Parlamento europeo

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ΠΡΟΕΔΡΟΥ ΒΟΥΛΗΣ
Αριθμ. Πρωτ.: 2685
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Il Presidente

Κύριο Νικόλαο Βούτση
Πρόεδρο της Βουλής των Ελλήνων
Πλατεία Συντάγματος
Λεωφόρος Βασιλίσσης Σοφίας 11
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Κύριε Πρόεδρε, αγαπητέ συνάδελφε,

Μετά την προσφυγική κρίση του 2015, τα θεσμικά όργανα της ΕΕ εργάζονται σκληρά για τη μεταρρύθμιση του κοινού ευρωπαϊκού συστήματος ασύλου. Βασική πρόταση της εν λόγω δέσμης είναι η μεταρρύθμιση του κανονισμού του Δουβλίνου. Επιθυμία μας είναι να αναμορφώσουμε τον κανονισμό αυτό ώστε, από ένα δυσλειτουργικό σύστημα, να αναδειχθεί σε ακρογωνιαίο λίθο μιας συστηματικής, ρεαλιστικής και αλληλέγγυας πολιτικής ασύλου στην Ευρώπη.

Τον Νοέμβριο του 2017, το Ευρωπαϊκό Κοινοβούλιο ολοκλήρωσε τις διαπραγματεύσεις για την κοινή διαπραγματευτική μας θέση, εγκρίνοντας σχετική εντολή, με πλειοψηφία των δύο τρίτων, με πολιτικούς από όλα σχεδόν τα κράτη μέλη που εκπροσωπούσαν 118 εθνικά πολιτικά κόμματα και πέντε μείζονες πολιτικές ομάδες από ολόκληρο το πολιτικό φάσμα.

Έχουμε καταβάλει σημαντικές προσπάθειες για να καταλήξουμε σε μια ισόρροπη και πραγματικά ευρωπαϊκή προσέγγιση για την αντιμετώπιση των ανεπαρκειών στη διαχείριση της μετανάστευσης στην Ευρώπη, προκειμένου να επαναφέρουμε τον έλεγχο των μεταναστευτικών ροών στις ευρωπαϊκές κυβερνήσεις και αρχές. Σήμερα, έχουμε μια μοναδική ευκαιρία να καθορίσουμε ένα ρεαλιστικό κοινό ευρωπαϊκό σύστημα ασύλου το οποίο θα βασίζεται στην αλληλεγγύη. Δυστυχώς, τα κράτη μέλη στο Συμβούλιο δεν κατόρθωσαν μέχρι στιγμής να καταλήξουν σε κοινή θέση, πράγμα που θα επέτρεπε την έναρξη διαπραγματεύσεων μεταξύ του Συμβουλίου και του Ευρωπαϊκού Κοινοβουλίου.

Η συνεδρίαση του Ευρωπαϊκού Συμβουλίου στα τέλη Ιουνίου θα είναι πιθανώς η τελευταία ευκαιρία στο πλαίσιο της παρούσας εντολής να επιτευχθεί συμφωνία, ώστε να μπορέσει το Συμβούλιο να αρχίσει διαπραγματεύσεις με το Κοινοβούλιο.

Όπως καταδεικνύει το Ευρωβαρόμετρο του Μαΐου του προηγούμενου έτους, η μετανάστευση είναι ένας από τους βασικούς τομείς όπου οι συμπολίτες μας, σε ποσοστό μεγαλύτερο του 70 %, αναμένουν από την ΕΕ να βρει λύσεις κατά τη διάρκεια της παρούσας εντολής. Είναι εξαιρετικά σημαντικό να αντλήσουμε διδάγματα από τις αποτυχίες του παρελθόντος. Σήμερα είναι η κατάλληλη στιγμή να οικοδομήσουμε ένα βιώσιμο και ανθεκτικό σύστημα παροχής ασύλου στην Ευρώπης, το οποίο θα λειτουργεί τόσο υπό συνθήκες ομαλότητας όσο και σε περίπτωση σημαντικής κρίσης.

Βασιζόμαστε στην υποστήριξή σας για να χτίσουμε γέφυρες ανάμεσα στα θεσμικά μας όργανα και να προαγάγουμε ένα πνεύμα ευρωπαϊκής συνεργασίας που θα εξασφαλίσει μια ρεαλιστική μεταρρύθμιση του κοινού ευρωπαϊκού συστήματος ασύλου.

Ελπίζουμε ότι θα φροντίσετε να φτάσει η ανά χείρας επιστολή, μαζί με το συνημμένο επεξηγηματικό σημείωμα σχετικά με τη θέση του Ευρωπαϊκού Κοινοβουλίου για τη μεταρρύθμιση του κανονισμού του Δουβλίνου, στην αρμόδια επιτροπή και στους βουλευτές που ασχολούνται με τα θέματα αυτά.

Είμαστε έτοιμοι να απαντήσουμε σε τυχόν ερωτήσεις δικές σας ή συναδέλφων σας σχετικά με τη θέση του Ευρωπαϊκού Κοινοβουλίου.

Έχουμε την πεποίθηση ότι η Βουλή των Ελλήνων με προθυμία θα συμπορευτεί μαζί μας στη σημαντική αυτή προσπάθεια.

Με εξαιρετική εκτίμηση,

Antonio Tajani
Πρόεδρος του Ευρωπαϊκού Κοινοβουλίου

Cecilia Wikström
Εισηγήτρια για τον κανονισμό του Δουβλίνου

Briefing note on the European Parliament's position on the Dublin reform

A bold but pragmatic proposal

The Dublin Regulation determines which EU member state should be responsible for examining an application for international protection. The refugee crisis of 2015 clearly showed that the Dublin regulation needs a fundamental reform to enable a structured and dignified reception of asylum seekers in Europe, whilst at the same time allowing Member States to effectively manage their borders. Since the flaws of the current Dublin Regulation are of a fundamental and structural nature, only a fundamental and structural reform can properly address these issues.

The European Parliament is proposing a system that will work in practice, on the ground. To achieve this we need to ensure that both Member States and applicants are incentivised to follow the rules within the Dublin system. Member States, all signatories of the Geneva Convention, will need to accept a fair sharing of the responsibility to receive asylum seekers in Europe. Applicants will need to accept that they do not have a free choice as regards the Member State that will conduct the evaluation of their asylum claims.

The system proposed by the European Parliament would be functional in times of normal migratory flows as well as in times of crisis. It would also be able to cope with a crisis on any of the common borders of the union. The Council is clearly allowed to decide on this regulation by majority voting and their focus must now be on finding a system that will work on the ground, and not only one that can reach unanimity in the Council.

Main elements of the proposal

A permanent and automatic relocation mechanism, without thresholds

Applicants who have family members or who have links with a particular Member State, for example after having had a prior residence or having studied there shall be relocated to these Member States. Applicants lacking such links with a particular Member State shall be relocated through the corrective allocation system. The relocation system thus replaces the previous "fall-back-criterion" of the Member State of first entry. The system applies at all times, not only in times of crisis and with no thresholds as suggested by the European Commission.

Registration of applicants directly on arrival and security

The European Parliament position includes strong incentives for both Member States and applicants to register immediately upon arrival in the EU. This will allow our authorities to have a much better control over who is present on our territory. The proposal also requires mandatory security controls of all applicants with checks against relevant national and European databases. Applicants posing a security risk will not be transferred to other countries.

Appropriate procedures in the first Member States of arrival

The current Dublin Regulation places an unreasonable burden on the first Member State of arrival. The procedures need to be swift and ensure that applicants needing to be relocated to other Member States are moved quickly. A light procedure for family reunification and other genuine links is therefore introduced.

Support from the EU-budget and EU Asylum Agency (EUAA)
The European Parliament is of the view that the reception costs for applicants during the Dublin-phase of the procedures should be assumed by the EU-budget in order not to unfairly burden those Member States that will have to perform a large number of these procedures. The European Parliament is also of the view that the responsibility for transferring applicants as a result of decisions under the Dublin Regulation should be transferred to the EUAA.

The calculation of the fair responsibility
The fair share of each Member State in the relocation system is calculated based on the GDP and population. This ensures that larger and wealthier countries will have a larger share than smaller and less wealthy countries. Applicants will be transferred through the corrective allocation system to those Member States that have received the fewest applicants in relation to their fair share.

Functioning of the collective allocation system
Applicants that do not have genuine links with a particular Member State will be subject to relocation. As long as the applicant has registered in the first Member State of entry in the Union, he or she will be given the option to choose between the four Member States which have received the lowest amount of applicants in relation to their fair share.

Since these 'lowest amount' Member States will be constantly changing as applicants are registered in the system, it will not be possible for an applicant to know which four Member States will be available to choose from when deciding to seek protection in Europe. The system should thus not constitute a "pull-factor" but the limited choice gives the applicant some say in the procedure and should thus reduce the risk of secondary movements.

Applicants will also be allowed to register as groups of maximum 30 people. Registering as a group does not give applicants a right to seek protection in a specific country, as in the case for example of family ties, but it gives applicants that have formed close bonds either before leaving their home country or during the journey to remain together and be transferred to the same Member State. This should also reduce risks of secondary movements.

The possibility to choose between the four Member States with the lowest number of applicants in relation to their fair share as well as the possibility to be relocated as a group only applies if the applicant registers in the Member State of first entry.

Giving Member States a chance to succeed with the new asylum system
The European Parliament has included a three-year transition period during which Member States which have historically received many asylum-seekers will continue to shoulder a greater responsibility and where Member States with a more limited experience of welcoming asylum seekers would start with a lower share of the responsibility. During these three years the Member States will then automatically see their shares move towards the fair share. Support and monitoring from the EU Asylum Agency will ensure that all Member States have the capacity to succeed in implementing effectively the fair common European asylum system.

Tackling secondary movements
It is important to ensure that applicants remain in the Member State that is responsible for assessing their application for international protection. In order to reach this goal, the loopholes that have until now allowed for a shift of responsibility between Member States have been removed. The Dublin Regulation will enable a swift determination of a responsible

Member State and it will then effectively become impossible for the applicant to alter it. The only path to international protection within Europe for them will be to remain in the responsible Member State.

A filter for applicants with very small chances of receiving protection
In order to know if an applicant for international protection fulfils the requirements to receive protection, thus separating them from so called "economic migrants", it is necessary to assess their claim on an individual basis. This is a complex process which is done in the responsible Member State.

It is not however in the interest of a well-functioning asylum system to relocate applicants with next to no chances of receiving international protection. At the same time a system that would place too heavy burdens on frontline Member States would not work in practice. A carefully calibrated "filter" for applicants that have very low chances of receiving international protection is therefore included in the proposal.

These applicants would not be relocated but their applications would be treated in the Member State of first entry which would receive additional EU-support to deal with them. The system thus respects the right to a fair asylum procedure for the applicant as well as the interests of having an effective asylum system, without creating undue burdens on frontline Member States or unnecessary relocations.

Incentivise applicants to remain within the official system
Through a radically improved provision of information, legal aid and support for applicants for international protection, combined with more effective procedures, applicants will be incentivised to cooperate with the authorities.

Safeguards for minors
The European Parliament has placed a great emphasis on securing strong safeguards for minors, both accompanied and unaccompanied. Among the main provisions are strengthened rules on best interest assessments, strict requirements on the provision of guardians and the provision of adapted information to children. No transfers of unaccompanied minors will be made without a best-interest assessment by a multidisciplinary team and the presence of a guardian in the receiving Member State.

Ensuring full participation of all Member States
The European Parliament assumes that all EU Member States respect democratic decision making, also in cases where they are not in favour of the outcome. In order to ensure that Member States are incentivised to follow the rules; coercive measures directed at Member States which would not follow the rules have been included. Frontline Member States that refuse to register applicants would see the relocation of applicants from their territory stop. Member States refusing to accept relocation of applicants to their territory would face limits on their access to EU-funds and would not be able to use EU-funds for returns of applicants that had their asylum claims rejected.