



**Parliament of Romania  
Chamber of Deputies  
Committee on European Affairs**

**Bucharest** 8 October 2015  
**No.** 4 c-19 / 611

**Opinion**

**on the Proposal for a Council Decision establishing provisional measures in the area of international protection for the benefit of Italy, Greece and Hungary - COM(2015)451**

According to the provisions of Article 170 paragraph (1) of the Regulations of the Chamber of Deputies, republished, The Committee on European Affairs, together with the Committee for Human Rights, Cults and National Minorities Issues, the Committee for Legal Matters, Discipline, and Immunities, the Committee for Defence, Public Order, and National Security, the Committee for Foreign Policy were notified to examine on the merits the Proposal for a Council Decision establishing provisional measures in the area of international protection for the benefit of Italy, Greece and Hungary - COM(2015)451.

Having regard to:

- the draft opinion adopted by the Committee for Human Rights, Cults and National Minorities Issues (4c-5/657/5.10.2015),
- the draft opinion adopted by the Committee for Defence, Public Order and National Security (4c-12/277/6.10.2015),
- the draft opinion adopted by the Committee for Foreign Policy (4c-13/59/15.09.2015),
- the Ministry of Foreign Affairs Notice,
- the Ministry of Internal Affairs Notice,
- Notice of the European Affairs Department of the Presidential Administration,
- Notice of the Office in Romania of the International Organization for Migration,
- messages of the Representative of Romania to EU,
- the contributions to the debates, of the representatives of the aforementioned institutions,
- the contributions of own secretariat,
- the fact sheet and the contributions of the EU Division - Chamber of Deputies,

- opinion of the Chamber of Deputies of 30 June 2015 on the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European agenda on migration - COM(2015)240,

*The Committee on European Affairs:*

1. Notes that, based on the proposal put forward by the European Commission, the Member States adopted by qualified majority, at the extraordinary JHA Council of 22 September 2015, the decision on the relocation from Italy and Greece and, if the need arises, from other Member State, of 120,000 persons who are in clear need of international protection and that the decision entered into force through publication in the EU Official Journal on 24 September 2015.

Recalls that Romania voted against the decision, together with Slovakia, the Czech Republic and Hungary, for reasons of principle related to changing the voluntary nature of the implication in the relocation mechanism, from those previously agreed at European Council level. Romania reaffirmed its solidarity with the Member States most affected by the phenomenon of migration, while showing that the approach in terms of mandatory quotas is not an effective way to respond to the crisis of refugees arriving in Europe, because it treats only the symptoms and not the causes of the phenomenon. It was also underlined the need that the concrete implementation of the principles of solidarity and shared responsibility at EU level takes into account the specific realities of each Member State.

Recalls that on 17 September 2015, subsequent to the demand of its President for speeding up the procedure, the European Parliament adopted its legislative resolution under the consultation procedure, without proposing amendments.

Notices the speed of the procedure for adopting the Commission's proposal, in less than a month, and expresses the hope that other emergency situations as well, especially those of even higher severity, will enjoy the same celerity, in accordance with the Union Treaties.

2. Welcomes the provision for monitoring the evolution of the migratory flows in respect of all Member States, as well as the specification that in the future similar measures may be activated with regard to those Member States that may be confronted with an emergency situation characterized by a sudden inflow of nationals of third countries.
3. Underlines the relevance of the mention according to which further measures are possible if the situation in eastern Ukraine would deteriorate further and in this context recalls that, according to data of the UN Office for Humanitarian Aid, the violence in Ukraine led to the death of over 6,500 persons only in 2014, injury to 16,000 persons, the internal displacement of 1.3 million persons and the need of humanitarian aid for 5 million persons.
4. Admits the need for a temporary intervention in the management of the current crisis, but recommends identifying viable solutions in the long term at the EU level, since this crisis raises many political, economic, financial, social, legal, administrative, health etc. difficulties.

5. Takes note of waiving in the text of the Council decision, to including the mandatory distribution key, respectively the "financial penalty", proposed by the European Commission, which sought to oblige the Member State that could not participate in the relocation of applicants, to contribute to the EU budget with an amount equivalent to 0.002% of GDP.

In this context, regrets the statements of politicians from EU member states, who suggested reducing the European funds for the Member States which can not participate in the relocation mechanism.

6. Recalls that the two decisions for relocation adopted by the EU Council in September 2015 (Decisions no. 1523, respectively no. 1601) depend on an enhanced administrative cooperation between the Member States – those in the front line (Italy and Greece) and those of relocation – and the EU institutions and agencies (Frontex, EASO, Europol), including on the rapid activation of the access centres ("*hotspots*").
7. Welcomes the measures for verifying the third country nationals arriving in those two states in the front line, including clearly identifying them, fingerprinting and registering, along with the registration and initial processing of their applications for international protection.
8. Considers that the two states in the front line, which must prepare and organize the operations for returning the third country nationals who, either have not applied for international protection, or do not have the right to remain in the territory, should be assisted by specially created bodies of the Union also for the implementation of the return decisions.
9. Welcomes the measures intended to discourage the secondary movement of the relocated persons, from the Member State of relocation to other Member States, but, as a result of the previous experience on the lack of commitment of some Member States to implement regulations of the same nature on the return, expresses reservations that these measures will be fully implemented.

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The Committee on European Affairs, at the sitting of 6 October 2015, in the presence of 15 of the 22 members, decided unanimously to adopt this opinion to be forwarded to the Standing Bureau of the Chamber of Deputies, for completion of the parliamentary scrutiny procedure.

Proposes to inform the European Union institutions and the Romanian Government on its observations and recommendations, as a contribution to the formulation of effective policies in the field of reference.

Proposes, at the same time, to forward its observations / recommendations to the European Commission, in the informal political dialogue proposed by the European Commission in the Communication "Delivering results for Europe", COM(2006)211.

Chairperson,

Secretary,

**Ana BIRCHALL**

**Dorel Gheorghe CĂPRAR**

Written by DM, FA, MB