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UNHCR WARNS EU OF LOOMING ASYLUM PROBLEM, PROPOSES REMEDIES

DUBLIN: – UN High Commissioner for Refugees Ruud Lubbers warned European interior ministers Thursday that the forthcoming enlargement of the European Union may overwhelm asylum systems in some new member states, and presented a detailed set of ideas to enhance the EU's ability to act collectively to solve this and other practical difficulties.

In an address to ministers attending the Justice and Home Affairs Council in Dublin, Lubbers thanked the Irish Presidency for the opportunity to exchange views on some key issues on European asylum policy. He said his proposals were geared to finding solutions, and offered in a spirit of constructive engagement.

He pointed out that the expansion of the EU in May to include ten new member states, coupled with the enactment of recently harmonized EU legislation, may well change the pattern of asylum applications within the enlarged EU. This could lead to an increase in the numbers of asylum-seekers needing to be processed in the new border states.

Fingerprinting and registration under the Eurodac system, which became operational a year ago, mean asylum-seekers can now be more easily identified if they move from state to state. Under the "Dublin II" regulation – which also entered into force in 2003 – they can then be sent back to the first state they entered, which in practice is likely to be the border states.

"If we are not careful, we risk overwhelming fragile and under-resourced asylum systems in the new EU member states," Lubbers said before the meeting. "If that happens then Europe's new harmonized legislation may simply create a new set of problems. This would be particularly ironic at a time when the numbers of asylum-seekers are falling.

"There are new EU states in Central Europe which currently only have 15 or 20 asylum assessors," he said. "A decade ago they had no asylum systems at all. What is going to happen if thousands of extra asylum-seekers are sent back to them from the inner EU countries? There is a danger the harmonized procedures may simply collapse in the new border states, leading to more – instead of less – irregular movement between EU states."

Lubbers presented ministers with UNHCR's elaborated set of proposals, which envisage a flexible way of coping with this problem should it arise, and suggest a number of other concrete ways to boost the effectiveness of the EU's asylum harmonization process. These include measures to reduce misuse of the asylum system, without continuing the downward spiral of ever more restrictive asylum legislation that is impacting negatively on the ability of refugees – as opposed to other migrants – to find sanctuary in Europe.

The UN refugee agency's proposals, contained in a seven-page document that was circulated to governments just prior to the Dublin meeting, include the following key elements:

- The establishment of EU reception centres where the claims of certain categories of asylum-seekers can be processed by experienced teams of asylum assessors and interpreters drawn from across the EU.

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- The establishment of a burden-sharing system to distribute those people found to be refugees from the selected categories across the EU, rather than leaving them in large numbers in only a handful of states. Due attention would be paid to special links, such as family members already living in a particular country.
- The establishment of a collective EU system to promptly return those asylum-seekers judged not to be refugees or in need of other forms of international protection. This system would be based on readmission agreements negotiated by the EU as a whole with the countries of origin.
- The establishment of an EU Asylum Agency – and later an EU Asylum Review Board – to manage the new registration and processing systems and relieve the burden on individual states, as well as ensure that the responsibility for recognized refugees is shared equitably by all EU states.

“In short,” said Lubbers, “UNHCR is suggesting a progressive move towards centralized processing of certain categories of asylum-seekers in EU centres, rather than maintaining all refugee status determination at the national level. In this way, states can pool and share their expertise, and cut out time-consuming and expensive duplication of procedures, as well as reduce the ebb and flow of unmanaged movements. This would go hand-in-hand with continued efforts to increase the institutional and reception capacity in the new EU member states.”

Lubbers said that the complex package of plans could be introduced incrementally. He stressed that the UNHCR proposals are designed to complement the major harmonization programme set out by the 1997 Amsterdam Treaty

He also stressed that UNHCR’s EU proposal did not stand alone, but was part of a wider approach that also aims to improve the global management of refugee flows through a more sustained effort to improve protection and find and fund solutions in regions of origin. If the EU and regional approaches were successful, he said, it would be easier to streamline and improve individual national asylum systems, including ensuring that refugees not included in the categories selected for central EU processing have access to a fast, fair and efficient procedure.

“The EU cannot afford to view this issue through an entirely EU-centric lens,” he said. “The asylum-seekers are coming from troubled countries and regions. More attention should be paid to helping them there, through increased development and greater efforts to find local protection and solutions. Protection should be available where and when they most need it – generally at the earliest stage possible – so that fewer of these very vulnerable people feel the need to entrust their fate to unscrupulous gangs of human smugglers.”

Lubbers concluded by saying that he hoped the first phase of harmonized EU legislation would be finalized by mid-year. He said he hoped these UNHCR proposals would lay the basis for the second phase of harmonization and that they would contribute to “a truly common European approach to deal with irregular migration flows.”

- ***Ruud Lubbers press conference : Clarence Hotel, Dublin, at 14:45 today.***
- ***The full text of the UNHCR proposal can be found linked to this press release at www.unhcr.ch/news***

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