

## ANNEX

### European schemes for relocation and resettlement

#### Relocation

‘Relocation’ means a distribution among Member States of persons in clear need of international protection.

On the basis of a distribution key, the Commission will, by the end of May, propose triggering the emergency response system envisaged under Article 78(3) of the Treaty on the Functioning of the European Union and introduce a **temporary European relocation scheme** for asylum seekers who are in clear need of international protection.

**The distribution key** will be based on **objective, quantifiable and verifiable criteria that reflect the capacity of the Member States to absorb and integrate refugees**, with appropriate weighting factors reflecting the relative importance of such criteria (*see Table 1 below*). This key will be based on the following elements<sup>51</sup>:

- a) the size of the population (40%) as it reflects the capacity to absorb a certain number of refugees;
- b) total GDP<sup>52</sup> (40%) as it reflects the absolute wealth of a country and is thus indicative for the capacity of an economy to absorb and integrate refugees;
- c) average number of spontaneous asylum applications and the number of resettled refugees per 1 million inhabitants over the period 2010-2014 (10%) as it reflects the efforts made by Member States in the recent past;
- d) unemployment rate (10%) as an indicator reflecting the capacity to integrate refugees.

Actual numbers to be relocated to each Member State will depend on the total number of persons to be relocated and will be included in the legislative proposal.

The receiving Member State will be responsible for the examination of the asylum applications in accordance with established rules and guarantees.

In applying the baseline distribution key the specific crisis situation shall be taken into account. The Member States from which relocation will take place should not themselves contribute as a relocating Member State. The proposal will reflect the position of the UK, Ireland and Denmark as set out in the respective Protocols to the Treaties.

#### Resettlement

‘Resettlement’ means the transfer of individual displaced persons in clear need of international protection, on submission of the United Nations High Commissioner for Refugees and in agreement with the country of resettlement, from a third country to a Member State, where they will be admitted and granted the right to stay and any other rights comparable to those granted to a beneficiary of international protection.

The Commission will, by the end of May, adopt a Recommendation for an **European resettlement scheme**.

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<sup>51</sup> Taking into account previous discussions in the context of Resettlement and Relocation Forum.

<sup>52</sup> GDP per capita is not to be used as considerations per capita are already reflected in the criteria on the size of the population.

**This scheme will cover all Member States. Associated States will be invited to take part** in the scheme. The share of the overall pledged resettlement places will be allocated to each Member State on the basis of the same **distribution key** as explained above for the relocation scheme (*see Table 2 below*).

The scheme will consist of a **single European pledge** of **20,000** resettlement places.

The **Commission will contribute to the scheme** by making additionally available a total of €50 million for 2015 and 2016.

The **priority regions for resettlement** will include North Africa, the Middle East, and the Horn of Africa, focusing on the countries where the Regional Development and Protection Programmes are being implemented. The scheme is to establish strong links with these programmes.

The **cooperation of the United Nations High Commissioner for Refugees (UNHCR)** and other relevant organisations will be called upon to assist in the implementation, in line with current practice (identification, submission, transfer, etc.). Practical **involvement of the European Asylum Support Office** in the scheme can also be envisaged. Each Member State will remain responsible for individual admission decisions.

The Commission is aware of the **risk of spontaneous secondary movement** of resettled persons. This will be addressed by making resettlement conditional upon agreement of the resettled person to remain in the resettling State for a period of at least 5 years, informing them of the consequence of onward movement within the EU and the fact that it will not be possible to acquire legal status in another Member State or gain access to social rights. Swift identification and return of persons who do not abide by such agreement is already possible under the EU law. The Commission, in cooperation with the Member States and the relevant Agencies, will develop further tools for the practical application of these measures.

**Table 1 European relocation scheme**

<b>Member States<sup>53 54</sup></b>	<b>Key</b>
Austria	2,62%
Belgium	2,91%
Bulgaria	1,25%
Croatia	1,73%
Cyprus	0,39%
Czech Republic	2,98%
Estonia	1,76%
Finland	1,72%
France	14,17%
Germany	18,42%
Greece	1,90%
Hungary	1,79%
Italy	11,84%
Latvia	1,21%
Lithuania	1,16%
Luxembourg	0,85%
Malta	0,69%
Netherlands	4,35%
Poland	5,64%
Portugal	3,89%
Romania	3,75%
Slovakia	1,78%
Slovenia	1,15%
Spain	9,10%
Sweden	2,92%

Calculations are based on statistical information provided by Eurostat (consulted on 8 April 2015).

<sup>53</sup> The Union's common policy on asylum, immigration, visa and external border controls is based on Title V (Area of freedom, security and Justice) of the Treaty on the functioning of the European Union (TFEU). Under Protocols 21 and 22 to the Treaties, the United Kingdom, Ireland and Denmark shall not take part in the adoption by the Council of proposed measures pursuant to Title V TFEU. The United Kingdom and Ireland may notify the Council, within three months after a proposal or initiative has been presented, or at any time after its adoption, that they wish to take part in the adoption and application of any such proposed measure. At any time Denmark may, in accordance with its constitutional requirements, notify the other Member States that it wishes to apply in full all relevant measures adopted on the basis of Title V TFEU. Should the United Kingdom and Ireland decide to "opt-in" to the relocation scheme, the percentage of Member States' contributions will be adapted accordingly. Should Denmark and the Associated States decide to voluntarily participate in the relocation scheme, the percentage of States' contributions will also be modified accordingly.

<sup>54</sup> The percentages set out in the distribution key will be adapted to take account of the specific crisis situation addressed by the emergency relocation scheme under Article 78(3) TFEU. The Member States from which relocation will take place should not themselves contribute as a relocating Member State.

**Table 2 European resettlement scheme**

<b>Member States<sup>55</sup></b>	<b>Key</b>	<b>Total allocation based on 20.000 persons</b>
Austria	2,22%	444
Belgium	2,45%	490
Bulgaria	1,08%	216
Croatia	1,58%	315
Cyprus	0,34%	69
Czech Republic	2,63%	525
<i>Denmark<sup>56</sup></i>	<i>1,73%</i>	<i>345</i>
Estonia	1,63%	326
Finland	1,46%	293
France	11,87%	2375
Germany	15,43%	3086
Greece	1,61%	323
Hungary	1,53%	307
<i>Ireland<sup>56</sup></i>	<i>1,36%</i>	<i>272</i>
Italy	9,94%	1989
Latvia	1,10%	220
Lithuania	1,03%	207
Luxembourg	0,74%	147
Malta	0,60%	121
Netherlands	3,66%	732
Poland	4,81%	962
Portugal	3,52%	704
Romania	3,29%	657
Slovakia	1,60%	319
Slovenia	1,03%	207
Spain	7,75%	1549
Sweden	2,46%	491
<i>United Kingdom<sup>56</sup></i>	<i>11,54%</i>	<i>2309</i>

Calculations are based on statistical information provided by Eurostat (consulted on 8 April 2015).

The percentage calculations were made to five decimal places and rounded up or down to two decimal places for presentation in the table; allocations of persons were made on the basis of the full figures to five decimal places.

<sup>55</sup> If the Associated States decide to participate in the resettlement scheme, the key and the total allocation will change accordingly.

<sup>56</sup> Whilst the proposed resettlement scheme will take the form of a Recommendation, the Union's common policy on migration is based on Title V TFEU. Therefore, the specific aspects referred to in footnote 3, concerning Protocols 21 and 22 to the Treaties, on the position of the United Kingdom, Ireland and Denmark, will be taken into account.