

Scottish Refugee Council Press Release



30th June 2006

REFUGEES AT RISK IN EUROPE

Scottish Refugee Council and European partners challenge 'Dublin Rules'

Scottish Refugee Council and partner organisations from the European Council on Refugees and Exiles (ECRE) have warned that the European asylum system puts lives at risk and is causing unnecessary suffering.

Refugee assisting organisations from over 30 European countries have signed a letter urging Franco Frattini; EU Commissioner for Justice, Freedom and Security, to address the 'serious shortcomings' of the current system known as the 'Dublin rules'. These were introduced in 2003 and are due to be reviewed later this year.

Under the rules, people fleeing persecution are required to claim asylum in the first European country they reach, which then becomes responsible for processing their asylum claim. This does not take account of the fact that a person's chance of being granted asylum varies hugely from one EU country to another. As well as being unfair, the rules are inefficient, resource-intensive and an obstacle to genuine sharing of responsibility between European states.

Scottish Refugee Council Chief Executive and Vice Chair of ECRE, Sally Daghlian, said:

"We are asking the Commissioner to ensure that European states do not shirk their responsibilities to refugees. It cannot be right for the success of a person's asylum claim to depend upon which EU country they make their application in. This turns the exercising of a human right into a lottery. Where is the justice in that? The EU must find a fairer, more humane and workable alternative."

The letter draws the Commissioner's attention to the findings of ECRE's report on the operation of the Dublin rules. This shows that some states are denying access to a full asylum procedure to individuals transferred under the Dublin system, placing them at risk of being returned to their home countries to face persecution

Among ECRE's recommendations to Commissioner Frattini are proposals to:

- Guarantee access to a full and fair procedure for all asylum seekers transferred under the Dublin II Regulation.
- Better ensure the reunification of family members under Dublin II
- Exempt separated children from transfer under Dublin II except to allow them to join other family members provided this is in the best interests of the child.
- Ensure that all Dublin II applicants receive adequate reception conditions and are only ever detained as a last resort.

For further information please contact Andrew Dougal, Press & Communications Officer, Scottish Refugee Council on 0141-223-7927, mobile 07734-030-763 or email Andrew.dougal@scottishrefugeecouncil.org.uk

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Notes to Editors:

1. *The Way Forward* was launched in Scotland at the Conference of the European Council on Refugees and Exiles (ECRE), 18-19 May 2006, in Glasgow. A copy can be downloaded from the Scottish Refugee Council website at <http://www.scottishrefugeecouncil.org.uk/pub>
2. **The European Council on Refugees & Exiles (ECRE)** is a pan-European network of refugee-assisting non-governmental organisations. It is concerned with the needs of all individuals who seek refuge and protection within Europe and aims to promote the protection and integration of refugees in Europe based on the values of human dignity, human rights, and an ethic of solidarity.

ECRE seeks to achieve this aim by:

- Advocating a humane and generous European asylum policy and by promoting the development of a comprehensive and coherent response by the international community to refugee movements.
 - Strengthening networking between refugee-assisting non-governmental organisations in Europe.
 - Developing the institutional capacity of refugee-assisting non-governmental organisations in Europe.
3. The ECRE letter to Commissioner Frattini, 27 June 2006, is available at www.ecre.org
 4. A Summary Report on the Application of the Dublin II Regulation in Europe, ECRE/ELENA, March 2006 is available at www.ecre.org
 5. The Dublin II Regulation replaced the Dublin Convention and came into force in September 2003. It is a mechanism for allocating responsibility to a single Member State for processing an asylum claim. It establishes a hierarchy of criteria for identifying the responsible Member State and aims at ensuring that every asylum claim within the EU is examined by a Member State as well as preventing multiple asylum claims. It works in conjunction with EURODAC, a central database containing fingerprints of all individuals entering and lodging asylum applications within the EU.