

Dr Ursula von der Leyen
President of the European Commission
Rue de la Lois 200
1040 Brussels
Belgium

Berlin, 12.XII.2019

European Transit Centres / Introduction of border procedures

Dear Madam President,

In the years 2015, 2016 and 2017, the European Union experienced an unprecedented influx of refugees. Over three million of them reached Europe – most of them fleeing war and terror in Syria and other countries.

Following the collapse of the Common European Asylum System (CEAS) and the Dublin system during the refugee crisis, the European Union and its member states each individually undertook a series of measures to stabilise the situation across the continent.

The past years have made clear that the Dublin procedure needs to be reformed. It has led to a greatly imbalanced burden on member states, especially Italy and Greece. Other EU countries, such as Germany and Sweden, have experienced the negative effects of secondary migration. That is why a reform of the Dublin system is necessary in order to put an end to disproportionate distribution.

The European Union played a significant role in managing the refugee crisis. Between 2015 and 2017, a total of 17.7bn euros were provided from the EU budget. Humanitarian aid payments of 2.2bn euros were made. As part of international efforts for Syria alone, the EU has already provided 9.4bn euros for humanitarian aid.

One feature we found especially promising was the creation of so-called hotspots, with the aim not only of registering new arrivals in Italy and Greece, but also relieving the burden of responsibility on these two countries. You will be aware that these centres were supposed to have already opened in 2015, however the start of operations had to be postponed several times. The reasons for this provided by your predecessors were the shortcoming in terms of infrastructure, staffing and coordination. To date, these still do not function as planned and distribution according to the agreed EU key is very low. Of the target figure of 160,000 individuals, so far a mere 9,000 have been redistributed.

In addition, on-site visits and reports have revealed that the hotspots in operation have neither appropriate reception capacities nor are in a position to provide adequate medical care to those seeking protection.

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A new idea is also required at European level. The diverging political views on the role of the hotspots need to be overcome. Faster progress needs to be made in the redistribution of those seeking protection who have good prospects of remaining within Europe. This can only succeed with close cooperation. We cannot leave European member states such as Italy, Spain, Greece and Cyprus along with our partners in the Balkans, to deal with the arrival of migrants on their own. At the same time, asylum seekers whose claims have been rejected and those without any prospects of remaining must be returned swiftly – or even better, filtered out before they enter the European Union.

As colleagues from the German Bundestag, the Italian Chamber of Deputies and Senate, the Greek Parliament, the Cyprus House of Representatives and the European Parliament, we have developed the idea of European transit and asylum centres as part of the border procedures. This would see migrants entering into the asylum process directly at the EU's external border, and in the event of a negative decision, being returned directly from there, without first being redistributed within the EU. The aim must always be to limit and control immigration through asylum, so that only those truly in need of protection come to Europe, and not those who are able to afford to pay smugglers. The establishment of transit and asylum centres at the EU's external border is already possible in accordance with Article 43 of the EU Asylum Procedures Directive (2013/32/EU), which is why we would like to draw attention to this existing legal situation and ask that it be implemented consistently and, if necessary, developed further. This initiative has already been submitted to the Commission and is currently the subject of public debate.

In our view, a European asylum system must be developed in this way in which only European asylum law applies and is executed by the EU. Any potential complaints procedures must be carried out in these EU transit centres by judges appointed by the EU.

European transit centres could, for example, be set up at harbours or near airports and operated by EASO. A "fiction of non-entry" – the legal constellation in which a foreigner has not yet entered the country from a legal standpoint, despite having already crossed a country's physical border – should also be applied. Preliminary checks on migrants should be carried out in the European transit and asylum process. Those who represent a security risk, who provide false information, whose claims are plainly unfounded or for whom an entry ban has already been issued are to be rejected.

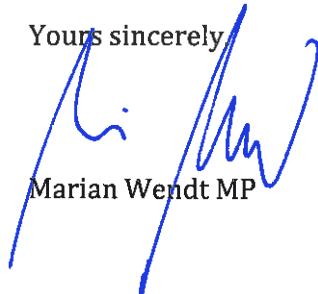
In general, further massive strengthening of our external borders, not only via Frontex, but also by providing more staff, and an improvement in the humanitarian situation at the EU's external borders must be ensured. We have promised the people of the EU that they can travel throughout our continent without internal borders. This, however, requires effective protection of our external borders.

As committed Europeans, we believe that this challenge can only be overcome by working together with all member states. We need to re-establish trust in the European Union, and the EU must be able to assert itself in southern European countries. Our EU needs to become more

capable of taking action. That is why we are appealing to you for your support in implementing the idea of European transit and asylum centres within the framework of border procedures.

We are happy to answer any questions you may have.

Yours sincerely



Marian Wendt MP

Co-signed by:

Philipp	Amthor	Member of the German Bundestag
Veronika	Bellmann	Member of the German Bundestag
Christoph	Bernstiel	Member of the German Bundestag
Anastasios	Chatzvasileiou	Member of the Greek Parliament
Christoph	de Vries	Member of the German Bundestag
Demetris	Demetriou	Member of Parliament, DISY Spokesperson
Christos	Dermentzopoulos	Member of the Greek Parliament
Chrstian	Doleschal	Member of the European Parliament
Lena	Düpont	Member of the European Parliament
Yana Chiara	Ehm	Member of the Italian Chamber of Deputies
Uwe	Feiler	Parliamentary State Secretary at the German Federal Ministry of Food and Agriculture
Marietta	Giannakou	Member of Parliament, Former Minister of Education, Former Head of Nea Dimokratia in the European Parliament
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Ronja	Kemmer	Member of the German Bundestag
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Alexander	Throm	Member of the German Bundestag
Klaus-Peter	Willsch	Member of the German Bundestag
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