

Overhauling the EU's Asylum Rules

The commission's contribution to the leaders' agenda

Florian Geyer

ein Beitrag zur Tagung:

Nach der Bundestagswahl – Das Ringen um die künftige Migrationspolitik

26.–28. Januar 2018 in Stuttgart-Hohenheim

http://downloads.akademie-rs.de/migration/20180126_geyer_eu-asylum-rules.pdf



European
Commission

OVERHAULING THE EU'S ASYLUM RULES

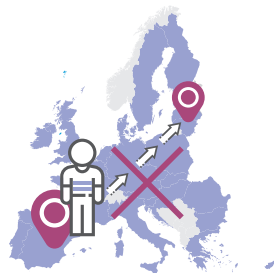
THE COMMISSION'S CONTRIBUTION TO THE LEADERS' AGENDA

#FutureofEurope #EURoad2Sibiu

The EU needs a robust and effective system for sustainable migration management for the future. The weaknesses in the design and implementation of the current EU asylum system have led to differing treatment of asylum seekers and varying recognition rates across the EU. These divergences encourage secondary movements and abuse of the rules. The procedures are also too complex and lengthy and the system overall leads to disproportionate pressure being put onto the Member States of first entry.

WHAT THE NEW RULES WILL MEAN IN PRACTICE

1. NO MORE SECONDARY MOVEMENTS



Everywhere in the EU, the same standard of reception conditions will be offered.



Whilst recognition rates can currently vary from 0% to 98% for the same nationality and procedures can take from months to years, with the new rules asylum applications will be treated equally and fairly across the EU.

2. NO MORE ABUSE OF THE SYSTEM

In case of secondary movement, when asylum applicants or refugees go to Member States where they have no right to stay or reside, they will not be entitled to:



MATERIAL RECEPTION
CONDITIONS



EMPLOYMENT AND
VOCATIONAL TRAINING

Asylum seekers are required to cooperate with authorities and respect their obligations during the asylum procedure or face stricter consequences:

- Refusal to give information on identity
- Applicants abscond
- No fingerprints



Asylum application may be rejected.

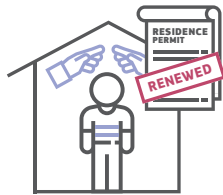
3. EFFICIENT AND FAIR PROCEDURES



Shorter time limits to accept or reject an asylum application.



When asylum claims are manifestly unfounded or persons come from safe countries of origin, examinations should be completed within 2 months.



Protection should only be granted for as long as it is needed and reviewed when there is no longer a risk of persecution or serious harm in the country of origin.

4. A MORE EFFICIENT AND FAIRER SYSTEM FOR ALLOCATING ASYLUM APPLICATIONS AMONGST MEMBER STATES



A system based on solidarity and fair sharing of responsibilities.

WHAT REMAINS TO BE DONE BY THE EUROPEAN PARLIAMENT AND THE MEMBER STATES?

			Adopted by European Parliament and Council
--	--	--	--

Proposal		Description	Status			
1	Reform of the Dublin system – presented by the Commission in May 2016	Creating a fairer, more efficient and more sustainable system for allocating asylum applications among Member States. Whilst the European Parliament has adopted a mandate to start negotiations on the Dublin reform, the Council has yet to approve their negotiating mandate for trilogues to start. EU leaders should reach an agreement on the right balance between responsibility and solidarity at the meeting in Sofia in May 2018 and swiftly translate it into a negotiating mandate for the Council.	May 2016	November 2017		
2	A new Receptions Conditions Directive – presented by the Commission in July 2016	Harmonising reception conditions throughout the EU. With co-legislators having adopted negotiating mandates, trilogues should start with the aim to reach a political agreement by May 2018.	July 2016	May 2017	November 2017	
3	A new Asylum Procedures Regulation – presented by the Commission in July 2016	Reducing differences in recognition rates, discouraging secondary movements and ensuring common effective procedural guarantees for asylum seekers. Co-legislators to agree on negotiating mandates at the latest by May 2018.	July 2016			
4	A new Qualification Regulation – presented by the Commission in July 2016	Harmonising protection standards in the EU and putting an end to secondary movements and asylum shopping. Co-legislators should continue ongoing trilogues with the aim to reach a political agreement by end of March 2018.	July 2016	July 2017	July 2017	
5	A reinforced EURODAC system – presented by the Commission in May 2016	Adapting and reinforcing the Eurodac system to facilitate returns and help tackle irregular migration. Trilogues are ongoing. Co-legislators to ensure adoption by March 2018.	May 2016	June 2017	June 2017	
6	A European Union Agency for Asylum – presented by the Commission in May 2016	Establishing a fully-fledged European Union Agency for Asylum with an enhanced mandate and considerably expanded tasks, including the ability to deploy asylum support teams and provide operational and technical assistance. Preliminary agreement reached between the co-legislators, work at technical level is still required. The proposal should be adopted by March 2018.	May 2016	December 2016	December 2016	
7	Union resettlement framework	Providing for a permanent framework with a unified procedure for resettlement across the EU. A political agreement between the European Parliament and the Council should be reached by May 2018.	July 2016	October 2017	November 2017	

European Commission	European Parliament	Council of the European Union	Adoptions by the European Parliament or the Council
Proposal presented	Negotiating mandate agreed	Negotiating mandate agreed	Adopted
Proposal to be presented	Negotiating mandate to be agreed	Negotiating mandate to be agreed	Still to be adopted

Diese Präsentation ist ausschließlich zum privaten Gebrauch bestimmt. Jede weitere Vervielfältigung und Verbreitung bedarf der ausdrücklichen, schriftlichen Genehmigung der Urheberin/des Urhebers bzw. der Akademie der Diözese Rottenburg-Stuttgart. Alle Rechte bleiben bei der Autorin/dem Autor. Eine Stellungnahme der Akademie der Diözese Rottenburg-Stuttgart ist durch die Veröffentlichung dieser Präsentation nicht ausgesprochen. Für die Richtigkeit des Textinhaltes oder Fehler redaktioneller oder technischer Art kann keine Haftung übernommen werden. Weiterhin kann keinerlei Gewähr für den Inhalt, insbesondere für Vollständigkeit und Richtigkeit von Informationen übernommen werden, die über weiterführende Links von dieser Seite aus zugänglich sind. Die Verantwortlichkeit für derartige fremde Internet-Auftritte liegt ausschließlich beim jeweiligen Anbieter, der sie bereitstellt. Wir haben keinerlei Einfluss auf deren Gestaltung. Soweit diese aus Rechtsgründen bedenklich erscheinen, bitten wir um entsprechende Mitteilung.

Akademie der Diözese Rottenburg-Stuttgart
Im Schellenkönig 61
70184 Stuttgart
DEUTSCHLAND
Telefon: +49 711 1640-600
E-Mail: info@akademie-rs.de

http://downloads.akademie-rs.de/migration/20180126_geyer_eu-asylum-rules.pdf