

The Republic of Portugal

Minister of Internal Administration, Constança Urbano de Sousa

On

A Proposal for a Regulation on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010, COM (2016) 271

General Approach

Last year’s refugee crisis didn’t leave anyone unaffected, especially none of the Member States of the European Union. We as Portugal didn’t experience huge masses of people flooding our borders and wanting to seek asylum. Still we were deeply moved by people having to leave their homes to live in peace. Portugal did experience it’s very own refugee crisis in 1975, when we had a lot of people fleeing from our former colonies to stay here. Many of us still remember the pain of leaving everything behind and have great empathy for those who have to experience the same journey and loss in present time and are willing to show solidarity with those who are less fortunate.

We furthermore have great hope in incoming refugees, even though not a lot of them have arrived in Portugal yet. A great number of young and qualified people have left our country over the past years in consequence of political and economical difficulties, leaving us with many deserted spaces, particuarly in the country side. Therefore immigration has a lot of positive aspects to it, we need more people to subsist economically and stop the absolescence as well as the rural exodus. Following that we agreed to initially let 10.000 refugees come to Portugal, over 5.000 more than the EU relocation program decided.

The Proposal

The proposal for a Regulation on the European Agency for Asylum and repealing Regulation is seen as a step in the right direction. Portugal strongly supports the Common European Asylum System (CEAS). We see it as a way of bringing the European Union closer together again and are very fond of the agency supporting and coordinating the CEAS. The Union should live up to it’s operational standards in all aspects and the European Union Agency for Asylum could help to ensure the enforcement of Union Rights more efficiently than the Member States could on their own. If we ever come in the situation that our asylum and reception systems are subject to disproportionate pressure, we would warmly welcome the support of specially trained staff and technical ecquipment which we might not be able to offer.  
The protection of Portugal’s and the Union’s values is of great importance, and even in a crisis situation the observance of the Human Rights and the Human dignity should not be neglected. Therefore we support the Agencys aim to have a special focus on the consideration of the ECHR.

Points of Concern

Nevertheless we do have some issues with the proposal. We cannot estimate the dimension of a European Union Agency of Asylum and which national state duties it may adopt. The consequences are difficult to predict, especially for the interests of less powerful Member States. It should be carefully cosindered which decisions will be taken by the agency, and in which matters the decisions should rather be taken by the national institutions. We don’t support a transfer of all national competences in the asylum policy to the European Union Agency of Asylum.

Furthermore, we would appreciate more determined details concerning the financial funding of the agency mentioned in Art. 49 III b.

Since we already suffer from shortage of personnel due to ensuring the functioning of our own authorities and contributing to the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), we are not sure how we would be able to also contribute to an asylum intervention pool organized by the future European Union Agency of Asylum.