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Committee on Civil Liberties, Justice and Home Affairs (LIBE)

Acknowledging that current EU asylum policies have been unable to respond effectively to the significant movement of refugees and are under heavy criticism from certain Member States and civil society, what action should the EU take to create workable policies that ensure responsibility is shared while protecting the rights of refugees? Additionally, how can the EU address irregular immigration effectively?

1. *Key Terms*
2. *Main Stakeholders*
3. *Measures in Place*
4. *Graphs/Graphs*

1. Key Terms¹

Asylum: It is granted to people fleeing persecution or serious harm in their own country and therefore in need of international protection. Asylum is a fundamental right; granting it is an international obligation, first recognised in the 1951 Geneva Convention on the protection of refugees. (https://ec.europa.eu/home-affairs/what-we-do/policies/asylum_en). “Asylum” refers to the legal permission to stay somewhere as a refugee, which brings rights and benefits. Not every asylum seeker will ultimately be recognized as a refugee, but every refugee is initially an asylum seeker.

Refugee: A person who, "owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his/her nationality and is unable or, owing to such fear, is unwilling to avail himself/herself of the protection of that country. (Art. 1(A)(2), Convention relating to the Status of Refugees, Art. 1A(2), 1951 as modified by the 1967 Protocol).

Emigration: The act of departing or exiting from one State with a view to settling in another.

Immigration: A process by which non-nationals move into a country for the purpose of settlement.

Migrant: Any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person's legal status; whether the movement is voluntary or involuntary; what the causes for the movement are; or what the length of the stay is.

Asylum Seeker: A person who seeks safety from persecution or serious harm in a country other than his or her own and awaits a decision on the application for refugee status under relevant international and national instruments. In case of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or unlawful situation, unless permission to stay is provided on humanitarian or other related grounds.

Irregular Immigration: Movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries, it is entry, stay or work in a country without the necessary authorisation or documents required under immigration regulations. There is a tendency to restrict the use of the term "illegal migration" to cases of smuggling of migrants and trafficking in persons.

Receiving Country: Country of destination or a third country. In the case of return or repatriation, also the country of origin. Country that has accepted to receive a certain number of refugees and migrants on a yearly basis by presidential, ministerial or parliamentary decision.

2. Main Stakeholders

Global Migration Group

The GMG was set up by the United Nations Secretary-General in 2006 as a response to the recommendation made by Global Commission on International Migration. The GMG works to promote the wider application of all relevant international and regional instruments and norms relating to migration as well as to encourage the adoption of more coherent, comprehensive and better coordinated approaches to the issue of international migration. The GMG is concerned to improve the overall effectiveness of its members and other stakeholders in capitalizing upon the opportunities and responding to the challenges presented by international migration.

International Organization for Migration (IOM)

¹ International Organization for Migration. Key Migration Terms. 2018. Retrieved from <https://www.iom.int/key-migration-terms>

The International Organization for Migration was formed in 1951 and is the leading inter-governmental organization in the field of migration. The IOM works closely with governmental, intergovernmental and non-governmental partners. Consisting of 169 Member States with another 8 states holding observer status and offices in over 100 countries, the IOM is set on promoting humane and orderly migration for the benefit of all. The IOM achieves its goals by providing services and advice to governments and migrants, aids in the search for practical solutions to migration problems and provides humanitarian assistance to migrants in need

The European Asylum Support office (EASO)

EASO was established in 2011 to better aid practical cooperation among Member States of the EU on asylum-related matters as well as to assist Member States in implementing their obligations under the Common European Asylum System. EASO acts as a centre of knowledge on asylum issues. The EASO provides scientific and technical support to Member States, particularly to those whose asylum and reception systems are under particular pressure.

3. Measures in Place

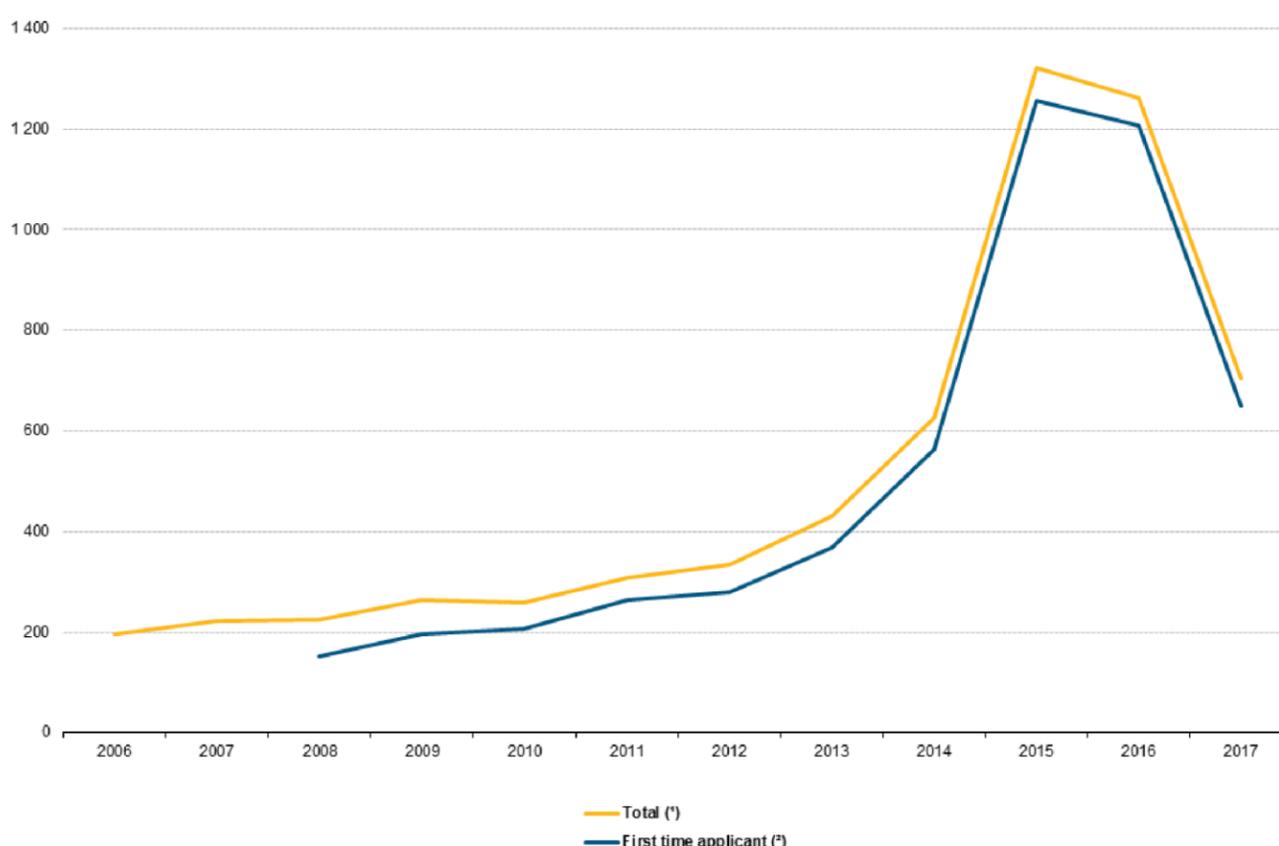
The Common European Asylum System (CEAS)

The CEAS is a set of EU laws, completed in 2005, to ensure that all EU member states protect the rights of asylum seekers and refugees. It has its roots in the 1951 Geneva Convention. It sets out minimum standards and procedures for processing and deciding asylum applications, and for the treatment of both asylum seekers and refugees. Implementation of CEAS varies throughout the European Union. A number of EU states still do not operate fair, effective systems of asylum decision-making and support, leading to a patchwork of 28 asylum systems producing uneven results.

Dublin System

It consists of the Dublin Regulation and the European Dactyloscopy (EURODAC) Regulation. The Dublin Regulation (Dublin III was adopted in 2013) is an EU law that determines the responsible Member State for examining an application for asylum seekers. Its objectives are to prevent an applicant from submitting applications in multiple Member States, and to reduce the number of asylum seekers who are shuttled from member state to member state. The country in which the asylum seeker first applies for asylum is responsible for either accepting or rejecting the claim, and the seeker may not restart the process in another jurisdiction. The EURODAC is an EU fingerprint database for identifying asylum seekers and irregular border-crossers.

4. Statistics/Graphs



(*) 2006 and 2007: EU-27 and extra-EU-27.

(†) 2006 and 2007: not available.

Source: Eurostat (online data codes: migr_asyctz and migr_asyappctza)

Figure 1: First time asylum applicants, EU-28, January 2016 – December 2017

	Q4 2016			Q1 2017			Q2 2017			Q3 2017			Q4 2017			Q4 2017	Change in %		Applicants per million population ⁽¹⁾ Q4 2017	Last 12 months
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.		between Q3 2017 and Q4 2017	between Q4 2016 and Q4 2017		
EU-28	82 695	74 800	63 045	62 135	59 605	66 630	50 235	58 195	57 250	59 885	62 510	60 320	60 760	59 555	47 570	167 885	-8	-24	328	704 625
Belgium	1 665	1 525	1 555	1 455	1 415	1 615	1 420	1 435	1 395	1 530	1 595	1 660	1 775	1 600	1 455	4 830	1	2	425	18 340
Bulgaria	2 570	1 755	815	420	385	530	225	270	250	235	315	375	325	185	180	690	-25	-87	97	3 695
Czech Republic	145	100	105	130	105	120	95	140	120	140	120	110	145	115	105	365	-3	5	34	1 445
Denmark	350	285	260	225	215	250	240	290	305	310	305	315	280	265	210	760	-18	-15	132	3 220
Germany	34 270	27 745	20 550	20 935	19 285	22 160	16 275	17 860	16 685	18 195	20 555	18 365	18 145	19 825	14 275	52 245	-9	-37	633	222 560
Estonia	25	25	5	25	20	20	30	20	20	10	15	10	15	5	5	25	-21	-49	21	190
Ireland	185	225	260	165	225	215	170	295	215	180	220	335	315	295	310	920	26	37	192	2 930
Greece	6 270	7 625	6 715	6 345	5 640	4 880	2 705	4 075	4 200	4 120	5 055	5 910	6 415	5 390	3 970	15 775	5	-23	1 465	58 705
Spain	1 760	1 935	1 565	2 125	2 325	2 415	1 980	2 780	2 430	2 760	3 260	2 890	2 880	3 035	2 240	8 155	-8	55	175	31 120
France	7 445	6 680	7 550	7 510	7 550	8 725	7 815	7 975	7 515	8 280	8 090	7 495	8 720	9 255	9 700	27 680	16	28	413	98 635
Croatia	400	265	190	45	65	60	70	95	70	115	110	70	100	125	50	280	-6	-68	67	975
Italy	13 495	13 615	11 195	11 715	12 020	13 700	9 560	12 120	13 010	12 275	10 255	10 585	9 900	8 495	5 220	23 615	-29	-38	390	128 850
Cyprus	355	405	260	260	360	515	230	255	275	455	285	645	395	555	370	1 320	-5	29	1 543	4 600
Latvia	55	60	30	60	45	55	50	20	35	15	20	20	15	15	5	35	-38	-76	18	355
Lithuania	100	55	15	15	15	30	70	45	60	85	35	25	45	35	35	120	-19	-31	41	495
Luxembourg	285	175	205	240	245	235	195	210	145	170	195	200	195	160	250	605	7	-9	1 023	2 430
Hungary	1 200	730	630	535	435	320	205	245	235	240	275	235	230	230	205	665	-11	-74	68	3 390
Malta	240	165	125	135	150	175	120	175	160	185	140	145	185	150	110	445	-5	-16	971	1 840
Netherlands	2 170	2 070	1 700	1 550	1 420	1 540	1 320	1 440	1 510	1 735	1 610	1 585	1 500	1 480	1 520	4 500	-9	-24	263	18 210
Austria	2 635	2 415	2 470	2 215	2 080	2 175	1 910	2 130	1 970	2 135	2 465	1 980	2 055	1 610	1 555	5 215	-21	-31	595	24 275
Poland	680	635	615	555	570	540	425	435	450	395	430	355	280	340	270	890	-24	-54	23	5 045
Portugal	165	115	120	225	220	210	165	185	120	80	75	160	125	115	75	315	1	-21	31	1 750
Romania	420	280	290	95	135	415	655	405	290	425	755	695	485	310	155	945	-49	-4	48	4 815
Slovenia	90	190	140	35	30	130	60	190	155	120	145	155	165	130	155	455	8	8	219	1 475
Slovakia	10	20	20	25	20	15	0	10	20	5	10	10	25	10	15	50	104	9	9	160
Finland	335	315	310	260	380	470	440	480	465	520	490	355	380	400	355	1 135	-17	18	206	4 990
Sweden	2 425	2 220	1 985	1 985	1 755	1 940	1 575	1 775	2 380	2 420	2 945	2 770	2 555	2 265	1 960	6 780	-17	2	679	26 325
United Kingdom	2 955	3 175	3 365	2 840	2 510	3 180	2 225	2 840	2 760	2 730	2 745	2 875	3 110	3 150	2 810	9 075	9	-4	138	33 780
Iceland	200	255	115	65	70	85	60	80	130	125	155	105	80	65	60	210	-45	-63	621	1 085
Liechtenstein	10	5	10	25	25	15	10	10	15	10	10	0	10	15	10	30	63	29	820	150
Norway	280	235	420	480	320	410	360	420	355	260	240	185	180	145	160	490	-29	-48	93	3 520
Switzerland	2 090	1 960	1 760	1 585	1 500	1 625	1 300	1 445	1 630	1 685	1 680	1 405	1 520	1 435	1 200	4 150	-13	-29	493	18 015

(1) Relative to population as of 1st of January 2017

Figure 2: Asylum applicants, Q4 2016 – Q4 2017

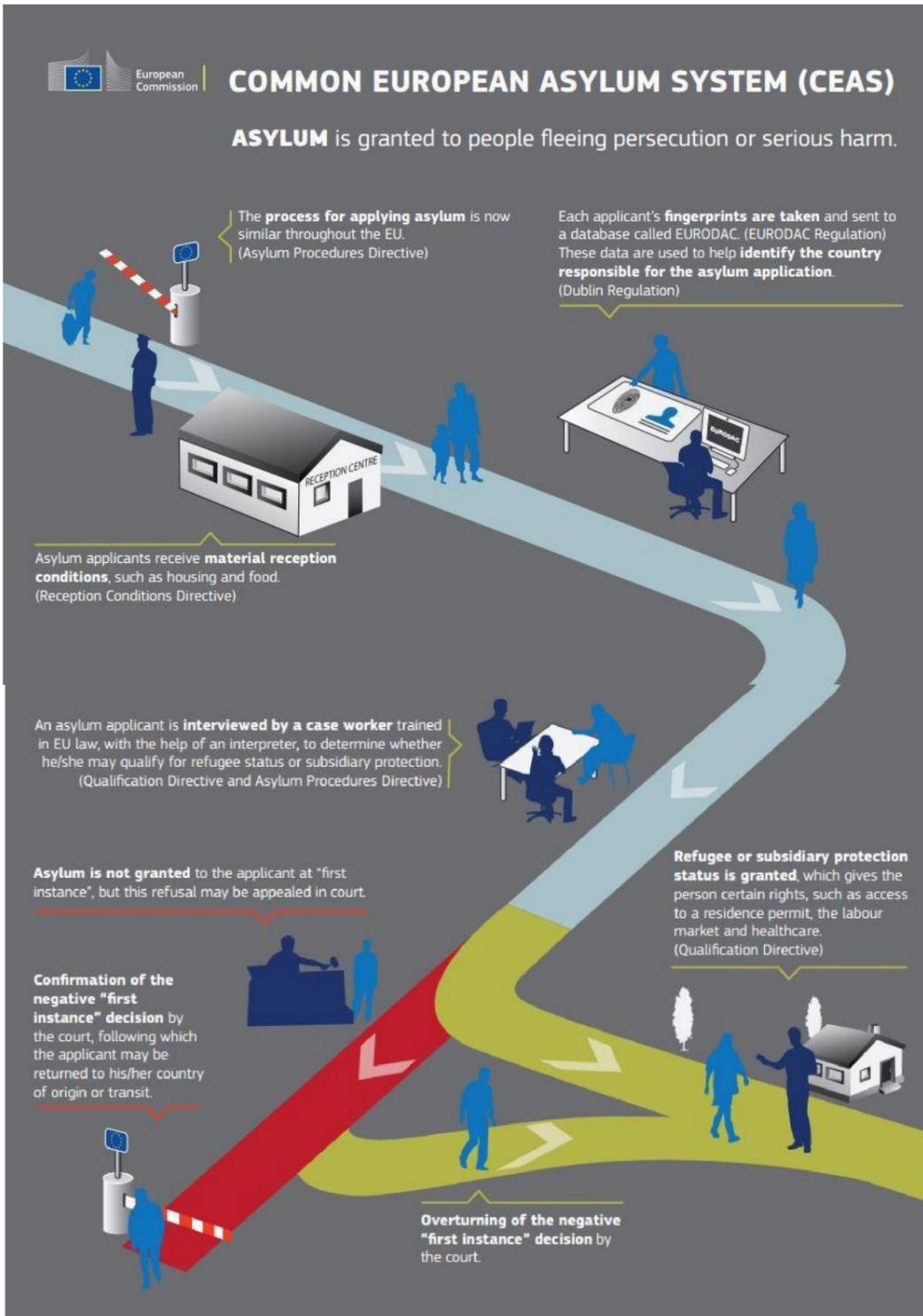


Figure 3: The Common European Asylum System (CEAS) and the asylum procedure