



The Greens | EFA
in the European Parliament

Questions and Answers on the Green Alternative to the Dublin System

1. Why is it important to take the preferences of asylum seekers into account?

Asylum seekers are human beings, not numbers. Taking their ties to a certain member state - such as family relations, community links and knowledge of language - into account is key to successful allocation. It 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. By creating incentives to stay, irregular onward movement to another member state is effectively prevented in a non-coercive manner.

2. Are preferences the same as free choice?

Asylum seekers have no right to choose their country of asylum. The EU asylum authority, not the asylum seeker, takes the final decision on where to she or he will be transferred. But the asylum authority must take the preferences of asylum seekers fully into account. If an asylum seeker has justified reasons for preferring a particular member state, he or she must be given priority to be allocated to this member state.

3. What happens if more asylum seekers want to go to a member state than the member state is required to take according to the distribution key?

Asylum seekers are 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. Based on these criteria, asylum seekers who have the strongest reasons for being allocated to that member state are given priority. The other asylum seekers are transferred to other member states.

4. How do you want to convince asylum seekers of accepting relocation to a member state which is not their preferred choice?

Asylum seekers often arrive in the EU with false expectations. They frequently rely on smugglers who advertise distorted versions of asylum conditions in member states. And they are certainly

not aware of the reality in all member states, let alone their reception conditions and integration prospects. It is therefore crucial to provide asylum seekers with as much reliable and trustworthy information as possible of their envisaged member state of allocation. Even if asylum seekers cannot be transferred to their preferred member state, they should be offered a choice between different member states.

Another important way to convince asylum seekers of accepting a member state is allocating groups of asylum seekers. 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.

Asylum seekers will not be trapped in their member state of allocation but can work or study in another member state one year after being granted protection on the same conditions as EU nationals (see question 13).

5. What is an integrated EU asylum system and what is its purpose?

An integrated EU asylum system is a system in which common asylum standards are put into practice in all member states. Its purpose is to create a level playing field among member states. Currently, common EU asylum standards exist on paper but hardly in practice. To make sure that all member states adhere to the common standards, their implementation must be closely monitored and enforced. For this purpose, the European Asylum Support Office (EASO) must be developed into a fully-fledged operational EU asylum authority. It must support member states on the ground whenever they have difficulties in applying the common asylum rules properly.

6. How do you prevent asylum seekers from moving to their preferred member state in an irregular way?

The consent of an asylum seeker to be allocated to a particular member state is crucial for preventing onward secondary movement. In addition, the EU should develop a support model for helping member states with the creation of a welcoming environment for refugees. Member states must support asylum seekers in rebuilding their lives in 'their' new member state. They must get access to language courses, education, work, housing and social security systems.

7. What happens if an asylum seeker refuses to be allocated to a particular member state?

An asylum seeker who refuses to be allocated to a particular member state will be offered allocation to another member state. If this is not possible under a fair distribution key, the asylum seeker ultimately has to stay in the member state of first arrival.

8. What happens to asylum seekers who nevertheless make their way to their preferred member state in an irregular way?

The Green alternative to the Dublin system builds as much as possible on incentives to stay rather than on coercion to prevent asylum seekers from moving on to another member state irregularly. No asylum seeker is allocated to a member state against their will. If an asylum seeker nevertheless moves on to another member state irregularly, he or she has no right to stay there and will be required to go back.

9. Is the distribution key the same as a cap?

The distribution key defines the share (percentage) of European asylum seekers each member state has to take. It does not include an upper limit. If more people seek protection in the EU than at present, each member state has to take a higher number of asylum seekers according to the distribution key. If less people seek protection in the EU, each member state accordingly has to take less asylum seekers.

10. Is the system of identifying preferences not too burdensome and lengthy?

The preferences of asylum seekers can be identified during the registration procedure. Already under the current procedure for emergency relocation, asylum seekers are interviewed about their specific qualifications and characteristics, including family and social ties. If preferences are ignored, red tape and procedural burdens increase afterwards. The current Dublin system is a case in point. Instead of taking preferences into account, it is built around burdensome coercive measures such as detention, to prevent asylum seekers from moving to their preferred member state irregularly.

11. Could all member states benefit from the allocation system?

The allocation system would be centrally managed by an EU asylum authority which would ensure a fair allocation of asylum seekers among all member states. Whenever the number of asylum seekers exceeds the share of asylum applicants that member state is required to take under the distribution key, supernumerary asylum seekers will be allocated to other member states.

12. Why do you want to allocate all asylum applicants rather than just the ones with high recognition rates, such as Syrians or Eritreans?

A fair system of allocation includes that all member states deal with all types of asylum claims. Limiting allocation only to asylum seekers with a high chance of being granted protection 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 more complicated asylum cases, which often require considerably more time, effort and resources.

13. Why should beneficiaries of international protection be allowed to move to another member state after one year?

Under the current system, refugees are trapped in the member state where they were granted asylum for five years, even if they have much better job prospects in another member state. It would benefit both member states and refugees if they were allowed to move to another member state already after one year under the same conditions as EU nationals. Member states would get the workforce they need, whereas refugees would have better integration prospects into the European economy. It would also significantly lessen the burden for them to accept being allocated to a member state for which they have no preference.

14. If those with international protection can move to another member state after only one year, won't a majority still just end up in a small number of member states?

Creating a welcoming environment, well developed integration measures and diaspora communities in member states where they currently do not exist are core elements of the Green alternative to the Dublin system. Such measures help refugees to settle in their member state and to develop a sense of belonging to it. Refugees have low incentives to move to another member state if they already learnt to get along with the language, if their kids are integrated into the schooling system, if they have a job or are in training measures. In addition, they would be allowed to settle in another member state only if they have a job there or a scholarship for university, under the same conditions as EU nationals.

15. How do you want to get a political majority for this proposal?

The European Parliament is co-legislator and has full decision-making power on an overhaul of the Dublin system. It has long called for a fair distribution system. In addition, the Greens/EFA succeeded in achieving a broad majority in the European Parliament for taking the preferences of asylum seekers into account to the extent possible in the report of the Parliament on emergency relocation in September 2015. We are therefore optimistic that a preference-based allocation system will be supported by the European Parliament.