

A Permanent Solidarity Mechanism in the EU

Lessons learnt from relocation

Based on IOM's constitution¹ and longstanding expertise in resettlement worldwide as well as the EU-wide relocation scheme, IOM is well placed to provide recommendations for the conceptualization and implementation of relocation efforts, in particular for the creation of a solidarity mechanism as part of the reformed Common European Asylum System (CEAS).

By the time the emergency relocation scheme from Greece and Italy had ended (March 2018), the UN Migration Agency (IOM), had assisted EU Member and Associated States to relocate 34,694 women, men and children by implementing pre-departure orientation sessions, pre-departure health assessments and movement assistance in order for beneficiaries to be well informed, healthy and able to travel in safety and dignity to the country of relocation.

This scheme was a welcome demonstration of solidarity and responsibility sharing with frontline Member States and IOM commends the efforts of all involved actors. While the number of asylum seekers relocated through this emergency scheme falls considerably short of the initial target of 106,000 beneficiaries as set out in the Council Conclusions, the fact that 96 per cent of all eligible applicants registered for relocation by Italy and Greece² have been relocated shows that such a mechanism can and does work.

As the last few years have shown, and particularly when arrivals by sea and land were at record levels, it is unsustainable for a small number of EU Member States to bear the brunt of the responsibility for processing asylum claims and providing durable solutions for those in need of protection arriving in Europe. In absence of intra-EU solidarity, recent incidents have shown that this leads to dramatic situations whereby

disembarkation is delayed, and rescued persons are kept at sea for prolonged periods of time contrary to international obligations.

IOM has long called for an urgent reform of the Dublin system to embed an intra-EU solidarity mechanism to address these gaps in a structural manner. In the meantime, voluntary efforts and ad hoc as well as bilateral relocation schemes have continued or have been completed³.

In the interest of finding a sustainable and predictable solution, IOM welcomes the efforts of the European Commission and the European Parliament to incorporate a fairness mechanism to determine the Member State responsible for examining asylum claims as part of the revised Dublin IV regulation. This will need to be aligned with efforts by EU Member States to:

- Swiftly provide asylum seekers with status-determination;
- Ensure integration for those granted international protection;
- Make available other forms of applicable protection to those not eligible for international protection;
- As well as swift and right-based return options to those without grounds for legal stay in a Member State, with assisted voluntary return and reintegration (AVRR) as the preferred modality of return.

Furthermore, IOM believes that the experiences of the EU-wide emergency relocation scheme can serve as guidance for the establishment of a future solidarity mechanism and that such a mechanism should be based on predictable participation of Member States, and by giving priority to those in need of protection and those with specific vulnerabilities and needs.

¹ "The purposes and functions of the Organization shall be [...] to concern itself with the organized transfer of refugees, displaced persons and other individuals in need of international migration services for whom arrangements may be made between the Organization and the States concerned, including those States undertaking to receive them."

(International Organization for Migration, *Constitution and Basic Texts (2nd Edition)* (Geneva, 2017). Available from <http://publications.iom.int/>

² [EC Progress Report](#) - COM (2018) 250 final.

³ French-Irish bilateral scheme; UK Dubs from Italy, Greece and France; ad-hoc relocation from Italy, Spain and Malta in July-September 2018.



Policy considerations

1 – Establish a solid process of registration and pledging

The emergency relocation scheme from Greece and Italy faced some significant start-up difficulties. The slow registration of potential beneficiaries hampered the programme from the start, as did the lack of pledges by some Member States and the refusal of others to participate and offer places in the relocation scheme. While IOM had in place the necessary infrastructure to support a substantially larger caseload from the start, only few asylum seekers

benefitted from the programme in the first months and many had to wait for an unreasonably long time to be relocated, leading to frustration, a loss of trust in the scheme and absconding. In addition, the lack of a centralized and adequate reception system where applicants would be hosted while awaiting their transfer created operational difficulties and was to the detriment of an effective implementation of the scheme.

IOM recommends

- Member states need to swiftly register, fingerprint and identify beneficiaries in line with common agreed procedures.
- Member States of relocation need to ensure there is sufficient and steady availability of relocation places, including for unaccompanied and separated children and persons with special needs in the interest of effective solidarity sharing.
- The timeframe for the transfer needs to be as short as possible to keep the trust of beneficiaries in the programme.

2 - Ensure that the eligibility criteria are based on the actual needs and vulnerabilities

Only nationals of a handful of countries benefited from relocation under the emergency scheme from Greece and Italy due to the strict eligibility criteria stated in the Council Decisions. Only nationals of countries with an average EU-wide recognition rate of 75 per cent or more according to the latest quarterly Eurostat report were eligible for relocation, thus excluding many people of other nationalities

that might also be in need of international protection and without taking into consideration the widely varying recognition rates across Member States. The number of eligible beneficiaries was further limited by the EU-Turkey Statement by limiting eligibility for relocation from Greece to those who had arrived in the country before 20 March 2016, irrespective of their nationality.

IOM recommends

- IOM considers it essential that access to the solidarity mechanism is guided by the vulnerability of persons and the need for protection and not limited based on applicants' nationalities.
- Member States should ensure that the eligibility criteria outlined in relevant EU legislation, directives or conclusions are implemented accordingly.
- Member States should ensure that family life is preserved when applying the solidarity mechanism and verify family links of unaccompanied children before allocating them to another Member State.

3 – Ensure beneficiaries have access to accurate and consistent information

To make a solidarity mechanism work, potential beneficiaries must have trust in the system. Information must be accurate, transparent and consistent between all actors in the process; has to start as soon as persons are registered and needs to be provided in a language they understand.

Beneficiaries should be provided information about the status of their cases on a regular basis, especially if their

transfer is delayed. Rights and obligations, as well as the consequences of absconding and secondary movements, must be clearly communicated to beneficiaries already at the pre-departure stage. Furthermore, in particular unaccompanied and separated children need to be informed in an adequate and child-friendly manner.

IOM recommends

- Garner the trust of potential beneficiaries in the solidarity mechanism by providing them with early-on, precise and consistent information about the process in a language they understand, including through dedicated PDO.

4 – Enabling post-arrival integration – matching beneficiaries with MSR

Adequate reception, quick status determination and access to post arrival integration support are crucial to ensure that beneficiaries can become fully participating members of society.

A matching tool to determine which Member State a beneficiary should preferentially be transferred to – based on factors such as language, professional skills, family links or other personal connections – needs to be an essential component of a future permanent solidarity mechanism. The pilot tool that has been developed by EASO, in the course of the emergency relocation scheme, needs to be strengthened and finetuned. As such lessons should be drawn from the experiences in Greece and Italy, where the matching tool came in at a very late stage and did not sufficiently take into account possible interpersonal or professional links of beneficiaries with certain Member States.

Member States should also avoid attaching preferences (i.e. language skills, families, single persons, composition of relocation groups) to their indications on who can be relocated as this significantly complicates and delays the matching process.

Labour market inclusion is a key area of socio-economic integration of migrants and refugees which enables their self-reliance and empowerment, as well as fosters the expansion of newcomers' networks in the receiving community.

As such it is important to assess beneficiaries' skills early on in the process for as far as time allows, so they can be matched with the labour market demands in receiving Member States. To this end IOM piloted the EU skills profile tool during the EU wide relocation scheme from which recommendations should be taken up in any future schemes.

The EU-wide emergency relocation scheme showed that secondary movements to other Member States after relocation were not a generalized problem (only 3 per cent of beneficiaries did) but nevertheless constituted a significant problem for some receiving states which were adversely affected. Several individual and community factors contribute to beneficiaries' decision to move on and while IOM does not think it feasible to prevent secondary movements entirely, positive incentives for beneficiaries to stay in the member state of relocation such as quick status determinations, access to integration support, access to language classes, job matching assistance etc can to an extent mitigate post-relocation secondary movements.

IOM recommends

- All Member States need to ensure that adequate reception and integration support is available for beneficiaries of relocation, including the immediate appointment of guardians for unaccompanied and separated children.
- IOM considers it crucial that the matching of beneficiaries and receiving Member States is strengthened by taking into account family links, community and personal ties, language and previous job experiences. This would considerably ease the early integration in the host society and have the potential to reduce secondary movements.

5 - Protect people with specific needs, including children

Many asylum seekers arriving in Europe have specific needs – such as survivors of sexual and gender-based violence, victims of trafficking, persons with disabilities, or children at risk, including unaccompanied and separated children – and accordingly require a specialized response.

Only 585 unaccompanied and separated children have benefitted from the emergency relocation scheme, many of them after particularly lengthy procedures due to a lack of pledges for this particularly vulnerable group, administrative hurdles and insufficient reception capacities in Member States of Relocation. This is in direct contrast to the Council Decisions, which clearly stated that the relocation of such

vulnerable applicants should be prioritized, and as such needs to be addressed in a future permanent relocation scheme.

IOM advocates for the inclusion of particular supporting mechanisms to ensure that unaccompanied and separated children are well informed, empowered and that the principle of determining their best interests is considered throughout the process. It is also crucial that the continuity of care and support of children is ensured through an exchange of information and the establishment of communication channels between the sending and receiving countries' authorities.

IOM recommends

- The processing and transfer of unaccompanied and separated children and other vulnerable groups needs to be prioritized.
- Sufficient reception capacity in the receiving Member States needs to be ensured to avoid undue delays, which can result in beneficiaries losing trust in the programme and resorting to irregular migration.
- It is crucial that the children are provided with guardianship and legal representation and that their best interest is carefully evaluated, taking into account all options before taking any decision concerning the most suitable solution for each individual case. This includes a broad understanding of the concept of family unity, which is often interpreted in a too narrow sense.
- In the run up to and during the relocation of unaccompanied and separated children, the following considerations need to be factored in:
 - Child friendly information and counselling, including through child specific pre-departure orientation (PDO) sessions;
 - Psychological support, for example on how to deal with the abrupt separation from people with whom the children have forged strong bonds during their journey and the stay in the country they are relocated from;
 - Escorting by child protection specialists all the way to their final destination.



Operational principles

1 – Set up an effective and sustainable operational system

One of the key lessons learnt from the emergency relocation scheme from Greece and Italy is that a permanent solidarity mechanism needs predictability as well as clarity of procedures and application. This is a pre-condition to establish the smooth cooperation with all stakeholders needed for the successful implementation of such a system.

Key stakeholders usually include several actors in the benefitting Member State – from different ministries to private sector service providers – as well as the authorities of the receiving state, EU institutions, international organizations, NGOs, and not least the beneficiaries themselves.

IOM recommends

- Clear Standard Operating Procedures need to be developed for the operational aspects of a solidarity mechanism, taking into account the roles of all stakeholders to avoid duplication and ensure beneficiaries can be transferred in a timely manner.

2 – Pre-departure support to enable post-arrival integration of beneficiaries

An important starting point for refugee integration in relocation and resettlement schemes are Pre-Departure Orientation (PDO) sessions, where beneficiaries receive practical information on the process itself, the receiving country as well as on their rights and obligations and can start to build the necessary skills and coping mechanisms to ensure a successful transition towards integration. The information received during the PDO can further serve to empower the beneficiaries and strengthen their trust in the solidarity mechanism. Following the beneficiaries' transfer, the PDO can also act as a crucial starting point for post-arrival integration measures.

IOM recommends a 3-day training carried out by the organization's experienced trainers and with the assistance of cultural mediators/interpreters. The 1-day PDO provided as part of the emergency relocation scheme from Greece and Italy has proven insufficient to properly address beneficiaries' concerns, which could have reduced the risk of absconding and secondary movements after relocation. A sufficiently long PDO would be beneficial for the integration prospects of participants by allowing the sessions to be

better tailored to the needs and backgrounds of the beneficiaries, and by providing enough time to dispel rumours and address beneficiaries' questions and uncertainties. It also enables to include feedback from previously relocated beneficiaries, show video testimonials⁴ and as such increase awareness, understanding and buy-in for the relocation process.

A 3-day PDO would also allow for the inclusion of an early assessment of beneficiaries' skills, as was done through an IOM pilot as part of the EU-wide relocation scheme⁵, which can then be followed up after their transfer and thus facilitate access to the labour market.

The experience of the emergency relocation scheme from Greece and Italy has shown the added value of the direct engagement of receiving Member States' authorities during the development of information materials and in PDO sessions. Most importantly, the presence of the respective Member State's Liaison Officer during the PDO sessions allows them to directly answer specific questions on their country and reassure beneficiaries by showing the authorities' joint ownership of the process.

IOM recommends

- IOM strongly recommend including a solid pre-departure orientation component of 3 days for beneficiaries of the solidarity mechanism based on an interactive and participatory methodology.
- The presence of Liaison Officers or other representatives from Member States of Relocation can enrich IOM's PDO sessions, help to build the trust of beneficiaries in the programme and show the receiving Member State's joint ownership of the process.
- Beneficiaries' access to the labour market in the receiving Member States can be facilitated through an early assessment of their skills, for example through IOM's tailored tools on skills assessment, which should be included as part of the PDO sessions and to be followed up post-arrival.

⁴ IOM has produced several [videos](#) to portray and give a voice to beneficiaries of the emergency relocation scheme.

⁵ A report summarizing the findings of this pilot can be found through this link: "[Analysis of Skills Profiling Data Collected within the EU Relocation Programme](#)," IOM 2018.

3 - Address beneficiaries' medical needs

Another crucial element of pre-departure activities that should be an integral part of a future system are health assessments. Pre-departure health assessments ensure that beneficiaries travel in a safe and dignified manner, are fit to travel, receive appropriate assistance when required and do not pose a hazard to other travellers or receiving

communities. By sharing information on medical needs with receiving country authorities prior to the beneficiaries' arrival, pre-departure health assessments also serve to enable proper reception preparation and ensure that the continuum of care can be maintained.

IOM recommends

- In order to facilitate the integration of beneficiaries and mitigate possible public health concerns, all beneficiaries' physical and mental health status should be assessed prior to their transfer.
- Beneficiaries with special needs should be accompanied throughout the journey by professional staff to ensure a continuum of care and provide assistance where required.

4 - Provide post-arrival support to beneficiaries

Pre-departure orientation sessions serve as a first step to integration by providing crucial information and coping strategies but to reap the full benefits of such an early intervention, they need to be followed up by comprehensive integration support after arrival in the receiving Member State. To facilitate beneficiaries' successful integration into the host society, and to strengthen the effect of pre-departure activities, the messages and information provided

during the PDO should therefore be repeated and built upon after arrival in the receiving Member State.

Recognizing the importance of informing and preparing receiving communities for sustainable integration, IOM had developed also a number of specific tools to assist municipalities and stakeholder post arrival to better understand the profile and needs of the population they will be receiving.

IOM recommends

- Member states of relocation need to ensure that relocated persons have access to integration support in line with international and European standards.
- Provide post-arrival orientation courses in the receiving Member State to reinforce and build upon the messages delivered during the PDO.
- Prepare receiving communities to better understand the profile and the needs of the populations particularly in those Member States with low rates of asylum seekers and small migrant communities.

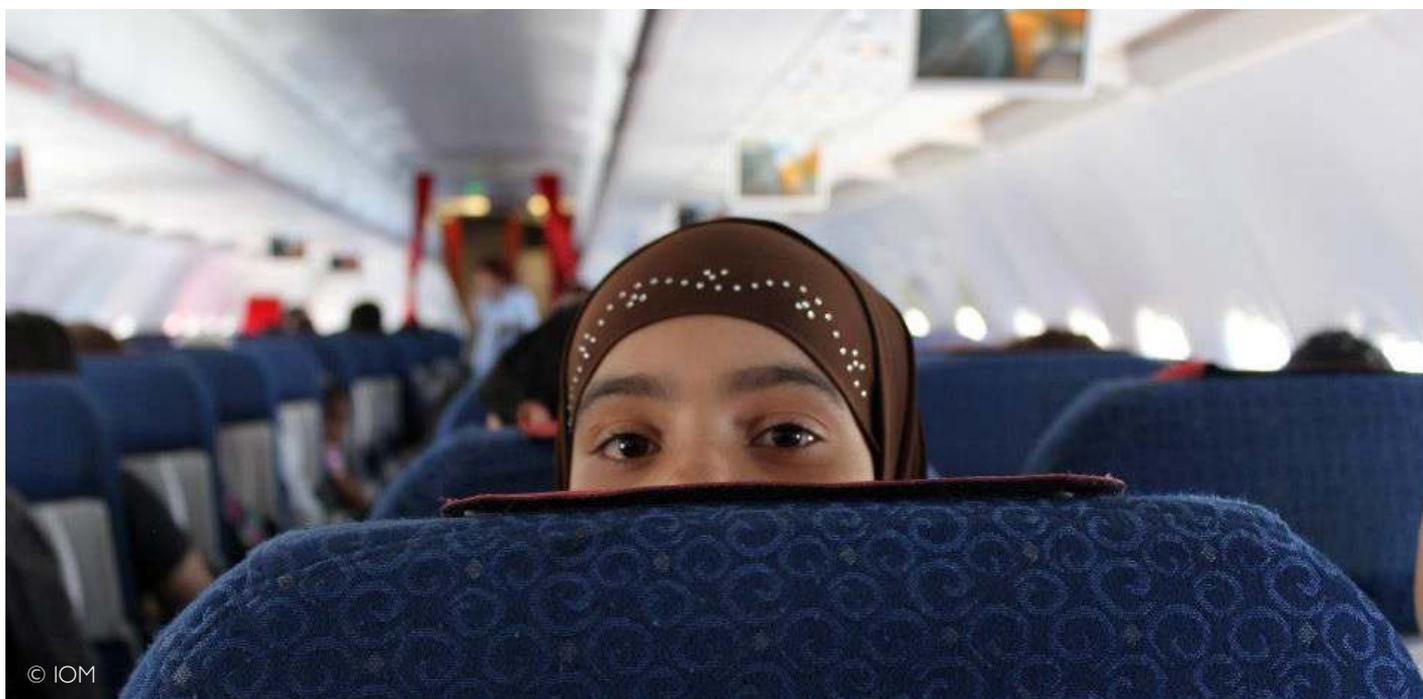
Way forward

At the end of September 2018, the Dublin reform – and more particularly the question of how to include a solidarity angle for the distribution of asylum seekers – remains a political challenge.

Some Member States have nevertheless continued to show solidarity through the implementation of ad hoc relocation commitments and IOM commends the governments who are voluntarily supporting frontline Member States through these efforts. At the same time – given the cumbersome and piecemeal procedures, the uncertainty for all actors, and not least the time and resource implications of such an approach – it should be clear to all stakeholders that this cannot be

more than a temporary solution and a more structured approach needs to be put in place as soon as possible.

The recommendations presented in this paper should be taken into consideration for any future, permanent and predictable solidarity mechanism, preferably materializing under the new Dublin Regulation and as part of the CEAS reform. IOM – aiming to assist the migrants and refugees arriving in Europe as well supporting the governments involved – stands ready to further implement relocation in close cooperation with Member States, EU institutions and other partners.



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