

(English version)

**Question for written answer E-001106/25
to the Commission
Waldemar Buda (ECR)
(14 March 2025)**

Subject: Implementation of the Migration Pact in the context of the Polish Government's position — distinguishing between a state under migratory pressure and one facing a significant migratory situation

In view of the Polish Government's position of 4 February 2025 regarding the refusal to implement the Migration Pact and the forced admission of migrants, and in view of the Commission's answer to parliamentary Question E-002557/2024 ⁽¹⁾, I would like to ask the following question:

Since the number of people benefiting from temporary protection is an important factor in assessing whether a Member State is facing a significant migration situation, and since countries are free to choose between different forms of solidarity (relocation, financial contributions, etc.), please answer the following:

1. What are the criteria for distinguishing between a state under migratory pressure and one facing a significant migratory situation?
2. Are factors other than the number of persons enjoying protection taken into account, and what are they?

Submitted: 14.3.2025

**Answer given by Mr Brunner on behalf of the European Commission
(25 April 2025)**

The term 'migratory pressure' ⁽¹⁾ is defined in Article 2(24) of the Asylum and Migration Management Regulation ⁽²⁾ (AMMR).

The term 'significant migratory situation' is defined in Article 2(25) AMMR as 'a situation different from migratory pressure where the cumulative effect of current and previous annual arrivals of third-country nationals or stateless persons leads a well-prepared asylum, reception and migration system to reach the limits of its capacity'.

According to Article 10(1) AMMR, when the Commission assesses whether a Member State is under migratory pressure, at risk of migratory pressure or confronted with a significant migratory situation, it has to use the European Annual Asylum and Migration Report assessing the asylum, reception and migratory situation over the previous 12-month period and any possible developments.

The Commission shall also take into account the information listed in Articles 9(3)(a) and 10(2) and, in the case of a significant migratory situation, in Article 10(3) AMMR.

This information includes, among others, the number of applications for international protection, the number of third-country nationals disembarked following search and rescue operations, the number of third-country nationals or stateless persons enjoying temporary protection, the number of persons apprehended in connection with an irregular crossing of an external border, possible situations of instrumentalisation of migrants as well as scale and trends of unauthorised movements of third-country nationals or stateless persons between Member States.

¹ https://www.europarl.europa.eu/doceo/document/E-10-2024-002557-ASW_EN.html

⁽¹⁾ Migratory pressure is defined as 'a situation brought about by arrivals by land, sea or air or applications of third-country nationals or stateless persons, that are of such a scale that they create disproportionate obligations on a Member State, taking into account the overall situation in the EU, even on a well-prepared asylum, reception and migration system and require immediate action, in particular solidarity contributions pursuant to Part IV of this regulation; taking into account the specificities of the geographical location of a Member State, "migratory pressure" covers situations where there is a large number of arrivals of third-country nationals or stateless persons or a risk of such arrivals, including where such arrivals stem from recurring disembarkations following search and rescue operations, or from unauthorised movements of third-country nationals or stateless persons between the Member States'.

⁽²⁾ Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401351