

Legal Basis

EU Legal Framework on Asylum and Migration

The European Union Agency for Asylum (EUAA) plays an integral role in supporting EU Member States in the implementation of the EU legislative instruments that comprise the Common European Asylum System (CEAS).

The CEAS establishes the legal framework governing asylum and reception in the European Union. It consists of rules and procedures that Member States must follow to ensure that applications for international protection are examined in a fair and efficient manner and that the rights of applicants for international protection are fully respected, in accordance with the 1951 Geneva Convention Relating to the Status of Refugees and the 1967 Protocol thereto.

On this page, you can learn more about the legal basis for the Agency's work and consult the different laws that form part of the EU legal framework in the area of international protection. Learn more about the history of the CEAS. Other key texts including those governing important migration management processes in the EU, as well as the Geneva Convention itself, can be reviewed here too.

Legal Basis:

- Regulation (EU) 2021/2303 establishing the European Union Agency for Asylum (EUAA) and repealing Regulation (EU) No 439/2010 [or] succeeding the European Asylum Support Office.
- Council Decision 2010/762/EU establishing the Seat of the Agency, in Valletta Harbour, Malta.

Common European Asylum System

In May 2024, the European Union adopted a new legal framework on migration management, commonly referred to as the "Pact on Migration and Asylum". The

different EU laws underpinning this framework mainly became applicable on 12 June 2026, and reformed the Common European Asylum System (CEAS).

- Council Directive 2001/55/EC on minimum standards for giving temporary protection in the event of a mass influx of displaced persons
- Directive (EU) 2024/1346 laying down standards for the reception of applicants for international protection
- Regulation (EU) 2024/1347 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection
- Regulation (EU) 2024/1348 establishing a common procedure for international protection in the Union*
- Regulation (EU) 2024/1349 establishing a return border procedure
- Regulation (EU) 2024/1350 establishing a Union Resettlement and Humanitarian Admission Framework
- Regulation (EU) 2024/1351 on asylum and migration management
- Regulation (EU) 2024/1356 introducing the screening of third-country nationals at the external borders
- Regulation (EU) 2024/1359 for addressing situations of crisis and force majeure in the field of migration and asylum
- Regulation (EU) 2026/463 as regards the application of the concept of safe third country
- Regulation (EU) 2026/464 establishing a list of safe countries of origin at Union level**

*Asylum applications lodged **before 12 June 2026** will be handled according to the rules in Directives 2011/95/EU, 2013/32/EU, and 2013/33/EU. The designation of the Member State responsible for these applications will be governed by the former "Dublin" Regulation (EU) No. 604/2013.

Asylum applications lodged by nationals of Albania, Bangladesh, Bosnia and Herzegovina, Colombia, Egypt, Georgia, India, Kosovo, Moldova, Morocco, Montenegro, North Macedonia, Serbia, Türkiye, Tunisia and Ukraine may be subject to an accelerated examination by EU national asylum authorities, with decisions at first instance being taken **within 12 weeks. These countries are considered as safe countries of origin at Union level, as they do not generally generate protection needs for their citizens.

Relevant EU legislation (Other)

The following legislation are components of the EU's migration management framework, however the EUAA does not have a role in their implementation.

- Council Directive 2003/86/EC on the right to family reunification
- Council Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents
- Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third-country nationals*
- Regulation (EU) 2024/1352 for the purpose of introducing the screening of third-country nationals at the external borders and amending the European Criminal Records Information System (ECRIS-TCN) and the Common Identity Repository in the Interoperability Framework.

> *The European Commission has proposed updated rules aimed at establishing a common system for the return of third-country nationals staying illegally in the Union. Discussions between the European Parliament and the Council are ongoing. This page will be updated when appropriate.

International Conventions

- Convention relating to the Status of Refugees (1951) and its Protocol (1967)
- European Convention of Human Rights (1953), and its Protocol No. 4 including the prohibition of collective expulsion of aliens (1963).
- Convention on the Rights of the Child (1990)

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