



Council of the
European Union

**Brussels, 22 September 2015
(OR. en)**

**11088/15
ADD 1**

**PV/CONS 42
JAI 587**

DRAFT MINUTES

Subject: **3405th** meeting of the Council of the European Union (**JUSTICE AND HOME AFFAIRS**) held in Brussels on 20 July 2015

STATEMENTS FOR THE COUNCIL MINUTES
TO BE PUBLIC

Ad "B" item 3: **Draft Conclusions of the Representatives of the Governments of the Member States meeting within the Council on resettling through multilateral and national schemes 20 000 displaced persons in clear need of international protection**

STATEMENT BY GERMANY AND FRANCE

"France and Germany are ready to take all their part in welcoming refugees who are fleeing persecutions, particularly from Syria, Iraq or Eritrea.

Building on the initial proposition of the European Commission, France will welcome, over a period of 2 years, 6 752 people in clear need of protection from the relocation mechanism and 2 375 from the resettlement programme. Germany will welcome up to 10 500 persons from the relocation programme, over a period of 2 years and 1 600 persons from the resettlement programme.

France and Germany support the relocation programme, and particularly recall that solidarity and responsibility are closely interlinked. In this regard, the importance of the following agreed conditions shall particularly be stressed:

- All EU member states concerned by these programmes shall take part in them, in order to have a balanced distribution of the effort;
- At the same time as the relocation decision enters into force, the “hot spots including national reception facilities (waiting zones) located close to the arriving points in the Member states of first entry, should be set up. Within the “hot spots”, the coordination between the EU Regional Task Force (EURTF), the operational expert teams and the front line Member States for the relocation has to be established, enabling to identify and register migrants in the Eurodac basis, and make the necessary distinction between asylum applicants fleeing persecutions and who will be relocated among Member states, and illegal migrants not asking for asylum or whose application has been rejected, who need to be returned in their home country;
- The European Commission and all Member States take all measures to avoid secondary movements of relocated persons and the member state of relocation readmits the relocated person immediately upon request by the other Member State.
- The EU should also continue to act decisively against illegal immigration, including by dismantling smugglers’ networks and by ensuring the return of illegal migrants in their home countries;
- The welcoming of refugees for the resettlement and the relocation programmes should be rolled out over a period of 2 years, in order to guarantee the sustainability of these operations.

France and Germany will pay close attention to the respect of these conditions that are essential to the necessary balance between responsibility and solidarity needed in order to face the current migration crisis."

STATEMENT BY DENMARK

"Resettlement to Denmark of approximately 500 refugees in 2015 is based on an existing national resettlement scheme, containing criteria and conditions agreed upon between Denmark and UNHCR. The possible resettlement of approximately 500 refugees in 2016 under the existing national scheme is pending the outcome of national decision making procedures."

STATEMENT BY THE UNITED KINGDOM

"Resettlement to the UK will be under existing national schemes. This figure is purely indicative based on projections of current resettlement activity. It is not a hard target as some resettlement schemes are based on need, not quota."

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Ad "B" item 4: **Draft Resolution of the Representatives of the Governments of the Member States meeting within the Council on relocating from Greece and Italy 40 000 persons in clear need of international protection**

STATEMENT BY AUSTRIA

"Austria supports this resolution, but is itself confronted with disproportionately high pressure on its asylum system. Owing to this extremely difficult situation and the disproportionate commitment in the area of resettlement, Austria can receive persons who are in clear need of international protection in the context of relocation from Greece and Italy only if or when this difficult situation no longer exists."

STATEMENT BY THE CZECH REPUBLIC

"The Czech Republic declares that the proposed relocation scheme is temporary, exceptional and the participation to it of the Czech Republic is voluntary. The proposed scheme should not introduce a new systemic aspect to the Common European Asylum System. Should there be any discussions in the future on a possible permanent relocation scheme, these should take place only after the functioning of the proposed temporary scheme is thoroughly assessed, including the aspects of secondary movements, impact on the relocated persons and Member States of relocation and its overall added value to the general functioning of the EU's migration management. Compliance with the principle of proportionality must be thoroughly examined.

The Czech Republic believes that the implementation of the Council Decision establishing provisional measures in the area of international protection for the benefit of Italy and Greece should be ruled by the inseparability of the aspect of solidarity and the aspect of responsibility of Member States in the field of migration management.

In this regard, the Czech Republic further declares that relocation transfers from Greece and Italy are subject to tangible results of those particular Member States as regards registration, identification and fingerprinting of migrants as well as progress in returns of illegal migrants who do not qualify for international protection, including with the assistance resulting from the implementation of the “hotspots” concept.

The Czech Republic finally states that it considers the issue of internal security a crucial part of the EU’s migration management. Taking this into account, all possibilities provided by the Council Decision should be made full use of in the relocation procedure, including on-site screening by liaison officers of Member States of relocation. "

STATEMENT BY GERMANY AND FRANCE

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France and Germany support the relocation programme, and particularly recall that solidarity and responsibility are closely interlinked. In this regard, the importance of the following agreed conditions shall particularly be stressed:

- All EU Member States concerned by these programmes shall take part in them, in order to have a balanced distribution of the effort;
- At the same time as the relocation decision enters into force, the “hot spots including national reception facilities (waiting zones) located close to the arriving points in the Member States of first entry, should be set up. Within the “hot spots”, the coordination between the EU Regional Task Force (EURTF), the operational expert teams and the front line Member States for the relocation has to be established, enabling to identify and register migrants in the Eurodac basis, and make the necessary distinction between asylum applicants fleeing persecutions and who will be relocated among Member States, and illegal migrants not asking for asylum or whose application has been rejected, who need to be returned in their home country;
- The European Commission and all Member States take all measures to avoid secondary movements of relocated persons and the member state of relocation readmits the relocated person immediately upon request by the other Member State.

- The EU should also continue to act decisively against illegal immigration, including by dismantling smugglers' networks and by ensuring the return of illegal migrants in their home countries;
- The welcoming of refugees for the resettlement and the relocation programmes should be rolled out over a period of 2 years, in order to guarantee the sustainability of these operations.

France and Germany will pay close attention to the respect of these conditions that are essential to the necessary balance between responsibility and solidarity needed in order to face the current migration crisis."

STATEMENT BY GREECE

"Recalling the European Council Conclusions of June 25-26, 2015, with regard to the reinforcement of internal solidarity and responsibility in relation to increasing emergency aid to frontline Member States and to stepping up its efforts in this area towards Member States which receive the highest number of refugees and applicants for international protection, Greece wishes to make clear that it is bound by the text of the *COUNCIL DECISION establishing provisional measures in the area of international protection for the benefit of Italy and Greece of July 20, 2015* and the *Resolution of the Representatives of the Governments of the Member States meeting within the Council on relocating from Greece and Italy 40 000 persons in clear need of international protection and its annex of July 20, 2015* as they stand, without any reservation.

Greece also declares that the implementation of the *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 of July 20, 2015* is conditional upon full and unreserved implementation of the *COUNCIL DECISION establishing provisional measures in the area of international protection for the benefit of Italy and Greece of July 20, 2015* and the *Resolution of the Representatives of the Governments of the Member States meeting within the Council on relocating from Greece and Italy 40 000 persons in clear need of international protection of July 20, 2015*."

STATEMENT BY THE NETHERLANDS

"The current migratory pressure on Italy and Greece requires a concrete demonstration of solidarity from all Member States. The Netherlands is therefore willing to make a sizeable contribution to the relocation of asylum applicants from Italy and Greece in line with the original proposal of the European Commission, while emphasising that solidarity must go hand in hand with responsibility. In this light, the Netherlands attaches particular importance to the contributions of other Member States to the relocation mechanism as well as the fulfilment by Italy and Greece of their obligations under the common European asylum system. Insufficient results with regard to these aspects may lead to reconsideration of the stated commitment of the Netherlands."