



**COUNCIL OF
THE EUROPEAN UNION**



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Final steps towards a Common European Asylum System

The Council adopted its positions at first reading on the recast of three important legal instruments with a view to fulfilling the commitment of the European Council to establish a Common European Asylum System. The three recast proposals are: the reception conditions directive, the Dublin regulation and the asylum procedures directive.

Given the agreement reached in the trilogue meetings between both co-legislators, the European Parliament is expected to approve at the next plenary session (10-13 June) the three Council's positions at first reading without amendments ("early second reading agreement"). The three legal acts will be then formally adopted.

Reception conditions directive

The amended reception conditions directive will provide better and more harmonised standards of living to applicants for international protection throughout the European Union, irrespective in which member state the application has been made. Particularly important are the new rules concerning detention and the better standards for vulnerable persons including (unaccompanied) minors. Member states that wish to do so can provide for more favourable rules.

The new EU rules take also better into account the different national legal systems, avoid unnecessary administrative and financial burden and enable member states to fight abuse of their asylum systems more effectively.

Once formally adopted, member states will need to transpose the new provisions into national law within two years. Denmark, Ireland and the United Kingdom are not taking part in the directive.

For more information see press release [10529/13](#).

P R E S S

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Dublin regulation

The purpose of the Dublin regulation is to lay down 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.

The main objectives of the amended regulation is to enhance the efficiency of the functioning of the current Dublin regulation, as well as to ensure higher standards of protection for the applicants who fall under the responsibility determination procedure, pursuant the regulation's legal framework.

The new text provides notably for strengthened legal safeguards and rights for the applicants for international protection, while focusing in particular on the needs of vulnerable groups such as unaccompanied minors and dependent persons. At the same time, it caters for reducing abuses of the system set up by the Dublin regulation and for ensuring that disputes among member states in its context are tackled more efficiently. It also provides for addressing in a timely manner problems in the application of this regulation owed to particular pressure on a member state's asylum system, or because of its malfunctioning, through the setting up of a mechanism for early warning, preparedness and crisis management.

Once formally adopted, the regulation will be binding in its entirety and directly applicable in the member states. It will start applying six months after its entry into force. The United Kingdom and Ireland participate in the adoption of this regulation. Denmark is not taking part.

For more information see press release [10526/13](#).

Asylum procedures directive

The asylum procedures directive sets common standards on procedures that member states must apply for granting and withdrawing refugee status so as to ensure that applications for international protection are treated alike, irrespective in which member state they are examined.

The objective of the recast of the directive is to make these EU standards more protective for applicants for international protection and to achieve more harmonisation of national asylum procedures. Furthermore, these standards should better enable member states to operate asylum procedures that are cost-effective and capable of tackling potential abusive claims while taking into account the differences amongst the national legal systems. Particular attention is given to more frontloading of services, advice and expertise so as to achieve an efficient and high-quality examination process that results in robust first instance decisions.

Once formally adopted, member states will need to transpose the new provisions into national law within two years. Denmark, Ireland and the United Kingdom are not taking part in the amended directive.

For more information see press release [10527/13](#).

Background

The European Council committed itself to establish by 2012 a Common European Asylum System based on further harmonisation of national asylum systems and higher levels of protection.

The Dublin regulation (recast), the amended asylum procedures directive and the reception conditions directive are three of the five legislative instruments for establishing the Common European Asylum System.

The Council and the European Parliament have already adopted the **qualification directive**¹ which entered into force in January 2012. An agreement has also been reached on the Eurodac regulation and the Council will adopt its first reading position before the end of June.

Furthermore, three other important asylum related dossiers have been adopted over the past two years:

- The extension of the scope of the long term residence directive to beneficiaries of international protection, adopted in April 2011
- The creation of the [European Asylum Support Office \(EASO\)](#) which started operations in spring 2011
- The decision taken in March 2012 to establish common EU resettlement priorities for 2013 as well as new rules on EU funding for resettlement activities carried out by member states.

¹ Directive 2011/95/EU of the European Parliament and of the Council 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 ([OJ L 337, 20.12.2011, p. 9](#))