

European Union Agency for Asylum

2016/0131(COD) - 11/11/2021 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Purpose and scope

The new regulation aims to improve the implementation of asylum policy in the EU by transforming the current European Asylum Support Office (EASO) into a fully-fledged agency.

The Agency should:

- help ensure the effective and **uniform application of EU asylum law in the Member States** in a way that fully respects fundamental rights;
- facilitate and support Member States' activities in the **implementation of the Common European Asylum System** (CEAS), with the aim of preventing or identifying possible weaknesses in Member States' asylum and reception systems, including by promoting convergence in the assessment of applications for international protection across the EU and by coordinating and enhancing practical cooperation and exchange of information;
- improve the functioning of the CEAS, including through a **monitoring mechanism** and by providing **operational and technical assistance** to Member States, in particular where their asylum and reception systems are under disproportionate pressure.

The amended text specifies that the Agency should, inter alia:

- assist Member States with receiving and registering applications for international protection;
- assist with the **relocation or transfer** of applicants or beneficiaries of international protection within the EU;
- assist Member States in identifying applicants requiring special procedural guarantees or those with special reception needs, or other persons in vulnerable situations, including unaccompanied minors.

Deployment of experts and asylum pool

The Agency should facilitate the deployment of experts to Member States that have requested operational support. The new legislation strengthens the Agency's support for cooperation between Member States and with third countries, thus also contributing to solidarity between Member States and to the EU's global external dimension.

The Regulation provides for the establishment of an **asylum reserve, which will consist of a pool of experts from Member States of at least 500 persons**, in order to ensure that experts are available for the asylum support teams and can be deployed immediately if needed.

Monitoring mechanism

The monitoring mechanism should be comprehensive and it should be possible to base the monitoring on information provided by the Member State concerned, the information analysis on the situation of asylum developed by the Agency, on-site visits, including short-notice visits, case

sampling and information provided by intergovernmental organisations or bodies, in particular the UNHCR, and other relevant organisations on the basis of their expertise.

The monitoring should in particular cover: (i) the mechanism for determining the Member State responsible for examining applications for international protection established by Regulation (EU) No 604/2013 (Dublin Regulation); (ii) international protection procedures, (iii) the application of the criteria for assessing the need for protection and the type of protection granted, including with regard to respect for fundamental rights, (iv) child protection mechanisms and the specific needs of persons in vulnerable situations.

The provisions of this Regulation relating to the monitoring mechanism are linked, inter alia, to the system for determining the Member State responsible for examining an application for international protection established by the Dublin Regulation. Since the system as established by that Regulation might change, it is deemed necessary to **defer the application of those provisions to a later date, namely 31 December 2023.**

Complaints mechanism

The Agency should set up a complaints mechanism under the responsibility of the Fundamental Rights Officer. This mechanism should ensure that **fundamental rights are respected** in all activities of the Agency.