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Resolution: On Strengthening the Common European Asylum System and Reform of the Dublin II Regulation

Adopted at the YEPP Council in Marseille on 10th December 2011.

Recognizing:

1. The Treaty on the European Union seeks to establish "an area of freedom, security and justice", the Union is founded on values of "respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights".
2. Asylum is a fundamental international right, granting it is an obligation under the 1951 Geneva Convention on the Protection of Refugees.
3. The European Union States committed to establishing a Common European Asylum System by 2012 .
4. Directive 2003/343/EC (Dublin II Regulation) and Directive 2004/83/EC (Qualifications Directive) have been key pieces of legislation in developing the Common European Asylum System, however their deficiencies have been widely recognised. For logical reform to take place they must be viewed together.
5. The European Commission has noted "The objective of creating a level playing field with respect to the qualification and status of beneficiaries of international protection and to the content of the protection granted has not been fully achieved"
6. With regard to:
7. YEPP's Political Programme, which recognised "the need to revise the clauses of the Dublin regulations concerning illegal immigrants, towards a fairer distribution of asylum seekers among EU member states".
8. YEPP Resolution "For a Better Coordinated European Migratory Policy and Better Controlled EU Borders".
9. YEPP Resolution "Illegal Immigration in the Mediterranean Sea".

Acknowledging:

1. In an area with no internal borders, most notable within the Schengen zone but also within the wider area of the European Union asylum and immigration procedures and border control must be dealt with as a mutual concern. The European Union has demonstrated again and again its commitment to human rights in Africa and the Middle East, we must ensure that our obligations at home are not neglected.
2. The reform of the Dublin II Regulations must be dealt with immediately and decisively as a matter of European solidarity and the protection of basic human rights. Certain Member states cannot be left under disproportionate pressure due to their geographic position. Those fleeing persecution in Asia and Africa will logically continue to seek entry at the European Southern borders and this must be taken into account in the development of the Common European Asylum System.
3. The Dublin II Regulations are falsely based on the presumption that an asylum seeker will receive equivalent access to protection in whichever member state a claim is lodged and that each state has an infinite capacity for hosting those seeking asylum during the determination process.
4. Huge discrepancies still exist between member states with regard to levels of recognition of refugees and reception standards. The European Union must strive to ensure that all of those seeking protection from persecution within the European Union are treated equally, regardless of entry point.

YEPP:

1. Calls for transfers under Dublin II Regulations to over-burdened member states be temporarily suspended on EU level to allow pressure to be lifted from asylum systems in certain member states.
2. Calls for the Dublin II Regulations to be reformed as a matter of urgency, putting into place a system of quotas based on objective criteria and realistic capacity, allowing for relocation of asylum seekers once a Member State can no longer practicably host those entering the state to seek asylum.
3. When transfer is taking place, the presence of family member's in another EU member State, whether legally resident or awaiting determination of an application for refugee status, should be taken into account in order to preserve family unity.
4. Welcomes proposals to amend the Qualifications Directive and calls for the amendments to be acted on as a matter of urgency; calls for ambiguities to be clarified and for further harmonisation of qualification criteria between EU member states; calls for these minimum standards to be enforced through regular reporting and inspection.
5. Suggests that once minimum standards of qualification have been reached, Member States would jointly consider legislating for the right of free movement within the European Union to be accrued to recognised refugees.
6. Welcomes the European Asylum Support Office coming into operation in June 2011, and calls for it to immediately begin the provision of support to Member State asylum systems, particularly with regard to the provision of common, quality and current country or origin information.