

Relocation: Commission launches infringement procedures against the Czech Republic, Hungary and Poland

Despite the Commission's repeated calls for action, these three countries remain in breach of their legal obligations and have shown disregard for their commitments to Greece, Italy and other Member States.

The Council Decisions require Member States to pledge available places for relocation every three months to ensure a swift and orderly relocation procedure. Whereas **Hungary** has not taken any action at all since the relocation scheme started, **Poland** has not relocated anyone and not pledged since December 2015. The **Czech Republic** has not relocated anyone since August 2016 and not made any new pledges for over a year

The Commission had previously announced in the 12th Relocation and Resettlement report presented on 16 May that those Member States that have not relocated anyone, or have not pledged for almost a year, breaching their legal obligations, should start doing so immediately and within a month. As announced yesterday in the 13th report on relocation and resettlement, since no action has yet been taken by the Czech Republic, Hungary and Poland to meet their legal obligations, the Commission has decided today to launch infringement procedures and address letters of formal notice to these three Member States.

Next steps

A **letter of formal notice** is a first official request for information and the first step in an infringement procedure. Given that the Council Decisions on relocation were adopted in response to an emergency situation and in view of the repeated calls to the three Member States, the authorities of the Czech Republic, Hungary and Poland now have one month to respond to the arguments put forward by the Commission, instead of the customary two-month deadline. If no reply to the letter of formal notice is received, or if the observations presented in reply to that notice cannot be considered satisfactory, the Commission may decide to move to the next stage of the infringement procedure, and send a 'reasoned opinion' to the Member States. If necessary, the Commission may then refer the case to the Court of Justice of the EU.

Background

The temporary **emergency relocation scheme** was established in two Council Decisions in September 2015, in which Member States committed to relocate persons in need of international protection from Italy and Greece. The relocation decisions concern the commitment to relocate 98,255 people, after the Council adopted an amendment to the 2nd Council Decision on relocation on 29 September 2016 to make 54,000 places not yet allocated available for the

purpose of legally admitting Syrians from Turkey to the EU.

The Commission has been reporting regularly on implementation of the two Council Decisions through its regular relocation and resettlement reports, which it has used to call for the necessary action to be taken. As reported yesterday in the 13th report on relocation and resettlement, the pace of relocation has significantly increased in 2017 with almost 10,300 persons relocated since January – a fivefold increase compared to the same period in 2016. As of 9 June, the total number of relocations stands at 20,283 (13,766 from Greece, 6,458 from Italy). With most of the Member States now relocating from Italy and Greece, it is feasible to relocate all those eligible by September 2017 if the pace of relocation is further stepped up. Whereas in Greece there are 11,350 persons currently registered for relocation, more efforts are needed in Italy to identify and rapidly register eligible asylum seekers.

The 13th report noted that regrettably, despite repeated calls, the **Czech Republic, Hungary and Poland**, in breach of their legal obligations stemming from the Council Decisions and their commitments to Greece, Italy and other Member States, have not yet taken the necessary action and announced that the Commission has decided to launch infringement procedures against these three Member States. Other Member States have been pledging and relocating. Member States' legal obligation to relocate will not cease after September – the Council Decisions on relocation apply to all persons arriving in Greece or Italy until 26 September 2017 and eligible applicants must be relocated within a reasonable timeframe thereafter.

For More Information

[Communication: Thirteenth Report on Relocation and Resettlement](#)

[Annex 1: Relocations from Greece](#)

[Annex 2: Relocations from Italy](#)

[Annex 3: Relocations from Italy and Greece](#)

[Factsheet: Relocation and Resettlement](#)

[Council Decision on the relocation of 40,000 people from Italy and Greece](#)

[Council Decision on the relocation of 120,000 people from Italy and Greece](#)

On the key decisions in the June 2017 infringements package, see full [MEMO/17/1577](#).

On the general infringements procedure, see [MEMO/12/12\(an info graph\)](#).

On the [EU infringements procedure](#).