



25.4.2017

OPINION

of the Committee on Budgets

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council (COM(2016)0468 – C8-0325/2016 – 2016/0225(COD))

Rapporteur: Gérard Deprez

PA_Legam

SHORT JUSTIFICATION

The rapporteur is of the opinion that the EU is in urgent need of an integrated, sustainable migration policy, based on solidarity and fair burden-sharing between all Member States. He believes that the creation of legal ways to seek refuge in Europe could avoid tragic deaths in the Mediterranean Sea and break down the business model of migrant smugglers.

The rapporteur supports linking the proposed recast of the ‘Dublin regulation’¹ to the present proposal, so that the number of resettled persons is added to the number of applications for international protection for the purpose of calculating the corrective allocation mechanism. The rapporteur is also in favour of establishing a link with the recast Eurodac regulation² so that data on resettled persons will be stored in the Eurodac system.

In terms of its budgetary implications, despite the absence of a well-defined quota of persons to be resettled in the proposal, the rapporteur wishes that these resettlement plans should be ambitious and that the means necessary for their implementation be made available.

The rapporteur welcomes the proposal to allocate EUR 10,000 from the Union budget to Member States for each resettled person, to be paid from AMIF, on the basis of Union resettlement plans adopted on an annual basis by the Council. The rapporteur understands the removal of co-financing from the EU budget for resettlement under national resettlement programs with a view to ensure the necessary funding of these European resettlement programs.

Finally, the rapporteur wishes to emphasize that both arms of the Budgetary Authority must have full information on the financial implications of the next annual resettlement plan at the time of the presentation of the proposal on the draft Union annual budget for the following year.

AMENDMENTS

The Committee on Budgets calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) *The European Project has always been based on the promotion of the values*

¹ COM(2016)0270 final

² COM(2016)0272 final

of democracy, the rule of law and human rights.

Amendment 2

Proposal for a regulation Recital -1 a (new)

Text proposed by the Commission

Amendment

(-1a) Migration management is a shared responsibility.

Amendment 3

Proposal for a regulation Recital 12

Text proposed by the Commission

Amendment

(12) The common standard procedures should build on the existing resettlement experience and standards of the Member States, in particular the Standard Operating Procedures guiding the implementation of the resettlement scheme with Turkey set out in the EU-Turkey Statement of 18 March 2016. The Union Resettlement Framework should allow the use of two types of standard resettlement procedures.

(12) The common standard procedures should build on the existing resettlement experience and standards of the **UNHCR, the Member States, and** in particular the Standard Operating Procedures guiding the implementation of the resettlement scheme with Turkey set out in the EU-Turkey Statement of 18 March 2016. The Union Resettlement Framework should allow the use of two types of standard resettlement procedures.

Justification

The existing international arrangements that rely on UNHCR should be taken into account.

Amendment 4

Proposal for a regulation Recital 13

Text proposed by the Commission

Amendment

(13) Both types of procedure consist of the following stages: identification, registration, assessment and decision.

(13) Both types of procedure consist of the following stages: identification, registration, assessment and decision, **and**

should be implemented in close cooperation with the UNHCR.

Justification

UNHCR has a lot of expertise and experience in the field of resettlement that should be utilized as much as possible.

Amendment 5

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) Any personal data collected for the purpose of the resettlement procedure should be stored for a maximum period of five years from the date of resettlement. Given that third-country nationals or stateless persons who have already been resettled by one Member State or who during the last five years refused to resettle to a Member State should be ***excluded from*** resettlement to another Member State, that period should be considered a necessary period for the storage of personal details, including fingerprints and facial images.

Amendment

(17) Any personal data collected for the purpose of the resettlement procedure should be stored for a maximum period of five years from the date of resettlement. Given that third-country nationals or stateless persons who have already been resettled by one Member State or who during the last five years refused to resettle to a Member State should be ***ineligible for*** resettlement to another Member State, that period should be considered a necessary period for the storage of personal details, including fingerprints and facial images.

Justification

Exclusion in the context of international refugee protection refers to individuals undeserving of international protection. Ineligibility would be a better term.

Amendment 6

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) The choice of the resettlement procedure should be made for each targeted Union resettlement scheme. An expedited procedure might be warranted on humanitarian grounds or in case of urgent

Amendment

(18) The choice of the resettlement procedure should be made for each targeted Union resettlement scheme ***in close cooperation with the UNHCR.*** An expedited procedure might be warranted on humanitarian grounds or in case of urgent

legal or physical protection needs.

legal or physical protection needs.

Justification

UNHCR has a lot of expertise and experience in the field of resettlement that should be utilized as much as possible.

Amendment 7

Proposal for a regulation Article 1 – paragraph 1

Text proposed by the Commission

This Regulation establishes a Union Resettlement Framework for the admission of third-country nationals and stateless persons to the territory of the Member States with a view to granting them international protection.

Amendment

This Regulation establishes a Union Resettlement Framework for the admission of third-country nationals and stateless persons to the territory of the Member States ***that choose to participate in the resettlement scheme*** with a view to granting them international protection.

Justification

Participation to the Framework should be voluntary as the purpose of resettlement is to provide protection and a durable solution. The Member States know best, how many persons they can truly provide protection to and integrate into their societies. The lump sum of 10 000 euros from AMIF only covers the initial costs of resettlement.

Amendment 8

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

Member States shall ensure that family unity can be maintained ***between persons referred to in point (b)(ii)***.

Amendment

Member States shall ensure that family unity can be maintained ***in accordance with Article 25 of Regulation (EU) 2017/... of the European Parliament and of the Council^{1a}***.

^{1a} ***Regulation (EU) 2017/... of the European Parliament and the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for***

persons eligible for subsidiary protection and for the content of the protection granted and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents (OJ ...).

Justification

The proposed Qualification Directive clarifies the rights of family members of a beneficiary of international protection.

Amendment 9

**Proposal for a regulation
Article 6 – title**

Text proposed by the Commission

Amendment

Grounds for exclusion

Ineligibility

Justification

Exclusion in the context of international refugee protection refers to individuals undeserving of international protection. Ineligibility would be a better term.

Amendment 10

**Proposal for a regulation
Article 6 – paragraph 1 – introductory part**

Text proposed by the Commission

Amendment

1. The following third-country nationals or stateless persons shall be ***excluded from*** targeted Union resettlement schemes established in accordance with Article 8:

1. The following third-country nationals or stateless persons shall be ***ineligible for*** targeted Union resettlement schemes established in accordance with Article 8:

Justification

Exclusion in the context of international refugee protection refers to individuals undeserving of international protection. Ineligibility would be a better term.

Amendment 11

Proposal for a regulation

Article 6 – paragraph 1 – point a – introductory part

Text proposed by the Commission

(a) persons for whom there are **reasonable grounds** for considering that:

Amendment

(a) persons for whom there are **serious reasons** for considering that:

Justification

1951 Geneva Convention uses the expression "serious reasons for considering".

Amendment 12

Proposal for a regulation

Article 7 – paragraph 1

Text proposed by the Commission

1. On the basis of a proposal from the Commission, the Council shall adopt an annual Union resettlement plan in the year preceding that in which it is to be implemented.

Amendment

1. On the basis of a proposal from the Commission, the Council shall adopt an annual Union resettlement plan in the year preceding that in which it is to be implemented **that shall apply to those Member States that choose to participate in the resettlement for the following year.**

Justification

Participation to the Framework should be voluntary.

Amendment 13

Proposal for a regulation

Article 7 – paragraph 2 – point b

Text proposed by the Commission

(b) details about the **participation of the Member States** in the annual Union resettlement plan and their contributions to the total number of persons to be resettled;

Amendment

(b) details about the **Member States that choose to participate** in the annual Union resettlement plan and their **voluntary** contributions to the total number of persons to be resettled;

Justification

Participation to the Framework should be voluntary. Increasing resettlement of refugees in Europe and enhancing cooperation regarding resettlement is important, but Member States

shouldn't be obliged to resettle a certain share of the persons to be resettled to the EU.

Amendment 14

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) the precise number of persons to be resettled from the maximum total number as set out in the annual Union resettlement plan provided for in point (a) of Article 7(2) and details about the **participation of the Member States** in the targeted Union resettlement scheme;

Amendment

(b) the precise number of persons to be resettled from the maximum total number as set out in the annual Union resettlement plan provided for in point (a) of Article 7(2) and details about the **Member States that choose to participate** in the targeted Union resettlement scheme;

Justification

Participation to the Framework should be voluntary. The Member States should be able to decide, how many persons they resettle, instead of an obligation to resettle a certain share of the persons to be resettled to the EU.

Amendment 15

Proposal for a regulation

Article 17 – paragraph 1 – point 3

Regulation EU No 516/2014

Article 17 – paragraph 1

Text proposed by the Commission

1. In addition to their allocation calculated in accordance with point (a) of Article 15(1), Member States shall receive for each resettled person in accordance with a targeted Union resettlement scheme a lump sum of EUR 10,000.

Amendment

1. In addition to their allocation calculated in accordance with point (a) of Article 15(1), Member States shall receive for each resettled person in accordance with a targeted Union resettlement scheme a lump sum of EUR 10,000. **All financial resources allocated are addressed to resettlement purposes and not other actions financed by Regulation (EU) No 516/2014, such as funding of Immigration Detention Centres.**

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Union Resettlement Framework
References	COM(2016)0468 – C8-0325/2016 – 2016/0225(COD)
Committee responsible Date announced in plenary	LIBE 12.9.2016
Opinion by Date announced in plenary	BUDG 12.9.2016
Rapporteur Date appointed	Gérard Deprez 31.8.2016
Date adopted	24.4.2017
Result of final vote	+: 25 –: 4 0: 1
Members present for the final vote	Lefteris Christoforou, Gérard Deprez, José Manuel Fernandes, Eider Gardiazabal Rubial, Ingeborg Gräßle, Bernd Kölmel, Zbigniew Kuźmiuk, Clare Moody, Siegfried Mureşan, Jan Olbrycht, Paul Rübig, Petri Sarvamaa, Jordi Solé, Patricija Šulin, Monika Vana, Daniele Viotti, Tiemo Wölken, Marco Zanni, Stanisław Żółtek
Substitutes present for the final vote	Nicola Caputo, Ivana Maletić, Pier Antonio Panzeri, Nils Torvalds, Marco Valli, Derek Vaughan, Rainer Wieland, Tomáš Zdechovský
Substitutes under Rule 200(2) present for the final vote	Inés Ayala Sender, Karin Kadenbach, Ramón Luis Valcárcel Siso

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

25	+
ALDE	Gérard Deprez, Nils Torvalds
ECR	Zbigniew Kuźmiuk
EFDD	Marco Valli
PPE	Lefteris Christoforou, José Manuel Fernandes, Ingeborg Gräßle, Ivana Maletić, Siegfried Mureşan, Jan Olbrycht, Paul Rübig, Petri Sarvamaa, Patricija Šulin, Ramón Luis Valcárcel Siso, Rainer Wieland, Tomáš Zdechovský
S&D	Inés Ayala Sender, Nicola Caputo, Eider Gardiazabal Rubial, Karin Kadenbach, Clare Moody, Pier Antonio Panzeri, Derek Vaughan, Daniele Viotti, Tiemo Wölken

4	-
ECR	Bernd Kölmel
ENF	Marco Zanni, Stanisław Żółtek
Verts/ALE	Monika Vana

1	0
Verts/ALE	Jordi Solé

Key to symbols:

+ : in favour

- : against

0 : abstention