

Table 1: The Common European Asylum System (CEAS)

The Common European Asylum System (CEAS)		
<p>Since 1999, the EU has been working to create a Common European Asylum System (CEAS). In particular, the following actions and laws can be considered as important milestones:</p>		
<p>FIRST PHASE (1999 -2005)</p> <p>The objective was to set several legislative measures harmonising common minimum standards</p>	<p>Supporting EU countries' efforts in receiving refugees</p> <p>The Asylum, Migration and Integration Fund (AMIF) was set up for the period 2014-20, with a total of EUR 3.137 billion. This Fund will contribute to the achievement of four specific objectives:</p> <ul style="list-style-type: none"> • Asylum: strengthening and developing the Common European Asylum System by ensuring that EU legislation in this field is efficiently and uniformly applied; • Legal migration and integration: supporting legal migration to EU States in line with the labour market needs and promoting the effective integration of non-EU nationals; • Return: enhancing fair and effective return strategies, which contribute to combating irregular migration, with an emphasis on sustainability and effectiveness of the return process; • Solidarity: making sure that EU States which are most affected by migration and asylum flows can count on solidarity from other EU States. 	<p>Link: https://ec.europa.eu/home-affairs/financing/fundings/migration-asylum-borders/asylum-migration-integration-fund_en</p>
	<p>Temporary Protection Directive (2001)</p> <p>Temporary protection is an exceptional measure to provide displaced persons from non-EU countries and unable to return to their country of origin, with immediate and temporary protection.</p> <p>The Directive defines:</p> <ul style="list-style-type: none"> • The decision-making procedure needed to trigger, extend or end temporary protection. • It foresees harmonised rights for the beneficiaries of this measure (residence permit; appropriate information on temporary protection; access to employment; accommodation or housing; social welfare or means of subsistence; access to medical treatment; education for minors; opportunities for families to reunite in certain circumstances, and guarantees for access to the normal asylum procedure). • Provisions for the return of displaced persons to their country of origin and for excluding individuals who have committed serious crimes • Provisions for unaccompanied minors and for those having undergone particularly traumatic experiences 	<p>Link: https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/temporary-protection_en</p> <p>Council Directive 2001/55/EC pdf: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:212:0012:0023:EN:PDF</p> <p>Evaluation of the Temporary Protection Directive: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/documents/policies/asylum/temporary-protection/docs/executive_summary_evaluation_tpd_en.pdf</p>

<p><u>SECOND PHASE</u></p> <p>The objective is to achieve both a higher common standard of protection and greater equality in protection across the EU and to ensure a higher degree of solidarity between EU Member States</p>	<ul style="list-style-type: none"> • The Green paper on the future Common European Asylum System (2007) which was the basis for a large public consultation • Policy Plan on Asylum (2008): it established principles that will guide the action of the EU in the field of asylum in the coming years such as: <ul style="list-style-type: none"> - Ensuring that protection is accessible to those who need it - Building a system where all asylum seekers will be treated in the same way, with the same high-standard guarantees and procedures, wherever in the EU they make their asylum claim. - Enhancing the efficiency of the asylum system - Providing solidarity within and outside the Union 	<p>Pdf link: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0301:FIN:EN:PDF</p> <p>Pdf link: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0360:FIN:EN:PDF</p>
<p><u>THIRD PHASE</u></p>	<ul style="list-style-type: none"> • The revised Asylum Procedures Directive: sets out rules on the whole process of claiming asylum, including on: how to apply, how the application will be examined, what help the asylum seeker will be given, how to appeal and whether the appeal will allow the person to stay on the territory, what can be done if the applicant absconds or how to deal with repeated applications. <p><u>Directives:</u> Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status. (Available in several languages)</p> <p>NEW: Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast) (applicable from 21 July 2015).</p> <hr/> <ul style="list-style-type: none"> • The revised Reception Conditions Directive: deals with access to reception conditions for asylum seekers while they wait for the examination of their claim. It ensures that applicants have access to housing, food, healthcare and employment, as well as medical and psychological care. <p><u>Directives:</u> Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers.</p> <p>NEW: Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (applicable from 21 July 2015).</p>	<p>Pdf link: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/docs/ceas-factsheets/ceas_factsheet_en.pdf</p> <p>Link: http://eur-lex.europa.eu/eli/dir/2005/85/oj (Available in several languages)</p> <p>Link: http://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32013L0032 (Available in several languages)</p> <p>Link: http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32003L0009 (Available in several languages)</p> <p>Link: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013L0033 (Available in several languages)</p>

- **The revised Qualification Directive:** specifies the grounds for granting international protection.

Link: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32004L0083>

(Available in several languages)

Directives:

Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted.

Link: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0095>

(Available in several languages)

NEW: Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast) **(applicable from 21 December 2013)**

- **The revised Dublin Regulation:** enhances the protection of asylum seekers during the process of establishing the state responsible for examining the application and clarifies the rules governing the relations between states; it creates a system to detect early problems in national asylum or reception systems and address their root causes before they develop into fully fledged crises.

Link: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32003R0343>

(Available in several languages)

Regulation:

Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national.

Link: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32013R0604>

(Available in several languages)

NEW: Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast) **(applicable from 1 January 2014).**

- **The revised EURODAC Regulation:** The Eurodac Regulation establishes an EU asylum fingerprint database. When someone applies for asylum, no matter where they are in the EU, their fingerprints are transmitted to the Eurodac central system.

Link: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32000R2725>

(Available in several languages)

Regulations:

Council Regulation (EC) No 2725/2000 of 11 December 2000 concerning the establishment of "Eurodac" for the comparison of fingerprints for the effective application of the Dublin convention.

Link: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013R0603>

(Available in several languages)

NEW: Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 (applicable from 20 July 2015).

In May and July 2016 the Commission proposed the reform of the Common European Asylum System in order to achieve a comprehensive asylum policy which functions effectively both in times of normal and in times of high migratory pressure. Specifically, this reform consists of:

- **Reform of the Dublin system** (Proposal for a new Dublin Regulation): Creating a fairer, more efficient and more sustainable system for allocating asylum applications among Member States.
- **Reinforcing the EURODAC system** (Proposal for a new Eurodac Regulation): Adapting and reinforcing the Eurodac system and expanding its purpose.
- **A new mandate for the EU's asylum agency, currently EASO** (Proposal for a Regulation on the European Agency for Asylum): Transforming the existing European Asylum Support Office into a fully-fledged European Union Agency for Asylum.
- **Greater convergence in the EU asylum system** (Proposal for a new Asylum Procedures Regulation; Proposal for a new Receptions Conditions Directive; Proposal for a new Qualification Regulation): Establishing a common EU procedure for asylum applications as well as harmonised protection standards and rights for asylum seekers and harmonised reception conditions throughout the EU.

Link: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/20160713/factsheet_the_common_european_asylum_system_en.pdf

Source

European Commission (2014; 2016)

Link: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/docs/ceas-factsheets/ceas_factsheet_en.pdf

https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/20160713/factsheet_the_common_european_asylum_system_en.pdf

Figure 1: Process when an asylum application is made in a European country

