

DISCUSSION NOTE ON INTRA-EUROPEAN SOLIDARITY

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Finland, as many other Member States, has emphasized the need to develop and increase financial and material assistance as meaningful tools of implementing intra-European solidarity. These means can well be seen as complementary forms of each other when assisting MS with particular asylum pressures.

There are several grounds for emphasising this financial and material assistance. Firstly, financial and material assistance are forms of support that can be delivered relatively quickly and that enable a practical approach. They are closely connected to each other. Secondly, we have already gained experience of the applicability of these methods in MS, such as the processing of applications, development and harmonisation of asylum procedures and status definition, exchange of information and practical experience in order to improve reception, and Twinning projects in these sectors. We have already experience of opportunities of getting support to various projects from the ERF and the other Funds - and also of the need to improve these opportunities. Thirdly, we have existing systems and structures to be followed when implementing solidarity, in particular the ERF system and the EASO, which will soon be operational. The most urgent requirements at the moment are to develop these structures and to allocate sufficient resources. Further, the Member States should have a political will both to improve the financing mechanisms and to provide the EASO with appropriate support and a mandate to carry out its work.

The European Refugee Fund is a part of the general programme entitled '**Solidarity and Management of Migration Flows**', that also includes **the External Borders Fund**, **the European Fund for the Integration of third-country nationals** and **the European Return Fund**. The programme as a whole addresses explicitly the issue of a fair share of responsibilities between Member States as concerns the financial burden arising from the introduction of an integrated management of the Union's external borders and from the implementation of common policies on asylum and immigration.

The European Refugee Fund (ERF) offers the possibility to support capacity building for the asylum systems of Member States in general, the voluntary efforts of Member States to provide a durable solution in their territories to refugees and displaced persons identified as eligible for resettlement by the UNHCR and the intra-EU transfer of refugees on a voluntary basis by Member States.

The ERF can also support emergency measures in MS facing situations of particular pressures.

It is very much evident that not even all existing possibilities/means that this programme already offers are in use. Maybe the programme and the funds are not even known well enough to be exploited by all the MS. When receiving a high number of asylum claims there is need to manage not only reception and processing but to implement effective integration measures as well as



sustainable and effective return policy. It should be known by the MS concerned which possibilities do e.g. the European Fund for the Integration of third-country nationals and the European Return Fund offer. One of the first tasks for the EASO should be the collection and dissemination of good practices on how to use them for financial support linked with mutual aid, twinning and other co-operation needed in particular asylum situations.

The basic principle of solidarity goes through the mechanisms of the programme. In the ERF the distribution of the resources between the MS is done using a key based on the number of asylum applicants and persons receiving protection status, plus a fixed amount for each Member State. The more asylum seekers and refugees a Member State has, the more financial support it would receive from the ERF.

Moreover, a fixed amount for each resettled refugee falling under specific categories of vulnerable persons (i.e. persons with serious medical needs, children and women at risk, unaccompanied minors) is also reflected in the distribution of resources to the Member States. This specific financial incentive is allocated to the MS on the basis of an annual pledging exercise.

The Fund does however not foresee any additional financial incentive for the intra-EU transfer of refugees ("relocation") as it is the case for resettlement of refugees.

The establishment of the EASO will give substantially more facilities for improved and linked financial and material solidarity between the MS. When coordinating, facilitating and strengthening practical cooperation among the MS. It will contribute not only to the harmonisation of asylum practices in Europe but also to stronger and more practical intra-EU solidarity measures between the MS, especially when they face severe asylum pressures.

Finally, some comments on the discussion on the idea of relocation or redistribution of asylum seekers/beneficiaries of international protection inside EU. Would relocation/redistribution of asylum seekers be a relevant tool for a meaningful burden sharing mechanism. There are of course still relevant legal questions open. The question of a possible pull-factor-effect of relocation operations has not yet been analyzed thoroughly. The issue of the relation between global resettlement and intra-European relocation needs to be discussed properly. Some comments on this relation.

Among the MS there are some established resettlement countries and a number of emerging resettlement member countries. The share of EU-countries in a global resettlement is very modest, still less than 10 percent. We have agreed on the establishment of **Joint EU Resettlement Programme/Scheme** to be started 2010-2011 and being implemented on voluntary bases by the MS. The implementation of the programme should be supported by the EASO and the ERF. The aim of the Programme is to get more EU-countries as resettlement countries and to get more resettlement places in the Member States.

It is often said - almost like a slogan - that intra-European relocation measures/programmes should not substitute resettlement programmes in the EU countries; that there must be a "fire-wall" between resettlement and relocation actions. But, in a concrete real life, inside a Member State, in the municipalities at the local level, it is more than evident, that resettled refugees and relocated asylum seekers or beneficiaries of international protection will compete on the same resources. By now and in practice these measures will function as alternatives/substitutes to



each other as the number of places to be used for resettlement/relocation still is very limited in the MS. As long as we have such a limited receiving capacity, the question whether refugees are to be resettled or relocated still is - unfortunately - a question of choice and preference - no matter of the concept of the action.

When having the relocation discussion, it should also be remembered that the “choosing mechanisms” of these processes are quite different. In the global resettlement the need of the international protection and the need to be resettled are being established both by UNHCR and the receiving country. These people have been issued a refugee status by UNHCR. The criteria's are clear and transparent. Most of the resettled refugees live in a vulnerably situation in refugee camps or urban settings in the neighbouring countries of the country of origin.

A more strategic use of resettlement is an important objective of both the UNHCR and the Joint EU Resettlement Programme. The strategic use should contribute not only to the benefit of those to be resettled but also to the improvement of the protection/asylum space of those still staying in the country of first asylum. From our perspective this should limit the need to come to Europe as asylum seekers. But - to have a more strategic use of resettlement we would need more resettlement places.

Also these questions should be discussed when analyzing relocation as an intra-solidarity-tool.

Items for discussion

- 1) What amendments, including changes to the parameters used as a basis for the distribution key, should be made to the European Refugee Fund in order to enhance intra-European solidarity?
- 2) How could the different financial instruments under the general programme “Solidarity and Management of Migration Flows” be used in a more coherent manner in order to enhance intra-European solidarity?

