Improving the Common European Asylum System

The migratory pressure on Europe has exposed the need for a reform of the EU asylum system, as well as for greater sharing of responsibility between EU countries.

In recent years, people have been fleeing to Europe in large numbers from conflict, terror and persecution in their own countries. While last year’s total number of illegal border crossings into the EU was 92% below the peak of the migratory crisis in 2015, the need for a reform of Europe’s asylum rules remains.

Read more: The EU response to the migrant challenge

Introducing responsibility-sharing: revision of the Dublin regulation
The procedure for seeking refugee status is determined by the Dublin regulation, the single most important element of the Common European Asylum System (CEAS). It determines which EU country is responsible for processing asylum claims, the general rule being that it is the first country of entry. On rare occasions, other factors including family situation and health are taken into account.

The current system, created in 2003, was not designed to distribute asylum applications between member states, and when the number of asylum seekers entering the EU soared in 2015, countries such as Greece and Italy began to struggle to accommodate all applicants. Parliament has been calling for an overhaul of the Dublin system since 2009.

In April 2016, the European Commission proposed the so-called fairness mechanism, a way for member states to share responsibility for refugees based on wealth and population size.

On 6 November 2017, the European Parliament confirmed a mandate for inter-institutional negotiations with EU governments on an overhaul of the Dublin rules. Parliament's suggestions for a new Dublin regulation include:

- The country in which an asylum seeker first arrives would no longer be automatically responsible for processing the asylum application.
- Asylum seekers with a "genuine link" to a particular EU country should be transferred there.
- Those without a genuine link to an EU country should be shared fairly among all member states. Countries refusing to participate in the transfer of asylum seekers could lose EU funds.
- Security measures should be stepped up, and all asylum seekers must be registered upon arrival with their fingerprints checked against relevant EU databases.
- Provisions on minors should be strengthened and family reunification procedures accelerated.

Although the Parliament has been ready since November 2017 to enter negotiations on an overhaul of the Dublin system, EU governments have been unable to reach a position on the proposals.

Read more: Dublin regulation

Granting safe access to the EU: the creation of an EU Resettlement Framework

Resettlement is the transfer, on request from the UNHCR, of a third-country national in need of international protection from a non-EU country to an EU member state, where he or she is permitted to reside as a refugee. It is one of the preferred options for granting safe and lawful access to the European Union for refugees.
In order to ensure a durable solution to the issue of migration, Parliament has underlined the need for a permanent and mandatory EU resettlement programme. In July 2016, the Commission proposed the establishment of a permanent framework with standard common procedures for resettlement across the EU.

A partial provisional agreement on the proposal was reached between the Parliament and Council in June 2018. However, as there has not been a final endorsement of the agreement in the Council, there has yet to be further progress.

Read more: EU Resettlement Framework

Keeping track: upgrade of the Eurodac database

When someone applies for asylum, no matter where they are in the EU, their fingerprints are transmitted to the EURODAC central database.

In May 2016, the European Commission proposed that additional data such as name, nationality, place and date of birth, travel document information and facial images be included to support the practical implementation of the reformed Dublin system.
Increasing the information in the system would allow immigration authorities to more easily identify an illegal migrant or asylum applicant without having to request the information from another member state, as is currently the case.

Parliament and Council negotiators reached a provisional agreement in June 2018 on an upgrade of the Eurodac database. However, as Council and Parliament are treating the file as part of the overall asylum reform, final approval of the update will depend on the outcome of negotiations on the other proposals in the package.

*Read more: Eurodac recast*

**Ensuring greater uniformity**

Greater convergence of the asylum system is key to responsibility sharing. It will help relieve the pressure on countries offering better conditions and help prevent “asylum-shopping”. A number of legislative proposals to bring about greater uniformity are being worked on.

In June 2017, Parliament’s civil liberties committee adopted its position on a new qualification regulation on the recognition of people in need of protection. The aim of the regulation is to clarify the grounds for granting asylum and to ensure that asylum seekers face equal treatment regardless of the member state in which they file their request. While Parliament and the Council reached an informal provisional agreement on the regulation in June 2018, the agreement has yet to be formally endorsed by the Council.

The recast of the reception conditions directive aims to ensure that asylum seekers benefit from harmonised material reception standards (housing, access to the labour market etc.). In June 2018, Parliament and the Council reached a partial provisional agreement on the updated regulation. Under the deal, asylum-seekers would be allowed to work six months after requesting asylum, instead of the current nine months. They would also get access to language courses from day one. As with the qualification regulation, there has yet to be a final endorsement of the agreement in the Council.

Members have also backed a proposal to strengthen the current European Asylum Support office (EASO), which would become the **EU Agency for Asylum**. The Agency would facilitate the functioning of the Common European Asylum System and help ensure convergence in the assessment of asylum applications across the EU. Learn more about the proposals and Parliament’s position.
This article was last updated on 5 September 2019.

Read more on the EU’s work on migration
- EU border controls and managing migration
- Integration of refugees in Europe

European Parliamentary Research Service
- Reform of the Dublin system
- Reception of asylum-seekers: recast directive
- Resettlement of refugees: EU framework
- Protection of EU external borders

The migration issue