

Asylum: Member State responsible for examining an application lodged by a third-country national

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This document comprises of the evaluation of Dublin Convention. The Convention determining the State responsible for examining applications for asylum lodged in one of the Member States in the European Communities was signed in Dublin on 15 June 1990 and came into force on 1 September 1997. The Convention lays down arrangements and deadlines for submitting the requests whereby Member States ask each other to take asylum seekers in charge or to take them back. 655 204 applications for asylum were made during the period 1998-1999. From a statistical point of view, the document underlines the small proportion of asylum applications which gave rise to a request to another Member State to take charge of/take back an applicant. While, in theory, every asylum application is examined, however briefly, in the light of the responsibility criteria in the Convention, only in 6% of cases does the Member State with which the asylum application is lodged request another Member State to take charge of/take back the applicant. The second immediate finding is the high success rate for requests addressed to other Member States under the Convention. Since the rate achieved is close to 70%, it may be concluded that, most of the time, requests are only submitted advisedly and that, generally, Member States examine the requests submitted to them by other Member States in good faith and in a positive frame of mind. The result is that in more than 95% of cases it is the Member State in which the asylum application is lodged which assumes responsibility for examining it. The third finding concerns the gap between the number of cases where a transfer has been agreed and the number of transfers actually carried out or recorded. The transfer of the asylum seeker is attested only in slightly less than 40% of cases; the proportion of "transferable" asylum seekers not transferred is thus 60%. Lastly, it seems that the number of asylum seekers actually transferred accounts for slightly less than 30% of those in respect of whom a request to take charge/take back is made, or for 1.70% of the total applications for asylum lodged in the 15 Member States. The document distinguishes two groups of States, Germany, Austria, Italy and France are clearly the States where the balance, in absolute terms, is the most unfavourable, followed by Spain, Greece, Portugal and Ireland. Belgium's situation is more difficult to determine, since that country records only a small number of transfers, all of them under escort. In the opposite camp, the United Kingdom, the Netherlands, Sweden and Denmark are clearly the Member States with the most favourable results as regards the balance of transfers.