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Assessing the need for a comprehensive review of the Dublin regulation and its implementation

Motion for a resolution

tabled by Mr Michele NICOLETTI and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Directive 2013/33/EU and Regulation (EU) No 604/2013, establishing the criteria and mechanisms for determining the member State responsible for examining an application for international protection lodged in one of the member States by a third-country national or a stateless person, make up the so-called “Dublin III” package, i.e. the set of legal instruments underpinning the Common European Asylum System that entered into force on 1st January 2014.

Several refugee protection agencies have pointed out that results have not been up to expectations. UNHCR noted that the need to reach compromise solutions on some critical aspects has undermined “the possibility to overcome a number of shortcomings and clarify some problematic and complicated provisions” and that “some of the articles pose serious problems of interpretation, notably on entry procedures for unaccompanied minors”.

77 European NGOs have prepared a report (AIDA 2013) highlighting major differences in 14 countries with respect to procedures, rights protection, integration services and the use of administrative detention for asylum seekers. Furthermore, while rules are becoming ever more complex, free legal assistance during the processing of cases is less and less ensured.

The Parliamentary Assembly has repeatedly criticised the “Dublin III system”, notably with respect to its implementation procedures, notably in its recent Resolution 2000(2014) and Recommendation 2047 (2014), based on a Report on “The large-scale arrival of mixed migratory flows on Italian shores”.

The Assembly should prepare a report on the main issues of the Dublin III system, so as to provide member States with a set of specific recommendations on how to improve its fundamental principles and its concrete implementation, taking into account the need to protect human rights and provide an effective response to the growing challenge of migration, which European societies are going to be confronted with both in the short and in the long term.

Signed (see overleaf)



*Signed*¹:

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EDG: European Democrat Group
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