



The Greens | EFA
in the European Parliament

THE GREEN ALTERNATIVE TO THE DUBLIN SYSTEM

A PREFERENCE BASED ALLOCATION SYSTEM
FOR ASYLUM SEEKERS WITHIN THE EU

By Ska Keller, Jean Lambert,
Judith Sargentini, Bodil Valero and Josep-Maria Terricabras

February 2016

SUMMARY

This paper aims to outline our vision for a Green alternative to the Dublin system. The Dublin system has been dysfunctional for years at great human and financial cost. It has effectively collapsed in the context of the current 'refugee crisis'. We do not advocate returning to 'pre-Dublin' days where it was not clear which Member State was responsible for examining an asylum application, but outline our vision for a new system based on solidarity and responsibility sharing between Member States and which, crucially, takes asylum seekers preferences into account. Without taking preferences into account it will be impossible to build a functional and sustainable system.

We call for the following:

- **A system based on a fair allocation of asylum seekers across EU Member States, based on objective criteria and binding on all Member States**
- **A system which is built around the existing ties and preferences of asylum seekers to a certain Member State**
- **A system which is based on incentives for asylum seekers to stay in "their" Member State rather than on coercive measures against their onward movement to another Member State**
- **An integrated EU asylum system to improve harmonisation and implementation of EU asylum legislation, including substantial integration measures**
- **Positive mutual recognition of asylum decisions so that beneficiaries of international protection can move Member States one year following their recognition as refugees**
- **Developing the current European Asylum Support Office into a fully-fledged EU asylum agency tasked with ensuring the functioning of the preference based allocation system and the EU asylum system in general**

1 INTRODUCTION

The ongoing refugee crisis is now driving the debate around reform of the Dublin system which lays down the criteria for establishing which Member State is responsible for examining an asylum claim. The dramatic increase in numbers of arrivals in recent months is placing huge pressure on a handful of Member States, causing intense political tensions, and a complete collapse of the Dublin system. The European Commission is currently carrying out a review of the Dublin III regulation and will come forward with proposals for reform in early 2016.

An overhaul of the Dublin system cannot provide answers to all of the challenges related to the refugee crisis, which is also caused by a lack of reception capacity, and vastly differing standards of both reception conditions and recognition rates across the EU, and a lack of willingness of Member States to protect those in need of protection. However, a failure to completely overhaul Dublin will undermine efforts to address the broader challenges - we therefore consider it as a key step. **A failure to overhaul Dublin will place the entire European asylum system in jeopardy. We need a sustainable solution based on solidarity and responsibility sharing - both among Member States and with asylum seekers.**

The Green group has long argued for a complete overhaul of the current Dublin system, although we do not advocate a return to 'pre Dublin days' where it was not clear which Member State was responsible for examining a claim. The Dublin III regulation as it stands lays down important procedural guarantees, including recognizing the right to family unity and the best interests of the child. It is of paramount importance that such guarantees are maintained and built upon in any future responsibility sharing mechanisms as outlined in this paper. However, we fundamentally disagree with the lack of solidarity and fairness upon which the Dublin system is based. We want a system which is both fair to asylum seekers and respects the principle of solidarity and responsibility sharing between Member States, now enshrined in Article 80 of the Treaty. Dublin was never intended to, and never will be a system which ensures an even spread of asylum seekers across Member States and crucially it gives no possibility for asylum seekers cultural and social ties and preferences to be taken into consideration.

In recent months we have been consulting with experts from across Europe and organized a conference on 'Beyond Dublin' - we know we don't like Dublin but what do we want in its place? This position paper outlines a Green Alternative to Dublin.

2 WHAT'S WRONG WITH THE DUBLIN SYSTEM

The Dublin system is highly unfair to both Member States and asylum seekers. It runs contrary to the principle of solidarity and is based on the use of coercion. It therefore creates unsustainable imbalances between Member States and carries high human costs for asylum seekers.

Denial of solidarity

The Dublin system creates unsustainable imbalances among Member States to the extent that currently only a handful of Member States stem the drastically increasing number of refugees in Europe whereas all other Member States are hardly affected by it. The Dublin system was deliberately designed as a system of burden shifting rather than responsibility sharing. It is therefore intrinsically unfair to Member States and runs contrary to the principle of solidarity. It exacerbates inequality among Member States by allowing them to transfer asylum seekers back to the Member State where they first arrived on European soil, based on the criterion of "irregular border crossing". If the Dublin system had not already collapsed, Greece and Italy were thus to take care of the vast majority of asylum seekers in Europe. With the breakdown of the Dublin system, Greece and Italy are still placed under huge pressure due to a dramatic increase in arrivals, whilst other Member States have become the major countries of destination in the EU.

The Dublin system has repercussions on the common European asylum system as a whole. There is very little incentive for a Member State, which receives low numbers of asylum seekers to invest sufficiently in their asylum system. For Member States which receive high numbers of asylum seekers, the Dublin system even creates perverse incentives. The fact that they are obliged to take asylum seekers back from other Member States is an incentive for keeping asylum standards at such a low and degrading level that transferring asylum seekers back to them is rendered impossible since it would violate their fundamental rights.

High human costs

A second core failure of the Dublin system is the human suffering it entails. It most often forces asylum applicants to stay in the Member State where they first arrive on EU territory. If asylum seekers move on to another Member State, they risk detention and deportation back to the Member State of first entry. The Dublin system thereby ignores that asylum seekers might have good reasons for moving to another Member State – because they want to join their relatives or because they already speak the language and thus have better integration prospects. Although the Dublin Regulation has the potential of bringing families together (but only the nuclear family) and gives Member States the possibility to take responsibility for an asylum seeker on humanitarian grounds, in practice the relevant clauses are rarely used.

Overall, the Dublin system exacerbates the vulnerability of asylum seekers rather than enhancing protection. In many cases it leaves them with effectively no other option than moving to another Member State in an irregular manner (so-called “secondary movement”). It exposes them to coercive measures, including detention, which often violate their fundamental rights. It subjects them to a lengthy period of uncertainty since the procedure for identifying the Member State responsible for an asylum application is complicated and sometimes takes even longer than the asylum procedure itself.

Coercion is costly for both asylum seekers and Member States. It creates high human costs for asylum seekers and high administrative burdens for Member States. Any alternative to the Dublin system must aim at avoiding coercion and reducing secondary movements of asylum seekers by taking the preferences of asylum seekers for a certain Member State systematically into account.

3 THE COMMISSION PROPOSAL ON A CRISIS RELOCATION MECHANISM

The proposal by the EU Commission on a crisis relocation mechanism¹ is an important step in the right direction. It amends the Dublin regulation and replaces the burden-shifting mechanism under Dublin by a responsibility-sharing mechanism in case of “extreme pressure” on a Member State due to the arrival of a disproportionately high number of asylum seekers. At the core of the proposal is a binding distribution key, which obliges all Member States to bear their fair share of responsibility for refugees.²

However, the Commission proposal repeats a core failure of the Dublin system: It is based on coercion and carries high human costs for asylum seekers. The good reasons of asylum seekers for preferring to stay in a certain Member State are again ignored. Although the Commission suggests that “the specific qualifications and characteristics” of asylum seekers, including family and social ties, should be taken into account, it remains up to the Member States to choose which asylum

¹ Proposal for a COUNCIL DECISION establishing provisional measures in the area of international protection for the benefit of Italy, Greece and Hungary

² The UK and Denmark do not take part in the relocation measures. Ireland, which also has the possibility to opt-out from EU home affairs policies, participates in the emergency relocation of 160.000 asylum seekers from Greece and Italy but for the time being not in the crisis relocation mechanism.

seekers they would prefer to accept. Asylum seekers have no say whatsoever in their final destination.

Accordingly, coercive measures to prevent (likely) secondary movements play an important part in the Commission proposal. In addition to what is already possible under the Dublin regulation, the Commission suggests providing benefits not in cash but only in kind (food, clothes etc.) and to oblige asylum seekers and even recognized refugees to regularly report to national authorities. This fails to treat asylum seekers as adults capable of agency but rather as passive recipients of charity.

The Greens/EFA alternative to the Dublin system aims at averting both major shortcomings of the Dublin system. It is based on a fair and binding distribution key, well organized reception and integration procedures in Member States - and builds around the ties and preferences of asylum seekers. It is thus based on incentives to stay rather than on coercion.

4 A FAIR DISTRIBUTION KEY: INCREASING RECEPTION CAPACITIES IN EUROPE

A fair and binding distribution key aims at increasing the protection capacities for asylum seekers in Europe by obliging all Member States to bear their fair share of responsibility for refugees.

By introducing a fair and binding distribution key for asylum seekers, the EU can drastically expand its protection capacity. This is essential for effectively dealing with the refugee crisis. The table in the annex illustrates the concentration of the vast majority of asylum seekers in only a handful of Member States. By contrast, 19 out of 25 Member States do very little to fulfil their protection obligations. The majority of these countries would have to receive significantly more asylum seekers under the distribution key proposed by the EU Commission, some of them up to ten times more (see table).

The distribution key must be binding and based on objective criteria reflecting the *ability of Member States to take in and integrate refugees.* In its proposal for a crisis relocation mechanism the European Commission suggests a useful distribution key, based on objective, quantifiable and verifiable criteria:

- a) Population size - 40% weighting
- b) Total GDP - 40% weighting
- c) Unemployment rate – 10% weighting³
- d) Average number of resettled refugees over the five preceding years per million inhabitants - 10% weighting
- e) Average number of asylum applications over the five preceding years per million inhabitants - *for a transitional period*

³ The Commission also introduced a cap to c), d) and e) in order to avoid a disproportionate effect on the entire key. The cap means that the value of the unemployment effect or of resettled refugees cannot exceed 30% of the sum of the population and GDP effect.

The distribution key is based on the assumption that Member States with a larger population can 'absorb' more asylum seekers. Likewise wealthier Member States can meet the basic needs of more people in need of protection. To a lesser extent the Commission also takes into account unemployment rates since integrating asylum seekers into the labour market is easier for Member States with good employment opportunities. The fourth criterion on the number of resettled refugees is a useful incentive for a humanitarian approach to asylum. Resettled refugees are defined as particularly vulnerable refugees, such as unaccompanied minors or people with special medical needs, who are taken by Member States directly from conflict regions such as Syria. Including resettlement in the distribution key thus encourages Member States to provide safe and legal access for refugees with special protection needs to the EU.

Finally, the Commission proposal for crisis relocation includes the number of asylum applications over the five preceding years as a criterion. For a permanent allocation scheme, in which asylum applications would be shared out fairly among Member States on a permanent basis, the number of past asylum applications is apparently void in the long run. However, it is useful during a transitional period for achieving a fair distribution of asylum seekers among Member States more quickly. In this way, Member States which in the past years have taken more asylum seekers than required under the distribution key would initially be required to take fewer asylum seekers, while Member States which in the past received only few asylum seekers would accordingly be obliged to take more than required under the key during the transitional period.

In contrast to the current emergency relocation scheme, our proposal for a **new allocation system should cover all persons seeking asylum**. Limiting allocation only to asylum seekers with a high chance of being granted protection (currently Syrians, Eritreans and Iraqis) can be justified under an emergency scheme but it would be highly unfair under a permanent relocation system. It would mean that Greece and Italy (or any other Member State with high numbers of arrivals) are left with all the complicated asylum cases, which often require considerably more time, effort and resources. **Likewise, the new allocation system should benefit all member states**. All member states facing a higher number of asylum seekers than required under the distribution key should benefit from the allocation system.

The allocation of asylum seekers must be managed centrally. The European Asylum Support Office (EASO), which is responsible for the common European asylum system, should be developed into a fully-fledged EU 'asylum agency' and should take the final decision on allocation. This prevents "refugees in orbit" and discrimination. If Member States decide on allocation in a decentralized way, the problem of asylum seekers for which no Member State takes responsibility is likely to resurface. The Dublin system, despite all its shortcomings, solved this problem of "refugees in orbit" by delineating clear, albeit unfair, rules for determining the Member State responsible. Under an allocation system, "refugees in orbit" are effectively avoided if the EU Asylum Agency as the central body takes the final decision on which Member State has to take which asylum seekers. This also helps to prevent discrimination. By contrast, if Member States can "choose" their preferred asylum seekers, there is a danger that they pick those which appear to be less "foreign" or less vulnerable. Children and especially unaccompanied minors should be granted priority and specific procedures to allocate children should be developed, always respecting the best interests of the child and prioritizing family reunifications laid down in the Charter of Fundamental Rights.

5 TAKING THE PREFERENCES OF ASYLUM SEEKERS INTO ACCOUNT: ENHANCING PROSPECTS OF INTEGRATION

Asylum seekers are human beings, not numbers. Transferring them between Member States like goods is neither appropriate nor effective. While asylum seekers have no right to choose their country of asylum, their preferences must be taken into account to the greatest extent possible. A system which is built around their preferences will enhance their prospects of integration and reduce secondary movements in a non-coercive way.

Granting persons in need of protection access to an effective asylum procedure is the basic and most important obligation of the EU and its Member States. However, the EU and its Member States must also look for ways to allocate asylum seekers to the Member State where they are most likely to integrate the most effectively. This benefits both asylum seekers and Member States.

Some asylum seekers already have family, social or cultural ties to a certain Member State. They prefer to be allocated to a Member State where their relatives live, where they have community links or where the common language is one they speak as well or which is easier for them to learn (e.g. Dutch for English-speaking persons or Romanian for people who speak French). Labor market opportunities also play an important role for asylum seekers. They prefer to seek protection in a country where they can integrate socially and economically more easily.

Taking the preferences of asylum seekers systematically into account is the key to successful allocation. It **helps to accommodate the realities of people's lives, enhances the prospects of integration and reduces the incentive to move irregularly to another Member State**. Refugees can integrate more easily if they already speak a language that is commonly spoken in the Member State or if they can rely on family or community support in addition to public support. Likewise, it helps them to develop a sense of belonging to a Member State if they can continue working in their profession. By creating incentives to stay, irregular onward movement to another Member State is effectively prevented in a non-coercive manner.

While asylum seekers have no right to choose their country of asylum, their preferences must be taken into account to the greatest extent possible. Asylum seekers should be required to base their preferences on criteria such as family ties, community ties, knowledge of languages, qualifications and/or previous stay or working relations with the Member State. **Asylum seekers who have justified reasons for preferring a particular Member State must be given priority to be allocated to this Member State.** By contrast, asylum seekers who have no justified preferences, or whose choice cannot be accommodated because their preferred Member State has already reached its share, could be offered a choice among Member States which still have places available under the allocation scheme. Family unit must always be respected.

No asylum seeker should be allocated against their will. **The consent of an asylum seeker to move to another Member State is crucial for preventing onward secondary movement.** If they refuse to give their consent and if no other option is possible under a fair distribution key, they ultimately have to stay in the Member State of first arrival.

6 ACCOMMODATING PREFERENCES OF ASYLUM SEEKERS WITH A FAIR DISTRIBUTION KEY

The preferences of asylum seekers will not automatically match with a fair distribution key. Providing asylum seekers with comprehensive information about opportunities in Member States as well as group allocation are crucial measures to achieve accommodating preferences with a fair distribution across Member States. In the medium-term, further harmonisation of the European asylum system by creating an integrated EU asylum system and a European refugee status is essential.

a. MEASURES DIRECTLY RELATED TO ALLOCATION

- Providing asylum seekers with comprehensive and reliable information about the Member State of allocation.
- Allocating groups such as families or community groups of asylum seekers to Member States which have little experience of protecting refugees.
- Supporting Member States which take more asylum seekers than obliged by fully covering the costs linked to those asylum seekers who exceed the countries fair share.

Asylum seekers often base their choice for a certain Member State on distorted and incomplete information. They often rely on smugglers who advertise distorted versions of reception conditions in certain Member States. And they may not be aware of the reception conditions and integration prospects in all Member States. **Providing asylum seekers with as much reliable and objective information as possible is therefore crucial for matching their preferences with a distribution key.** This is also a core lesson to be learned from the EU's pilot project on relocation from Malta (EUREMA). The project failed because refugees had distorted expectations about their Member State of relocation. In particular, in case their first or second preference cannot be taken into account, asylum seekers must be informed in a comprehensive way about possible alternatives. Getting expectations right is crucial for preventing secondary movements. Simply sending asylum seekers to a Member State like a parcel will not work.

As newly arrived asylum seekers have little reason to trust government officials, **trusted interlocutors such as civil society actors and refugees and asylum seekers already present in Member States of relocation are key and need to be fully involved in the allocation process.** The first relocation flight, which was planned under the emergency relocation scheme, had to be cancelled because asylum seekers did not trust official information sources and feared they were going to be deported back to their home country. They disappeared the night before the envisaged relocation. Involving non-governmental actors such as civil society and more 'established' refugees and asylum seekers in the relocation process creates trust. In addition, it brings increased expertise and accountability to the process. In the context of the current emergency relocation program, new methods are being developed for facilitating the contact between people waiting to be relocated and people already relocated to a particular Member State via social media. Such methods need to be further developed.

Fostering the creation of migrant communities in all 28 Member States by **allocating groups** of asylum seekers is another important way of matching preferences with a fair distribution

key. **This would make Member States which so far lack migrant communities more attractive.** If a group of people from the same region or religious group is allocated together, they could support each other and establish diaspora communities in Member States where they currently do not exist. In any case, families must always be allocated together.

Finally, **in cases where a Member State takes more asylum seekers than obliged to under the distribution key, the costs linked to those asylum seekers who exceed the countries fair share should be fully covered by the EU** (under the current relocation mechanism Member States receive 6000 euros per refugee which does not meet actual costs).

b. CREATING AN INTEGRATED EU ASYLUM SYSTEM

For an allocation system, which aims at matching a fair distribution key with the preferences of asylum seekers, common asylum standards throughout the EU are essential. The EU must put an end to the protection lottery in Europe, guarantee equal treatment of asylum seekers and significantly strengthen integration measures. The creation of such an integrated EU asylum system would require Member States with poor conditions to improve their asylum standards, make them more attractive as country of allocation and reduce secondary movements.

Applying for asylum in the EU is still a lottery. Despite the Common European Asylum System, which has been in place since 2006, reception conditions and recognition rates still vary widely between Member States. Iraqis who applied for asylum in the EU in 2014 were in some Member States most likely rejected, with recognition rates as low as 13%, whereas they were most likely granted protection in other Member States, with recognition rates as high as 94%. Likewise, for Afghans, the recognition rate ranges from 20% to 95% percent between Member States. In practice there is, in fact, not much common about the Common European Asylum System.

A core problem with the current system is the gap between theory in law and implementation in practice and the reluctance of some Member States to properly apply agreed standards. Loopholes and the wide discretion Member States have in applying the EU asylum instruments further exacerbate the divergent quality of asylum conditions in Europe. For instance, although Member States should normally decide on an asylum request within 6 months, they can extend this period to up to 21 months and thus leave persons seeking protection in a situation of uncertainty for nearly two years, fully in line with EU law. On integration measures such as access to language courses common European standards hardly exist at all. Welcoming procedures for refugees are completely lacking.

If the EU continues to base its common asylum system on the fiction of common standards on the ground, it will inevitably fail. Regardless of whether preferences are ignored or taken into account, asylum seekers have little reason to stay in a Member State in which their chances of getting protection are low, where reception conditions are extremely poor, their basic rights are not met or where integration measures do not exist in practice. The creation of an integrated asylum system with common standards applied in all Member States is therefore essential for the functioning of the EU asylum system. In the Lisbon Treaty, the EU committed itself to “establishing a uniform status of asylum, valid throughout the Union” (TFEU Art 78(2)(a)). It is high time to put this into practice.

Our demands

The purpose of an integrated EU asylum system is to put an end to the current protection lottery and guarantee equal treatment of asylum seekers throughout the EU by significantly strengthening common asylum and integration standards on the ground and by developing the EU Asylum Support Office into a fully-fledge asylum agency with the capacity to support member states in applying the common standards. We demand in particular:

- **Closing loopholes** and significantly limiting the broad range of exceptions Member States can use in applying the common rules under the current Common European Asylum System
- **Significantly strengthening inclusion measures:** Prospects for integration are the key for asylum seekers as well as Member States. Asylum seekers tend to go to countries where they can work and make their own living rather than being dependent on social benefits. Inclusion is facilitated if asylum seekers can rely on social relations such as ties to ethnic and cultural communities, if they speak a language common in the Member State or if they have previously stayed in the Member State. But even under such favourable conditions, inclusion does not happen automatically. Asylum seekers need support in rebuilding their lives in their new home country. Access to education and the labour market on equal terms is important, as is access to housing and social security. Inclusion measures must cover all aspects of life which help refugees to develop a sense of belonging to their Member States of allocation. Therefore, the right of asylum seekers to access housing, health care and other social security systems, language courses, education, training, and the labour market as well as support schemes such as mentoring programmes must be significantly strengthened under the new integrated EU asylum system. The EU should also develop a support model for **helping Member States with the creation of a welcoming environment for refugees**. Particularly in Member States which have so far not seen many asylum seekers, local authorities often lack experience with receiving new citizens. They need support in how to help refugees to start their new life, for instance by assisting them with administrative procedures, with housing or with registering children at school. The Commission should develop a model for such welcoming procedures. In addition, EU financial support for inclusion measures must be significantly increased, accessible to local authorities, and effectively targeted towards inclusion measures.
- Establishing a system for **systematically monitoring and enforcing the proper implementation** of the unified rules by all Member States by using both quantitative and qualitative data as well as inspections on the ground, following the example of the Schengen evaluation mechanism.
- **Developing the European Asylum Support Office (EASO) into a fully-fledged operational EU asylum agency** which supports Member States on the ground. Until recently EASO's role has mainly been focused around training as well as data gathering and analysis. The new asylum agency must be able to support Member States on the ground. It should be empowered set up asylum teams, which can act whenever a Member State has difficulties in applying the common asylum rules properly. If asylum procedures take too long or if recognition rates diverge significantly from the EU average, the asylum team must support the respective Member State by handling asylum claims and ensure that the common European standards are applied correctly. Likewise, the EU asylum agency must support Member States in providing appropriate accommodation for as asylum seekers if they cannot handle the situation on their own. As elaborated above, the EU asylum agency must also play a key role in the allocation mechanism.

c. Creating an EU refugee status

Beneficiaries of international protection should be able to benefit from free movement in the EU one year after the granting of protection. This would make it easier for them to accept being allocated to a Member State for which they have no preference.

Beneficiaries of international protection are currently "trapped" in the Member State where they were granted asylum. Even if they have much better job prospects in another Member State or if they want to study at a certain university they are not allowed to move for half a decade. They are lumped together with economic migrants under the Long Term Residence Directive, which grants third-country nationals free movement in the EU only after five years. This ignores the fact that economic migrants can choose their Member State of first residence whereas refugees, even under a preference-based allocation system, might end up in a Member State which is not their preferred choice and where economic conditions might be such that many of their own citizens also choose to move elsewhere in the EU for work. Under such circumstances, the five years rule is a threat to allocation. It makes it more difficult for asylum seekers to accept allocation, it does nothing to assist successful integration and it ignores the challenge of secondary movements.

To avoid such failures, **beneficiaries of international protection must be able to benefit from free movement one year after the granting of protection.** This would significantly lessen the burden for them to accept being allocated to a Member State for which they have no preference. It would also increase their economic integration prospects, particularly in case they do not find an adequate job in the Member State of allocation.

While some advocate for the right to free movement immediately after the granting of asylum under the Dublin system, free movement after one year is more appropriate for an allocation system which is built around the preferences of asylum seekers. It increases the likelihood that asylum seekers whose preferences could be taken into account at least to some extent develop a sense of belonging to their Member State of allocation. In this way, diaspora communities can be established in Member States where they currently do not exist, whilst also allowing for the possibility for those who want to move to do so after a much shorter period of time than at present.

The right of refugees to free movement should be granted under the same conditions as for EU citizens meaning they could stay in another Member State only if they are able to provide for themselves by work, a student loan or other own means.

Free movement and the mutual recognition of positive asylum decisions and the rights attached by all Member States would complete the common European asylum system. It would create the uniform protection status 'valid throughout the union' which the Commission and Council have promised for the past 16 years and which is already provided for in the Lisbon Treaty (Article Art 78(2)(a) and (b)). To finally put it into practice, the Commission should propose a separate legal instrument to provide legal certainty for those deciding to move Member State, including on how the transfer of protection status and the rights attached would work.

7 THE ALLOCATION PROCEDURE

The newly established emergency relocation mechanism from Greece and Italy suffers from several practical shortcomings which are putting the whole project into jeopardy. Currently, many asylum seekers avoid relocation and move on to another Member State in an irregular manner because relocation is intransparent, takes far too long and ignores the preferences of asylum seekers.

The allocation procedure on the ground

1. Upon arrival, asylum seekers should be **registered** in full compliance with fundamental rights. Those who refuse to be registered cannot take part in allocation.
2. All Member States must provide **enough accommodation places** for asylum seekers where they can stay until their allocation procedure is completed or where they are received from another Member State. This could be open allocation centres or more dispersed places such as accommodation in apartments. At the EU external borders where most asylum seekers arrive, the EU and particularly EASO/the new EU asylum authority must provide ample support to Member States in setting up and maintaining allocation centres.
3. **The EU asylum agency must play a key role** in the allocation procedure. It should take the final decision on allocation and manage the allocation procedure. It should conduct comprehensive initial interviews with the asylum seekers to ascertain their needs in relation to vulnerability (e.g. unaccompanied minors), their family, cultural and social ties as well as their preferences as regards their Member State of allocation. In cooperation with NGOs, EASO should also inform asylum seekers of their potential member states of allocation and possible alternatives.
4. To avoid asylum seekers becoming stranded in the Member State of arrival, they must be **allocated within days** rather than weeks or months.
5. **Specific procedural guarantees must be provided for unaccompanied minors.** In particular, they should be immediately united with family members or relatives who are already present in a Member State. The best interest of the child must always be a priority. Special needs of applicants, including physical and mental health, and ensuring a gender sensitive approach should also be of primary concern.

ANNEX

Table comparing the number of asylum seekers per member state with their obligation under the distribution key for relocation

Member State	Share in 2014 (%)	Relocation quota (%)	Number of applications in 2014	Number of applications under relocation quota
Austria	4.47	2.62	28,065	16,402
Belgium	3.64	2.91	22,850	18,218
Bulgaria	1.76	1.25	11,080	7,825
Croatia	0.07	1.73	450	10,830
Cyprus	0.27	0.39	1,745	2,441
Czech Republic	0.18	2.98	1,155	18,657
Estonia	0.02	1.76	155	11,018
Finland	0.57	1.72	3,625	10,768
France	10.26	14.17	64,310	88,713
Germany	32.36	18.42	202,815	115,321
Greece	1.50	1.90	9,435	11,895
Hungary	6.82	1.79	42,775	11,206
Italy	10.31	11.84	64,625	74,126
Latvia	0.05	1.21	375	7,575
Lithuania	0.07	1.16	440	7,262
Luxembourg	0.18	0.85	1,150	5,321
Malta	0.21	0.69	1,350	4,319
Netherlands	3.91	4.35	24,535	27,233
Poland	1.28	5.64	8,025	35,310
Portugal	0.07	3.89	440	24,353
Romania	0.24	3.75	1,545	23,477
Slovakia	0.05	1.78	330	11,143
Slovenia	0.06	1.15	385	7,199
Spain	0.89	9.10	5,615	56,971
Sweden	12.97	2.92	81,325	18,281

Source: AIDA (Asylum Information Database): Common asylum system at a turning point: Refugees caught in Europe's solidarity crisis, annual report 2014-2015, September 2015, page 46-47