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

**Thirteenth report on relocation and resettlement**

## 1 Introduction

*The Thirteenth Report on Relocation and Resettlement outlines the urgent actions that still need to be taken to relocate all those eligible who are currently present in Italy and Greece in the coming months as well as to meet the resettlement objectives.*

*The first five months of 2017 have witnessed a significant increase in the pace of relocation. Since January almost 10,300 people had been relocated. This is more than a fivefold increase compared to the same period of 2016 by when only 1,600 persons had been relocated. This is the result of procedures becoming fully operational during the second half of 2016, the majority of Member States currently pledging on a regular basis and the continued efforts from the two beneficiary Member States to improve mutual cooperation and trust.*

*As a consequence, in May 2017, more than 1,000 people were relocated from Italy, the highest number so far, and close to the monthly targets set, bringing the total number of people relocated from Italy to 6,896. However, more efforts by Italy are needed to identify and register for relocation all those present in Italy and rapidly channel to relocation new eligible arrivals. In Greece, where the number of people to be relocated is expected to remain stable (27,208 people registered for relocation), monthly relocations have stabilised at 1,300 bringing the total number of people relocated from Greece to 13,973. About 11,000 still need to be relocated. To this end, Member States have agreed on a specific operational planning and it is expected that, on the basis of this planning and with the current pace of pledging, the target of 3,000 relocations per month will be reached in July and sustained until September.*

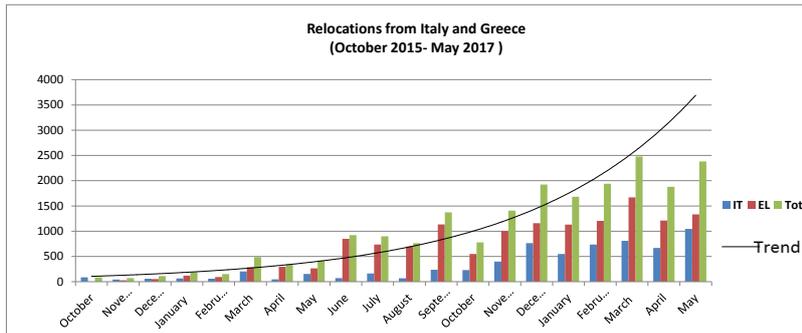
*In total, more than 20,000 people have been relocated so far. While most of the Member States are now contributing fairly and proportionally to the implementation of the scheme, Hungary, Poland and the Czech Republic in breach of their legal obligations are neither pledging nor relocating from Greece and Italy.*

*Relocation remains a key measure to alleviate the pressure on Greece and Italy by sharing the responsibility in dealing with applicants clearly in need of international protection. Member States should not lessen their efforts as the current pace of relocation is still insufficient to relocate all those eligible by September 2017. However, Member States' legal obligations do not stop at that moment; the Council Decisions apply to persons arriving on the territory of Greece and Italy until 26 September 2017. Therefore, the relocation procedure must still be carried out by the Member States for eligible applicants within a reasonable timeframe thereafter.*

*The implementation of the July 2015 Conclusions to resettle 22,504 people is still on track with over two thirds of the agreed number already resettled.*

## 2 Relocation

**The pace of relocation continues presenting a positive trend. Additional efforts from all Member States of relocation would allow reaching the targets set by the Commission.** These targets aim at ensuring relocation of all those eligible currently present in Italy and Greece in an effective and timely manner, avoiding any operational and logistical bottlenecks that may result if the majority of remaining transfers was to be implemented only in the last weeks of September.



Almost all Member States are now relocating from Italy and Greece. **Hungary, Poland and Czech Republic remain the only Member States that have not changed their position and have continued not pledging and not relocating either from Greece or from Italy, in**

**breach of their legal obligations.**<sup>1</sup>

In particular, **Hungary and Poland** remain the only Member States that have not relocated a single person and Poland has not made any pledge since 16 December 2015. Moreover, the **Czech Republic** has not pledged since May 2016 and has not relocated anyone since August 2016.

**Austria** has also not relocated anyone yet but it has recently made a pledge of 50 persons to be relocated from Italy in May. This must now be translated without further delay into effective relocations.

## **2.1 Greece: Relocation has become an established procedure in Greece but a significant acceleration in transfers is still required to relocate all those eligible**

As previously reported, Greece finalised the registration ("lodging of application for international protection") of all those who were covered by the pre-registration exercise<sup>2</sup>, including those eligible for relocation. As of 9 June, in total 27,208 people have lodged their applications under the relocation scheme; 13,973 people have been already relocated while 10,923 still need to be relocated.<sup>3</sup> Although more applicants for relocation might still be registered before 26 September 2017 and some might be excluded from the relocation scheme, the total number of persons registered for relocation is expected to remain stable.

*The pace of relocation: the planning documents need to be finalised and implemented*

**Almost all Member States are now pledging and relocating from Greece** on a monthly basis or every two months. Only the Czech Republic, Hungary, Poland and Austria are not yet fulfilling their legal obligations. Malta has relocated their full allocation,<sup>4</sup> and Latvia about to do so, and Norway is about to fulfil its commitment. Estonia, Finland, Lithuania, Luxembourg and Portugal are well on track to fulfil their obligations.

<sup>1</sup> Hungary and Slovakia, supported by Poland, have challenged the legality of the second Council Decision on relocation. However, an annulment action does not have suspensive effect. The hearing of the cases before the Court of Justice of the European Union took place on 10 May.

<sup>2</sup> In order to further help the Greek authorities in planning and delivery of additional support, the Commission also invites the Greek authorities to clarify the total number of migrants present on the mainland and the islands.

<sup>3</sup> 2,312 candidates for relocation have been rejected by the Member States of relocation, were channelled to the Dublin procedure or to the national Greek procedure (e.g., because the submission was revoked by Greece for administrative reasons, negative security check by the Greek police before submission, etc.), or, a very limited number, passed away.

<sup>4</sup> Excluding the specific allocation under the remaining 54,000.

Despite repeated recommendations in previous reports and several bilateral exchanges on various levels, Slovakia continues with its policy of **strict preferences** leading to disproportionately high rejection rates. Such a policy is not in conformity with the Council Decisions on relocation, which allow rejections on grounds related to national security or public order. It is imperative that this is now changed. **All Member States should avoid excluding vulnerable applicants** from their preferences since they are to be relocated as a priority. It is also vital that Member States create the capacity to accommodate particularly vulnerable applicants. All Member States should be ready to welcome all types of asylum seekers (large families, single male applicants) and their fair share of vulnerable applicants, including unaccompanied minors and persons with significant health problems.

**The pace of relocation** reached 1,300 transfers per month during the last months which is not yet sufficient to relocate all those eligible by September 2017. The Commission organised together with the Greek Asylum Service and the International Organization for Migration (IOM) a specific meeting to overcome the logistical coordination challenges using the Swedish planning document as a good example. Bilateral meetings took place with Member States with large monthly pledges to plan the different phases of the relocation procedure. Planning documents have been agreed with Germany, France, the Netherlands, Romania, Spain and Sweden. On the basis of this planning, and of the current pace of monthly pledges by all Member States, relocation transfers should reach 2,500 in June and 3,000 in July, August and September. For the effective implementation of this planning, all Member States should show constructive spirit at each step of the relocation procedure and the Commission stands ready to facilitate this process. Member States with **reception capacity limitations** (Ireland, Finland and Portugal) have worked towards solving the difficulties.

#### Unaccompanied minors: good progress continues

As of 6 June 365 unaccompanied minors have been relocated out of the 574 unaccompanied minors eligible for relocation. Since the last report, more Member States have offered places for this category of vulnerable applicants. **Member States are encouraged to continue providing places as needed<sup>5</sup> to relocate the registered separated minors.**

#### **Urgent actions needed:**

- **The Czech Republic, Hungary, Poland and Austria** should start pledging and relocating from Greece immediately to fulfil their legal obligations;
- **The planning documents for transfers** should be finalised and implemented. Member States that have not done so should follow the examples of those that have developed planning documents;
- **In this final stage of implementation Member States should** increase their capacity to process application requests to ensure smooth running of the process, avoid delays in the transfer procedure and when needed work towards solving reception capacity problems including for vulnerable applicants.
- **Slovakia** is invited in the coming weeks to revise its preference policy for relocation applicants so as to align it with the Council Decisions and start relocating from Greece as soon as possible.

<sup>5</sup> Although, in principle, only additional 24 pledges are needed, the need for further pledges may increase if some of the Dublin requests for unaccompanied minors sent to other Member States are rejected.

## **2.2 Italy: more efforts needed to ensure the relocation of all eligible applicants present in Italy**

### *Identification and registration of migrants for relocation: Italy needs to do more in order to speed up relocation*

Until now, Italy has registered for relocation about 8,600 persons, of whom 6,896 have been already relocated. According to the Italian authorities, approximately 700 additional applicants are in the pipeline to be registered. Additionally, more than 2,500 Eritreans have arrived in Italy in 2017 so far and should also be swiftly registered for relocation. Yet, around 20,700 Eritreans arrived in Italy in 2016 alone and thus it is clear that only approximately one half of them have been so far registered for the relocation scheme. It is therefore crucial that Italy swiftly identifies and registers for relocation all remaining eligible applicants currently present in its territory as soon as possible. In order to reach out to those applicants, the European Asylum Support Office (EASO), with the support of the Commission, is ready to launch a targeted information campaign (through social media, wider distribution of the EASO relocation leaflet, EASO relocation hotline, banners, active presence of the EASO mobile teams) allowing for an increased number of eligible applicants registered. Italy should provide the necessary support to implement this information campaign and raise awareness about the relocation scheme in the local *Prefettura/Questura* and in the reception centres.

It is also crucial that Italy accelerates its efforts to centralise the relocation procedure (particularly the last stages) in a few designated centres, and also to transfer all relocation applicants 10 days before the departure to reception centres in or close to Rome. The current practice, whereby migrants eligible for relocation are spread all over the Italian territory, while the designated relocation hubs are often under-used because they host a majority of migrants of non-eligible nationalities, is complicating the relocation process and creating logistical problems, notably in the last phases of the relocation procedure, particularly with regard to ensuring proper health checks before the transfer takes place.

### *The pace of relocation: good progress to be sustained*

The pace of relocation from Italy constitutes a steady positive trend and relocation of all eligible applicants currently present in Italy is a realistic goal, given the targets set by the Commission are generally followed by Member States.

**Finland and Malta** will soon relocate their full allocation for Italy<sup>6</sup> and other Member States (**Germany, Luxembourg and the Netherlands**) are showing good progress based on regular monthly pledges and relocations, while **Croatia and Portugal** have recently started pledging again. On the other hand, **Bulgaria, the Czech Republic, Estonia, Hungary, Ireland, Poland, Slovakia and Austria** remain the only Member States that have not relocated a single person from Italy. Austria made its first pledge of 50 persons to Italy in May and should ensure that relocation is now effectively carried out within the shortest time frame possible. This also means that Italy should send timely relocation requests, to fill the Austrian pledge.

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<sup>6</sup> Excluding the specific allocation under the remaining 54,000.

Estonia and Ireland have not relocated from Italy yet because of Italy's strict policy regarding additional security interviews by Member States of relocation, while Bulgaria and Slovakia have not relocated from Italy, given their very strict preference policies (Bulgaria is unwilling to accept Eritreans while Slovakia only admits single women with children and people with travel documents), which makes it almost impossible for Italy to find applicants meeting those preferences. In order to ensure relocation of all the eligible applicants in the coming months, a solution on organising additional security interviews by Member States of relocation should be found. Moreover, **Cyprus, France and Latvia** have not pledged for Italy for more than three months.

With a view to continue improving information provision, IOM will organise a specific training on 16 June for Liaison Officers in Italy to improve the delivery of cultural orientation sessions. EASO has also finalised a new specific video on relocation to Portugal.

#### *Relocation of unaccompanied minors started but more efforts still needed*

Two unaccompanied minors were relocated from Italy to Norway in the reporting period, bringing the total number of unaccompanied minors relocated from Italy to five (including one separated minor). This specific case could be successfully transferred thanks to increased cooperation at local level. Several other applications are under examination.

As reported in the Twelfth Report, Italy should now build on the experience of these first relocations and standardise the procedures to enable all eligible unaccompanied minors to be offered the possibility to be relocated, if in their best interest. A meeting organised on 1 June by the Commission with all relevant actors enabled to streamline processes further. For their part, Member States should continue making places available for unaccompanied minors in their pledges and provide the Italian authorities with specific information on the Member States' specific reception conditions foreseen for them. Considering that the procedures can be longer than for adults, Member States are encouraged to keep places for minors available for a longer period (i.e. to renew their availability to host minors in subsequent pledges).

#### **Urgent actions needed:**

- **The Czech Republic, Hungary and Poland** should start pledging and relocating from Italy immediately to fulfil their legal obligations;
- **Bulgaria and Slovakia** are invited in the coming weeks to revise their preference policy for relocation applications so as to align it with the Council Decisions and start relocation from Italy as soon as possible;
- **Italy is invited in the coming weeks to provide a mutually acceptable solution** on the organisation of additional security interviews, **that are requested by a number of Member States in order to assess the security related risks in line with the Council Decisions;**
- **Italy** should accelerate, as a matter of priority, the registration of eligible applicants for relocation, cooperate with EASO on the implementation of the information campaign and accelerate its efforts to centralise the relocation procedure, particularly the last stages;
- **All other Member States** should continue pledging and relocating from Italy on a monthly basis proportionally to their commitments, increase their capacity to process application requests, avoid overly restrictive preferences, limit requirements causing delays in the transfer procedure and give priority to applications concerning vulnerable applicants, in particular unaccompanied minors.

### 3 Resettlement

Progress continues to be observed in the implementation of the Conclusions of 20 July 2015, with over two thirds of the 22,504 resettlements agreed already completed. Since 12 May 2017, 256 people have been resettled under the scheme. As several States with large quotas have fulfilled their commitment under the Conclusions and directed their efforts to implementing the EU-Turkey Statement of 18 March 2016, most recent resettlements have taken place from Turkey, even though resettlement on a smaller scale from Jordan and Lebanon still continues.

As of 9 June 2017, 16,419 people have been resettled to 21 States (Belgium, the Czech Republic, Denmark, Germany, Estonia, France, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, the Netherlands, Norway, Austria, Portugal, Spain, Finland, Sweden, Switzerland and the United Kingdom). Seven Member States (Estonia, Finland, Germany, Ireland, the Netherlands, Sweden and the United Kingdom) as well as three Associated Countries (Iceland, Liechtenstein and Switzerland) have already fulfilled their pledges. While a larger number of Member States is resettling than in previous years, ten Member States have not resettled under this scheme yet.<sup>7</sup> It is becoming increasingly questionable whether Member States with large gaps between their commitments and actual implementation will be able to fulfil their commitments.

The implementation of the Conclusions of 20 July 2015 includes efforts from Member States to resettle Syrians from Turkey under the EU-Turkey Statement. Since 4 April 2016, 6,254 Syrians have been resettled from Turkey under the resettlement part of the EU-Turkey Statement. Since the last reporting period 559 Syrians have been resettled under this mechanism and the remaining number of all pledges now stands at 24,461. Resettlement under the EU-Turkey Statement has so far taken place to Austria, Belgium, Estonia, France, Germany, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Portugal, Romania, Spain, Finland and Sweden. Additionally, Norway has so far resettled 563 Syrians from Turkey since 4 April 2016.

The Member States resettling under the EU-Turkey Statement are preparing further operations, including missions to Turkey to interview resettlement candidates. Romania has now followed up its previous announcement to start resettling very soon by admitting 11 Syrians. The EU Delegation in Ankara has underlined to UNHCR the importance of sending new submissions of candidates also to Member States with smaller pledges.

Among the Member States who have not yet resettled from Turkey<sup>8</sup>, Malta is preparing its mission to Turkey and Cyprus has now formally approached UNHCR expressing its readiness to resettle 5 persons under the EU-Turkey Statement. There are however also Member States that have received files from UNHCR already in summer of 2016 but have thereafter taken no action (Bulgaria and the Czech Republic), and are encouraged to act on this swiftly.

In order to support resettlement under the EU-Turkey Statement and discuss the ongoing operations, the EU Delegation in Ankara has continued weekly meetings with the Directorate

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<sup>7</sup> This group of Member States includes Luxembourg and Romania, even though both Member States have already resettled Syrians from Turkey under the EU-Turkey Statement.

<sup>8</sup> Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Greece, Hungary, Ireland, Malta, Poland, Slovakia, Slovenia and the United Kingdom.

General for Migration Management (DGMM) of Turkey. The EU Delegation also meets on a weekly basis with Member States as well as UNHCR and IOM to compare statistical data and discuss operational updates.

To address the shortcomings and follow up on a recommendation identified in a previous reports, the EU Delegation proposed to Member States a revised version of the questions and answers (Q&A) document used by UNHCR to ensure that the information given to Syrian candidates on reception conditions and cultural, social and legal standards in EU Member States is comprehensive. The revised version of this document has been endorsed by UNHCR as well as by a majority of Member States and 13 Member States have already sent their updated Q&A documents.

In parallel to the implementation of the current resettlement commitments from Turkey, the negotiations on the Standard Operating Procedures for the **Voluntary Humanitarian Admission Scheme** with the Participating States and with Turkey are progressing, and the objective is to have them agreed as soon as possible.

#### **Recommendations:**

- The Member States which have not yet resettled under the ongoing EU level schemes (Bulgaria, Cyprus, Greece, Croatia, Malta, Poland, Slovakia and Slovenia) and those who have not reported any progress and are still far away from reaching their targets (the Czech Republic, Denmark, Portugal) should immediately step up their efforts to reach their commitments under the Conclusions of 20 July 2015;
- Bulgaria and the Czech Republic, which have received files from UNHCR under the EU-Turkey Statement already in the summer of 2016, should step up their efforts to complete the resettlement process from Turkey as soon as possible;
- Providing information to Syrian candidates under the EU-Turkey Statement about resettling countries should be further enhanced by Member States updating the revised questions and answers document used by UNHCR to enable the candidates to make an informed decision in order to decrease drop-outs in later stages of the resettlement procedure.

## **4 Way forward**

The European Heads of State or Government have repeatedly recognised the urgent need to address Europe's migratory situation and have called for further action to accelerate the implementation of the relocation scheme as an essential expression of solidarity and fair sharing of responsibility towards Greece and Italy.

Given current numbers in Greece and Italy, relocation of all those anticipated to be eligible is possible and feasible by September 2017. This should be our common goal to which all Member States should contribute fairly and proportionally. Member States should therefore urgently deploy the additional efforts and necessary actions indicated in this report to meet this objective. The Commission will continue assisting Member States in coordinating these intensified efforts.

Relocation as provided in the Council Decisions is also a legal obligation. Therefore, the Commission through monthly reporting and regular work with the Member States has continuously supported their efforts to contribute fairly and proportionally to this scheme. Most of the Member States have shown that it is possible and feasible to relocate – also large

numbers in a short period of time - if there is the will and determined action to do so. As a result of this joint effort, there has been a marked increase in relocation transfers; this should be continued to ensure that all those eligible can be relocated in a timely manner in this final stage of implementation.

Over the last months, the Commission has also repeatedly reminded Member States of their legal obligations under the Council Decisions and called on those Member States that have yet to pledge and relocate from Greece and from Italy, to do so immediately. With September 2017 approaching, those Member States have little time left to comply with their obligations and contribute fairly and proportionally.

Regrettably, despite these repeated calls, **the Czech Republic, Hungary and Poland**, in breach of their legal obligations stemming from the Council Decisions and their commitments to other Member States, have yet to take the necessary action. Against this background, and as indicated in the previous Relocation and Resettlement Report, the Commission has decided to launch infringement procedures against these three Member States.

In parallel, Member States should continue to deliver on their resettlement commitments, in particular those which have not yet resettled anyone as well as those which are still below their set target should step up their efforts.