

The Common European Asylum System

Youth Care Platform

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CONTEXT

- Granted to people who are fleeing persecution or serious harm in their own country
- Asylum is a fundamental right (an international obligation due to the 1951 Geneva Convention on the protection of refugees)
- No right to choose in which Member State the asylum seeker wants to settle
- To this end, the Common European Asylum System (CEAS) provides common minimum standards for the treatment of all asylum seekers and applications

THE COMMON EUROPEAN ASYLUM SYSTEM (CEAS)

Asylum is granted to people fleeing persecution or serious harm

An application for asylum is made.



The applicant is fingerprinted. The information goes to the Eurodac database (Eurodac Regulation). This data is used to help identify the country responsible for the asylum application (Dublin Regulation). The database is managed by eu-LISA (European Agency for the Operational Management of large-scale IT Systems in the Area of Freedom, Security and Justice)




EASO is an EU agency assisting EU States in fulfilling their European and international obligations in the field of asylum.

Asylum applicants benefit from common minimum material reception conditions, such as housing and food. (Reception Conditions Directive)



The asylum applicant is interviewed to determine whether he/she may qualify for refugee status or subsidiary protection (Qualification Directive and Asylum Procedures Directive).



Refugee or subsidiary protection status is granted. This gives the person certain rights, like a residence permit, access to the labour market and healthcare (Qualification Directive).



Asylum is not granted to the applicant at first instance, but this refusal may be appealed in court.

If the negative decision is overturned on appeal, the applicant can be granted asylum



Confirmation of the negative decision by the court. The applicant may be returned to the country of origin or transit.



MAIN LEGISLATION ON ASYLUM



ASYLUM PROCEDURES DIRECTIVE: establishes common standards of safeguards and guarantees to access a fair and efficient asylum procedure.



RECEPTION CONDITIONS DIRECTIVE: establishes minimum common standards of living conditions for asylum applicants; ensures that applicants have access to housing, food, employment and health care.



QUALIFICATION DIRECTIVE: establishes common grounds for granting international protection and foresees a series of rights for its beneficiaries (residence permits, travel documents, access to employment and education, social welfare and healthcare).



DUBLIN REGULATION: determines which Member State is responsible for examining a given asylum application.



EURODAC REGULATION: establishes an EU asylum fingerprint database. When someone applies for asylum, no matter where in the EU, their fingerprints are transmitted to the EURODAC central system.

NEXT STEPS

The Commission considers that there are five priority areas where the CEAS needs to be structurally improved:

- 1) Reform of the Dublin system (sustainable and fair system for determining the MS dealing with an asylum claim)
- 2) Reinforcing the EURODAC system (fight against irregular migration)
- 3) Achieving greater convergence in the EU asylum system by transforming the current Asylum Procedures
- 4) Preventing secondary movements
- 5) A new mandate for the EU's asylum agency

RELEVANT DOCUMENTS

- Fact Sheet: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/20160406/factsheet_-_the_common_european_asylum_system_en.pdf
- Commission's options for reforming the Common European Asylum System:
http://europa.eu/rapid/press-release_IP-16-1246_en.htm
- Delivering the European Agenda on Migration: Action Plan on Integration:
http://europa.eu/rapid/press-release_IP-16-2041_en.htm