

Non-paper on “controlled centres” in the EU – interim framework

In its conclusions of 28 June 2018, the European Council called for a new approach establishing “controlled centres” where people disembarked in the EU after Search and Rescue operations would be processed on the basis of a shared effort with full EU support. This approach should apply on a voluntary basis including regarding the implementation of the principle of solidarity with respect to those persons in need of international protection, without prejudice to the Dublin reform.

Such centres aim to ensure that all third country nationals disembarked in the EU are registered and processed in an orderly and effective way that allows differentiating rapidly and securely between irregular migrants, who have no right to stay in the EU, and persons who may be in need of international protection. As a reflection of the common EU responsibility to manage migration flows, the centres should benefit from full EU support. The rapid and secure processing of migrants is legally and operationally possible and can be put in place under the current EU legal framework and with means now available.

Adequate conditions should be provided in these centres, in accordance with legally required EU standards, and a swift case management after disembarkation and until at least an initial categorisation of the applicant's claim and his/her channelling to the appropriate asylum procedure should be guaranteed. The workflow should consist of simple steps that ensure an individual assessment of each migrant's case with all guarantees provided for by EU and international law. To respect the spirit of the approach, all the necessary steps should be concluded as swiftly as possible and within a maximum period of between four and eight weeks.

The centres could be facilities of a temporary and ad-hoc nature depending on location specifics, manageable in size for processing and security purposes and applying a flexible approach (i.e. covering some or all types of processing). They should ensure the identification/ fingerprinting upon arrival and an initial categorisation of asylum applicants as well as security screening (i.e. differentiating those applicants with likely successful/unsuccessful/inadmissible claims and subsequent channelling to the appropriate asylum procedure). In addition, an assessment of certain asylum claims could take place in such centres, applying rapid procedures available under EU law followed by a quick return procedure in case of negative decisions. Such centres could also focus only on return operations after the asylum claim assessment has been done in other centres, potentially located in other Member States.

The added value of this approach derives from:

- (1) Rapid, secured and effective processing that reduces the risk of secondary movements; controlled access to protection to those in need with swift returns of all those who are not; upfront security screening;
- (2) Full EU financial support for all infrastructure and operational costs, the Member State's staffing needs, the needs of EU Agencies and of International Organisations that may operate in such centres;
- (3) Full EU operational support leading to increased synergies between asylum and return processing, as well as early identification of potential security risks, by specialised European teams; and
- (4) Full EU support to return operations, including assisted voluntary returns and reintegration (AVRR), as well as to voluntary relocation.

The centres would be managed by the volunteering Member State with full support from the EU and EU Agencies, as well as Member States, with the deployment of support teams, including, when feasible and necessary, mobile teams (European Border and Coast Guard Agency for identification and return, European Asylum Support Office for asylum processing and Europol for security checks), to facilitate and accelerate the processing of asylum claims and the effective implementation of returns. Other actors such as UN Agencies could also provide support (e.g., UNCHR and IOM for information provision/legal aid, vulnerability assessment, best interest of the child assessment or assisted voluntary returns and reintegration). The efficiency of this approach will depend on a clear distribution of tasks and responsibilities among all stakeholders, according to their area of expertise, and on the swift and rapid implementation of the procedures.

To test the concept, a pilot phase applying a flexible and swift approach, whereby all procedures will be completed within 8 weeks, could be launched as soon as possible. For an effective and successful implementation, the full agreement and support of the Member State concerned will be indispensable, in addition to overall effective coordination arrangements to be assured by the Commission. Such pilot phase, targeted at providing assistance to a disembarkation of, by way of example, 500 people, would seek to put at the disposal of the Member State of disembarkation the following number of support staff: from the European

Border and Coast Guard agency, 50 officers (such as screeners, debriefers, advanced level document officers, and First Line Officers), 50 interpreters, 20-40 escort officers for return and 5-10 officers facilitating flight arrangements and supporting communication with the countries of origin; from the European Asylum Support Office: 25-35 persons for the asylum screening, 25-35 persons for the asylum processing, 10-25 persons for voluntary relocation purposes and 50 interpreters/cultural mediators; from Europol, 10-20 officers.

The Member State that will voluntarily apply the flexible approach on "controlled centres" would be able to call upon EU financial assistance under the AMIF and ISF programmes which could cover its costs. In addition, financial support can be provided to Member States which accept transfers of persons disembarked (€6,000 per person).

CONTROLLED CENTRES – WORKFLOW

