



Implementing the EU-Turkey Agreement – Questions and Answers

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On 18 March 2016, EU Heads of State or Government and Turkey agreed to end the irregular migration from Turkey to the EU and replace it instead with legal channels of resettlement of refugees to the European Union. The aim is to replace disorganised, chaotic, irregular and dangerous migratory flows by organised, safe and legal pathways to Europe for those entitled to international protection in line with EU and international law.

The agreement took effect as of 20 March 2016, and 4 April 2016 was set as the target date for the start of returns of people arriving in Greece after 20 March and of the first resettlements. Today thus saw the start of two processes: returns from the Greek islands to Turkey to make clear that this is a dangerous route and the wrong route; and the first resettlements of Syrian refugees from Turkey to Europe, to underline that this is how Europe lives up to its responsibilities as a continent committed to the Geneva Convention and to the fundamental right to asylum.

The implementation of the agreement requires huge operational efforts from all involved, and most of all from Greece. As European Commission President Jean-Claude Juncker said, this is a Herculean task. Greece and Turkey are the two governments in charge of implementing the agreement. It is their authorities who have to do the legal and operational work. The Commission is assisting Greece with advice, expertise and support from the EU budget and by coordinating – via the EU Coordinator Maarten Verwey – the support which is being provided by other Member States and EU agencies.

Significant first steps in the implementation of the agreement are now being taken. This morning, 32 Syrian refugees were resettled to Germany and 11 to Finland. A group of Syrian refugees are expected to leave for the Netherlands tomorrow morning. The return of a number migrants who have not made asylum applications in Greece has been carried out during the morning from the Greek islands to Turkey, in full respect of EU and international law. Continued efforts are needed from Greece, Turkey and all EU Member States in the days and weeks to come.

What was agreed in the EU-Turkey statement of 18 March?

The EU and Turkey agreed that:

- 1) All new irregular migrants whether persons not applying for asylum or asylum seekers whose applications have been declared inadmissible crossing from Turkey to the Greek islands as of 20 March 2016 will be returned to Turkey;
- 2) For every Syrian being returned to Turkey from the Greek islands, another Syrian will be resettled to the EU from Turkey directly;
- 3) Turkey will take any necessary measures to prevent new sea or land routes for irregular migration opening from Turkey to the EU;
- 4) Once irregular crossings between Turkey and the EU are ending or have been substantially reduced, a Voluntary Humanitarian Admission Scheme will be activated;
- 5) The fulfilment of the visa liberalisation roadmap will be accelerated with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016. Turkey will take all the necessary steps to fulfil the remaining requirements;
- 6) The EU will, in close cooperation with Turkey, further speed up the disbursement of the initially allocated €3 billion under the Facility for Refugees in Turkey. Once these resources are about to be used in full, the EU will mobilise additional funding for the Facility up to an additional €3 billion to the end of 2018;
- 7) The EU and Turkey welcomed the ongoing work on the upgrading of the Customs Union.
- 8) The accession process will be re-energised, with Chapter 33 to be opened during the Dutch Presidency of the Council of the European Union and preparatory work on the opening of other chapters to continue at an accelerated pace;

9) The EU and Turkey will work to improve humanitarian conditions inside Syria.

What has Greece done to implement the agreement?

Since 18 March 2016, Greece has:

- Moved all migrants who arrived on the islands before 20 March to the mainland;
- Returned to Turkey 147 irregular migrants not in need of international protection, who had arrived before 20 March;
- Deployed liaison officers in Turkey;
- Deployed 1,500 asylum case officers and police officers to the islands;
- Transformed the hotspots into closed reception facilities to avoid irregular migrants absconding when they are subject to return decisions;
- Adapted its legislation to provide a legal framework for the implementation of the 'first safe country of asylum' and 'safe third country' principles.

What has Turkey done to implement the agreement?

Since 18 March 2016, Turkey has:

- Deployed liaison officers in Greece;
- Announced that all Syrian refugees returned to Turkey from the Greek islands will see their protection status in Turkey granted or renewed. Legislative changes to that effect have been prepared.
- Ensured that all people in need of international protection returned from the Greek islands to Turkey will have access to the asylum procedures in Turkey.

How many staff from the EU Agencies have been deployed to the Greek islands?

206 Frontex escort officers were deployed to Greece over the weekend.

32 EASO officers and 5 permanent staff were deployed to Greece on Sunday and Monday. These experts came from the Czech Republic, Denmark, Germany, Estonia, Finland, Netherlands, Portugal, Romania and Slovenia. An additional 30 staff are expected to be deployed by Wednesday. EASO's presence is expected to keep growing gradually in the days to come.

Frontex and EASO both issued two calls for experts on 19 March (1,500 escort officers and 50 return and readmission experts for Frontex and 400 asylum officers and 400 interpreters plus 30 judges for EASO).

How many staff from the EU Agencies have been pledged by Member States?

Confirmed Frontex pledges so far:

Frontex has so far received proposals from 21 Member States for 44 readmission experts and 702 escort officers from the initially requested (50 and 1,500 respectively) numbers for these two profiles.

- Readmission experts: 50 needed, 44 pledged
- Escort Officers: 1500 needed, 702 pledged

Confirmed EASO pledges so far:

EASO has so far received proposals from 16 Member States for 452 experts, of which 120 have been nominated so far (400 asylum officers, 400 interpreters plus 30 judges requested).

- Asylum : 400 needed, 396 pledged, 85 experts nominated
- Interpreters : 400 needed, 22 pledged
- Judges: 30 requested by EASO, 33 nominated

For regular updates on the pledged experts, consult the table [here](#).

How many Agency staff was already present in Greece before the 20 March?

Frontex already had 674 officers deployed in Greece:

- Frontex officers in the hotspots: 481
- Frontex teams outside hotspots: 193

The European Asylum Support Office (EASO) already had 21 experts working in the hotspots and 47 experts working on the mainland.

How many migrants arrived in Greece since 20 March?

Date	Number of arrivals
20/3	1,667
21/3	600
22/3	260
23/3	0
24/3	161
25/3	78
26/3	73
27/3	232
28/3	192
29/3	766
30/3	377
31/3	339
01/4	566
02/4	514
03/4	200

How are resettlements and returns physically being carried out?

Resettlements from Turkey to the European Union are taking place via plane.

Returns from the Greek islands to Turkey are in a first instance taking place via ferry and bus. The operational arrangements are decided between Turkey and Greece. Frontex is assisting in the practical implementation.

Frontex has mobilised the following practical support for the time being:

- 3 ferries (with capacities of 246, 330 and 400 people respectively)
- Over 10 buses for transportation from the hotspots to the ports
- 256 Frontex escort officers

The ferries this morning departed from the Greek islands and disembarked in the port of Dikeli in Turkey.

On what legal basis are irregular migrants being returned from the Greek islands to Turkey?

People who do not apply for asylum in Greece or whose applications for asylum have been declared inadmissible or unfounded will be returned to Turkey. The legal framework for these returns is the bilateral readmission agreement between Greece and Turkey. From 1 June 2016, this will be succeeded by the EU-Turkey Readmission Agreement, following the entry into force of the provisions on readmission of third country nationals of this agreement.

On what legal basis are asylum seekers being returned from the Greek islands to Turkey?

People who apply for asylum in Greece will have their applications treated on a case-by-case basis, in line with EU and international law requirements and the principle of non-refoulement. There will be individual interviews, individual assessments and rights of appeal. There will be no blanket and no automatic returns of asylum seekers.

The EU asylum rules allow Member States in certain clearly defined circumstances to declare an application "inadmissible", that is to say, to reject the application without examining the substance.

Among the legal possibilities that can be used for declaring asylum applications inadmissible, in relation to Turkey are:

- 1) first country of asylum (Article 35 of the Asylum Procedures Directive): where the person has already been recognised as a refugee in that country or otherwise enjoys sufficient protection there;
- 2) safe third country (Article 38 of the Asylum Procedures Directive): where the person has not already received protection in the third country but the third country can guarantee to the readmitted person effective access to the protection procedure on an individual basis and where found to be in need of protection effective access to treatment in accordance with the standards of the Geneva Refugee Convention.

On what basis are Syrians being resettled from Turkey?

Resettlement from Turkey to the EU will be carried out in the first instance by honouring the commitments of Member States under the Council conclusions of 22 July 2015 of which 18,000 places

for resettlement remain.

Furthermore, the Commission has proposed an amendment to the relocation decision of 22 September 2015 to facilitate the resettlement of an additional 54,000 persons under a voluntary arrangement.

Beyond this, the Voluntary Humanitarian Admission Scheme recommended by the Commissions on 15 December, for refugees displaced by the Syrian conflict from Syria to Turkey, will be activated.

What safeguards exist for asylum seekers?

All applications need to be treated individually and due account must be given to the situation of vulnerable groups, in particular unaccompanied minors for whom all decisions must be in their best interests.

All applicants will also be able to appeal the decision.

Will asylum seekers remain in Greece during the appeal procedure?

In accordance with Greek law, when applying the concept of "safe third country" and "first country of asylum", the decision to declare the asylum application inadmissible is suspended automatically while the appeal is being treated.

Where will migrants be accommodated whilst they await return?

Migrants will be accommodated either in open or in closed reception facilities on the Greek islands.

The Asylum Reception Conditions Directive and the Return Directive contain rules on the possibility to detain asylum-seekers and irregular migrants, in particular if there is a risk of absconding.

Detention must only ever be a means of last resort and must be proportionate.

The Commission is therefore asking Greece to pay particular attention to the needs of vulnerable people and unaccompanied minors, who in principle should not be detained.

How can you be sure that asylum seekers will be given protection in Turkey?

Both the EU and Turkey agreed in their statement of 18 March to respect the principle of non-refoulement.

Only asylum seekers that will be protected in accordance with the relevant international standards and in respect of the principle of non-refoulement will be returned to Turkey.

In addition, the EU is speeding up the disbursement of funds from the €3 billion Facility for Refugees in Turkey. This funding will support Syrians in Turkey by providing access to food, shelter, education and healthcare. An additional €3 billion will be made available after this money is used to the full, up to the end of 2018. The UNHCR will be a key actor in the resettlement process to provide additional support and supervision.

What operational support does Greece need in order to implement the scheme?

The implementation of the agreement requires huge operational efforts from all involved, and most of all from Greece. EU Member States agreed to provide Greece at short notice with the necessary means, including border guards, asylum experts and interpreters.

The Commission estimated that Greece needs:

Around 4,000 staff from Greece, Member States, the European Asylum Support Office (EASO) and FRONTEX:

- For the asylum process: 200 Greek asylum service case workers, 400 asylum experts from other Member States deployed by EASO and 400 interpreters;
- For the appeals process: 10 Appeals Committees made up of 30 members from Greece as well as 30 judges with expertise in asylum law from other Member States and 30 interpreters;
- For the return process: 25 Greek readmission officers, 250 Greek police officers as well as 50 return experts deployed by Frontex. 1,500 police officers seconded on the basis of bilateral police cooperation arrangements (costs covered by FRONTEX);
- Security: 1,000 security staff/army.

Who is coordinating this support?

Heads of State or Government meeting in the European Council on 17-18 March 2016 agreed that "the Commission will coordinate and organise together with Member States and Agencies the necessary support structures to implement it effectively."

President Juncker appointed Maarten Verwey to act as the EU coordinator to implement the EU-Turkey statement. Maarten Verwey is the Director-General of the European Commission's Structural Reform

Support Service. He leads a team which has already been on the ground in Greece since October 2015, working hand-in-hand with the Greek authorities to address the refugee crisis, by accelerating access to emergency funding, improving the coordination between the various actors, addressing administrative bottlenecks and facilitating knowledge sharing on border management and relocation. The EU coordinator has at his disposal significant resources from relevant European Commission services in Brussels (in particular DG HOME) and EU agencies (FRONTEX, EASO, Europol).

The EU coordinator is organising the work and coordinating the dispatching of the 4,000 staff that will be needed from Greece, Member States, the European Asylum Support Office (EASO) and FRONTEX.

What financial support is being provided to Greece?

The Commission estimated the costs of the practical implementation of the agreement to be around €280 million euro over the next six months.

The EU will support Greece to put in place the necessary human resources, infrastructure and reception capacity in order to carry out registrations appeals processes and large scale return operations.

Emergency assistance

Since the beginning of 2015, Greece has been awarded €181 million in emergency assistance. For 2016, the Commission has significantly increased the emergency assistance budget under the Asylum Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF) - the total amount of emergency funding available in 2016 for the refugee crisis now stands at €464 million. €267 million has been earmarked for Greece. Requests for financing can be introduced by the Greek authorities and International Organisations operating in Greece to manage the refugee and humanitarian crisis. This funding can be made available for the funding of reception centres on the islands, as well as support for return operations (transport and accompanying measures). This funding can also be used for the temporary deployment of additional Greek staff.

Funding available under the Greek multiannual National Programmes

The emergency funding comes on top of the €509 million already allocated to Greece under the national programmes for 2014-2020 (€294.5 million from AMIF and €214.7 million from ISF).

Frontex funding

€60 million euro is available in funding for return operations, including the reimbursement of the costs of Frontex return experts, the reimbursement of transport costs (including vessels made available through Frontex) and the reimbursement of police officers for return escorts (including police officers seconded by other Member States on the basis of bilateral police cooperation agreements).

EASO funding

Under the budget of the European Asylum Support Office, €1.9 million is available to support Member States under particular pressure in 2016 with the funding of, for example, case workers, judges and mobile containers.

Humanitarian Emergency Support

On 2 March, the Commission proposed an Emergency support instrument for humanitarian purposes, providing €700 million over the next three years, to be used within the European Union to provide a faster, more targeted response to major crises, including helping Member States cope with large numbers of refugees. The instrument entered into force on 16 April 2016 (Council Regulation (EU) 2016/369). The estimated needs for 2016 are €300 million with a further €200 million each for use in 2017 and 2018, respectively.

What happens to migrants who were already in Greece before 20 March?

The Greek authorities, EU Member States and EU Agencies agreed to accelerate relocations from Greece and provide rapid humanitarian assistance to Greece. In view of the emergency situation on the ground, 6,000 relocations should be achieved within the next month and at least 20,000 relocations completed by mid-May 2016. So far 581 persons in need of international protection have been relocated from Greece to other Member States.

In total 19 Member States have pledged 2,762 places for relocation from Greece. The Greek asylums service has registered 2,592 relocation applications.

1,986 relocation requests have been submitted to Member States, among which 1,124 have been accepted. 862 are still pending.

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