

**Follow up to the European Parliament non-legislative resolution with  
recommendations to the Commission on Humanitarian Visas**

1. **Rapporteur:** Juan Fernando LÓPEZ AGUILAR (S&D / ES)
2. **Reference numbers:** 2018/2271 (INL) / A8-0423/2018 / P8\_TA-PROV(2018)0494
3. **Date of adoption of the resolution:** 11 December 2018
4. **Competent Parliamentary Committee:** Committee on Civil Liberties, Justice and Home Affairs (LIBE)
5. **Brief analysis/ assessment of the resolution and requests made in it:**

The Parliament has called for establishment of a European Humanitarian Visa since the increase in migratory flows started in 2015. It has expressed its views, among others, in the resolution of 12 April 2016 on the situation in the Mediterranean and the need for a holistic EU approach to migration. In this Resolution, it concretises its views requesting the Commission to submit a legislative proposal establishing a European Humanitarian Visa by the end of March 2019. Such humanitarian visas may offer third-country nationals a possibility to enter the EU.

6. **Response to requests and overview of action taken, or intended to be taken, by the Commission:**

**Paragraph 1: Requests the Commission to submit, by 31 March 2019, on the basis of point (a) of Article 77(2) of the Treaty on the Functioning of the European Union (TFEU), a proposal for a regulation establishing a European Humanitarian Visa following the recommendations set out in the Annex hereto:**

The Commission welcomes the continuous interest shown by the European Parliament in enhancing safe, orderly and legal avenues to the EU for third-country nationals in need of international protection.

The Commission recalls that this is an objective to which it pays high attention. Thus, the Commission recommendation on enhancing legal pathways for persons in need of international protection of September 2017 led the Member States to pledge, in a collective EU effort, more than 50,000 resettlement places to be implemented by the end of October 2019 of which more than 24,700 have been implemented so far.

This is also the reason why the Commission presented in July 2016 the proposal for a regulation establishing a Union Resettlement Framework, which now requires our full attention. Once adopted, the regulation has the potential to achieve the objective pursued by the Parliament's initiative for a European Humanitarian Visa to increase the overall number of person in need of international protection admitted by the Member States. In fact, the provisional political compromise on the core elements of the proposed regulation reached in June 2018 provides for the legal and safe arrival of third country nationals who are eligible for resettlement or humanitarian admission and do not fall under refusal grounds to the territory of the Member States.

Moreover, during the negotiations on the said proposal it became apparent that it is politically not feasible to create a subjective right to request admission and to be admitted or an obligation on the Member States to admit a person in need of international protection. Indeed, the Common European Asylum System applies to applications for international

protection made in the territory of the Member States and does not cover requests for diplomatic or territorial asylum submitted to representations of the Member States.

As stated in the plenary debate on the resolution in December 2018, the Commission will pay specific attention to including in the evaluation of the application of the regulation establishing a Union Resettlement Framework, an assessment whether additional measures for admission to the territory of the Member States for persons in need of international protection are needed. If so, the Commission will also consider which form such additional measures could take and their potential for contributing to achieving the Union's values.