

# European Council on Refugees and Exiles

## Annual General Conference 2019

### And UNHCR Europe NGO Consultation

*Organised by ECRE and UNHCR*

Brussels, 23 and 24 October 2019

**Venue:** Renaissance Brussels Hotel, Rue du Parnasse 19, 1050 Brussels, Belgium

**Lisbon Room**

## **WORKSHOP 5**

### **EU ASYLUM LAW: REFORM OR COMPLIANCE?**

**Title** EU Asylum Law: Reform or Compliance?

**Objectives** The workshop will aim to:

1. Discuss possible scenarios on the fate of the CEAS reform and their impact on the protection landscape in Europe
2. Explore advocacy opportunities for short-term actions on the implementation of the CEAS
3. Discuss means of input to the Commission's work on preparation of the Pact on Migration and Asylum and the relaunch of the asylum reform

**Speakers** **Chair**

Lisa Doyle, British Refugee Council and ECRE Board

**Speakers**

**Bori Szegeti, DG Home, European Commission**

**Nanda Kellij, JHA Counsellor, Permanent Representation of the Netherlands**

**Alexandra Embiricos, UNHCR RREUA**

**Ahmed Abu Sen, Vluchtelingenwerk Vlaanderen**

**Minos Mouzourakis, ECRE**

**Description  
and structure**

The reform of the Common European Asylum System (CEAS), triggered by the European Commission with the presentation of seven legislative proposals, remains in stalemate due to the persisting political deadlock between Member States in the Council.

After over three years of negotiations, new leadership of the European Commission has been tasked to relaunch the reform of the CEAS and to prepare a New Pact on Migration and Asylum, which will look at protection, return, border control and Schengen issues as a whole. While the fate of the 2016 proposals has not officially been decided yet, it seems increasingly likely that at least a number of proposals (e.g. Dublin IV Regulation, Asylum Procedures Regulation) will be withdrawn by the Commission, possibly to be replaced with amended proposals.

Meanwhile, short-term measures are needed to ensure that Member States implement their existing obligations and that asylum systems function in an effective and rights-compliant manner. The Commission has not produced evaluation reports on the legal instruments in force (e.g. Asylum Procedures Directive, Reception Conditions Directive, Return Directive), despite express legal obligations to report on their implementation. An evaluation of the existing *acquis* would offer a solid evidence base and allow for detailed impact assessments of any prospective reform.

In addition, the relaunch of the reform could offer opportunities for deeper reflection on the direction of the CEAS, in particular on fair and sustainable mechanisms of responsibility-sharing in the EU.

Following an a round of opening comments, where participants will address the key question - EU asylum law: reform or compliance? - the moderator will then facilitate a discussion looking in depth at particular questions: Should the CEAS reform proposals 2016 be re-launched? What is the potential of the proposed Pact on asylum and migration? What are the alternatives to Dublin? How to ensure compliance in the short-term with asylum standards?

The audience will be invited to provide comments and views on the workshop questions.