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The Dublin III Regulation is the cornerstone of CEAS which aims to define a clear and workable method to determine which Member State is responsible for the examination of an application for international protection. Its objective is to guarantee that each person has effective access to the asylum procedure and that each application will be examined by one Member State only.

To achieve these objectives, the Dublin III Regulation establishes a set of hierarchical criteria under Chapter III to determine the Member State which is responsible for the examination of an asylum application. These include:

- Criteria to protect family unity and unaccompanied minors (Articles 8-11 and 16);
- Criteria on the responsibility of the Member State which played the greatest part in the applicant’s entry into or residence in the country (Articles 12-15); and
- If the first two do not apply, the responsible Member State is the one where an application for international protection was first lodged.

Member States may also assume responsibility based on the discretionary clauses of the regulation.

The Dublin III Regulation is applied by all EU Member States and four associated countries (Iceland, Lichtenstein, Norway and Switzerland). Throughout this section, the term Member States covers the associated countries as well.

In 2023, the European Commission and EU+ countries focused on enhancing the effectiveness of the Dublin III Regulation. The Roadmap on Improving the Implementation of Transfers under the Dublin III Regulation (the Dublin roadmap) was endorsed by EU+ countries at the Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) meeting on 29 November 2022. In addition, in March 2023, seven countries – Austria, Belgium, Denmark, France, Germany, the Netherlands and Switzerland – called for strengthened cooperation on the Dublin procedure and reaffirmed their commitment to reform the Dublin system through the Asylum and Migration Management Regulation and the Asylum Procedure Regulation.318

To support efforts linked to the roadmap, the EUAA revised guidance on the implementation of Dublin transfers[319] and developed a number of information tools designed to increase applicants trust in the procedure. Working in collaboration with the European Commission, the EUAA created a factsheet template to allow Member States to report on the situation in their countries related to information on procedural elements and the rights of applicants subject to a Dublin transfer.[320]

Countries started to apply the practical solutions defined in the roadmap to overcome the main obstacles in the Dublin procedure in 2023. These included, for example, recruiting and training staff, revising workflows and standard operating procedures, and embarking on or continuing with digitalisation initiatives.

The different measures yielded promising results, improving communication among Dublin units, overcoming obstacles in the implementation of Dublin transfers, increasing resources to allow for improved Dublin procedures and strengthening compliance with EU law and court rulings.[321] The European Commission presented a number of good practices from EU+ countries in its working document published at the end of 2023.[322]

Many Dublin units remained under pressure in 2023, due to the increasing number of applicants. Under its operational plans, the EUAA provided support to Dublin units in Bulgaria, Cyprus, Greece, Italy, Malta, Romania and Slovenia. The impact of the invasion of Ukraine on Dublin units decreased compared to 2022 but continued to affect the tasks and workload in many units.

The EUAA published new recommendations on family reunification within the Dublin procedure.

As discussions on solidarity and responsibility-sharing continued at the EU level (see Section 2), ECRE provided an overview of the debates related to solidarity over the past 2 years and examined different alternatives to the current system.[323]

As in previous years, the CJEU delivered several preliminary rulings on the interpretation of the Dublin III Regulation. Many EU+ countries noted that the implementation of some of these judgments – for example, Joined Cases C-323/21, C-324/21 and C-325/21 – raised additional practical questions, and discussions within the European Commission's Contact Committee or the EUAA's networks provided useful platforms to find solutions to these challenges.

- [318] Ministry of Foreign Affairs and Integration | Udlændinge- og integrationsministeriet. (2023, March 8) *Joint Communiqué of the Ministers and State Secretaries of Interior and/or Migration of the Republic of Austria, the Kingdom of Belgium, the Kingdom of Denmark, the French Republic, the Federal Republic of Germany, the Kingdom of the Netherlands, the Swiss Confederation.*

- [319] European Commission. (2023, November 23). *Commission shares good practices to further enhance cooperation on EU asylum procedures among Member States*.

- 320European Union Agency for Asylum. (2024, May 15). *Dublin Procedure*.
- 321European Commission. (2023, November 23). *Commission shares good practices to further enhance cooperation on EU asylum procedures among Member States*.
- 322European Commission. (2023, November 23). *Commission shares good practices to further enhance cooperation on EU asylum procedures among Member States*.
- 323European Council on Refugees and Exiles. (January 2023). *Solidarity: The Eternal Problem: Recent developments on solidarity in EU asylum policies: ECRE's analysis and recommendations*(Policy Paper No. 9).

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