



Implementing the EU-Turkey Statement – Questions and Answers

Brussels, 8 December 2016

On 18 March 2016, EU Heads of State or Government and Turkey agreed to end the irregular migration from Turkey to the EU and replace it instead with legal channels of resettlement of refugees to the European Union.

The aim is to replace disorganised, chaotic, irregular and dangerous migratory flows by organised, safe and legal pathways to Europe for those entitled to international protection in line with EU and international law.

The implementation of the Statement requires huge operational efforts from all involved, and most of all from Greece and Turkey. As European Commission President Jean-Claude Juncker said, this is a Herculean task. Greece and Turkey are the two governments in charge of implementing the Statement. It is their authorities who have to do the legal and operational work. The Commission is assisting Greece with advice, expertise and support from the EU budget and by coordinating the support which is being provided by other Member States and EU agencies – via the EU Coordinator Maarten Verwey who is leading three teams in Brussels, Athens and Ankara.

Significant steps in the implementation of the Statement have been taken and, as confirmed by the Fourth Report presented today, a trend of steady delivery of results since the Statement took effect on 20 March can be confirmed, albeit in the face of many challenges. The reduction in attempts to cross the Aegean and in deaths at sea since the operationalisation of the Statement has confirmed the core strategy behind the decision of the EU and Turkey to sign the Statement: In the weeks before the implementation of the Statement, around 1,740 migrants were crossing the Aegean Sea to the Greek islands every day. By contrast, the average daily arrivals since 21 March are down to 90. The number of lives lost in the Aegean Sea has fallen to 63 since the Statement took effect while during the same period in 2015, 592 people had lost their lives.

So far, 2,761 Syrian refugees have been resettled from Turkey to Europe and the return of 1,187 irregular migrants has been carried out from the Greek islands to Turkey under the EU-Turkey Statement or the Greece-Turkey bilateral readmission protocol, in full respect of EU and international law.

Continued efforts are needed from Greece, Turkey and all EU Member States to accelerate the implementation of the Statement and to ensure results.

What was agreed in the EU-Turkey Statement of 18 March?

The EU and Turkey agreed that:

- 1) All new irregular migrants or asylum seekers whose applications have been declared inadmissible crossing from Turkey to the Greek islands as of 20 March 2016 will be returned to Turkey;
- 2) For every Syrian being returned to Turkey from the Greek islands, another Syrian will be resettled to the EU from Turkey directly;
- 3) Turkey will take any necessary measures to prevent new sea or land routes for irregular migration opening from Turkey to the EU;
- 4) Once irregular crossings between Turkey and the EU are ending or have been substantially reduced, a Voluntary Humanitarian Admission Scheme will be activated;
- 5) The fulfilment of the visa liberalisation roadmap will be accelerated with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016. Turkey will take all the necessary steps to fulfil the remaining requirements;
- 6) The EU will, in close cooperation with Turkey, further speed up the disbursement of the initially allocated €3 billion under the Facility for Refugees in Turkey. Once these resources are about to be used in full, the EU will mobilise additional funding for the Facility up to an additional €3 billion to the end of 2018;
- 7) The EU and Turkey welcomed the ongoing work on the upgrading of the Customs Union.
- 8) The accession process will be re-energised, with Chapter 33 to be opened during the Dutch

Presidency of the Council of the European Union and preparatory work on the opening of other chapters to continue at an accelerated pace;

9) The EU and Turkey will work to improve humanitarian conditions inside Syria.

How many migrants have arrived in Greece since 20 March?

In the weeks before the implementation of the Statement, there were around 1,740 daily crossings of migrants to the Greek islands. Since 21 March, the average daily number of arrivals is 90. Since the Third Report on progress made in the implementation of the EU-Turkey Statement on 28 September until 4 December, 5,687 people have arrived to the Greek islands via Turkey. The corresponding figure for the same period last year was around 390,000 in total.

The total numbers of irregular arrivals from Turkey to Greece in September, October, November and December 2015, and January and February 2016 were, respectively, 147,639, 214,792, 154,381, 104,399, 61,602 and 56,335 persons. For the same months the corresponding daily averages were 4,921, 6,929, 5,146, 3,368, 1,987 and 1,943 persons.

How many returns and resettlements have taken place so far?

Since the Statement entered into force, there have been 748 returns from the Greek islands to Turkey, including 95 Syrians. Other nationalities returned have included Pakistanis, Afghans, Bangladeshis, Iranians as well as people from Iraq, India, Congo, Algeria, Sri Lanka, Morocco, Nepal, Somalia, Ivory Coast, Egypt, Yemen, Lebanon, and the Palestinian Authority.

2,761 Syrian refugees have been resettled from Turkey to Europe to underline that Europe will live up to its responsibilities as a continent committed to the Geneva Convention and to the fundamental right to asylum.

Who is coordinating the EU support to implement the EU-Turkey Statement?

Heads of State or Government meeting in the European Council on 17-18 March 2016 agreed that "the Commission will coordinate and organise together with Member States and Agencies the necessary support structures to implement it effectively."

On 18 March, President Juncker appointed Maarten Verwey to act as the EU coordinator to implement the EU-Turkey Statement. Maarten Verwey is the Director-General of the European Commission's Structural Reform Support Service. He is supported by a coordination team responsible for the overall strategic direction and relations with key stakeholders, an operations group responsible for analysing all relevant data, planning and deployment of Member State experts, and a team focused on resettlement.

A steering committee, chaired by the Commission with Greece, the European Asylum Support Office (EASO), Frontex, Europol, and representatives of the Council Presidency, France, the United Kingdom and Germany, oversees the implementation of the Statement when it comes to returns and resettlement and addresses bottlenecks.

The EU coordinator has at his disposal significant resources from relevant European Commission services and EU agencies (FRONTEX, EASO, Europol).

What is the state of play as regards visa liberalisation for Turkish citizens?

As regards the implementation of the Visa Liberalisation Roadmap, there are still seven benchmarks that remain to be met as highlighted in the Third Report of 28 September 2016:

- issuing biometric travel documents fully compatible with EU standards;
- adopting the measure to prevent corruption foreseen by the Roadmap;
- concluding an operational cooperation agreement with Europol;
- revising legislation and practices on terrorism in line with European standards;
- aligning legislation on personal data protection with EU standards;
- offering effective judicial cooperation in criminal matters to all EU Member States;
- implementing the EU-Turkey Readmission Agreement in all its provisions.

As reported previously, the Commission has encouraged Turkey's efforts to complete the delivery of all the outstanding benchmarks on the Visa Liberalisation Roadmap as soon as possible. The Commission and Turkey have continued an engaged dialogue to find solutions, including the legislative and procedural changes needed on all the outstanding benchmarks.

What is the state of play as regards the implementation of the Facility for Refugees in Turkey?

The Facility for Refugees in Turkey provides for a joint coordination mechanism for actions financed by the EU budget and national contributions made by the Member States, designed to ensure that the needs of refugees and host communities are addressed in a comprehensive and coordinated manner. The resources of the Facility come from the EU budget and from EU Member States over 2016 and 2017, making a total so far of €3 billion over two years.

Of the overall €3 billion, €2.2 billion has so far been allocated, for both humanitarian and non-humanitarian assistance. Of the €2.2 billion allocated, €1.3 billion has been contracted. Of this €1.3 billion, €677 million has been disbursed to date.

Funding under the Facility for Refugees in Turkey supports refugees in the country - it is funding for refugees and not funding for Turkey. The support seeks to improve conditions for refugees in Turkey as part of the EU's comprehensive approach to addressing the refugee crisis inside and outside the EU.

How many staff from the EU Agencies have been deployed to the Greek islands? Is this support sufficient?

EU Agencies are providing substantial and critical support to the implementation of the Statement. However, important shortfalls as regards the deployment of experts by Member States have still not been fully addressed. Member States need to respond in full to the calls for resources by the relevant EU Agencies in order to assist Greece.

The European Asylum Support Office has deployed 93 interpreters in Greece at the moment, as well as 74 Member State experts (52 in the hotspots). The present shortfall is 61 case workers. Given the need for additional deployments, on 11 November the European Asylum Support Office issued an additional call for 150 Member States' asylum experts, including 100 case workers for the islands. Based on the nominations received by 5 December, however, the total number of deployed experts is actually expected to decrease from now to the end of the year – it is therefore urgent that Member States respond to the call for additional resources.

Frontex currently has 682 officers deployed in Greece, including a total of 54 officers directly concerned with the implementation of the EU-Turkey Statement. This translates into a shortfall of 13 guest officers up to 14 December and, a shortfall of 57 after 14 December.

The number of Europol guest officers currently deployed in the hotspots to carry out secondary security checks has increased to 24 (21 deployed Member State officers and three Europol staff).

What needs to be done to alleviate the pressure on the Greek islands?

To ensure full implementation of EU actions under the EU-Turkey Statement and to alleviate the pressure on the islands, the EU Coordinator Maarten Verwey has today published a [Joint Action Plan](#) elaborated with the Greek authorities. It has been drawn up to acknowledge the additional efforts needed on all sides: from Greece, the Member States, the European Border and Coast Guard, the European Asylum Support Office, the Commission and International Organisations. By working together on this basis, the objective is in particular to eliminate the backlog of asylum cases on the Greek islands by April 2017.

The slow pace of returns from Greece to Turkey remains one of the most challenging elements of the implementation of the EU-Turkey Statement and additional efforts to help improve the situation on the Greek islands are needed. It is essential that resources are immediately provided to ensure the effective processing of asylum applications on the Greek islands: this requires Member States to respond in full to calls from the European Asylum Support Office and the Greek authorities to ensure that asylum decisions can be taken swiftly, as well as to step up the pace of returns.

What is being done to improve the security situation in the hotspots in the Greek islands?

Security and safety in the hotspots is first and foremost the responsibility of the Greek authorities. The Commission is assisting the Greek authorities to improve the reception conditions of migrants and asylum seekers and ensure that standards laid down in EU legislation are complied with, in particular when it comes to unaccompanied minors and other vulnerable groups. Returns have to be accelerated to avoid further unrest and impatience among migrants and the local population, and to decongest the islands.

In order to address some concerns on safety and to improve the public order conditions on the islands, the Hellenic Police has prepared safety and evacuation plans covering all persons and organisations in the hotspots. Emergency Guidelines for the evacuation of EU Agency staff and Member States' experts working in the hotspots have been prepared in case of an incident, and the Hellenic Police has increased the deployment of police officers on the islands, including specially trained riot squads stationed near asylum processing workplaces, and plans to further increase such deployments. The European Asylum Support Office has also been increasing the security of the asylum processing areas in the hotspots.

On what legal basis are irregular migrants being returned from the Greek islands to Turkey?

People who do not apply for asylum in Greece or whose applications for asylum have been declared inadmissible will be returned to Turkey. The legal framework for these returns is the bilateral readmission agreement between Greece and Turkey and the EU-Turkey Readmission Agreement.

On what legal basis are asylum seekers being returned from the Greek islands to Turkey?

People who apply for asylum in Greece will have their applications treated on a case-by-case basis, in line with EU and international law requirements and the principle of non-refoulement – the EU-Turkey Statement has made this very clear. There will be individual interviews, individual assessments and rights of appeal. There will be no blanket and no automatic returns of asylum seekers.

The EU asylum rules allow Member States in certain clearly defined circumstances to declare an application "inadmissible", that is to say, to reject the application without examining the substance after a fast-track procedure and thereby to accelerate the process of handling applications.

There are two legal possibilities that can be used for declaring asylum applications inadmissible, in relation to Turkey:

- 1) first country of asylum (Article 35 of the Asylum Procedures Directive): where the person has already been recognised as a refugee in that country or otherwise enjoys sufficient protection there;
- 2) safe third country (Article 38 of the Asylum Procedures Directive): where the person has not already received protection in the third country but the third country can guarantee effective access to protection to the readmitted person.

To ensure full respect of EU and international law, Greece and Turkey have both taken a number of legislative and administrative steps.

As well as providing assurances that all returned Syrians will be granted temporary protection upon return, the Turkish authorities have provided further written assurances to the Commission that each non-Syrian who seeks international protection in Turkey will enjoy protection from refoulement, in line with international standards and in accordance with the applicable Law on Foreigners and International Protection.

The Commission has continued to support Greece by providing it with all the elements to conclude that Turkey is a safe third country and/or a country of first asylum within the meaning of the Asylum Procedures Directive, for the purpose of returning irregular migrants from the Greek islands to Turkey under the terms of the EU-Turkey Statement.

The Commission, as communicated to the Greek authorities on 5 May, and again on 29 July, finds that the legal framework in Turkey which establishes the protection status granted to Syrians (Temporary Protection Regulation) appears as sufficient protection or protection equivalent to that foreseen by the Geneva Convention. The Commission assesses that Turkey has taken all the necessary measures in order to allow Greece to declare, on the basis of individual assessments, an application for asylum inadmissible in accordance with the Asylum Procedures Directive for both Syrian and non-Syrian applicants for asylum who had irregularly crossed into the Aegean Islands via Turkey as of 20 March 2016. Moreover, at the meeting of the Justice and Home Affairs Council on 20 May 2016, Member States indicated that they share this assessment.

What safeguards exist for asylum seekers?

All applications need to be treated individually and due account must be given to the situation of vulnerable groups, in particular unaccompanied minors for whom all decisions must be in their best interests.

All applicants have the right to appeal the decision.

Do asylum seekers remain in Greece during the appeal procedure?

Yes. When applying the concept of "safe third country" and "first country of asylum", any return decision is suspended automatically while the first appeal is being treated. A further judicial appeal does not have an automatic suspensive effect on the return process and is decided on a case by case basis.

Where are migrants accommodated whilst they await return?

Migrants will be accommodated either in open or in closed reception facilities on the Greek islands.

The Asylum Reception Conditions Directive and the Return Directive contain rules on the possibility to detain asylum-seekers and irregular migrants, in particular if there is a risk of absconding.

Detention must only ever be a means of last resort and must be proportionate.

The Commission is therefore asking Greece to pay particular attention to the needs of vulnerable people and unaccompanied minors, who in principle should not be detained.

What happens to those returned to Turkey? How can you be sure that asylum seekers will be given protection in Turkey?

Both the EU and Turkey agreed in their Statement of 18 March to respect the principle of non-refoulement.

Non-Syrian migrants are being returned to Turkey by boat and transferred to a removal centre in Kirklareli where they are informed about their rights, including the possibility to apply for a protection status in Turkey. Reportedly, so far 47 persons submitted their applications to the Turkish authorities: one person has been granted a refugee status while 46 have left the removal centre pending decisions on their applications. So far, 417 persons, who did not apply for a refugee status in Turkey, have been returned to their countries of origin. As regards Syrians, they are being returned from the Greek islands by plane and placed in a refugee camp in Duzici. They are entitled to apply for temporary protection and, after a swift preregistration for temporary protection, they are free to settle in the province of their choice, or stay in the camp. Until now, all returned Syrians were preregistered with the exception of ten who decided to return voluntarily to Syria. In Turkey, 11,102 Syrian nationals (as of 15 November) have so far received work permits in 2016.

Turkey has agreed to allow the EU to monitor regularly the situation of Syrians and non-Syrians returned to Turkey, including access to refugee camps and centres, and has concluded an agreement with UNHCR to provide access to removal centres notably to monitor Turkey's practices in relation to international protection procedures. The United Nations High Commissioner for Refugees and the EU Delegation to Turkey have recently visited the removal centre in Kirklareli and the refugee camp in Duzici.

In addition, the EU is speeding up the disbursement of funds from the €3 billion Facility for Refugees in Turkey. This funding will support Syrians in Turkey by providing access to food, shelter, education and healthcare. An additional €3 billion will be made available after this money is used to the full, up to the end of 2018. The UNHCR will be a key actor in the resettlement process in providing additional support and supervision.

On what basis are Syrians being resettled from Turkey?

Resettlement from Turkey to the EU will be carried out in the first instance by honouring the commitments of Member States under the Council conclusions of 22 July 2015 of which 18,000 places for resettlement remain.

Following the Council Decision from 29 September to make 54,000 places not yet allocated out of the of the 160,000 places foreseen for relocation available for the purpose of legally admitting Syrians from Turkey to the EU, Member States currently plan to resettle around 33,000 Syrians from Turkey under this decision.

Beyond this, the Voluntary Humanitarian Admission Scheme, based on the Commission's Recommendation to that effect last December, will be activated.

What financial support is being provided to Greece?

Since the beginning of 2015, Greece has been awarded €352 million in emergency assistance. In addition, substantial EU funding, approximately €198 million, is being provided to humanitarian partners through the recently created EU Emergency Support Instrument.

The emergency funding comes on top of the €509 million already allocated to Greece under the national programmes for 2014-2020 (€294.5 million from AMIF and €214.7 million from ISF). Overall, the European Union is reaching over €1 billion of support to Greece in tackling the migration challenges.

What happens to migrants who were already in Greece before 20 March?

The total number of persons relocated from Greece by 6 December 2016 stands at 8,162. One year after the entry into force of the relocation schemes, the groundwork needed for making relocation work has been laid and significant progress achieved. November saw 1,406 relocations from Greece and Italy, the highest monthly number so far.

The Commission considers that it should be feasible to transfer all eligible relocation applicants in Greece and Italy to other Member States by September 2017. To achieve this goal, Member States should from now on carry out **at least 2,000 relocations per month from Greece and 1,000 from Italy**. As of April 2017, the monthly number of relocations from Greece should be at least 3,000 and from Italy 1,500.

The Commission has continued to work closely with the Greek and Italian authorities as well as

Member States to remove obstacles to speedier relocation on the ground. On 8 December 2016, the Commission decided to **close infringement procedures** against Italy and Greece for non-implementation of the Eurodac regulation because in both Member States, there is now a fingerprinting rate of close to 100% of third-country nationals liable to be fingerprinted who entered the EU irregularly at their external borders.

What is being done to ensure adequate winterisation of the camps in Greece?

The Commission is in touch with the Greek Authorities regularly on all the urgent actions that need to take place in order to accelerate the winterisation of the camps. Currently, the European Commission is supporting its humanitarian partner organisations in their efforts to prepare for the upcoming winter to ensure that people living in camps stay warm and dry when temperatures drop.

To cover the immediate needs in view of the looming winter, EU-funded partners are currently carrying out winterisation actions. Priority has been given to the North and West of the country, where the weather gets much colder. The majority of accommodation sites on the mainland are currently undergoing upgrades. Funding is being used on the improvement of 27 sites: Tents have been winterised or replaced by containers, and heating systems have been repaired or improved. The Greek authorities have agreed to the IOM building or upgrading 6 sites and in principle to the possibility for the UNHCR preparing 15 sites for the winter. Besides this, the distribution of over 200,000 winterised items to the entire population of refugees and migrants in need has now been completed, including sleeping bags and clothing appropriate for cold weather.

As a concrete example, the Hellenic Red Cross is taking action to help with the winterisation of camps by supplying and installing insulated tent floors, supporting the improvement of drainage and roofs covering areas where camp communities wash their clothes and installing weather-protected changing and waiting areas in showers and toilets. In cooperation with other humanitarian actors, the Red Cross has also started to distribute emergency winter items including thermal blankets, sleeping bags, raincoats, leggings, winter socks, warm hats, gloves and scarfs to migrants and refugees at 7 different camps on mainland Greece and other sites as needed.

For more information

Press release: [Commission reports on progress made under the European Agenda on Migration Communication: Fourth Report on the progress made in the implementation of the EU-Turkey Statement](#)

[Annex 1](#): Joint Action Plan

[Annex 2](#)

FACTSHEET: [The Facility for Refugees in Turkey](#)

FACTSHEET: [Relocation and Resettlement](#)

FACTSHEET: [Managing the refugee crisis: EU financial support to Greece](#)

[Operational implementation of the EU-Turkey Statement](#): Member States pledges and deployments for Frontex and EASO operations - returns and resettlements

[EU-Turkey Statement](#) of 18 March

[EU-Turkey Action Plan of 15 October](#), activated on 29 November

[Appointment of the EU Coordinator](#)

MEMO/16/4321

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