



European Commission

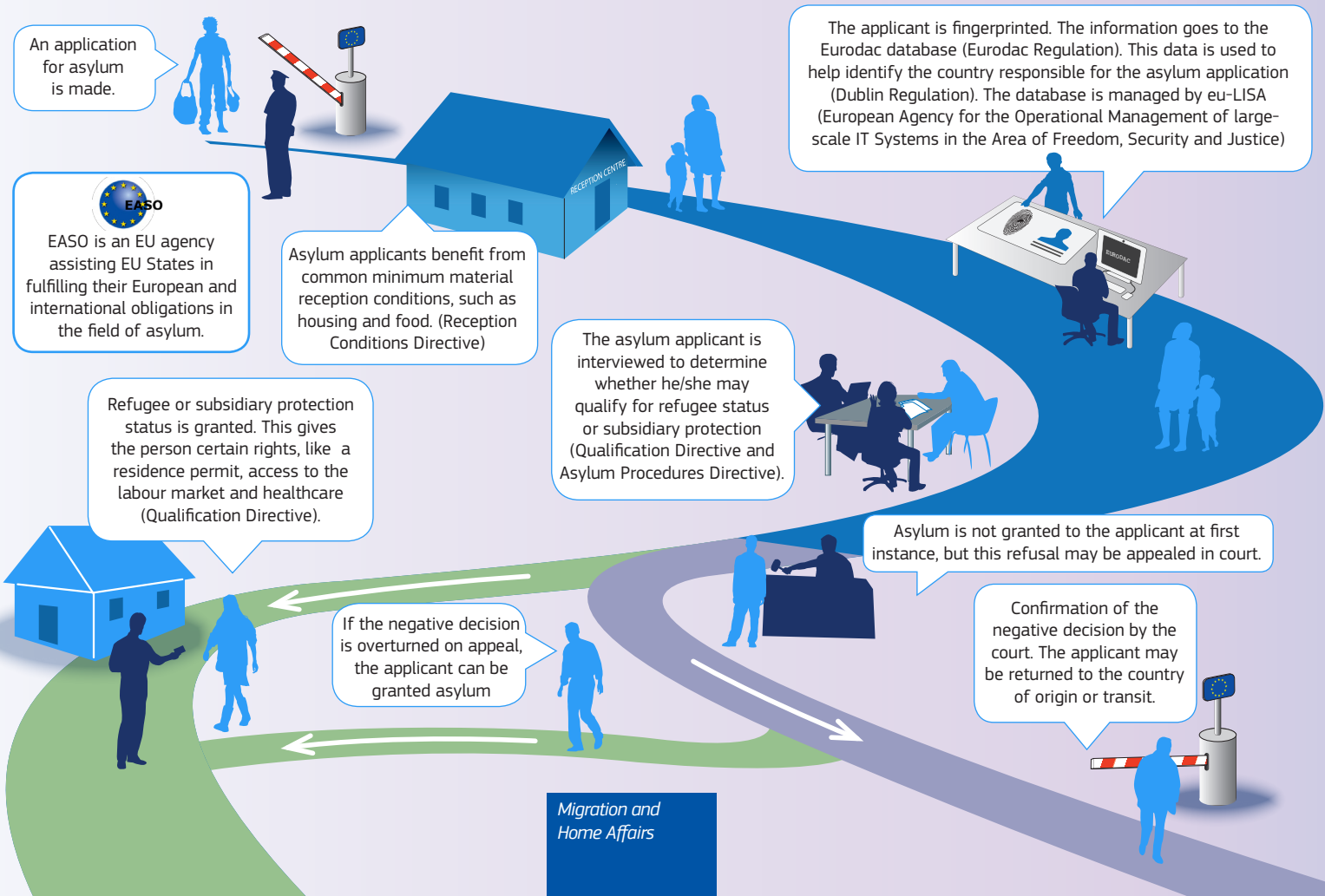
# The Common European Asylum System (CEAS)

Asylum is granted to people who are fleeing persecution or serious harm in their own country and therefore in need of international protection. Asylum is a fundamental right and granting it is an international obligation, stemming from the 1951 Geneva Convention on the protection of refugees. Those who seek, or have been granted, protection do not have the right to choose in which Member State they want 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 CEAS consists of a legal framework covering all aspects of the asylum process and a support agency - the European Asylum Support Office (EASO). However, in practice, the current system is still characterised by differing treatment of asylum seekers and varying recognition rates amongst EU Member States. This divergence is what encourages secondary movements and is partly due to the fact that the current rules grant Member States a lot of discretion in how they apply the common EU rules.

The large-scale, uncontrolled arrival of migrants and asylum seekers since early 2015 has put a strain on many Member States' asylum systems and on the CEAS as a whole. The EU now needs to put in place the tools to better manage migration flows in the medium and long term. The overall objective is to move from a system which, by design or poor implementation, encourages uncontrolled or irregular migratory flows to one which provides orderly and safe pathways to the EU for third country nationals.

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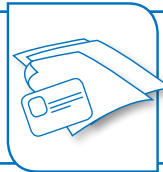
# THE MAIN LEGISLATION ON ASYLUM IN THE EU



**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** to establish a sustainable and fair system for determining the Member State responsible for dealing with an asylum claim
- 2) Reinforcing the EURODAC system** to help fight against irregular migration by extending the scope of the rules and allowing the system to be used to facilitate the return of irregular migrants.
- 3) Achieving greater convergence in the EU asylum system** by transforming the current Asylum Procedures Directive and Qualification Directive into Regulations to replace the current discretionary rules with uniform ones to ensure a harmonised treatment of asylum applications across the EU. The Commission will also propose a more harmonised EU approach to the use of the 'safe country of origin' and 'safe third country' concepts to ensure they are applied in the same manner by all Member States.
- 4) Preventing secondary movements** by attaching proportionate sanctions to failure by an applicant to remain in the Member State responsible for their claim; making the provision of any right attached to the asylum procedure, such as material reception conditions, conditional upon registration, fingerprinting and presence in the Member State responsible and adopting common rules on the documents to be issued to asylum seekers.
- 5) A new mandate for the EU's asylum agency** to enable it to monitor the compliance by Member States with the asylum standards and quality of asylum decisions; issue guidelines on the approach to be taken to asylum applicants from specific countries of origin; and intervene in emergency situations along the model of the European Border and Coast Guard.