



Relocation: Commission refers the Czech Republic, Hungary and Poland to the Court of Justice

Brussels, 7 December 2017

The European Commission has today decided to refer the Czech Republic, Hungary and Poland to the Court of Justice of the EU for non-compliance with their legal obligations on relocation

On [15 June 2017](#), the Commission launched infringement procedures against the Czech Republic, Hungary and Poland. The replies provided by the three Member States were not found satisfactory and the Commission decided to move to the next stage of the infringement procedure by sending reasoned opinions on [26 July 2017](#).

Despite the confirmation by the Court of Justice of the EU of the validity of the relocation scheme in its ruling from the 6 September, the Czech Republic, Hungary and Poland remain in breach of their legal obligations. The replies received were again found not satisfactory and three countries have given no indication that they will contribute to the implementation of the relocation decision. This is why, the Commission has decided to move to the next stage of the infringement procedure and refer the three Member States to the Court of Justice of the EU.

The Council Decisions require Member States to pledge available places for relocation every three months to ensure a swift and orderly relocation procedure. Whereas all other Member States have relocated and pledged in the past months, **Hungary** has not taken any action at all since the relocation scheme started, **Poland** has not relocated anyone and not pledged since December 2015. **The Czech Republic** has not relocated anyone since August 2016 and not made any new pledges for over a year.

Background

The temporary **emergency relocation scheme** was established in two Council Decisions in September 2015 ([Council Decision \(EU\) 2015/1523](#) and [Council Decision \(EU\) 2015/1601](#)), in which Member States committed to relocate persons in need of international protection from Italy and Greece.

The Commission has been reporting regularly on implementation of the two Council Decisions through its regular relocation and resettlement reports, which it has used to call for the necessary action to be taken. As of November 2017, the reporting on the relocation and resettlement schemes is included in a consolidated report on the progress made under the European Agenda for Migration. With over 32,000 persons having been relocated so far, there are still eligible applicants in Italy and Greece that should be relocated as a matter of priority.

For More Information

- Press release: [European Agenda on Migration: Consolidating progress made](#).
- [Progress Report on the European Agenda on Migration](#).
- [Council Decision on the relocation of 40,000 people from Italy and Greece \(Council Decision \(EU\) 2015/1523\)](#).
- [Council Decision on the relocation of 120,000 people from Italy and Greece \(Council Decision \(EU\) 2015/1601\)](#).
- Monitoring of the EU law in the area of [Home Affairs](#).
- On the key decisions in the December 2017 infringements package, see full [MEMO/17/4767](#).
- On the general infringements procedure, see [MEMO/12/12\(an info graph\)](#).
- On the [EU infringements procedure](#).

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