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icon for background in ceas reform

CEAS is a legal and policy framework developed to guarantee harmonised and uniform standards for people seeking international protection in the EU. Based on an understanding that the EU needs to have a common approach in implementing transparent, effective and efficient procedures,87 CEAS emphasises a shared responsibility to process applications for international protection in a dignified manner and with fair treatment.88

In the first phase of CEAS (1999-2005), key legislative instruments were created to establish minimum standards for the asylum procedure across EU countries. During this period, EU countries had varied experiences with asylum flows, while protection standards were deemed not to be strong enough. To improve the functioning of CEAS, substantive amendments were introduced to key legal instruments that govern the standards of the European asylum system in the second phase of CEAS.89, 90

The increasing – and often uneven – pressure that national asylum and reception systems in EU+ countries faced since 2015 underlined the importance of having an EU-wide framework to manage mixed migration flows.[vi] In 2016 the EU Commission presented reform proposals for core components of CEAS, including a reform of the Dublin system;91 reinforcing of the Eurodac Regulation;92 enhancing the mandate of the European Asylum Support Office (EASO) toward a fully-fledged agency for asylum;93 replacing the Asylum Procedures Directive with a regulation directly applicable in national asylum systems to harmonise procedures across EU+ countries;94 replacing the Qualification Directive with a regulation directly applicable in national asylum systems to further harmonise protection standards and rights;95 reform of the Reception Conditions Directive to ensure harmonised and dignified reception standards;96 and the establishment of a permanent Union Resettlement Framework to provide legal and safe pathways to the EU.[vii], 97

Progress toward the adoption of the proposals was uneven. While practical cooperation continued among Member States during 2016-2019, the negotiations for the reform package seemed to have reached an impasse.

Footnotes

[vi] "Complex migratory population movement including refugees, asylum seekers, economic migrants and other types of migrants as opposed to migratory population movements that consist entirely of one category of migrants." Definition provided in the EMN Glossary: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_search/mixed-migration-flow_en

[vii] For a detailed description of the proposals, see EASO Annual Report on the Situation of Asylum 2017.

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- 88European Commission. (2022, May 3). Common European Asylum System. https://ec.europa.eu/home-affairs/policies/migration-and-asylum/common-european-asylum-system_en
- 89European Commission. (2022, May 3). Common European Asylum System. https://ec.europa.eu/home-affairs/policies/migration-and-asylum/common-european-asylum-system_en
- 90Raithel, S. (2016). The Common European Asylum System: its History, Content, and Shortcomings. The Michigan Journal of International Law (MJIL), 37. http://www.mjilonline.org/the-common-european-asylum-system-its-history-content-and-shortcomings/
- 91Proposal for a Regulation of the European Parliament and of the Council 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), COM/2016/0270 final/2, 2016/0133/COD. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016PC0270(01)
- 92Proposal for a Regulation of the European Parliament and of the Council on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of [Regulation (EU) No 604/2013 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], for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (recast), COM/2016/0272 final, 2016/0132/COD. https://eur-lex.europa.eu/procedure/EN/2016_132
- 93Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010, COM/2016/0271 final, 2016/0131 (COD). https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016PC0271
- 94Proposal for a Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU COM/2016/0467 final, 2016/0224 (COD). https://eur-lex.europa.eu/legal-content/EN/HIS/?uri=COM:2016:0467:FIN
- 95Proposal for a Regulation 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 and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, COM/2016/0466 final, 2016/0223 (COD). https://eur-lex.europa.eu/legal-content/EN/HIS/?uri=COM:2016:0466:FIN

- 96Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast), COM/2016/0465 final, 2016/0222 (COD). https://eur-lex.europa.eu/legal-content/GA/HIS/?uri=CELEX:52016PC0465
- 97Union Resettlement Framework

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