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DISTRIBUTION KEY: WHEN, WHO AND WHERE TO?

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Reaching consensus on the emergency relocation of 120.000 refugees and ‘quota’, a thorn in Eastern Europe’s side, will remain a subject for debate in the coming weeks. This article analyses the contentious proposed distribution key.

“BREAKING” the Brussels bureau chief of the Financial Times [tweeted](#) on 14 September, the day of the extraordinary Justice and Home Affairs Council “EU interior ministers announce they've agreed to something they already agreed in July”. Indeed, the results of the meeting were meagre, despite long discussions, and the decision to relocate 40.000 refugees from Greece and Italy to other EU Member States had already been taken after the presentation of the [European Agenda on Migration](#) earlier this year.

The comprehensive **proposals** European Commission President Juncker tabled the week before to manage the mass influx of refugees and migrants better were not adopted.

Reaching consensus on the emergency relocation of 120.000 refugees and ‘quota’, a thorn in Eastern Europe’s side, will remain a subject for debate in the coming weeks. As long as no solution will be agreed, ever more worrying news about the treatment of refugees and migrants and border controls within the Schengen zone will make the headlines.

In an attempt to contribute to that debate by asking questions and pointing out possible solutions, ICMPD experts will publish a series of articles on this website in the coming weeks. This contribution analyses the contentious proposed distribution key, while the next article will zoom into how relocation would work in practice and what issues might arise.

Quota and Dublin, not instead of

The European Commissions’ new package of measures foresees **two distinct proposals** for the relocation of asylum seekers as a mechanism for an emergency response:

- 1. Emergency relocation** of 120.000 people in ‘clear need’ from Hungary, Greece and Italy to other EU countries. Based on proposed EC rules, these would currently only be Syrians, Eritreans and Iraqis. The relocation mechanism would only apply to nationals who have an average EU-wide asylum recognition rate above 75%.

2. A **permanent relocation mechanism** to complement the Dublin Regulation, which may be triggered if an EU member State is confronted with a crisis situation characterised by a large scale and disproportionate inflow of third country nationals jeopardising the application of the Dublin system

The proposed relocation mechanism intends to alleviate the pressure faced by one or more EU members. It is based on the logic is that if a country cannot cope with the pressure on its asylum system; this may have significant influence on the functioning of the “corner stone” of the Common European Asylum System, the Dublin System. As a consequence, countries under pressure are to be supported by a fairer distribution of applicants “thereby facilitating the functioning of the Dublin system even in times of crisis”, as the Commission emphasises.

Both proposals foresee the use of a **distribution key** for the relocation of asylum seekers. The distribution key consists of: GDP and population size (40% weighting each) are the primary determinants, whereas the unemployment rate and number of asylum applications received in the past are weighted with 10% each, but capped in order not to exceed 30% of the GDP and population size effect.

Emergency relocation quota will not lead to equal distribution

Since the distribution key is based mainly on GDP and population size of the EU member states, the question whether an EU MS has already received a high number of asylum applications is hardly considered by the distribution key. The new mechanism proposed by the EC does **not have the function of “filling up”** where the quota is currently not met or making the overall distribution equal.

Countries already “overperforming”, such as Sweden (+169%), Austria (+219%) or Bulgaria (+86%) (if calculated on the basis of data from January – June 2015), would take another burden through the relocation mechanism, rendering the distribution of asylum seekers among all EU MS even more unbalanced, as the calculations below show.

It is noteworthy that these are not the countries opposing the Commission’s proposals, quite the contrary.

Any EU Member State may declare that for exceptional reasons, such as natural disasters, they are not able to take part in the EU-wide relocation and receive refugees. In these cases, countries would instead pay a financial contribution of **0,002% of its GDP** to the EU Asylum,

Migration and Integration Fund (AMIF) budget – an amount that ranges from 525 EUR for Bulgaria to 2.247 Euros for Luxembourg per person (not) being relocated.

This clause should not be misunderstood by European Member States as a possibility to opt out. The Commission and the countries hosting the largest shares of refugees, especially Germany, will continue to push for a solution based on a quota.

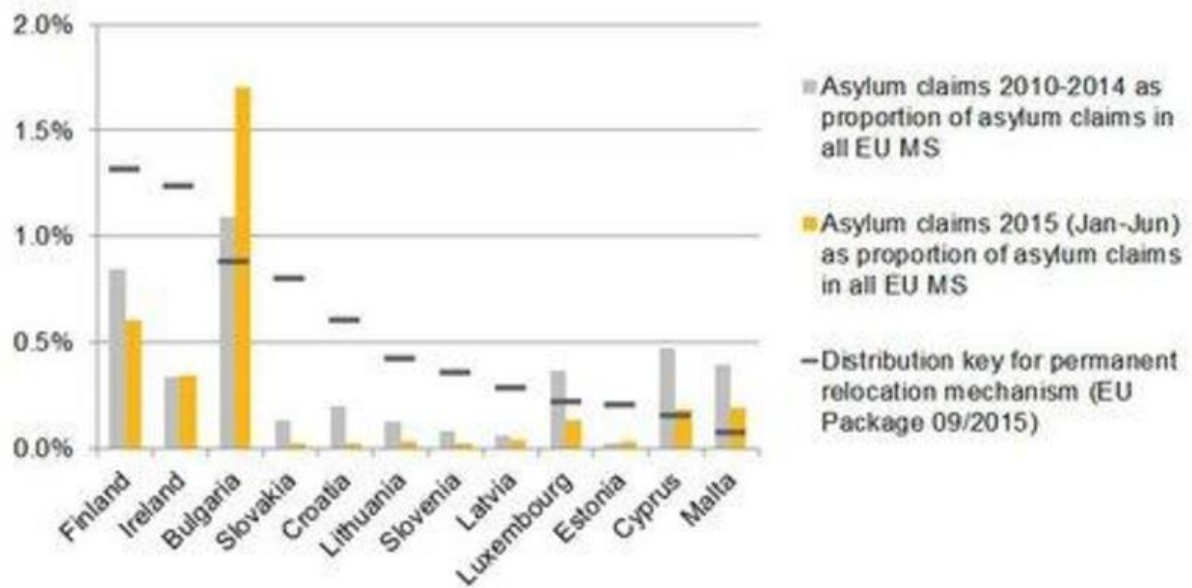
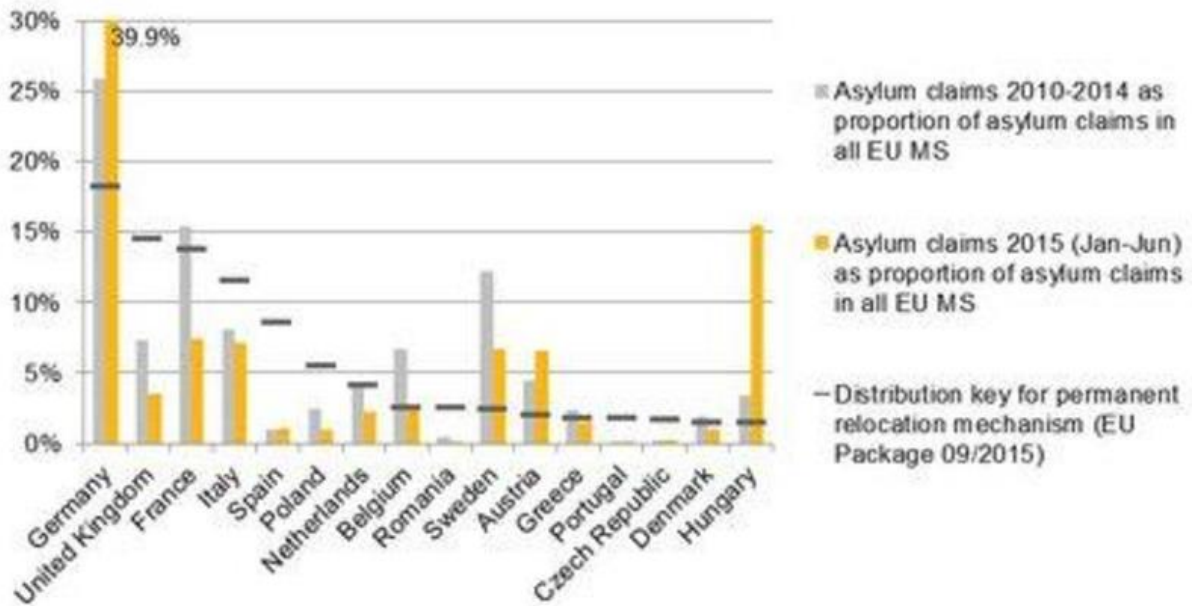
In view of the developments of this summer and soaring numbers of people seeking international protection, it remains to be seen whether the relocation proposals from Hungary, Greece and Italy set out last week will **stay relevant until its adoption**. The newly completed fence at Hungary's border with Serbia is already leading to changes in routes refugees take to get to Western Europe, now travelling through Croatia and Slovenia.

The permanent relocation mechanism

Orange shows the proportion of asylum applications filed in 2015, between January and June. Grey shows the proportion of claims in the past 5 years. The dark dash marks the percentage foreseen in the permanent relocation mechanism.

Note that the scale on the y-axis differs between the two graphs.

The graphs show that the distribution is very uneven. If the calculations were made with more recent data, reflecting the large scale influx of refugees this summer, discrepancies would be even more dramatic.

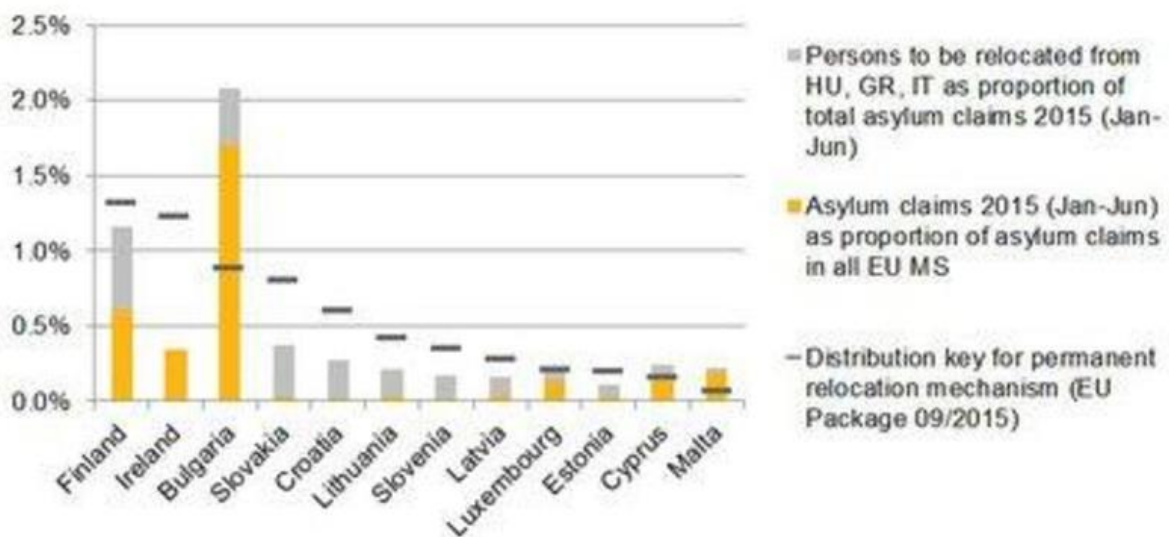
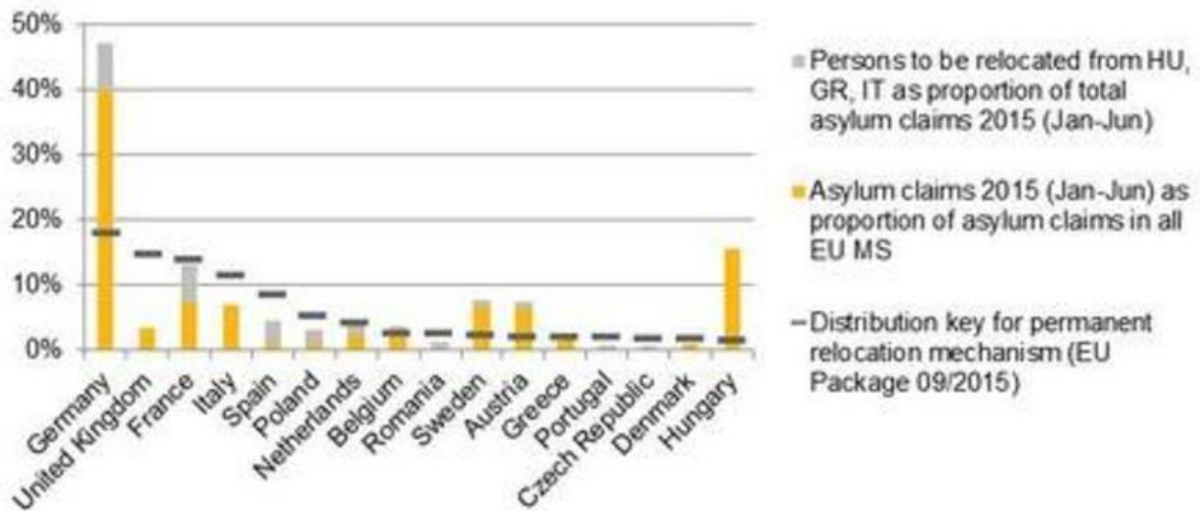


Emergency relocation

Last week, the Commission presented a calculation of how many of the 120.000 refugees to be relocated from the three frontline states at the EU's external borders should be moved where (grey). We added these numbers on top of the applications that were already filed in each country in the first half of the year (orange). Then we checked if this is more or less than the share the Commission perceives as appropriate (dark grey dash).

Again, note that the scale on the y-axis differs between the two graphs.

We see that the relocation measure as proposed by the Commission evidently does not take into account that some EU states are already significantly exceeding their share of responsibility with partly significant higher numbers of asylum applicants hosted.



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