



European Commission

# Asylum procedures: reforming the Common European Asylum System

13 July 2016

The Commission is proposing **to replace the Asylum Procedures Directive with a Regulation to establish a fully harmonised common EU procedure for international protection**, directly applicable in Member States, to provide for a fast but high-quality determination of the international protection needs of applicants.

## A fair and efficient common procedure throughout the Union means:

### Simpler, clearer and shorter procedures

**Short but reasonable** time limits are provided for an applicant to accede to the procedure and for concluding the examination of applications both at administrative and judicial levels.



**benchmark time limit** for a first decision **is maintained**.

### New exceptions are introduced

**shorter time limits** in case of unfounded and inadmissible claims are introduced



#### Accelerated procedure



Max. 2 months for the examination of the merits of the claim.



Max. 1 month for the admissibility examination.



Max. 10 days for the admissibility examination where an applicant comes from a first country of asylum or a safe third country.

**Extended time limits** in case of disproportionate increase in the number of applications or complex cases.



3 months



**Member States can rely on assistance from the European Union Agency for Asylum**

### Introduction of time limits

For lodging appeals ranging



Depending on the type of procedure (ex regular, accelerated, admissibility examination)

For decisions at the first appeal stage ranging



Depending on the type of procedure (ex regular, accelerated, admissibility examination)

*\*may be prolonged by 3 months in cases involving complex issues of facts or law.*

## Common guarantees for every applicant



All applicants must be fully informed of their **rights, obligations** and of the **consequences** of not complying with their obligations.

**NEW**

### The new proposal guarantees:

- **free legal assistance, representation** and the right to a **comprehensive personal interview** (assisted by an interpreter)

- **standardised** information



- **reinforced safeguards for applicants with special procedural needs and unaccompanied minors**



- **the right to remain on the territory** of Member States for the **duration of the administrative procedure** and, in case of an appeal, in principle until the decision is made.

## Stricter rules to combat abuse

**Obligations** for applicants to **cooperate with the authorities...**



by providing the **information** necessary to establish their **identity and to examine their applications.**

**NEW**

**Stricter consequences** in case of non-compliance with such obligations:

**For example**

No fingerprints

Asylum application rejected



The current **optional** procedural rules for sanctioning abusive behaviour are made **compulsory** and further reinforced



**Clear, exhaustive and compulsory** grounds for an accelerated or admissibility procedure.

## Harmonised rules on safe countries



Applications from persons **manifestly not in need of international protection** since they come from a safe country of origin **should be rejected and a swift return organised**

Where applicants have already found a first country of asylum where they enjoy protection or where their applications can be examined by a safe third country, **applications must be declared inadmissible.**

**NEW**

**Full harmonisation** in this area



from the entry into force of the Regulation, **full replacement of national safe country lists or national designations of safe countries of origin and safe third countries** with **European lists or designations at Union level.**

