



**Contribution of the European Asylum Support Office (EASO) to the Hearing of the Bundestag entitled “End of mass deaths on the EU border – for an open and humane refugee policy based on solidarity”, Berlin, 2 July 2014.**

In 2013, the EU saw the highest number of applications for international protection and a growth since the beginning of EU data collection in 2008, and a 30% growth compared to 2012. Persons in need of international protection arrive in mixed migration flows, which include also asylum seekers, vulnerable persons including victims of trafficking and smuggling, persons with humanitarian situations and economic migrants. Different types of migrants increasingly make use of the same journeys and means of transport to get to their intended destination and in the absence of legal entry channels to the EU, often resorting to facilitators who charge hefty fees for dangerous and in some cases fatal land or sea voyages such as the recurring incidents in the Mediterranean.

This complex scenario is compounded by constantly changing migratory routes, the challenge of identifying persons in need of international protection from other types of migrants, the ensuing pressure on the Member States’ asylum and reception systems and increasingly sophisticated facilitation networks, both to and within the EU. It is nevertheless imperative that persons who may be in need of international protection are identified, have an effective opportunity to present their applications for international protection, and have their protection needs assessed in a fair and efficient procedure in line with the EU asylum acquis.

The Common European Asylum System (CEAS), which EASO has been set up to support, is best seen as a framework of common rules, rights and procedures that should be applied in a coherent, comprehensive and consistent manner across the EU. The recast EU asylum acquis underpinning the CEAS, provides the legal basis for greater harmonisation and sets higher quality standards. The ultimate objective of the CEAS is to obtain similar outcomes for similar situations through a similar procedure in the EU. EASO supports this process primarily through training, identification and dissemination of best practices, data collection and analysis, Country of Origin Information and operational support.

The Stockholm Programme called for a CEAS characterised by solidarity, responsibility and mutual trust. A natural implication of the harmonisation process characteristic of the CEAS is interdependency of the national asylum systems in the EU. Therefore trust in each other’s systems and decisions must become the *modus operandi*. A decision on an asylum claim by a Member State could have a direct effect on another Member State. Likewise, policies and practices of a Member State could affect the other Member States, and so on.

But for trust to be established, Member States must assume their responsibilities and build enough capacity to identify persons in need of protection and to be able to deal with asylum claims in a fair and efficient manner, offering protection to those who qualify for it together with measures that ensure their integration into society, and a dignified return policy for those who do not qualify for protection and thus have no right to stay in the EU.

Solidarity is the glue that holds the CEAS together. Solidarity is necessary for a harmonised system. Yet it is very often misunderstood and misused. Solidarity is not charity. Since the entry into force of the Lisbon Treaty, solidarity is enshrined in EU law. Solidarity is asset sharing, burden sharing and joint action towards common goals within a common framework.

Solidarity must be seen from a broad perspective, an instrument for sharing resources to strengthen the CEAS and not solely *ad hoc* actions to address emergency or extra-ordinary situations. Solidarity is also about practical cooperation. The creation of EASO itself is an expression of solidarity in that all its tools involve putting Member States resources and expertise at the disposal of others. Solidarity is never just one item (e.g. not only: relocation) but a package of measures tailored for a specific situation.

New forms of practical cooperation such as joint processing of asylum applications in the EU and sharing reception facilities - some Member States have limited capacity, others have excess capacity, could be further expressions of solidarity and mutual trust. In line with the actions foreseen within the context of the Mediterranean Task Force, EASO is coordinating pilot joint processing projects during summer 2014, also involving Germany.

Solidarity must be translated into effective and timely support. The EU must be in a position to provide comprehensive operational support to requesting Member States. The implementation of the new EU asylum package poses challenges on some Member States and some of them might need EASO operational support to align to the legal requirements. Other Member States might need EASO operational support to be able to deal with significant challenges on their asylum and reception systems caused by sudden and extra-ordinary situations of arrivals on their territory. Besides, EASO is developing tools to support future voluntary intra-EU relocation efforts that will also be supported by financial grants from the European Commission.

Finally, flexibility, quality, cost-effectiveness and evidence based policy making should be guiding principles of the CEAS. The EU should become a single genuine area of protection for those who need it and therefore Member States should be supported to fulfil their obligations within a common framework characterised by the principles of responsibility, mutual trust and solidarity. Ultimately, the EU should show solidarity with those persons who require protection in line with the European values enshrined in the EU Treaties.

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