



Council of the
European Union

133376/EU XXVII. GP
Eingelangt am 08/03/23

Brussels, 8 March 2023
(OR. en)

6847/23

AG 12
INST 42
PE 15
JAI 222
MIGR 77
ASIM 27
FREMP 55
RELEX 274
FRONT 63
VISA 36
CADREFIN 29

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2023) 1121 final
Subject:	COMMISSION IMPLEMENTING DECISION of 22.2.2023 on the request for registration of the European citizens' initiative entitled 'Ensuring a dignified reception of migrants in Europe', pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council

Delegations will find attached document C(2023) 1121 final.

Encl.: C(2023) 1121 final

COMMISSION IMPLEMENTING DECISION

of 22.2.2023

on the request for registration of the European citizens' initiative entitled 'Ensuring a dignified reception of migrants in Europe', pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council

(Only the English text is authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative¹, and in particular Article 6(2) and (3) thereof,

Whereas:

- (1) A request for registration of a European citizens' initiative entitled 'Ensuring a dignified reception of migrants in Europe' was submitted to the Commission on 30 December 2022.
- (2) The objectives of the initiative as expressed by the organisers are: 'The treatment of migrants in the European Union (EU) too often fails to respect the principles of human dignity, a fundamental value of the Union. The main reason, in our view, is the persistent inadequacy of European rules and the lack of solidarity between Member States. As the Union is "an area of freedom, security and justice with respect for fundamental rights", we, European citizens, ask the EU to ensure a dignified reception of migrants, as soon as they enter the territory, compatible with the fundamental rights recognized to every human being by the EU Charter of Fundamental Rights and international law. In order to contribute to this, we call, in the framework of the development of a common asylum policy, for the adoption of regulations to: 1) introduce a new mechanism for the distribution of asylum seekers in the EU, based on their free will and on effective solidarity between Member States (revise the Dublin Regulation); 2) make binding in the Member States reception standards in terms of food, health; housing, education and work, which guarantee asylum seekers dignified living conditions, comparable throughout the Union.'
- (3) An annex to the initiative provides further details on the subject matter, objectives and background. The organisers claim that despite the Commission's constant desire to improve a dysfunctional asylum and migration regime, many legislative and policy

¹ OJ L 130, 17.5.2019, p. 55.

changes remain to be adopted at both Union and national levels to ensure dignified treatment of all migrants. First, they ask the Commission to establish a new mechanism for the distribution of asylum seekers in the Union by revising Regulation (EU) 2013/604² in view of balancing the sharing of reception of asylum seekers in the EU taking into account the aspirations of asylum seekers as a new criterion and providing for a binding solidarity relocation mechanism between Member States to correct disproportionate allocations. Second, they call for the adoption of a regulation on reception conditions for asylum seekers in the EU in order to guarantee them a dignified standard of living and comparable living conditions throughout the Union, requiring Member States to fully respect fundamental rights, ensuring that material reception conditions for asylum seekers comply with the operational standards and indicators developed by the European Asylum and Migration Office (EASO), guaranteeing the rights of the child, facilitating access to employment and providing for emergency reception plans.

- (4) An additional document providing information on the background for the proposed citizens' initiative has also been submitted.
- (5) As regards the objectives of the initiative, the Commission has the power to present a proposal for a legal act that introduces a new mechanism for the distribution of asylum seekers and makes binding in the Member States certain reception standards on the basis of Article 78(2) of the Treaty.
- (6) For those reasons, none of the parts of the initiative manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties.
- (7) That conclusion is without prejudice to the assessment of whether the concrete substantive conditions required for the Commission to act, including compliance with the principles of proportionality and subsidiarity and compatibility with fundamental rights, would be met in this case.
- (8) The group of organisers has provided appropriate evidence that it fulfils the requirements laid down in Article 5(1) and (2) of Regulation (EU) 2019/788 and has designated the contact persons in accordance with Article 5(3), first subparagraph, of that Regulation.
- (9) The initiative is not manifestly abusive, frivolous or vexatious, nor is it manifestly contrary to the values of the Union as set out in Article 2 of the Treaty on European Union or to the rights enshrined in the Charter of Fundamental Rights of the European Union.
- (10) The initiative entitled 'Ensuring a dignified reception of migrants in Europe' should therefore be registered.

² Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31).

- (11) The conclusion that the conditions for registration under Article 6(3) of Regulation (EU) 2019/788 are fulfilled does not imply that the Commission in any way confirms the factual correctness of the content of the initiative, which is the sole responsibility of the group of organisers of the initiative. The content of the initiative only expresses the views of the group of organisers, and can in no way be taken to reflect the views of the Commission,

HAS ADOPTED THIS DECISION:

Article 1

The European citizens' initiative entitled 'Ensuring a dignified reception of migrants in Europe' shall be registered.

Article 2

This Decision is addressed to the group of organisers of the citizens' initiative entitled 'Ensuring a dignified reception of migrants in Europe', represented by Ms Stéphanie POPPE and Ms Pascale HÖGER acting as contact persons.

Done at Brussels, 22.2.2023

For the Commission
Věra JOUROVÁ
Vice-President

