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ANNEX 7

ANNEX

to the

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL**

**Managing the refugees crisis: immediate operational, budgetary and legal measures
under the European Agenda on Migration**

ANNEX VII

Implementing the Common European Asylum System

Since 1999, the EU has been working to create a Common European Asylum System (CEAS) and to improve the legislative framework.

EU rules have gradually been improved and strengthened, with the aim of setting out common high standards and stronger cooperation to ensure that asylum seekers are treated equally in an open and fair system — wherever they apply. The main components of the system are the following:

- the **Asylum Procedures Directive** harmonises asylum procedures and aims at fairer, quicker and better quality asylum decisions;
- the **Reception Conditions Directive** ensures that there are humane material reception conditions (such as housing) for asylum seekers across the EU and that the fundamental rights of the persons concerned are fully respected;
- the **Qualification Directive** clarifies the grounds for granting international protection;
- the **Dublin Regulation** contains the rules establishing the state responsible for examining asylum applications ;
- the **Eurodac Regulation** establishes the Eurodac system in order to allow comparison of fingerprints with the aim of assisting the application of the Dublin Regulation;

These rules are complemented by legislation on legal and irregular migration:

- the **Return Directive** provides for common rules for the return and removal of the irregularly staying migrants;
- the **Long Term Residence Directive** which covers the conditions for awarding long-term resident status to non-EU nationals.

In line with the principles of solidarity and responsibility, Member States must guarantee the same level of protection to persons in need of international protection. They must also apply an effective return policy. Systematic deficiencies in one or more Member States have an impact on the whole Union.

The Commission has launched 37 infringement procedures against 19 Member States for failing to transpose into national law, by July 2015, the new EU Directives making up the Common European Asylum System. The Commission also decided to continue infringement proceedings against two Member States for non-transposition of the Qualifications Directive. This legislation forms a coherent whole, designed to guarantee fair and consistent implementation of the asylum rules across the Member States.

By the same token, the failure to implement this legislation has a corrosive effect on the overall efficiency of the system. The Commission therefore decided to continue infringement proceedings against one Member State for bad application of the asylum acquis.

Finally, the Commission has recently sent requests of information to Member States in eight cases and will continue pursuing swiftly and effectively infringement procedures, where necessary, in order to ensure full compliance with the asylum acquis, the fingerprinting Regulation and the return Directive.

	Asylum Procedures Directive 2013/32/EU	Reception Conditions Directive 2013/33/EU	Qualifications Directive 2011/95/EU	EURODAC Regulation EU/603/2013	Return Directive 2008/115/EC
	Stage of Process	Stage of Process	Stage of Process	Stage of Process	Stage of Process
Austria		<i>LFN sent for non-communication of transposition</i>			
Belgium	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Bulgaria	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>	<i>RO sent for non-communication of transposition</i>		
Cyprus	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>		Administrative letter sent requesting clarifications on application	
Croatia					
Czech Republic	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Denmark	N/A	N/A	N/A		
Estonia	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Finland					
France	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Germany	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>		Administrative letter sent requesting clarifications on application	Administrative letter sent requesting clarifications on application
Greece	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>		Administrative letter sent requesting clarifications on application	Administrative letter sent requesting clarifications on application
	<i>Second additional LFN sent for bad application</i>				
Hungary	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>		Administrative letter sent requesting clarifications on application	
Ireland	N/A	N/A	N/A		N/A
Italy				Administrative letter sent requesting clarifications on application	Administrative letter sent requesting clarifications on application
Latvia	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Lithuania	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Luxembourg	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Malta	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Netherlands					
Poland	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Portugal					
Romania	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Slovakia					
Slovenia	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
Spain	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>	<i>RO sent for non-communication of transposition</i>		
Sweden	<i>LFN sent for non-communication of transposition</i>	<i>LFN sent for non-communication of transposition</i>			
United Kingdom	N/A	N/A	N/A		N/A

40 new decisions

*LFN = Letter of Formal Notice
RO = Reasoned Opinion*