



EUROPEAN COMMISSION

Brussels, 13.7.2018
C(2018) 4446 final

Dear Chair,

The Commission would like to thank the Poslanecká sněmovna for its Opinion on the Communication on the Delivery of the European Agenda on Migration {COM(2017) 558 final}, on the Progress Report on the European Agenda on Migration {COM(2017) 669 final} and on the Commission contribution to the EU Leaders' thematic debate on a way forward on the external and the internal dimension of migration policy {COM(2017) 820 final}.

The above mentioned documents all confirm that the common actions taken by the Union and its Member States have established a sound operational and policy framework allowing to return to an effective and comprehensive management of migration within the Union. The decrease in irregular arrivals has been confirmed throughout 2017 and the first months of 2018, while work is ongoing to save lives, tackle root causes, further strengthen cooperation with international partners and protect Europe's external borders, including through the active support provided by the Czech Republic and other Member States. However, with the overall situation remaining fragile, additional efforts, notably additional financial resources, will be necessary to ensure a continued effective response to the migration challenge. We need to maintain this momentum and take further steps forward, including finding an agreement on the reformed Common European Asylum System.

The Commission notes that the Poslanecká sněmovna rejects a mandatory allocation mechanism as part of the Dublin reform. The Commission remains convinced that the Dublin reform must address both the increased efficiency of the system and a fairer outcome, balancing responsibility and solidarity. The new Dublin Regulation would therefore stipulate that, once the responsibility of one Member State is established for it to examine an application in substance, this Member State remains responsible for examining the application, regardless of whether the applicant has absconded to another Member State of his/her choice. Such a provision would considerably reduce incentives for secondary movements. At the same time, the Commission believes that the Common European Asylum System must also include some form of allocation as a means to achieve a more equitable distribution of asylum-seekers among Member States, when a

*Mr Ondřej BENEŠÍK
Chairman of the Committee for European Affairs
Poslanecká sněmovna
Sněmovní 4
CZ – 118 26 PRAGUE 1*

*cc Mr Radek VONDRÁČEK
President
Poslanecká sněmovna
Sněmovní 4
CZ – 118 26 PRAGUE 1*

Member State is confronted with disproportionate pressure, in the interest of solidarity and sustainability of the system.

The Commission also notes the doubts expressed by the Poslanecká sněmovna regarding compulsory resettlement. The Commission adopted a proposal for a Regulation of the European Parliament and the Council establishing a Union Resettlement Framework {COM(2016) 468 final} to ensure orderly and safe pathways to Europe for persons in need of international protection. The proposal provides that Member States determine their participation in the implementation of each Union Resettlement scheme.

As regards the reference to accelerated procedures, the Commission proposal for a Regulation establishing a common procedure for international protection in the Union {COM(2016) 467 final} contains provisions that enable Member States to prioritise the examination of certain applications, including those of applicants for international protection with special reception needs or in need of special guarantees. Moreover, that proposal aims at achieving a higher degree of harmonisation and greater uniformity in the outcome of asylum procedures across all Member States, thereby removing incentives for asylum shopping and secondary movements. For this reason, the Commission proposed to use the form of a regulation and to remove certain elements of discretion existing under the currently applicable directive. The Commission proposal does not imply further transfer of powers from national asylum procedures to the institutions of the European Union. While the objective is to establish a common procedure, Member States' competent authorities would remain responsible for examining and taking decisions on applications for international protection.

The Commission welcomes the support expressed by the Poslanecká sněmovna to the establishment of a common list of safe countries. The Commission proposed in September 2015 the adoption of a Regulation establishing an EU common list of safe countries of origin {COM(2015) 452 final} in order to facilitate the swift processing of asylum applications of persons from these countries. In addition, the Commission integrated this common list and the provisions relating to its management, in its proposal for a Regulation establishing a common procedure for international protection in the Union {COM(2016) 467 final}. The Commission also proposed a harmonised approach to the use of the "safe third country" concept, which enables Member States to declare certain applications inadmissible where protection could be availed of in a third country, and makes the EU-level designation of safe third countries possible.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Poslanecká sněmovna and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Dimitris Avramopoulos
Member of the Commission*