



Council of the European Union

PRESS
EN

BACKGROUND¹
Brussels, 17 July 2015

JUSTICE and HOME AFFAIRS COUNCIL

Monday 20 July in Brussels

The meeting will be chaired by **Jean ASSELBORN**, Luxembourg Minister of Immigration and Asylum.

Starting at 15.00, Home affairs ministers will discuss the implementation package of the European Agenda on Migration as regards the **resettlement** and **relocation** of 60 000 persons in clear need of protection in the member states. Ministers are also expected to adopt conclusions on the designation of certain third countries as **safe countries of origin** within the meaning of the Asylum Procedures directive.

Representatives of the associate countries Iceland, Liechtenstein, Norway and Switzerland will also be present in the meeting.

A **press conference** will take place at the end of the meeting +/- 18.00

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Press conferences and public events by video streaming: <http://video.consilium.europa.eu>

Video coverage in broadcast quality (MPEG4) and photo gallery on: www.eucouncil.tv

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¹ This note has been drawn up under the responsibility of the press office.

HOME AFFAIRS

Relocation / resettlement

The Council is expected to reach a general approach on the decision establishing provisional measures in the area of international protection for the benefit of Italy and Greece. This decision establishes a temporary and exceptional **relocation** mechanism over two years from the frontline member states Italy and Greece to other member states (40 000 persons in clear need of international protection).

The representatives of the governments of the member states meeting within the Council are also expected to agree by consensus on the distribution of such persons and will adopt a resolution to this end.

The special procedure for the adoption of the decision establishes that the Council will consult the European Parliament. On 16 of July the LIBE Committee voted the draft report by Ska Keller (Greens/EFA, DE). Once adopted in the plenary, the Council will be able to formally adopt the decision.

Furthermore, the member states are expected to adopt conclusions on **resettling** through multilateral and national schemes 20 000 displaced persons in clear need of international protection. The associated states can also participate in this resettling effort.

Following the tragic incidents in the Mediterranean sea which caused the loss of hundreds of lives last April, the President of the European Council convened a special meeting on migration that was held on 23 April 2015. The objective of the summit was to discuss, at the highest level, what member states and the EU institutions together could and should do to in particular to alleviate the serious situation in the Mediterranean sea.

In its statement, the European Council committed to consider options for organising emergency relocation between all member states and to set up a pilot project on resettlement across the EU, offering places to persons qualifying for protection.

Leaders also indicated that they looked forward the Commission Communication on a European Agenda on Migration, which should develop a more systematic and geographically comprehensive approach to migration.

The Agenda was presented by the Commission on 13 May. Its first part defines immediate measures to prevent human tragedies and to reinforce mechanisms to deal with emergencies. This will be done by strengthening EU presence at sea to save lives, targeting criminal smuggling networks, responding to high volumes of arrivals within the EU with a distribution mechanism for asylum-seekers (relocation), bringing an increased number of refugees from third countries (resettlement) safely and legally to the EU, and using the EU's operational and financial tools to help frontline member states.

On 27 May the Commission presented a first implementation package including, among other proposals, the following:

- a proposal for a Council decision to trigger an emergency relocation of 40 000 persons in clear need of international protection from Italy and Greece based on Article 78(3) of the Treaty on the Functioning of the European Union (TFEU) ².
- a recommendation proposing an EU-wide resettlement scheme to offer 20 000 places to people in clear need of international protection outside of the EU.

On 25 June 2015, the European Council agreed to the rapid adoption of such temporary and exceptional relocation mechanism and called on the rapid adoption of the Council decision to that effect. It also concluded that member states should agree by consensus on the distribution of such persons, reflecting the specific situations of member states. Leaders also agreed on an EU resettlement scheme in which all members states will participate through multilateral and national schemes, and reflecting the specific situations of member states.

On 9 July 2015, Home affairs ministers met informally in Luxembourg and discussed migration issues, in particular, the resettlement and relocation of 60 000 refugees and asylum seekers in the member states.

At the press conference that followed the meeting, Luxembourg's Minister of Immigration and Asylum, Jean Asselborn, highlighted the fact that the member states agreed on the resettlement of 20 000 persons in the EU, a figure which already has been exceeded.

By contrast, concerning the relocation of 40 000 asylum seekers, the Ministers could not reach an agreement. Jean Asselborn said that the issue will be given "fresh impetus" and announced that Ministers agreed to address the issue again on 20 July. He also recalled that the objective was to find an agreement on the distribution of such persons by the end of July.

Safe countries of origin

Ministers will adopt conclusions on the designation of certain third countries as **safe countries of origin**. The conclusions are expected to stress the importance of ensuring rapidly a coordinated approach between member states on the designation at national level of third countries as safe countries of origin. It will also recommend that all member states assess, without delay, which third countries could be designated at national level as safe countries and that priority should be given to an assessment of the Western Balkans countries, since a majority of national lists include already these countries.

The Asylum Procedures directive ([directive 2013/32/EU](#)) enables member states to designate safe countries of origin for the purposes of an accelerated examination of applications for international protection and defines common criteria and procedures to be followed for such designation.

The designation by a member state of a third country as safe country of origin allows this member state to accelerate and/or conduct at the border or in transit zones the examination of applications for international protection made by applicants who have the nationality of this third country. This can be an effective tool for addressing situations when large numbers of asylum applications are lodged by nationals of third countries for whom there is a presumption that they do not qualify for international protection.

² Article 78(3) TFUE: "In the event of one or more member states being confronted by an emergency situation characterised by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, may adopt provisional measures for the benefit of the member state(s) concerned. It shall act after consulting the European Parliament."

Several member states have designated at national level certain third countries as safe countries of origin. The Asylum Procedures directive acknowledges the need for a coordinated approach between member states on the use of safe country of origin concept, leading to potential further harmonisation in this area in the future.

The European Commission announced in the European Agenda on Migration its intention to strengthen the "safe country of origin" provisions in the Asylum Procedures directive. On 25 June 2015 the European Council invited the Commission to outline, by July 2015, measures to be taken by the European Asylum Office (EASO) to coordinate the implementation of such provisions. It also noted the Commission's intention to strengthen the provisions, including the possible establishment of a common EU list of safe countries of origin.

For more information:

[Council website: EU response to migratory pressures](#)

[Special meeting of the European Council, 23 April 2015 - statement](#)

[European Council conclusions of June 2015](#)

[Informal Meeting of Ministers of Justice and Home Affairs \(Luxembourg, 9 July\) - Press release](#)
