

EU seeks to tighten asylum system by 2010

By John Quigley

Asylum applications from nationals from the top five Asian countries trying to enter the EU in 2006 reached 31,635. According to statistics released today, nationals from the top five Asian countries are arriving in the EU from Afghanistan, Iran, Pakistan, Bangladesh and China. However, applicants arriving from 2008 onwards may face a very different EU-wide system, if EU governments approve measures proposed by the European Commission.

In an effort to tighten the asylum application system, which is controlled by individual EU governments, Franco Frattini, Commissioner for Justice, Freedom and Security, launched a public consultation today on possible improvements to the Common European Asylum System. As part of the 2004 Hague Programme, the EU is meant to have a functioning asylum and immigration system by 2010.

Of concern to many EU governments are the 12% of asylum seekers making applications in more than one Member State. This contravenes the Dublin Convention that specifies that those seeking asylum should apply in the first territory in which they land. An estimated 22,000 people were detected making multiple applications, emphasising the ease with which illegal immigrants can move throughout Europe, escaping the control of the EURODAC system which is designed to handle their application.

Another concern arises from those Member States hosting the bulk of asylum seekers and, subsequently, those actually who are allowed to remain inside the EU. Some governments want the principle of burden sharing, both in terms of applicants and of the sharing of the costs associated with them, to be more clearly defined at EU level. It is proposed that there would be financial assistance from the EU budget for those Member States who believe themselves overwhelmed by asylum seekers and from those seeking subsidiary protection.

In a statement, the Brussels-based European Council on Refugees and Exiles (ECRE) welcomed the publication of the Commission's Green Paper for a public consultation. Linking demands for improvements to the functioning of the asylum system to more protection for the human rights of refugees, ECRE stated that migrants should expect "common standards consistent with fundamental rights for a system that we can be proud of".

Yet, under pressure from national governments, the Commission may have to be very careful about where it finds the balance between protecting the rights of refugees and protecting the interests of Member States determined to reject those using the asylum system who in fact turn out to be illegal economic migrants.

Commissioner Frattini stressed that the distinction between refugees and economic migrants would have to be more clearly defined in the review underway. This review would lead to a legislative instrument trying to improve the existing common minimum standards. He issued a cautionary note, saying that two years might be needed before the legislative measure which emerges from the public consultation might be adopted.

Asylum seekers have been defined by the United Nations as those fleeing persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion (1951 Convention on the Status of Refugees). In 2006, 182,000 people claimed asylum in the EU. Making over 234,000 decision, EU Member States rejected 58% of applicants, have yet to make decisions regarding 19% meaning just 22.5% of asylum seekers were successfully and legally admitted into the EU.

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Annex

Asylum applications in the EU by country of origin

Total Applications in 2006 from all countries: 181,760

Applications from the top five Asian countries

Country		Percentage of Total
Afghanistan	7430	4.1
Iran	6610	3.6
Pakistan	6250	3.4
Bangladesh	5935	3.3
China	5410	3

Total Asia Applications: 31,635