

**The Promise of Protection:
Progress towards a European Asylum Policy
since Tampere**



**KEY RECOMMENDATIONS
BY THE EUROPEAN COUNCIL ON REFUGEES AND EXILES**

Building a Common Asylum System

1. The building blocks of a common asylum system for the European Union, must fully reflect the principles and obligations of international human rights and refugee law and Europe's humanitarian traditions.
2. The foundation of a common asylum system must be a common understanding of who qualifies for international protection under the Refugee Convention and an EU-wide complementary protection scheme. The adoption of a common definition should precede an agreement on common standards for asylum procedures and reception conditions.
3. Harmonisation should be linked to measures to strengthen the institutional capacity of Member States with a less developed asylum infrastructure and candidate countries via more generous funding through the European Refugee Fund and the PHARE Programme.

Access to Protection

4. During the process of transposition of EU agreements into national legislation, Member States must reconcile the migration control measures agreed to date with their international legal obligations towards refugees and asylum seekers. The Tampere promise of guarantees to those who seek protection in or access to the European Union must be upheld.
5. A coherent approach must be adopted in the process of transposition of EU *acquis* to candidate countries that provides for a balance between humanitarian responsibilities, the enforcement of border controls and the fight against smuggling and trafficking.
6. ECRE calls for an open debate at EU level on the positive steps that need to be taken to ensure access to the European Union and thereby reduce the use of illegal immigration channels by people in need of international protection. This should include an EU commitment to participation in the UNHCR resettlement scheme and a careful consideration of other appropriate measures.

The Integration of Refugees

7. EU Member States should commit to gearing arrangements during the asylum determination phase to the eventual integration of those who are ultimately offered protection in the country of asylum. Given the impact of reception conditions on the long-term integration of those granted protection, efforts should be made to facilitate early access to the labour market for asylum seekers and guarantee their right to freedom of movement.

8. The socio-economic rights of persons granted a complementary form of protection should be at the same level as those afforded to Convention refugees.
9. The development of a tolerant inclusive society is a key prerequisite to the successful integration of refugees. Politicians and decision makers should provide political leadership and set the tone in public debate on tolerance and non-discrimination. The need for such political leadership is even greater since the events of September 11th.

Europe's Responsibility in the World

10. EU countries must use the opportunity of the Laeken Summit and the political will generated in the aftermath of the events of September 11th to urgently put into practice their commitment to a comprehensive approach to countries of origin. Such commitment should be reflected in a balanced approach to issues relating to Justice and Home Affairs co-operation, national security, foreign policy and humanitarian and development aid.
11. Future measures on co-operation with third countries should aim at addressing the root causes of voluntary and involuntary migration including poverty reduction, protection of human rights and promotion of democratic institutions.
12. The Member States need to recognise the global implications of their actions and ensure that common EU asylum policies serve to strengthen the global refugee protection system and responsibility sharing. Providing protection to refugees in the territory of the Union is an essential part of this.

The Process of Decision Making

13. ECRE urges the European Council to pay due attention to the views of the European Parliament. In the spirit of the Tampere Conclusions, it also calls on national parliaments to insist on greater scrutiny of their governments' positions taken in their name in the Council.
14. An open and informed dialogue with civil society should not be confined to the deliberations of the European Commission and Parliament but should involve input during the course of negotiations among Member States. The Council needs to ensure greater transparency in its work by making public the working versions of documents under discussion. Individual Member States should undertake to consult civil society and national refugee agencies on the positions they adopt during Council negotiations.
15. Governments must commit to setting meaningful standards that may require them to change their domestic legislation. Proposals currently on the table allow governments to operate higher standards than those agreed. This should be strengthened, so that governments pledge not to lower their existing national standards and not to rush towards the lowest common denominator during the process of negotiation of key asylum directives.

*European Council on Refugees and Exiles
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