

# COORDINATION FRANCAISE POUR LE DROIT D'ASILE

(French Coordination for Asylum Rights)

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## European asylum system: the Dublin Regulation must end

The European Union recently suggested the launch of an exceptional "relocation" program for 40,000 Syrians and Eritreans in the various Member States. This proposition seeks to relieve Italy and Greece from the burden involved by the large number of asylum seekers arriving in these two countries. Predominantly, it highlights the "Dublin III" regulation's inherent inappropriateness for the European asylum system. The Dublin regulations mechanism provides that asylum claims must be examined in the asylum seeker's first European country of arrival. This rule inevitably magnets asylum seekers on those very countries, which form the EU's external border (such as Greece, Italy, Poland), and is unfair both to those countries (as shown in the current situation) and to asylum seekers. Reception conditions and protection recognition rates differ greatly depending on where the application was filed.

In its report on the EU external borders management policy and on its impact on migrants human rights, the UN Special Rapporteur on the human rights of migrants pointed out the "systemic failure of the Dublin mechanism" and advocated for "reversing the current logic by allowing asylum seekers to submit their application in the country of their choice within the European Union"<sup>1</sup>.

The European Commission and the French Minister of Interior nevertheless made statements on May 27 and June 1st, indicating that the Dublin III Regulation should continue to be applied.

Europe is thus perpetuating an unjust and faulty mechanism, which, in addition, is an obvious failure. For instance, in France, in 2012, only 17% of those asylum seekers who fell under the scope of the Regulation were eventually actually transferred to the countries designated as "responsible" for their application.

Even if Member States agree to participate to this relocation scheme, the European Commission's attempts to correct the consequences of the Dublin Regulation will remain superficial and will fail to eradicate the persistent problem they pretend to address.

The French Coordination for asylum right (CFDA) has long recommended that the Dublin mechanism shall be dropped. As the European Council is about to gather on the 25 and 26 of June and make decisions to deal with migration issues in the Mediterranean, our organizations want to stress: the EU Member States responsibility determination system for the examination of asylum applications must be reviewed in depth: the principle must be that applicants can choose the country where their asylum application will be examined.

Moreover, a true solidarity mechanism should be set up to support Member States according to how many asylum seekers they host.

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<sup>1</sup> Report of the Special Rapporteur on the human rights of migrants, *Banking on mobility over a generation: follow-up to the regional study on the management of the external borders of the European Union and its impact on the human rights of migrants*, 8 may 2015, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G15/092/48/PDF/G1509248.pdf?OpenElement>

*The following organizations are signatories, members of the French Coordination for Asylum Rights:*

**ACAT** (Action des Chrétiens pour l'Abolition de la Torture)  
**APSR** (Association d'accueil aux Médecins et Personnels de Santé Réfugiés en France)  
**ARDHIS** (Association pour la Reconnaissance des Droits des personnes Homosexuelles et transsexuelles à l'Immigration et au Séjour)  
**Centre Primo Levi** (soins et soutien aux victimes de la torture et des violences politiques)  
**Comede** (Comité médical pour les exilés)  
**Dom'Asile**  
**ELENA France** (Association d'avocats liés au Conseil Européen pour les Réfugiés et Exilés)  
**FASTI** (Fédération des associations de solidarité avec tous-te-s les immigré-e-s)  
**GAS** (Groupe accueil solidarité)  
**GISTI** (Groupe d'information et de soutien des immigré.e.s)  
**JRS-France** (Jésuite Refugee Service)  
**La Cimade** (Service œcuménique d'entraide)  
**LDH** (Ligue des droits de l'Homme)  
**MDM** (Médecins du Monde)  
**MRAP** (Mouvement contre le racisme et pour l'amitié entre les peuples)  
**Secours Catholique** (Caritas France)

*The following signatories share this call:*

**Action Tunisienne**  
**ADDE** (Avocats pour la Défense des Droits des Etrangers)  
**AmiS** (Aide Migrants Solidarité Têteghem)  
**AMAR** (Association Montalbanaise d'Aide Aux Réfugiés)  
**ARCAL-bn** (Association des réfugiés du Calvados)  
**ATMF** (Association Travailleurs Maghrébins de France)  
**CASAM** (Collectif d'accueil des solliciteurs d'asile en Moselle)  
**Cedetim** (Centre d'études et d'initiatives de solidarité internationale)  
**CFDA 44** (Coordination pour les demandeurs d'asile en Loire-Atlantique)  
**CRID** (Centre de recherche et d'information pour le développement )  
**CSP 75** (Coordination 75 des sans papiers)  
**Diel**  
**Emmaüs Dunkerque**  
**Emmaüs Europe**  
**Emmaüs France**  
**Emmaüs International**  
**Fédération de l'Entraide Protestante**  
**FNARS** (Fédération nationale des associations d'accueil et de réinsertion sociale)  
**FORIM** Forum des Organisations de Solidarité Internationale issues des Migrations  
**Français langue d'accueil**  
**France Amérique Latine**  
**IPAM** (Initiatives pour un autre monde)  
**L'Auberge des Migrants** (Calais)  
**Le Réveil Voyageur** (Calais)  
**Mddm**  
**Mouvement de la Paix**  
**Organisation pour une Citoyenneté Universelle**  
**R.C. I.** (Réseau chrétien Immigrés)  
**Réseau Foi & Justice Afrique Europe**  
**Salam Nord/Pas-de-Calais**  
**Syndicat de la magistrature**