to swiftly finalise the procedure.</p>
<p><i>Additional measures identified after the adoption of the Communication in December</i></p>		
	<p>Need to assess needs and develop a dedicated workflow to identify and adequately host unaccompanied minors and other vulnerable after disembarkations waiting to be channelled through dedicated reception centres and procedures.</p>	<p>X Dedicated assistance, facilities and trained staff should be made available in all hotspots to cater for the need of minors and vulnerable groups.</p>
	<p>Considering that some disembarkation will continue to take place outside hotspot locations due to causes of force majeure/sea conditions there is a need to ensure mobile disembarkation and registration procedures.</p>	<p>X To handle the continued disembarkations outside opened or designated hotspot locations, agreement was reached in January between Italy and the Commission to establish a mobile hotspot team. Ministry of the Interior departments of Civil Liberty and Migration (DCLI) and Police (P.S.) plus EU agencies agreed on a draft proposal. The Ministry of the Interior P.S. is currently finalising concrete planning. A mobile van-based solution, with Italian P.S. staff based in Catania, is envisaged. This solution would allow AFIS (and Eurodac) registration and checks as well as police database checks of nominal data on the go, in disembarkation sites other than hotspots. An initial nucleus could be operational by the end of March, financing of additional equipment/vehicles with EU funds could be considered if Italy prepares a respective funding application.</p>
	<p>Italian Authorities should assess whether further upgrades of the hotspot facilities are necessary in view of the summer period.</p>	<p>X A set of joint visits by the Italian authorities, the Commission and relevant agencies should be undertaken to detail any additional needs in order to strengthen the processing capacity of the hotspots in view of the summer months. The Italian Ministry of the Interior is expected to provide the Commission quickly with the</p>

		result of their assessment.
	The Italian Ministry of the Interior has asked COM and FX on 08.03.2016 to assess the possibility to provide at least four additional small to mid-sized naval assets (OPV)	X Current pledging levels in the framework of JO Triton 2016 are not sufficient, both with regard to expert staff and assets deployed to Italy. Member States are urged – despite the focus on Greece – to provide sufficient pledges to Italy.
RELOCATION	In order to avoid confusion in the provision of information about their rights and obligations, a common narrative to inform migrants is currently being produced for all players involved in the hotspot and relocation process.	<ul style="list-style-type: none"> ✓ An information leaflet on relocation has been produced by EASO in cooperation with the Commission and published in January 2016. Work is ongoing to expand the current leaflet with more detailed information on relocation. ✓ A short information video on relocation has been produced by EASO in 2015. Work is ongoing to produce other videomaterial to provide information and explanations on the relocation process. ✓ Work has been finalised on a manual with procedural and operational steps of the relocation process for the benefit of operators in the relocation process. ✓ A checklist for relocation procedures and documentation for the benefit of Italian territorial authorities (notably 'Questure') will be circulated. ✓ EASO in cooperation with the Commission and Italian Authorities has organised specific trainings in the proximity of hotspots and disembarkation areas for the benefit of civil society.
	The Italian authorities should develop early 2016 a dedicated workflow to allow the transfer of unaccompanied minors under the relocation scheme.	X No procedure is currently in place for the transfer of unaccompanied minors under the Council Decision on Relocation. Initial contacts have been undertaken with the Ministry of the Interior and the Ministry of Justice to make progress.
	EASO should swiftly deploy cultural mediators alongside its teams in order to increase the impact of its deployments and not rely on national authorities.	✓ EASO has signed the framework contract with the service provider for cultural mediators and is now able to deploy cultural mediators in Italy.
	Member States should	X Response time remains too long, reducing

	<p>substantially reduce the response time to relocation applications submitted by the Italian authorities.</p>	<p>the efficiency and effectiveness of the relocation process.</p> <ul style="list-style-type: none"> ✓ The Commission is deploying every effort towards Member States in order to accelerate the relocation process and will continue to do so. In particular communications from the Commission to Liaison Officers and National Contact Points for relocation have been sent in early March 2016 in order to significantly accelerate relocation transfers. Meetings of the Member States' Liaison Officers to Italy for relocation to facilitate the acceleration of relocation activities take place on a regular basis and their frequency may be intensified if needed. X The Italian authorities should submit a clarification to Member States' liaison officers concerning the security procedures in place in the hotspots in order to reduce the need for further security checks. X Member States should provide motivations to the Italian authorities when cases of national security, public order or exclusion are invoked to reject relocation candidates in order to ensure appropriate treatment by the Italian authorities. X Member States should facilitate the exchange of information related to security among their relevant authorities.
	<p>Member States should further increase their pledges under the relocation programme and extend the validity of the pledges already made to take into account the current low level of arrivals in Italy.</p>	<ul style="list-style-type: none"> X Although the number of pledges is sufficient Member States should accelerate acceptances and facilitate additional relocations to swiftly take place (See Annex 4) X Member States which have submitted pledges should extend the validity of pledges already made to take into account seasonal levels of arrivals in Italy.
	<p>The relocation process should be further optimised on the basis of the recommendations on the working group and the results of the Relocation forum of 16 December 2015.</p>	<ul style="list-style-type: none"> X The relocation process needs to be further optimised on the basis of recommendations and clarifications provided by the Commission and discussions in the relevant working groups and fora.
<p><i>Additional measures identified after the adoption of the Communication in December</i></p>		

	<p>Some Member States have invoked criteria other than those foreseen in the Council Decision to reject relocation files.</p>	<p>X Member States should strictly apply the criteria foreseen under the Council Decision when rejecting relocation applications. In particular relocation applications should not be rejected for reasons linked to the preferences expressed by the Member State concerning the profiles of the applicants to be relocated.</p>
<p>RETURN</p>	<p>The Italian authorities need to strengthen their dialogue with the main countries of origin of irregular migrants and streamline their administrative procedures in order to guarantee swift forced returns.</p>	<p>✓ Returns have taken place to Egypt, Tunisia and Nigeria with which bilateral agreements are in place.</p> <p>✓ Meetings have been held with Ghana, Senegal, Gambia and Ivory Coast also with the participation of the Italian Prime Minister and the Head of the Italian Police to conclude bilateral agreements. The Commission has been present at meetings at technical level.</p> <p>X Italy, together with Frontex, should define and launch as a matter of priority a clear operational plan for return and readmission activities, based on a clear planning and needs assessment by Italy, providing support to all elements in the execution return procedure, where necessary. Discussion between Frontex and Italy started at the beginning of March.</p>
	<p>In the light of the fact that the proportion of migrants that are not in need of international protection among the arrivals in Italy is steadily increasing (at this point over 50% according to the Italian authorities), it can be considered that the current detention capacity in Italy (some 604 places in total) is already insufficient. Full use of the existing detention capacity, already foreseen to be funded through the AMIF National Programme and (urgent) planning for (temporary) enlargement of Italy's</p>	<p>X Available places in detention centres (CIE-Centri di identificazione ed espulsione) have been further reduced by Italy to 271 available places (on 9 March 2016, with the majority of places reserved for female persons) as opposed to 1,248 places foreseen in the Italian Roadmap. The Italian authorities should remedy this deficiency as a matter of utmost urgency and increase, instead of decrease, the number of available places, with the view of preventing irregular migrants from absconding and moving on to other Member States in irregular manner Such plans are currently being developed.</p> <p>X Italy should also foresee the possibility to increase the duration of administrative detention within the 18-month maximum limit allowed by the Return Directive, to</p>

	<p>detention capacity should be considered.</p>	<p>ensure that all procedures can be successfully conducted without running the risk that the returnees are set free and abscond.</p> <p>X Furthermore, Italy should foresee the possibility of voluntary return of all categories of migrants, including (unaccompanied) minors, families, persons with vulnerabilities, taking into account the particular circumstances of each case.</p>
	<p>Italy has already launched a tender and should resume as quickly as possible the Assisted Voluntary Return programme to reduce the significant case load of persons ready to return, possibly considering an application for AMIF Emergency assistance to bridge the period until the new Assisted Voluntary Return programme will be in place.</p>	<p>✓ A call for tender for Assisted Voluntary Return (AVR) was launched on 24 December 2015, before selection of applicants and award. The new AVR scheme is to be operational by around June 2016.</p> <p>✓ IOM filed an application for AMIF funding with the Commission in order to bridge the gap until the start of the new AVR scheme. The request is currently on hold.</p>
	<p>The European Commission, supported by Member States, should further step up engagement with third countries to ensure easier readmission of migrants which are not entitled to international protection including through the targeted use of the Trust Fund for Africa.</p>	<p>✓ The Joint Committees on Readmission with Turkey and Pakistan were held on 19 January and 2 February 2016 respectively. The Commission visited Afghanistan and Nigeria to discuss readmission.</p> <p>✓ On a general note, Italy has already promoted projects to be financed under the Trust Fund for Africa and is working to propose the approval of new ones. Full coordination between the Ministry of Foreign Affairs and the Ministry of the Interiors should be ensured to maximize coherence of objectives.</p>
<p><i>Additional measures identified after the adoption of the Communication in December</i></p>		
	<p>The guidelines regulating the Assisted Voluntary Return system in Italy are outdated and need to become more efficient.</p>	<p>X In view of the new national programme for AVR the Italian authorities should review the guidelines applicable to the AVR programmes.</p> <p>X Italy should make the fullest possible use of the existing EU funded programmes, in particular ERIN, with regard to reintegration of returnees.</p>

IMPROVING BORDER MANAGEMENT	<p>Considering the possible risk of increasing arrivals on the Slovenian-Italian border, the Italian authorities should develop contingency plans including the possibility to request additional assistance from Frontex/EASO.</p>	<ul style="list-style-type: none"> ✓ The extension of Joint Operation Triton's operational area to cover the Southern Adriatic sea has been agreed between the Italian Authorities and Frontex. The Frontex Triton operation now consists of 181 officers. An airborne asset has been placed to Brindisi to support surveillance operations. ✓ Italy requested and received clarification concerning the possibility to relocate migrants who enter from the Western Balkans route. ✓ The Italian authorities have met with the respective counterparts in Albania and have indicated a list of possible needs to improve border surveillance in Albania and reduce the risk of flows in the Adriatic sea.
	<p>Member States should continue ensuring that assets are made available for both the Triton and the EUNAVFOR MED operations in the Mediterranean.</p>	<ul style="list-style-type: none"> ✓ Member States should continue ensuring that assets and experts are made available for both Triton and EUNAVFOR MED operations in the Mediterranean. This applies especially to the availability of fingerprinting experts that are required to ensure full operational functionality of Italian hotspots; such deployments must at least cover minimum levels in all open hotspots and the mobile hotspot team.
RECEPTION CAPACITY	<p>The ongoing work on the reform of the asylum and reception system should continue and lead to a leaner asylum procedure in particular concerning the appeal process and to reduce the fragmentation in the quality of decision making across the country.</p>	<ul style="list-style-type: none"> X A working group for asylum reform has been set up at the Ministry of the Interior to propose a new asylum law to address shortcomings and accelerate procedures. X The works towards the reform should be completed before the summer period also in view of addressing the concerns expressed by the Commission in the context of the ongoing infringement procedures.
	<p>Monitoring systems should be enhanced in order to reduce the differences in the quality of the reception conditions across the country and to avoid risks of corruption in the management of reception.</p>	<ul style="list-style-type: none"> ✓ The Italian authorities have indicated that the Italian monitoring system for reception conditions has been enhanced already in 2015 through agreements with the UNHCR and the IOM to carry out further monitoring visits in addition to those already carried out by Italian Prefectures. During 2016 new initiatives will be

		undertaken to further enhance the monitoring system.
	A single database should be established linking the asylum and reception processes in order to facilitate the management of the flow.	<p>X The new national database for registering migrants for the planning of their distribution and the reception system is not yet in force, although it is being finalised in view of becoming operational in the second semester of 2016.</p> <p>X IT solutions to link the database for reception, for asylum and the new system monitoring migrant's presence should be developed.</p>
	The Italian authorities should conclude without delays the tender for the establishment of a system of flights for the transfer of migrants. The European Commission may consider supporting the scheme as a stopgap measure and for a limited period of time until the full tender is in place.	X The tendering procedure has not been finalised so far and its enactment should be accelerated.
<i>Additional measures identified after the adoption of the Communication in December</i>		
	Reception system for Unaccompanied Minors	X Coordination at national level between ministerial, regional and municipally managed reception centres should be ensured. This should imply the use of a comprehensive and up to date database of available places in all kind of reception facilities for Unaccompanied Minors on Italian territory
	First Reception places for Unaccompanied Minors.	<p>✓ 2014 AMIF emergency funding allowed the creation of a new system of first level reception centres under the responsibility of the Ministry of the Interior ended in February 2016 (15 facilities, 737 places). 13 out of these 15 highly specialised reception facilities are in the process of renewing their activities till 22 August 2016 (641 places available).</p> <p>X A new call will be launched to ensure continuation after this date.</p>
	Second level reception system for unaccompanied minors.	✓ 961 places for second level reception for Unaccompanied Minors were available according to the roadmap.

		<ul style="list-style-type: none">✓ A Call for tender for additional places for Unaccompanied Minors independently from their legal status (SPRAR system) has been concluded in December 2015.X Around 2/3 of the additional 1010 places assigned under the call have currently been made available. Further places should be made available to ensure smooth transition between first and second level reception
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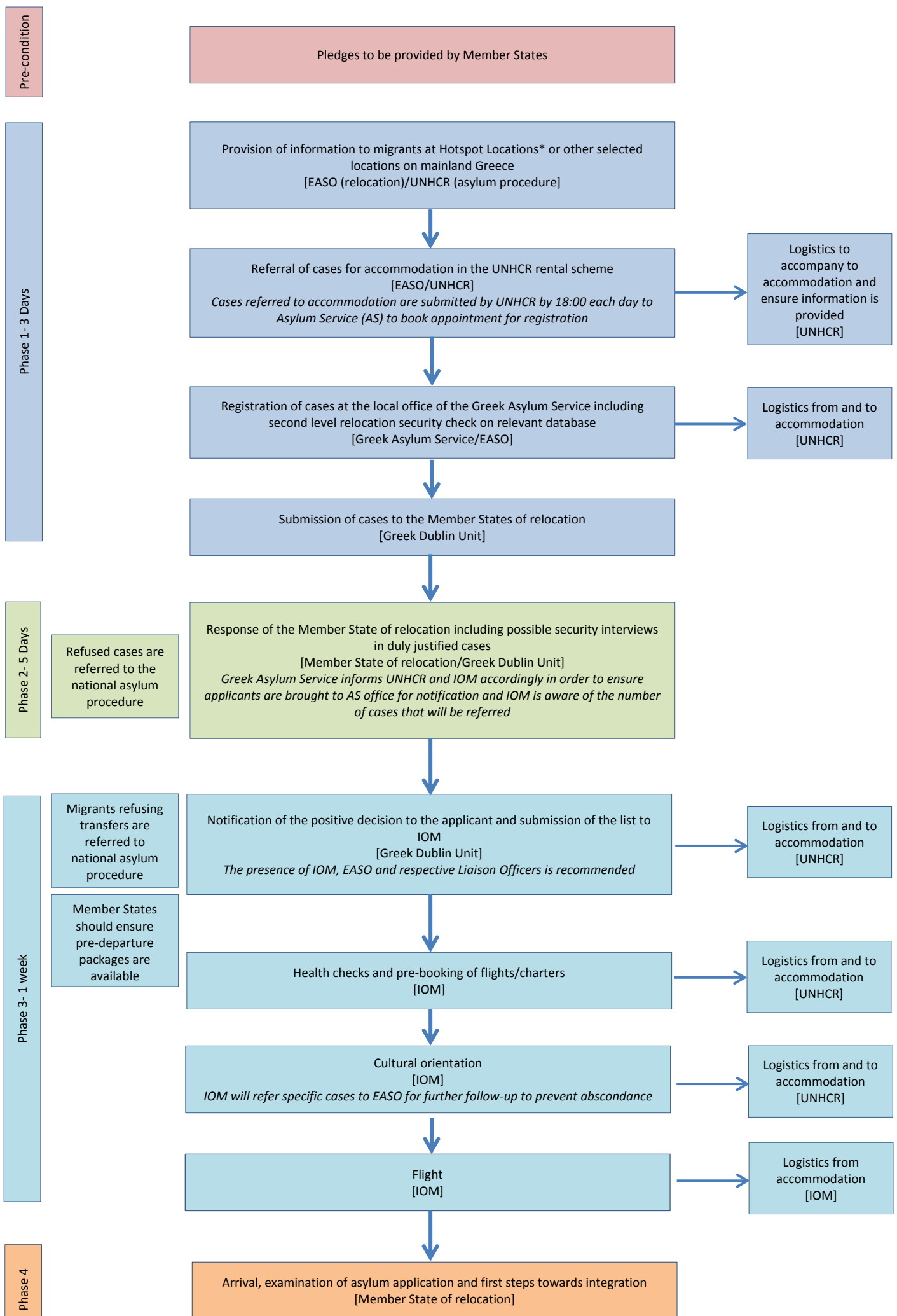
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* This workflow is complementary to the hotspots workflow which includes screening and first line security checks



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Annex VI: Resettlement State of Play as of 15 March 2016, under 20 July 2015 Conclusions

Member State/ Associated State	Pledges made under the 20 July scheme	Total resettled under the 20 July scheme by 15 March	Third country from which resettlement has taken place
Austria	1 900	1 395 ¹	Lebanon: 779; Jordan: 442; Turkey: 173; Iraq: 1
Belgium	1 100	212	Lebanon: 204; Jordan: 4; Turkey: 4
Bulgaria	50	0	
Croatia	150	0	
Cyprus	69	0	
Czech Republic	400	52	Lebanon: 32; Jordan: 20
Denmark	1 000	n/a	
Estonia	20	0	
Finland	293	0 ²	
France	2 375 ³	15 ⁴	Jordan
Germany	1 600	0	
Greece	354	0	
Hungary	0	0	
<i>Iceland</i>	<i>50</i>	<i>n/a</i>	
Ireland	520	251	Jordan, Lebanon
Italy	1 989	96	Lebanon
Latvia	50	0	
<i>Liechtenstein</i>	<i>20</i>	<i>20</i>	<i>Turkey</i>
Lithuania	70	0	
Luxembourg	30	0	
Malta	14	0	
Netherlands	1 000	231	Lebanon: 215; Jordan: 2; Turkey: 5; Morocco: 1; Ethiopia: 8
<i>Norway</i>	<i>3 500</i>	<i>6⁵</i>	<i>Jordan, Lebanon, Turkey</i>
Poland	900	0	
Portugal	191	0	
Romania	80	0	
Slovakia	100 ⁶	0	
Slovenia	20	0	
Spain	1 449	0	
Sweden	491	0 ⁷	
<i>Switzerland</i>	<i>519</i>	<i>413</i>	<i>Lebanon: 349</i> <i>Syria (Iraqi and Palestinian nationals): 64</i>
United Kingdom	2 200	1 864 ⁸	Jordan, Lebanon, Turkey, Egypt, Iraq and other countries based on humanitarian need.
TOTAL	22 504	4 555	

¹ Includes all family reunification and resettlement cases of the Austrian Humanitarian Admission Programme.

² Finland resettled 1034 people in 2015 under its national programme, outside of the 20 July scheme.

³ This number is in addition to France's national quota and previous commitments.

⁴ France already selected 460 people for resettlement from Jordan and Lebanon, but they have not been transferred yet.

⁵ Norway already accepted 1500 people for resettlement, but they have not been transferred yet.

⁶ This number is in addition to 149 Assyrians resettled from Iraq under a national programme, outside of the 20 July scheme.

⁷ Sweden resettled 1900 people in 2015 under its national programme, outside of the 20 July scheme.

⁸ Under existing UK national resettlement schemes in 2015.



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Annex VII: Plans for Resettlement after 15 March 2016

Member State/Dublin Associated State	Plans for Resettlement from third countries between 15 March until the end of the 20 July scheme	
Austria	505	Lebanon: 59 Jordan: 200 Turkey: 246
Belgium	888	n/a
Bulgaria	50	Turkey: 20 in 2016 30 in 2017
Croatia	150	Turkey
Cyprus	69	North Africa, Middle East, Horn of Africa
Czech Republic	348	Syrians in Jordan (possibly also in Turkey, Lebanon, Iraq)
Denmark	1000	n/a
Estonia	20	Turkey
Finland	293	Jordan and Lebanon in 2016 (In total 750 to be resettled in 2016) ¹
France	2360	Jordan, Lebanon 460 already selected but not yet resettled (200 from Jordan and 260 from Lebanon)
Germany	1600	Lebanon: 1000 Egypt: 300 Sudan: 300
Greece	354	n/a
Hungary	-	n/a
Iceland	50	n/a
Ireland	269	Lebanon
Italy	1893	<ul style="list-style-type: none"> - Sudan: 50 (Eritreans) - Lebanon: 304 (Syrians) - Priority regions: 1050 Syrians (50 of those through private sponsorship scheme) - Horn of Africa: 239 (RDPP countries) - 130 refugees in need of emergency or urgent resettlement due to physical or legal protection needs, included victims of violence or torture (including 56 Palestinian refugees from Syria) - 100 women and children at risk - 20 persons with medical needs that can be guaranteed only through resettlement
Latvia	50	Turkey
Liechtenstein	Pledges fulfilled	n/a
Lithuania	70	Turkey
Luxembourg	30	Turkey
Malta	14	Turkey: 7 in 2016 7 in 2017
Netherlands	769	Lebanon: 140 (2016; April resettlement mission) Turkey: 140 (2016; June resettlement mission) 2 nd half 2016 resettlement missions: 280 (destination not yet decided)
Norway	3494	<i>Lebanon: 1500 (already accepted but not yet transferred)</i> <i>1950 to be selected in 2nd half of 2016: Lebanon 1 140, Jordan 250, Turkey 600</i>
Poland	900	n/a
Portugal	191	Turkey: 100 in 2016

¹ Finish pledge under 20 July Conclusions is part of the national quota for 2016 of 750 people to be resettled.

Member State/Dublin Associated State	Plans for Resettlement from third countries between 15 March until the end of the 20 July scheme	
		91 in 2017
Romania	80	40 in 2016 40 in 2017
Slovakia	100	n/a
Slovenia	20 ²	Lebanon, Jordan Turkey
Spain	1449	854 in 2016 (of which 285 from Turkey) 595 in 2017
Sweden	491 ³	Lebanon: 400 Jordan: 50 Turkey: 41
<i>Switzerland</i>	106	<i>Primarily from Lebanon but also from Syria.</i>
United Kingdom	336	20 000 and at least 750 per year. ⁴

² By the end of 2016.

³ Not before 1 July 2016.

⁴ Under existing UK national resettlement schemes, 20 000 before 2020.



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1 Introduction

In 2015, around 880,000 persons arrived in the European Union through Greece and Italy. In May 2015, for the first time in the history of European migration policy, the Commission proposed to relocate people in clear need of international protection within the EU, from Member States under extreme pressure to other Member States of the European Union. In September 2015, the Council adopted two legally binding decisions¹ which established a temporary and exceptional relocation mechanism for 160,000 applicants in clear need of international protection from Greece and Italy.²

At the same time, with a view to addressing the global migratory crisis comprehensively and to showing solidarity with third countries equally affected, the Commission recommended an EU resettlement scheme for 20,000 people in need of international protection. In July 2015, Member States, together with Dublin Associated States, agreed to resettle over two years 22,504 people in need of international protection from the Middle East, Horn of Africa and Northern Africa.

As the flows continue in 2016, so far however only 937 people have been relocated from Italy and Greece, and only 4,555 have been resettled. The unsatisfactory level of implementation of both schemes is due to a variety of factors, including the lack of political will of Member States to deliver in a full and timely manner on their legal obligations to relocate. Until recently, the wave-through policy along the Western Balkan route was an additional obstacle to the relocation scheme as most eligible applicants travelled onwards instead of being relocated in an orderly fashion. In parallel, Member States were reluctant to resettle as people continued to arrive in an irregular way.

Following the Commission's report³ on how to restore order on the Eastern Mediterranean/Western Balkans route as well as the Conclusions of the European Council of 18-19 February and of the meeting of the Heads of State or Government of 7 March⁴, Member States agreed to adopt a European approach and end the wave-through policy. They also noted the need to stand by Greece in this difficult moment, taking account of the very difficult humanitarian situation which is rapidly developing on the ground. In that regard, with the flows continuing, more than 100,000 migrants could be stranded in Greece within a month, according to the United Nations High Commissioner for the Refugees (UNHCR). They therefore called for a substantial acceleration of the implementation of relocation to alleviate the heavy pressure that presently weighs on Greece.

This Communication responds to the obligation under Article 12 of the two Council Decisions to report to the Council every six months on the implementation of the Decisions and the

¹ 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 and 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.

² Out of those 160 000, 54 000 were intended to be relocated from Hungary in the Commission proposal, but will be relocated from Italy and Greece instead if no amending decision to the second Council Decision on relocation is made by September 2016.

³ COM(2016)85 final.

⁴ EUCO 1/16; SN 28/16.

roadmaps for Italy and Greece. It also responds to the Commission commitment under the Roadmap "Back to Schengen"⁵ to report on a monthly basis on the implementation of relocation and resettlement. This Communication summarises the challenges identified and lessons learned in these first months of implementation of the relocation and resettlement schemes and proposes recommendations and actions in the short term to improve the implementation rate.

2 Relocation

2.1 Legal background and participating countries in the EU relocation schemes

Following the two decisions in September 2015, 106 000 asylum applicants are due to be relocated from Italy⁶ and Greece⁷ by September 2017. The remaining 54,000 were assigned to be relocated from Italy and Greece, unless a proposal is submitted by the Commission to the Council before 26 September 2016 to adapt the relocation mechanism⁸. Moreover, in line with the Council Conclusions of 20 July 2015, the Member States still have to pledge on the allocation of the remaining 7,744 places under the first Council Decision, out of a total of agreed 40,000 places. Member States have an obligation to relocate from Italy and Greece the number of persons allocated to them as per Annexes I and II to Council Decision (EU) 2015/1601⁹ as well as those agreed in Council Decision (EU) 2015/1523¹⁰ in line with the figures defined in the Council Conclusions of 20 July 2015. This obligation is to be fulfilled over a two-year period.

In line with their special positions under Protocols 21 and 22 of the Treaty on the Functioning of the European Union, the United Kingdom and Ireland are not bound by this Decision, but can decide to opt in. On 6 October 2015, Ireland opted-in to both Council Decisions and is already relocating applicants from Italy and Greece. In addition, Dublin Associated States (Switzerland, Norway and Liechtenstein) expressed their interest in participating in the relocation scheme and are finalising the necessary bilateral arrangements with Italy and Greece to start relocation as soon as possible. Hungary and Austria have not pledged any places for relocation under Decision 2015/1523. Hungary and Slovakia have lodged actions¹¹ before the Court of Justice of the EU to review the legality of the second Council Decision on relocation. These actions do not have suspensive effect and the Member States thus remain obliged to relocate under the decision in question.

The migratory pressure on Sweden and Austria has led these two Member States to request temporary suspension of the obligations under the Council Decisions on relocation. To address these requests, in December 2015 the Commission adopted a proposal for a Council Decision on the temporary suspension of the obligations of Sweden under both Council Decisions on relocation¹² and in February 2016 a proposal for a Council Implementing

⁵ COM(2016) 120 final.

⁶ 39,600 asylum applicants are to be relocated from Italy under the two Council Decisions on relocation.

⁷ 66,400 asylum applicants are to be relocated from Greece under the two Council Decisions on relocation.

⁸ Article 4(3) of Council Decision (EU) 2015/1601.

⁹ Council Decision (EU) 2015/1601 of 22 September 2015.

¹⁰ Council Decision (EU) 2015/1523 of 14 September 2015.

¹¹ C-643/15 and C-647/15.

¹² COM(2015) 677 final.

Decision on the temporary suspension of 30% of the number of applicants to be relocated by Austria under Council Decision (EU) 2015/1601. The decision regarding Austria was adopted by the Council on 10 March 2016. As a result, Austria benefits from a one-year suspension for the relocation of 1,065 applicants. The proposal regarding Sweden is still being discussed by the Council and the European Parliament.

2.2 Roadmaps submitted by Italy and Greece

In line with Article 8 of the Relocation Decisions, Greece and Italy have submitted to the Commission and the Council roadmaps with measures in the area of asylum, first reception and return, aimed at enhancing the capacity, quality and efficiency of their systems in these areas as well as with measures to ensure appropriate implementation of the Relocation Decisions. The roadmaps have been communicated to all Member States and Dublin Associates States and discussed in the relocation workshop organised by the Commission on 21 September 2015 and the Relocation and Resettlement Forum on 1 October 2015.

The Commission has regularly reported¹³ on the progress achieved so far by both Greece and Italy in the implementation of the priority actions in key areas the roadmaps refer to: establishing functioning hotspots, implementing the relocation programme, ensuring effective returns of migrants not entitled to international protection, improving border management and creating sufficient and adequate reception capacity.

Concerning Italy, it has committed under its roadmap to set up six hotspots, five in Sicily and one in Apulia. Currently, four hotspots have been rendered operational while one has been turned into a relocation hub, a fifth hotspot has been announced by Italy at the Justice and Home Affairs Council of 10 March 2016 and its final location should be communicated to the Commission within the shortest delay. As indicated in the roadmap, the Italian hotspots are closely related to the relocation process for which a standardised and efficient procedure has been developed with a strong involvement of the European Asylum Support Office (EASO) in the process. A procedure for the transfer of unaccompanied minors under the Relocation Decisions needs still to be put in place. In terms of second level accommodation for asylum seekers, the places currently available are in line with those declared in the roadmap. However, some efficiency gains would be desirable in particular by establishing a more organised distribution of asylum seekers across the Italian territory. Reception places for unaccompanied minors are available according to the roadmaps, although additional places should be made available in order to ensure smooth transition between first and second level reception. On the other hand, reception for persons to be returned remains extremely limited and below the threshold declared in the roadmap leading to significant challenges for the swift implementation of return operations. The ongoing work on the reform of the Italian asylum system should be completed before the summer with a view to address remaining

¹³ Communication from the Commission "Managing the refugee crisis: immediate operational, budgetary and legal measures under the European Agenda on Migration" (COM(2015) 490, 23 September 2015).

Communication from the Commission "Managing the refugee crisis: State of play of the implementation of the priority actions under the European Agenda on Migration" (COM(2015) 510, 14 October 2015).

Communication from the Commission "Progress Report on the Implementation of the hotspots in Greece" (COM(2015) 678, 15 December 2015).

Communication from the Commission "State of Play of the implementation of the priority actions under the European Agenda on Migration (COM(2016) 85, 10 February 2016).

Communication from the Commission "Progress report on the implementation of the hotspots approach in Greece" (COM (2016) 141 final, 4 March 2016).

shortcomings and ensure a leaner asylum procedure, including in respect of reducing the fragmentation in the quality of the decision making across the country.

Concerning Greece, it has committed under its roadmap to establish five hotspots. Four are currently operational with one still to be finalised on the island of Kos. Processes in the hotspots appear to be efficient and effective for the registration of high numbers of third country nationals on a daily basis while some further improvements in the central IT system are underway in order to deal with the high increase in the fingerprinting input. Systematic checks against security databases need to be fully established and efforts are still required to detect and ensure follow-up to cases of document fraud. Although information provision and registration of relocation candidates is part of the hotspot approach in Greece, the Greek Asylum Service and EASO are present only in three islands. In light of the sudden increase of third country nationals present on its territory, Greece is now stepping up the accommodation system through the involvement of the military and with the support of the European Union through funding and the European Union Civil Protection Mechanism. EASO has started expanding its operations to increase the registration capacity of Greece. Concerning returns, Greece has recently increased readmissions to Turkey. However, the detention capacity remains rather limited and several detention centres are in need of refurbishment.

It should be noted that progress still needs to be made by Greece as regards its general asylum system. The measures required in this respect have been identified by the Commission in a recommendation of 10 February 2016.¹⁴ Greece has reported on this on 4 March. The Commission has made a preliminary assessment of the reply and will be in touch with the Greek authorities with a view to seek additional clarifications. The Commission will continue to monitor closely the progress made by Greece and will carry out its assessment on whether the conditions are such as to allow Member States to progressively resume individual transfers to Greece under the Dublin Regulation, ahead of the June European Council.

Annexes 3 and 4 provide an overview of the progress made by Italy and Greece in the implementation of the roadmaps and the steps which remain to be taken.

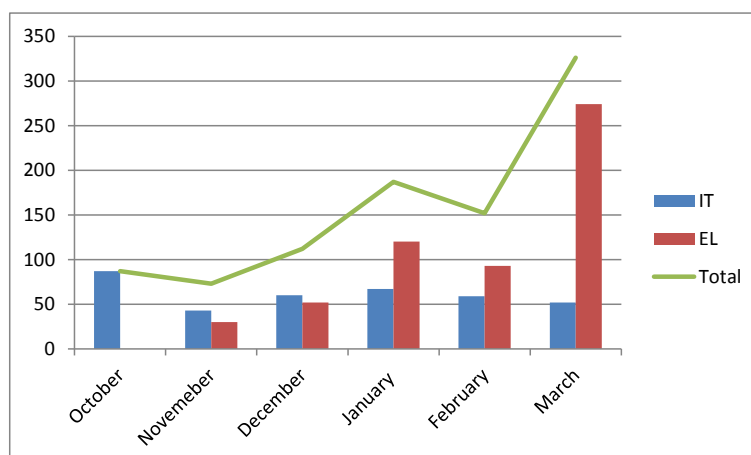
2.3 Main trends following five months of implementation of the relocation schemes

- ***Slow implementation rate but first signs of a positive trend:*** By 15 March 2016, 937 people had been relocated (368 from Italy and 569 from Greece). However, the experience in the first weeks of March where 287 people (241 of which from Greece alone) have been relocated swiftly showed that if Member States are committed, relocation can work.

As shown in figure 1 below, the pace of relocation has significantly increased in the first weeks of March, but is still insufficient to meet the objectives of the two Council Decisions on relocation, which are emergency measures intended to relieve the significant asylum pressure on Greece and Italy. Given that these pressures are acute, in particular in Greece, the need for stepped-up action becomes all the more compelling.

¹⁴ Commission Recommendation addressed to the Hellenic Republic on the urgent measures to be taken by Greece in view of the resumption of transfers under Regulation (EU) No. 604/2013, C(2016) 871, 10 February 2016.

Figure 1- Relocation Transfers October 2015-15 March 2016



Member States have made statements in different fora making 6,884 relocation places available. However, as of 15 March, **the total number of indications** of readiness to relocate swiftly applicants for international protection (the "formal pledges") by Member States of relocation amounts to 3,723. On the positive side, most Member States have appointed **liaison officers**, who play a key role in the procedure.

- **Rapid increase in the number of applicants:** During the first five months of implementation, the number of applicants for relocation was low (e.g., around 20 persons per day in Greece). This was partially due to the limited trust by migrants in the relocation scheme.

However, in the first weeks of March, the number of applicants has increased significantly (e.g., 300 people per day in Greece). Partially, this is a consequence of the restrictions imposed at the Greece/former Yugoslav Republic of Macedonia border but also of the additional efforts to disseminate information, including the deployment of EASO mobile teams outside the hotspots to maximise outreach. Nevertheless, the risks of absconding once the person is notified of the Member State of relocation remain.

- **Increased number of nationalities eligible for relocation but also increased unpredictability regarding new nationalities potentially covered by the Council Decisions:** Relocation applies to nationalities with an EU-average recognition rate for international protection of 75% or more. This information is based on Eurostat data and updated on a quarterly basis on the basis of Eurostat reports. The Commission then informs EASO about the nationalities eligible for relocation, which in turns informs the national contact points. Thus, every four months nationalities can be added or withdrawn from the list of those eligible for relocation creating uncertainty among migrants and stakeholders. Based on the latest Eurostat quarterly data (4th quarter of 2015), the nationalities eligible for relocation are currently¹⁵ Burundi, Central African Republic, Eritrea, Costa Rica, Saint Vincent and the Grenadines,

¹⁵ When the Council Decisions were adopted, the nationalities eligible for relocation were Syria, Iraq and Eritrea. At the first update- (Q3-2015), the nationalities eligible for relocation were: Bahrain, Central African Republic, Eritrea, Iraq, Syria, Swaziland and Yemen.

Bahrain, Iraq, Maldives, Syria, and British overseas countries and territories.¹⁶ Compared to the previous quarterly report, Yemen and Swaziland are no longer eligible for relocation.

- ***Relocation of vulnerable applicants for international protection, including unaccompanied minors is proving challenging:*** Only a very limited number of unaccompanied minors (UAM) (one or two from Greece to Finland) have been relocated despite the Council Decisions on relocation requesting vulnerable applicants to be processed as a priority. The reasons for this are varied including the reluctance of Member States of relocation to accept relocation of UAM and the lack of specific procedures in Italy and Greece to allow the relocation of UAM. Relocation of UAM is a complex process and some migrants, particularly Eritreans in Italy, have claimed to be adults in order not to be separated from the group they have arrived with. Italy and Greece are developing new procedures to be able to swiftly relocate UAM, in line with the best interest of the child and their national legislation. Italian authorities and FRONTEX are providing experts on age assessment. Several organisations are also stepping up efforts to provide for adequate reception facilities in Greece (e.g. UNICEF Child and Family Support Hubs).

More generally, no specific data is available regarding the number of relocation transfers of vulnerable applicants for international protection. However, experience on the ground shows that many applicants belong to this category (e.g., pregnant women, disabled persons, elderly persons). Despite the call to Member States to transmit indications regarding their capacity to receive particularly vulnerable persons, almost no Member State has reported any credible capacity.

2.4 Action by the Commission and EU agencies

The Commission sent **administrative letters** to Member States of relocation on 10 February calling to accelerate the implementation of the Council Decisions and addressing many of the obstacles identified. It has also sent similar letters to Italy and Greece with recommendations to improve and accelerate the relocation procedure. In addition, the Commission has opened infringement procedures against Italy and Greece on the implementation of Eurodac Regulation and against Greece in relation to the Reception Conditions Directive.

As foreseen under the relocation scheme, Italy and Greece receive **funding** through their Asylum, Migration and Integration Fund (AMIF) national programmes (additional lump sum of EUR 500 for each person relocated) to support their efforts on relocation. Financial assistance is also provided to the Member States of relocation who will receive a lump sum of EUR 6,000 for each person relocated under their AMIF national programmes. A total of 1,040 million EUR have been earmarked for the relocation of 160,000 persons and the AMIF national programmes have been revised to include the amounts corresponding to 98,547 persons to be relocated (for a total of EUR 644,5 million). Finally, substantial financial support has been made available under AMIF Emergency Assistance for the International

¹⁶ Some of these nationalities represent less than 200 applicants for international protection in the EU in the reference period. Since the Council Decisions on relocation do not include any provisions on the minimum number of decisions for calculating the EU-wide average, nationalities with very few decisions but all positive easily fall under the scope of the Council Decisions on relocation.

Organisation for Migration (IOM) to support the implementation of the emergency relocation mechanism in Greece and Italy.

On 10 March the Commission adopted modifications to the work programmes for 2016, increasing the financing for emergency assistance of AMIF and the Internal Security Fund (ISF) with an additional EUR 275.5 million. To finance the additional emergency funding, AMIF and ISF funds foreseen in the EU's budget for 2016, which had not yet been allocated, will be used. The increase of the emergency funding follows the conclusions of the European Council of 18-19 February 2016, calling for urgent action to address the humanitarian situation in Greece and along the Western Balkans, using all available EU and national means to alleviate it. The original budget of EUR 188.98 million for emergency assistance under AMIF and ISF for 2016 has now been reinforced with an additional EUR193.5 million for AMIF and EUR 82 million for ISF to a total of EUR 464 million for 2016 to address the most urgent funding needs of Member States in the context of the refugee crisis.

The Commission has set up a **Migrants' Information Strategy Task Force (MIS)** gathering all relevant institutional actors, following a request of the JHA Council to ensure that asylum seekers and migrants receive adequate information. The Task Force coordinates information activities, including content-production and dissemination of information material, at inter-institutional level and guarantees consistency of such activities with the Migrants' Information Strategy.

The Commission has created a dedicated hotspots team which is **present on the ground** together with FRONTEX, EASO and Europol.

In addition to the significant deployment of experts, including mobile teams, EASO is developing several tools to assist in the various steps of relocation (information leaflets, pre-departure information, matching tool, tool for the identification of vulnerable cases). A specific training concept, including modules tailored for the needs of unaccompanied minors and for hotspots, has also been developed.

2.5 Actions to be undertaken by the Member States of Relocation

Main obstacles and challenges to overcome

- Insufficient and limited number of formal pledges
- Incorrect use of preferences by Member States
- Lengthy response time to relocation requests
- Obstacles related to security checks
- Unjustified rejections
- Lack of pre-departure information by the Member State of relocation
- Insufficient response to EASO Call for experts

- **Insufficient and limited number of pledges:** the number of pledges is clearly insufficient to meet the obligations under the Council Decisions on relocation. The total number of formal pledges is of 3,723 on 15 March 2016, which represent 2.33% of the

160,000 relocation transfers to be implemented. Three Member States (Croatia, Hungary and Slovakia) have not made available any places for relocation so far. Only 18 Member States have pledged to relocate from Greece and 19 Member States from Italy. Many Member States have only made very limited pledges in light of their total allocation and for a limited period of time. The low number of pledges affects particularly Greece. Following the restrictions applied at the Greece/former Yugoslav Republic of Macedonia border it becomes imperative to step up rapidly the rate of pledges to help alleviate the very difficult humanitarian situation that is rapidly developing on the ground.

- **Incorrect use of preferences by Member States:** the main objective of preferences is to facilitate integration of the relocated person in the Member State of relocation.¹⁷ However some Member States have expressed long or constraining lists of preferences for the profile of the applicants to be relocated. Some Member States of relocation are reluctant to receive relocation requests concerning specific nationalities, single applicants, or unaccompanied minors, due to lack of interpretation, integration programmes or reception capacity; others clearly state that they would only accept families. The majority of Member States use the preferences as a means to exclude possible candidates rather than to allow for a better matching process for better integration. Italian and Greek authorities try as much as possible to meet the preferences expressed (always respecting the principle of non-discrimination) even if these are not binding on Greece and Italy. Some Member States of relocation have used the non-respect of preferences as a ground for rejecting a relocation request, which is not allowed under the Council Decisions.¹⁸
- **Lengthy response time to reply to relocation requests:** A speedy reply by the Member State of relocation is crucial to increase the credibility of the relocation scheme. However, the relocation procedure in general exceeds the two-month time limit set out in the two Council Decisions on relocation, due in part to the lack of a swift reply by Member States of relocation.¹⁹ This prevents the relocation scheme from reaching the regular and constant pace it would require to become fully operational and to meet the urgent needs on the ground. It also makes relocation transfers even more complex to run as the acceptance and the transfer of large groups create logistical challenges for Italy, Greece and the IOM.

The lengthy response time is also compromising the effectiveness of the relocation mechanism by undermining trust in the eyes of the migrants who often opt for the programme only to find out that the swift transfer they were promised does not materialise, contributing to increased risk of absconding.

- **Obstacles related to the security checks, including the exchange of fingerprint data:** The main reason for delays in responding to relocation requests is additional security checks. Since the Paris attacks in November 2015, several Member States want to conduct security checks on applicants for relocation prior to replying to the relocation request.

¹⁷ Cf. Recital 28 of Council Decision (EU) 2015/1523 and Recital 34 of Council Decision (EU) 2015/1601.

¹⁸ According to Article 5(7) of the Council Decisions on relocation, rejections can take place “only where there are reasonable grounds for regarding him or her as a danger to their national security or public order or where there are serious reasons for applying the exclusion provisions set out in Articles 12 and 17 of Directive 2011/95/EU”.

¹⁹ For example, Poland submitted its pledge on 16 December. No relocation request has been accepted by 15 March. On the other hand, Portugal submitted its second pledge on 26 February 2016 and the relocation took place on 7 March. In fact, in the case of Portugal, transfer took place within a week after receipt of the relocation request from Greece.

This is in line with the Relocation Decisions, but these additional security checks should, nevertheless, be carried out as swiftly as possible. The main issues regarding security checks are the following:

- Systematic security interviews.²⁰ Some Member States are requesting systematic interviews to assess whether the applicant would fall under the rejection grounds of the Council Decisions. This is often linked to the extensive application of the exclusion clause²¹ of the Council Decisions²² which should be strictly interpreted. The existence of rejection grounds should emerge mainly from the relocation files submitted by Italy and Greece, which include dedicated fiches concerning elements identified in the process potentially pointing at those exclusion grounds;
- Many Member States have repeatedly requested the fingerprints of applicants obtained for purposes of the Eurodac Regulation²³ via DubliNet as necessary to carry out security checks. The Commission has already informed Member States that this is not allowed under the current legal framework and has presented to the Member States alternative solutions for exchanging fingerprints via police cooperation channels.

Greece and Italy have stepped-up efforts to conduct security checks both at the hotspots and the mainland responding to the relevant concerns of the Member State of relocation. These checks include searching their national databases, as well as European and international databases (SIS and Interpol's SLTD, VIS) before sending any relocation request. The capacity at the hotspots has also been increased including additional Eurodac machines, X-rays machines, stable internet connection and increased capacity of the server. In addition, Italy is planning to appoint a security correspondent to be in close contact with Liaison officers for security purposes. These checks should offer enough reassurances to the Member State of relocation and reduce the number of additional security checks and interviews.

- **Unjustified rejections of relocation requests:** Some Member States have used a general reference to national security, public order or application of the exclusion provisions of the Qualification Directive²⁴ to reject applications without providing specific justifications. This practice of failing to motivate the rejections is not in line with the Council Decisions on relocation and is contrary to the spirit of loyal cooperation.
- **Lack of pre-departure information by the Member State of relocation:** providing pre-departure information is crucial to ensuring a cooperative attitude of applicants as well as to avoid absconding and secondary movements. Many migrants desire to go to a specific Member State and come with pre-conceived ideas knowing only a few Member States (e.g. those where they have relatives or acquaintances). In addition, misinformation is continuously disseminated through social media. Pre-departure information at the moment of the notification of the relocation decision to the applicant is therefore crucial. The Italian and Greek authorities need to be able to provide high-quality and attractive information to reassure applicants about the Member State to which they will be

²⁰ Interviews to determine the refugee status of the applicant to be relocated before accepting a relocation request would be clearly against the letter and spirit of the scheme and should not be requested.

²¹ Articles 12 and 17 of Directive 2011/95/EU.

²² Article 5(7) of both Council Decisions on relocation.

²³ Regulation (EU) No 603/2013.

²⁴ Directive 2011/95/EU.

transferred. Liaison officers play a crucial role by responding to applicants' questions and concerns. However, the majority of Member States of relocation have so far not prepared appropriate pre-departure information packages. This makes it more difficult to gain the trust of the applicants to be relocated to less known Member States and to make sure they remain committed to the process without absconding.

- **Insufficient response to EASO's calls for experts:** despite the fact that Member States offered 201 experts to the general call from EASO for 374 experts, the response is inadequate for specific calls and actual deployments. This is clearly insufficient given the critical situation, particularly in Greece. In addition, experts tend to be available for limited periods of time which reduces the efficiency of deployment as experts leave when they become operational and newcomers need to be trained. On 1 March EASO published a new call requesting 39 experts for Greece; only 12 experts have been offered. In view of the deteriorating situation in Greece, another call was launched on 9 March requesting 57 additional experts.

2.6 Actions to be undertaken by Italy and Greece

Main obstacles and challenges to overcome

- Need to make all hotspots fully operational and continue implementing the roadmaps
- Insufficient reception and registration capacities in Greece
- Insufficient coordination capacity
- Insufficient follow-up of applicants

For both Italy and Greece

- **Need for Italy and Greece to make all hotspots operational and continue implementing the roadmaps:** While significant progress has been made with the operation of 4 hotspots out the 5 planned in Greece (Annex 3) and the 4 out of 6 opened in Italy (Annex 4) despite the relatively low level of arrivals reported so far, it should be ensured that all hotspots are fully functional as soon as possible. However, the finalisation of the hotspot implementation must not be used as a reason to limit the number of pledges. In addition, it is possible to relocate people from outside the hotspots provided the conditions in Article 3(2) and Article 5(9) of the Council Decisions are met (eligible nationality, identification, registration and fingerprint).
- **Insufficient coordination capacity:** the increasing number of actors involved in the relocation procedure and the need for accelerating the registration of applicants and transfers require additional coordination efforts including to oversee the activity of the multiple NGOs providing information in the hotspots. The development of the Standard Operating Procedures and the protocols under preparation should improve the situation.
- **Insufficient follow-up of applicants:** keeping applicants regularly and adequately informed about the state of play of their application is crucial to avoid absconding and reassure them that they are still part of the relocation scheme, particularly in case of late

replies by the Member State of relocation. However, currently, a close follow-up is not ensured.

For Greece

- **Insufficient reception capacities in Greece:** having adequate reception facilities is critical to avoid risks of absconding and to provide the space required to properly inform migrants about the relocation procedure. Following the Leaders' Meeting on refugee flows along the Western Balkans Route of 25 October and in line with its roadmap, Greece committed to put in place 50,000 accommodation places aimed at addressing the reception needs of both asylum seekers and irregular migrants. So far, 40,351 reception places appear to be available. In addition, the UNHCR has not concluded all the agreements needed to reach the target of 20,000 places under the rental scheme. Moreover, the rental scheme is more suitable for medium to long-term reception of asylum applicants rather than relocation applicants, due to the nature of the accommodation provided and its scattered locations. Due to the increasing number of applicants stranded in Greece, there is an urgent need to provide dedicated reception sites for relocation applicants. The Commission is therefore in the process of assessing possible modifications to the UNHCR rental scheme. Moreover, the Commission will swiftly start the implementation of the Contingency and Response Plan,²⁵ under which additional financial support will be provided to Greece.
- **The registration capacity in Greece:** the increasing numbers of migrants joining the relocation scheme largely exceeds the capacity of the Greek Asylum Service for daily registration. Currently the waiting time between the moment the migrant decides to join the relocation scheme and the moment he/she can register the asylum application is around three weeks. Greece is reinforcing its capacity with 100 additional staff to be recruited by June.²⁶ In addition EASO is piloting a new system to support the Greek asylum office in registering relocation cases directly in English. If successful, this system will be extended to all regional Greek asylum offices where cases for relocation may need to be registered.

2.7 Recommendations to remedy identified challenges

Main recommendations to the Member States of relocation

- Increase significantly the number and frequency of pledges;
- Reply to relocation requests from Italy and Greece within one week upon receipt;
- Accelerate the carrying out of additional security checks with the objective of performing them within one week and with a focus on duly justified cases;
- Provide pre-departure information packages including qualitative and attractive information to applicants following EASO's guidance note;
- Respond as a matter of urgency to EASO calls for experts to support Italy and in

²⁵ An additional EUR 275.5 million under the Asylum, Migration and Integration Fund and Internal Security Funds have been approved on 10 March by the Commission to support Greece.

²⁶ The Asylum Service will be reinforced with 29 new employees in April. In total 100 employees will be hired by June this year. The current registration capacity of the service stands at 80 cases per day across the country.

particular Greece, ensuring greater continuity in the deployment of experts;

Main recommendation to Greece and Italy

- Increase the capacity of the Greek Asylum Service, with the support of EASO, to register applicants to be relocated, matching the significant increase in the number of eligible migrants interested in joining the scheme;
- Complete the full operation of all hotspots;
- Step-up efforts to carry out systematic security checks and to improve the quality of information provided in the relocation requests sent to Member States, and appoint a security correspondent;
- Improve the coordination capacity by finalising and implementing as soon as possible Standard Operating Procedures and Protocols for relocation;
- Increase the reception capacity of Greece by making available the 50,000 places committed under the roadmap as soon as possible;
- Finalise as soon as possible the procedures to facilitate the relocation of unaccompanied minors.

An ideal workflow for relocation based on the experience in the first week of March in Greece is indicated in Annex 5.

2.7.1 On the part of Member States of relocation

Actions to address the limited number of pledges: All Member States of relocation should increase the number of formal pledges made via DubliNet respecting the maximum three-month timeframe established in the Council Decisions. These pledges should be consistent with the quota allocated to the Member State of relocation and take full account of the emergency situation on the ground.

Actions to reduce the incorrect use of preferences: Member States of relocation should limit to the extent possible the preferences expressed, using them only in view of better integration and should be ready to welcome all types of migrants (families, unaccompanied minors, single male applicants).

Actions to speed up the response time to relocation requests: Member States of relocation should reply to relocation requests **within one week**. In this sense, in relation to security checks, Frontex should carry out systematic 1st line security checks, including access to SIS and a strengthened role for Europol in the 2nd line checks should be foreseen while Italy and Greece continue their efforts to carry out systematic security checks and to improve the quality of information provided in the relocation requests sent to Member States.

Member States of relocation should focus additional checks, and particularly security interviews, on duly justified cases, i.e., grounded and motivated suspicions that the person may fall under one of the rejection grounds. The reasons should be communicated as early as possible to the Italian and Greek authorities. In any case, these additional checks, including interviews, should be carried out within the one week response time target not to delay the process. Where Member States of relocation have reasonable grounds for rejection based on national security, public order or risk of exclusion, these should be specified to Italy and Greece.

Actions to address challenges related to the relocation of vulnerable applicants and UAM: Member States of relocation should make available as soon as possible places for vulnerable persons and UAM and increase their reception capacities for this type of applicant as well ensure appropriate guardianship.

Actions to increase migrants' acceptability and trust in the scheme and avoiding withdrawals: Member States of relocation should step up significantly pre-departure information particularly for Member States less known to migrants. Member States of relocation should provide as soon as possible information material to the asylum authorities of Greece and Italy as well as to EASO and the IOM following the guidance note developed by EASO. The Liaison officers should be provided with adequate information material and be present during the notification phase to reply to migrants' questions and address his/her concerns. The training activities that EASO is planning should also provide for the exchanges of best practices among Member States, including on information aspects, and the building of mutual trust.

Actions to avoid secondary movements following the relocation transfers: Member States of relocation should make full use of the tools available in the asylum *acquis* (reporting obligations, providing applicants for international protection with material reception conditions only in kind, detention under some circumstances). Dublin transfers to Greece should be resumed when conditions are met.²⁷

Actions to reinforce EASO's capacity to support Italy and Greece: all Member States should respond to EASO call for experts and increase the flexibility in their deployment to cover the two years covered the Council Decisions.

2.7.2. On the part of Italy and Greece

Actions to speed up registration of applicants: Greece should finalise the recruitment of an additional 100 staff as soon as possible and upscale and accept reinforced EASO support in the registration procedure. The target should be to ensure migrants can register their asylum application within maximum three days from the moment they join the scheme.

Actions to improve coordination: Italy should adopt and fully implement the Standard Operating Procedures applicable to the hotspots. Italy and Greece should finalise and fully implement the Protocols for relocation in cooperation with all relevant stakeholders (UNHCR, IOM, EASO, NGOs, and the Commission).

Actions to improve reception capacities in Greece: Greece should as soon as possible make available the 50,000 places it has committed to under the roadmap, including for newly arrived migrants. The UNHCR should conclude the implementing agreements to reach the target of 20,000 places under the rental scheme as soon as possible and ensure a centralised system of accommodation for migrants participating in the relocation scheme. This is crucial to ensure effective transfers at the various step of the process, cultural orientation and reduce the risks of absconding.

²⁷Recommendation addressed to the Hellenic Republic on the urgent measures to be taken by Greece in view of the resumption of transfers under Regulation (EU) No. 604/2013, C(2016) 871, 10 February 2016; Communication from the Commission to the European Parliament, the European Council and the Council, Back to Schengen - Back to Schengen – A roadmap COM(2016) 120 final, 4 March 2016.

Actions to speed up response time to relocation requests: Italy and Greece should carry out systematic checks including searching their national databases, as well as European and international databases (SIS and Interpol's databases, VIS) and perform security interviews before sending any relocation request; Italy and Greece should submit complete information in the relocation requests sent to Member States of relocation. The relocation request should include (1) the registration file; (2) information about the security checks carried out; (3) the results of the security checks; and (4) the hotspots through which the migrants have transited; Italy and Greece should appoint a security correspondent also in view of facilitating the exchange of information, including fingerprints via police cooperation channels. The Commission and Member States' experts should assist Italy and Greece in further elaborating security-related questions and to provide guidance on formulating rejections.

Actions to address challenges related to the relocation of vulnerable applicants and UAM: Italy and Greece should finalise as soon as possible the procedures to facilitate the relocation of UAM, in line with their best interests, and make use of the tools available prepared by EASO.

2.7.3 On the part of EASO

Actions to reduce the incorrect use of preferences: EASO should finalise the development of a matching tool as soon as possible, and at the latest by the end of June, to facilitate the processing of applications for relocation, in particular in view of the likely increased number of applications during the summer. However, the matching mechanism would only be feasible and effective if preferences expressed are broad enough.

Action to reduce time of response to relocation: EASO should continue supporting Italy and start supporting Greece in carrying out specific interviews to detect potential exclusion grounds during the registration of their applications.

Actions to address challenges related to the relocation of vulnerable applicants and UAM: EASO should continue disseminating its tool to identify vulnerable applicants and improve the data collection regarding relocation of vulnerable cases. In addition, EASO is developing a tool for conducting Best Interest Assessment for unaccompanied children eligible for relocation which may be of use in the hotspots and beyond.

Actions to increase migrants' acceptability and trust in the scheme and avoiding withdrawals:

- EASO should increase visibility at information sites (hotspots and mainland). EASO experts should be clearly identified, as well as provided with adequate equipment. It is also crucial to ensure consistency of information, for example EASO could provide one to two-day training to newcomer experts on the information script to follow and on how to provide this information. EASO should also manage the migrants' expectations when delivering information particularly as regard the procedure, stressing the lack of choice regarding the Member State of relocation;
- EASO and IOM should step-up their role in pre-departure information and cultural orientation from notification until departure to the Member State of relocation. One EASO or IOM staff member could present during the notification of the decision.

EASO should be immediately informed about asylum-seekers who express uncertainty regarding accepting the decision. Dedicated information sessions could be carried out by EASO and the relevant Liaison officer after the notification of the decision;

- EASO should step up information campaigns, including additional leaflets/brochures, videos, social media, in cooperation with the Commission and other stakeholders. This would be essential to increase the trust of applicants for relocation and counter the smugglers' narrative. These activities could include (a) a Facebook page specific for relocation where EASO and Member States can publish success stories of relocation, and generally more targeted presence in social media also through Twitter and mobile apps; (b) more videos where applicants that have been successfully relocated tell their experience; (c) Increased involvement of the migrant community in the Member States of relocation, particularly of those that have been successfully relocated.

2.7.4 In addition, the Commission will continue supporting fully Italy and Greece and will also continue to:

- Contribute to better coordinate via the existing fora (meetings of Liaison officers, meetings with the respective National Contact Points, Relocation and Resettlement Forum and the Friends of Hotspots) as they have proved to be useful to discuss the legal issues, practical challenges and bottlenecks of the relocation mechanism with all relevant stakeholders, creating networks and improving mutual trust particularly after a successful relocation experience.
- Monitor implementation: Ensuring the full and correct implementation of the EU asylum acquis is a key component of the EU response to the migration crisis and a priority for the Commission under the European Agenda on Migration.

3 Resettlement

3.1 State of Play

Following the **Commission Recommendation of 8 June 2015 on a European resettlement scheme**²⁸, 27 Member States²⁹ together with Dublin Associated States agreed on 20 July 2015³⁰ to resettle through multilateral and national schemes 22,504 displaced persons from outside the EU who are in clear need of international protection within two years. While some Member States have been engaged in resettlement programmes for many years through the UNHCR, this is a first common EU effort on resettlement and for a number of Member States it is their first experience with resettlement.

Based on the information received from the participating States **4,555** people were resettled until 15 March 2016 to Austria, Belgium, Czech Republic, France, Ireland, Italy, the Netherlands, the United Kingdom, Norway, Liechtenstein, and Switzerland under the scheme.

²⁸ C(2015) 3560 final.

²⁹ Hungary does not participate.

³⁰ 11130/15; "Conclusions of the Representatives of the Governments of the Member States meeting within the Council on resettling through multilateral and national schemes 20 000 persons in clear need of international protection".

A majority of States participating in the scheme indicated that their resettlement efforts are primarily, but not exclusively, directed at Syrians staying in Jordan, Lebanon and Turkey. All persons resettled in the framework of the scheme have to be referred to the participating States by the UNHCR, which therefore plays a key role in the process.

The scheme is supported by EU funds; in total over EUR 150m have been made available to the Member States for implementation. Five Member States – Finland, France, Ireland, Sweden, the United Kingdom – have indicated their intention to resettle a considerably higher number of persons than they have pledged under 20 July scheme and ensure their implementation under the national programmes.

All Member States are putting strong focus on **security screening**, for which they themselves are responsible and which can take place at several stages of the resettlement procedure. There is a strong and **good cooperation with UNHCR**, which is seen as an indispensable partner in the process. Many Member States also rely on **IOM's logistical support** in pre-departure and departure procedures.

Even though the priority regions agreed under the Conclusions of 20 July 2015 are rather broad, most participating States have decided to resettle from the countries neighbouring Syria.

3.2 Challenges

Unlike the obligations under the two relocation schemes, the Member States' commitments under the resettlement scheme of 20 July 2015 are based on **voluntary** pledges. While the scheme is an important milestone in terms of joint EU resettlement efforts, it does not create a clear resettlement framework with common rules and procedures for the participating states, but is to a large extent a compilation of national programmes and procedures, which are in some Member States still in preparatory stages. While some Member States have pledged under the 20 July Conclusions their entire national resettlement quota (Netherlands), some others have pledged numbers on top of their national quota (France). In addition, Member States, such as Finland or the United Kingdom, have pledged numbers which represent only a part of their respective resettlement engagements. Moreover, the resettlement scheme of 20 July does not set out any time-table of intervals in which resettlements should be carried out, including the numbers of persons to be resettled within a certain period of time. Such a loosely coordinated framework results in a lack of oversight and fragmented information and makes it difficult for the Commission to monitor the functioning of the scheme.³¹

- There are substantial **divergences** among the Member States as regards their respective resettlement programmes and practices, such as the selection criteria, length of procedures, pre-departure orientation programmes, integration tools, the status granted to persons admitted, residence permits as well as the number of places available for resettlement.
- Member States select candidates for resettlement on the basis of selection missions or by reviewing the files submitted to them by the UNHCR. This has an influence on the **duration of the procedure**, which can last from several weeks to up to two years

³¹ For the state of play on the basis of information provided by Member States and Associated States see Annexes 6 and 7.

between the submission of the case by the UNHCR until arrival in a host country. In addition, several Member States mentioned the fact that they had to delay the implementation of the resettlement plans due to an increase in the number of spontaneous arrivals of migrants and asylum seekers.

- Lack of **reception capacities** and finding adequate accommodation was frequently mentioned as a particular challenge, especially in cases of resettling larger families, or when dealing with especially vulnerable cases. **Exit clearances** by the third countries, were also cited as problematic in some cases, causing significant delays in the procedure and arrivals having to be rescheduled.
- Where embassy staff of the Member States is involved in taking biometrics or issuing travel documents for resettlement candidates a **lack of human resources capacity** and the need for **adequate training** have been mentioned.
- **Capacity building in the field of resettlement:** While several EU countries, such as Sweden, Denmark, the Netherlands, Germany or Finland, for example, have been resettling for a number of years already, by the end of 2017 under the new European scheme, 10 Member States³² are expected to resettle for the first time, although none of them has started implementing the programme yet. Challenges which those Member States face include building capacity for establishing a national resettlement mechanism, a lack of experience in conducting missions and selecting candidates, providing optimal conditions for integration of resettled refugees, and winning public support for resettlement among the general public. Several of them have expressed interest in drawing from expertise, experience, and good practice on the mechanisms used by Member States with long tradition of resettlement. Specific needs appear to be focused on support and assistance in conducting selection missions, negotiation and coordination with the third countries from which resettlement takes place, organising pre-departure cultural orientation programmes, medical examinations, travel arrangements, and putting in place first reception and integration mechanisms.

3.3 Addressing the challenges

- **Sharing knowledge and experience and working with partners**

It is clear that exchanges of practice and experience, especially between those Member States which are new to resettlement and those which have a longer tradition of resettlement should be stepped up. In addition, practical cooperation in the resettlement process through, for example, sharing of logistics, organisation of flights, and local exchange of information on individual cases, could be considered.

To facilitate such practical exchanges Member States should make use of bilateral visits to respective resettlement programmes. A good example of such practice was a practical working visit to the Dutch national resettlement programme organised in the margins of the ATCR (Annual Tripartite Consultations on Resettlement) workshop on 18 February 2016. Member States with a long experience in resettlement should be encouraged to organise such

³² Bulgaria, Croatia, Cyprus, Estonia, Greece, Lithuania, Malta, Poland, Slovakia, Slovenia.

visits and invite counterparts from across the EU, in particular from those countries which are only just starting with resettlement. The visits could include elements of the arrival procedure, such as registration and settling in, as well as participation in selection missions.

Practical cooperation could also be explored in the framework of the EU-FRANK³³ project funded by the EU, which aims at facilitating resettlement and refugee admission through sharing of knowledge. The project run by the Swedish Migration Agency between 2016-2020 aims at offering operational support to Member States to increase or start resettlement programs and facilitate their increased capacity for resettlement and humanitarian admission. A study visit to Sweden by Estonia, Latvia, Lithuania and Poland took place in October 2015. As of April, Member States are expected to be offered, through a "buddying system", an opportunity to join as observers in other Member States' resettlement activities, such as in field selection missions, cultural orientation programmes, transfer of refugees, or reception arrangements.

The Forum for exchange of experience among the resettling states offered by the ATCR, including its workshops, is a valuable tool. Emerging Member States should continue to be encouraged to take part in these exchanges.

Finally, the Commission has organised four Resettlement and Relocation Forums in which all Member States as well as UNHCR and IOM participated, and will continue to organise such meetings regularly. These meetings as well as EASO workshops on resettlement are good opportunities for exchanges and learning among national experts. A closer cooperation with other partners in the resettlement process, namely UNHCR, IOM, civil society, and local governments/municipalities could also help resolve several challenges faced by the resettling States. Working with municipalities and NGOs could in particular be explored to overcome the problems of reception arrangements and capacities and integration measures.

- **Improved monitoring of the scheme**

For the credibility of the scheme it is important that the pledges agreed are honoured, despite possible changes in circumstances for Member States particularly affected by the flows of migrants and refugees. In this context it is important that progress is regularly monitored and reported. This element, however, needs to be strengthened, as the information on the progress of the scheme, including for the purpose of this report, has been collected through different channels (including the questionnaire sent on 8 March to which 17 States replied, under the Integrated Political Crisis Response (IPCR) arrangements), which can result in incomplete or patchy information.

Eurostat collects yearly data on resettlement and will continue to do so also in the context of this scheme. However, in the current situation a more regular and detailed information on the progress made is needed. EASO has therefore launched a monthly data collection on resettlement as of March and the first information is expected to be available in April³⁴. The

³³ EU-FRANK: Facilitating Resettlement and Refugee Admission through New Knowledge. Apart from Sweden, the partners include the Netherlands, Belgium, Italy, Hungary, Switzerland, UNHCR and EASO. Interest has been signalled also from Austria, Germany, Estonia, Latvia, Lithuania, Poland, the Czech Republic, France, and Portugal.

³⁴ The proposal for the collection was endorsed by the EASO Management Board at its meeting of 20-21 January 2016.

Commission calls on the Member States and Associated States to ensure a smooth and timely collection of information. If more urgent or specific information is needed from the resettling States, the IPCR network may still be used.

- **Link to global resettlement efforts**

The EU's resettlement effort should ensure that the Union takes on its fair share of the global responsibility to provide legal pathways to refugee protection. The UNHCR High-level meeting on Global Responsibility Sharing through Pathways for Admission of Syrian Refugees in Geneva on 30 March 2016 will be the first next opportunity for the EU and its Member States to increase their support for and participation in international initiatives aimed at addressing global migration and refugee challenges, and press for increased pledging.

- **Implementing the Voluntary Humanitarian Admission Scheme with Turkey**

To implement the Voluntary Humanitarian Admission Scheme with Turkey and in line with the Statement of the Heads of State or Government of 7 March 2016, work should continue towards putting in place a credible scheme. Concrete political commitments are needed from the Member States and Associated States interested in taking part in the scheme, in particular as regards the number of persons to be admitted and in which timeframe. In addition, the conditions for launching and operating the scheme need to be agreed by all sides, including with the Turkish authorities.

- **A structured system of resettlement in the EU**

Building on the experience with the ongoing resettlement and humanitarian admission initiatives, the Commission will bring forward an EU wide resettlement proposal to frame the EU's policy on resettlement. This will allow for a common and more coordinated approach to safe and legal arrival in the EU for persons in need of protection. This initiative will also enable the EU to pool European resettlement efforts more systematically and to take on its fair share of the global responsibility in providing a safe haven for the world's refugees.

4 Way forward

Following the recommendations outlined in this report, Member States should continue to improve the implementation of relocation and resettlement schemes and address outstanding challenges. Most urgently, the relocation pace has to be picked up significantly and consistently to respond effectively to the emergency humanitarian situation on the ground.

The relocation process involves several stakeholders and different factors have contributed until now to this very low implementation. This report shows that while problems are still to be addressed, Italy, Greece and the various agencies involved in relocation are stepping up efforts to ensure their part in the process is implemented smoothly. However, these efforts have to be matched with a similar commitment by the Member States of relocation. The willingness of the Member States of relocation to fully implement their obligations is crucial to make relocation work to ensure that the scheme delivers on its objective of providing emergency support to both Italy and Greece to enable them to cope better with the mass influx of migrants.

The Commission has calculated that in order to meet the number of commitments already allocated (106,000) under the two Council Decisions on relocation averaged over the remaining 18.5 months, a monthly relocation rate of 5,679 should be achieved as a minimum. This would imply an average of around 187 transfers per day and a relocation procedure of maximum two weeks. The experience of the recent relocation transfers to Portugal from Greece proves that the relocation procedure can also be implemented within one week. Based on this calculation, **the Commission considers that at least 6,000 relocations should be completed by the time of its Second Report on Relocation and Resttlement on 16 April, and that, stepping up the rate, at least 20,000 relocations should be completed by the Third Report on 16 May, in view of the emergency humanitarian situation on the ground.**

In parallel, in order to underline the importance attached to solidarity with affected third countries in the region and the role of legal pathways for migration, Member States need to deliver on the remaining 17,949 resettlement places. Over the remaining period, Member States would need to resettle on average 855 people in need of protection on a monthly basis.

In line with its commitment under the Roadmap "Back to Schengen", the Commission will report on a monthly basis on the progress made in implementing the relocation and resettlement commitments.