

JOINT COMMUNIQUÉ

of the Ministers and State Secretaries of Interior and/or Migration
of the Republic of Austria,
the Kingdom of Belgium,
the Kingdom of Denmark,
the French Republic,
the Federal Republic of Germany,
the Kingdom of the Netherlands,
the Swiss Confederation

March 8, 2023

The participants:

Underlined, in the light of the asylum and reception challenges the Schengen area currently faces, the need to effectively contain uncontrolled migration movements. They expressed their ongoing concerns on the current state of the Common European Asylum System (CEAS) and in particular of the Dublin system.

The participants stressed that a better functioning current system, in a context of responsibility sharing, solidarity, sincere cooperation and application of the existing legislation can help to create the mutual trust allowing for the much needed structural reforms of the system.

The participants therefore exchanged views on progress on the implementation of the Dublin roadmap, and on specific operational and political bottlenecks. They explored possible solutions and actions to be taken towards a fully functional Dublin system and reaffirmed their commitment to structurally reform the CEAS with the aim of reducing irregular flows, fostering quick asylum decisions and returns and providing for a much stronger and balanced responsibility and solidarity system, in full respect of all international obligations and human rights.

They specifically discussed the following areas:

1. Strengthening the current Dublin framework

The implementation of the Dublin rules has, especially in the context of increased arrivals to the Schengen area across all routes as well as challenges in the asylum systems of several Dublin States, become more and more complex and consequently inefficient in practice.

The participants agreed that the resulting implementation gap affects both the Dublin States spending considerable resources and efforts enforcing EU law, and asylum seekers in need of clarity about their individual rights, obligations and status, and ultimately constitutes a risk that public trust in European solutions may weaken.

They therefore reiterated the necessity of applying the existing rules in good faith to provide for the necessary conditions to allow Dublin transfers according to the existing standards and commended the work already done on this by the Commission in the context of the Dublin Contact Committee.

The participants welcomed the ministerial discussion of the implementation of the Dublin Roadmap on the upcoming JHA Council, as progress is conditional upon political commitment of all Dublin States. This initiative can only be effective with the full commitment of all States concerned.

The participants stressed the importance of the continuous monitoring of the implementation of the Roadmap, as provided for in the annexed timeline, so as to address bottlenecks. In order to keep political commitment, they agreed it would be helpful if the Commission were to develop regular overviews on the implementation of the Roadmap and correspondingly on the asylum and reception situation in the Dublin States, to be discussed on a regular basis at JHA Councils. They are convinced that these regular updates would permit to steer the general improvement of the implementation of the relevant regulation and to collectively overcome impediments and to share good practices between States.

Additionally, they called on the Commission and relevant agencies to provide technical assistance to Dublin States when requested, to improve asylum and reception conditions where necessary for the implementation of swift Dublin transfers to all Dublin States without technical restrictions and delays.

Finally, they recommitted to addressing possible shortcomings identified in the assessment of their own national Dublin systems.

2. Improving the future framework

The participants reaffirmed their commitment to swift progress in the European negotiations on the reform of the Dublin system, especially through the Asylum Migration Management Regulation (AMMR) and the Asylum Procedures Regulation (APR). The participants commended the Presidency on the steady progress in the discussions so far, also focusing on responsibility elements needed for the functioning of a future system.

The participants reiterated that these negotiations should lead to a future-proof and workable system with clear criteria and balanced mechanisms for determining the Member State responsible for examining an application for international protection. The goal of the reformed system should be to discourage absconding or irregular migration movements between Dublin states by limiting shifts in responsibility once established, while providing for a solidarity mechanism to share the responsibilities between all Member States. To this aim, swift and simplified determination procedures are essential.

Moreover, as a functioning Dublin system is contingent on effective border management and proper registration, the participants called for a swift adoption of the Eurodac and Screening regulation to better manage migration flows to Europe, to curtail movements between Dublin states, and to facilitate solidarity.

The participants stressed that working together in a spirit of mutual trust and sincere cooperation is and will be key for the implementation of any current or future legal system. They are convinced that where Dublin States are willing to work together, progress on both current and future systems is possible.