



Council of the European Union
General Secretariat

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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Asylum Working Party
Subject:	Asylum Working Party - presentations on solidarity

Delegations will find enclosed the presentations by Commission services regarding solidarity that were presented during the Asylum Working Party meeting on 10 June 2025.



Asylum and Migration Management Regulation: **Solidarity**

Asylum Working Party

10 June 2025

Balance between solidarity and responsibility

Solidarity

- permanent, mandatory and flexible solidarity mechanism to support Member States under migratory pressure (Asylum and Migration Management Regulation, AMMR)



Responsibility

- Reform of the rules determining which Member State is responsible for an asylum application (AMMR)
- Introduction of a mandatory border procedure (Asylum Procedure Regulation)

Categories of Member States (assessed by COM – Art.10 AMMR)

- **Member State under migratory pressure**
 - enables access to solidarity and possibility to deduct from solidarity obligations
- **Member State facing a significant migratory situation**
 - enables possibility to deduct from solidarity obligations
- **Member State at risk of migratory pressure**
 - taken into account in assessment during the year
 - possible use of Toolbox (e.g. operational support from Agencies, support from Union funds)

Well-prepared system: necessary resources and personnel - cannot be self-inflicted



Solidarity measures

Primary solidarity measures

- of **equal value**, full discretion when pledging
- no mandatory relocation



- **Relocation**
applicants & beneficiaries for less than three years



- **Financial contributions**
implemented through the Union budget **incl.**
in third countries with specific safeguards



- **Alternative measures**
i.e. staff and in-kind support

Secondary-level “**Responsibility offsets**”

A Member State takes responsibility for examining applications for international protection by persons who are already on its territory and for which the benefitting MS has been determined responsible



Solidarity pool

Structure for its management and operationalisation

	High-Level EU Solidarity Forum	Technical-Level EU Solidarity Forum	EU Solidarity Coordinator
<i>Convened by</i>	Council	EU Solidarity Coordinator (also chairs)	Appointed by the Commission
<i>Comprised of</i>	all Member States + third countries contributing	all Member States + third countries contributing	
<i>Main tasks</i>	conclude on the solidarity measures + pledging according to mandatory fair share	facilitate the functioning of the solidarity mechanism	coordinates at technical level the implementation of the solidarity mechanism

Establishing the solidarity pool

Flowchart 1.1.

The Commission adopts
by 15 October:

- **Annual Asylum and Migration Report**
- **Implementing decision**
- **Proposal** for a Council implementing act

Member States pledge solidarity contributions

during the **High-Level Forum** as per their **mandatory fair share**

(Member States have **full discretion** to choose between the types of solidarity measures or a combination thereof)

Council establishes Solidarity Pool

based on a **Council implementing act** before the end of the year

Procedure if under migratory pressure

Flowchart 1.2.

Access to **solidarity**:

Member State was **pre-identified** by the Commission as being under migratory pressure:

quasi-automatic access

Member State provides information and then has access to the Solidarity Pool

Member State was **not pre-identified** by the Commission:

- **Member State** concerned sends a notification
- **Commission** assesses the notification
- **Council** could still decide to deny access to the Solidarity Pool by way of an implementing act

Possibility to just request a **partial or full deduction**
(and not access to solidarity)

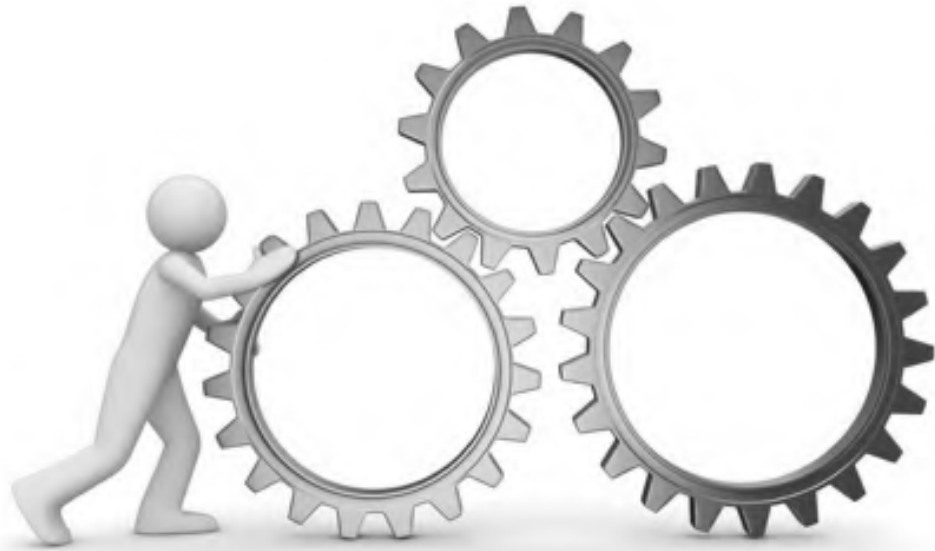
Procedure if facing a significant migratory situation

Flowchart 1.3.

Full or partial deduction:

- **Member State** concerned provides information (if Member State was not pre-identified by the Commission it has to provide more information)
- **Commission** assessment
- **Council** adopts implementing act to determine whether or not to authorise the Member State to derogate

Operationalisation of the Solidarity Pool



- Obligation of Member States to **cooperate** – balanced distribution
- Obligation of Member States to **implement pledges** – during year
- No obligation to implement pledge towards Member States with **systemic shortcomings on responsibility rules** – Commissions assessed
- Member States can express **reasonable preferences for the profiles** of available relocation candidates
- Member States shall give primary consideration to the relocation of **vulnerable applicants**
- **Union agencies support**, where requested and within their respective mandates

Relocation procedure



Flowchart 2.1.

Flowchart 2.2.

No relocation if threat to internal security (only ground to refuse relocation by Member State of relocation)

Short time limits for the Member State of relocation to confirm that it will relocate the person concerned (1 week; in exceptional cases: 2 weeks) + no response within the timeframe entails the obligation to relocate

EUAA supports the benefitting Member State upon its request in the **identification** of persons to be relocated and in their **matching** with Member State of relocation

No right to choose Member State of relocation, but meaningful links are taken into account

Rules ensuring **family unity**

No consent needed by the applicants

Specific rules for beneficiaries: written consent; Member State of relocation automatically grants the same status

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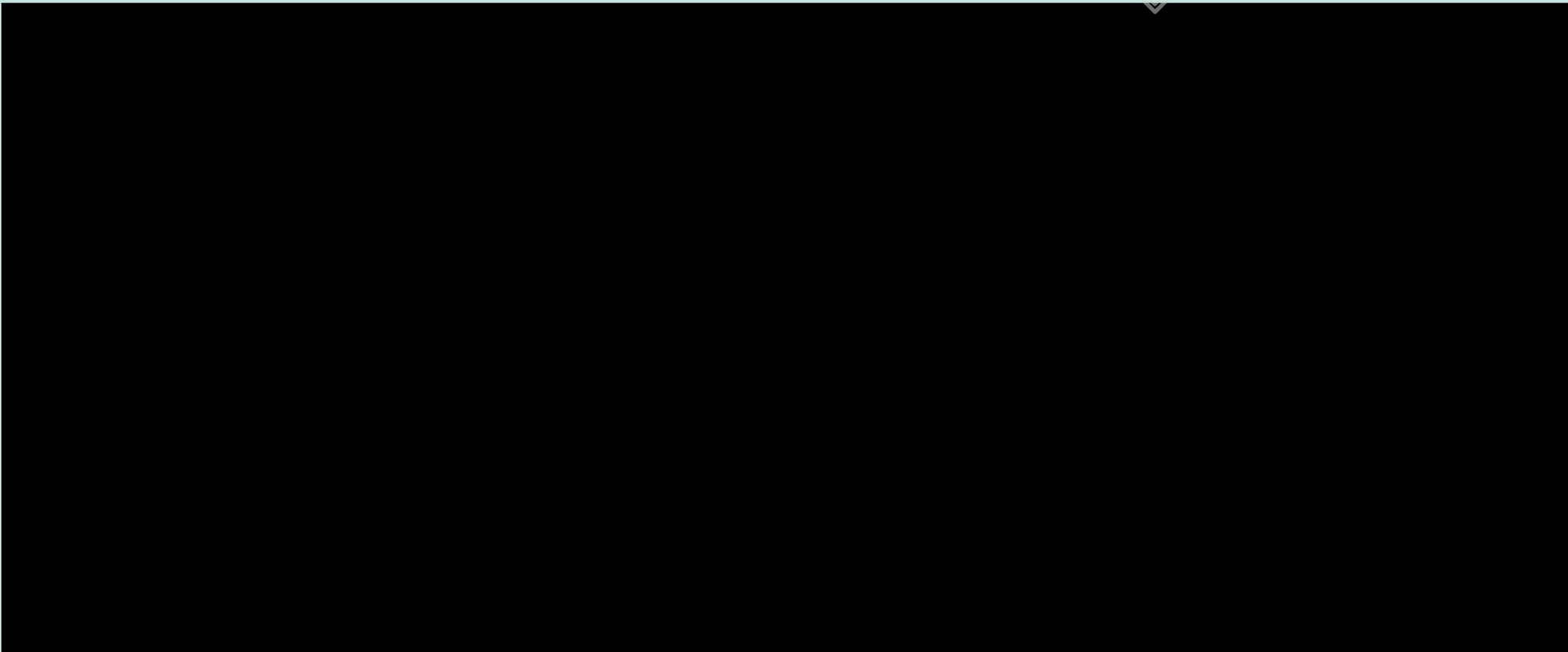
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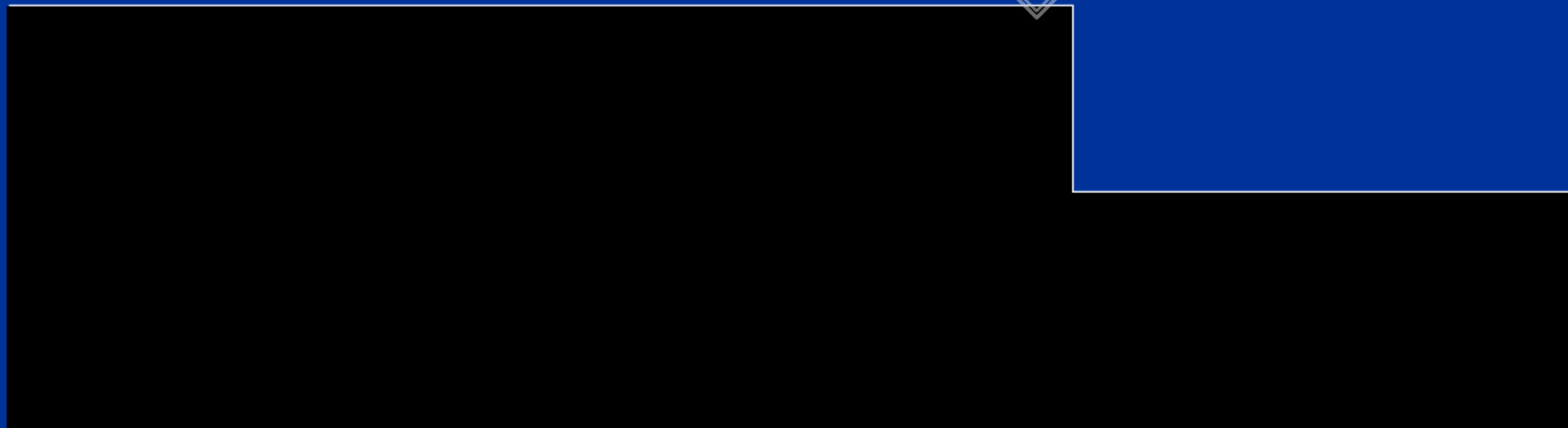
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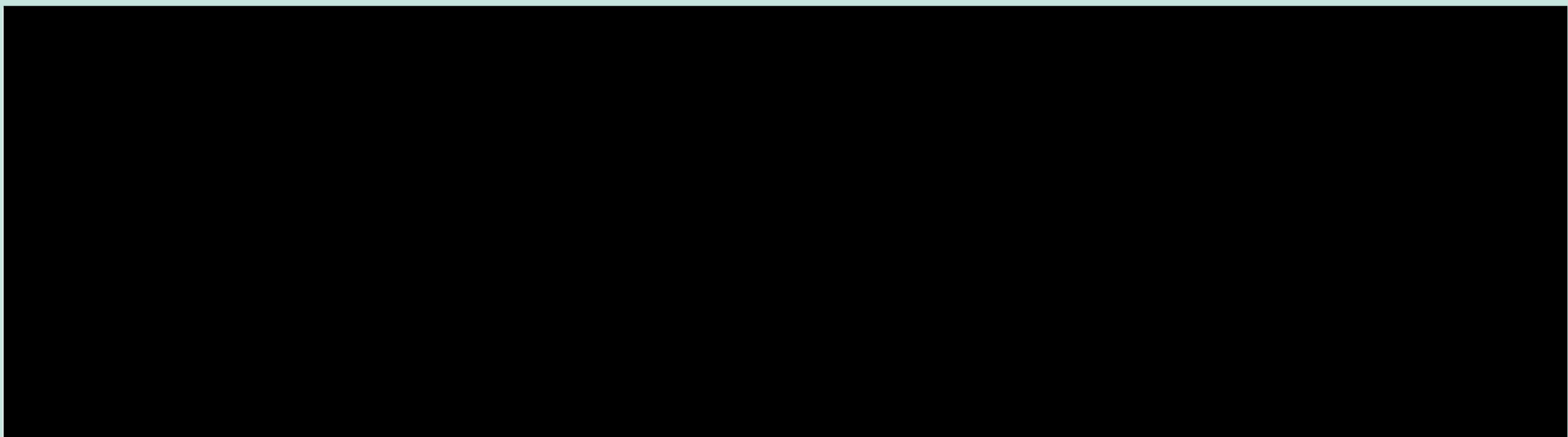
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