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DUBLIN 3.0: REINFORCING THE 'UNCOMMON' EUROPEAN ASYLUM SYSTEM?

The newly adopted EU Regulation in the light of the Syrian Refugee
Crisis

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Abstract

In the light of the current Syrian refugee crisis, this thesis analyses the impact of Dublin III, real cornerstone of the Common European Asylum System, on both European Union Member States with external borders and on the level of protection offered to Syrians.

Notwithstanding the recast of Dublin II was eagerly awaited by Member States for the determination of only one single member state responsible for the examination of a third country national application, the controversial criteria of irregular crossing of borders was reintroduced in Dublin III.

This research argues that without legal routes opened to asylum seekers, although legally recognising the right to asylum, in practice the EU and its Member States 'encourage' refugees to undertake dangerous routes to reach EU territory. In spite of their international obligations, relying on a more general EU external asylum policy, EU Member States seem to turn a blind eye on the fate of asylum seekers trying to reach European Union' territory.

Finally my work argues that the Syrian refugee crisis does not represent a 'new' insurmountable challenge for the EU, besides the EU has got now all 'instruments' to face a refugee crisis except the political willingness to resort to them. Hence, my conclusion is that 'uncommon' asylum policies vis-à-vis Syrians ultimately continue to affect the principle of solidarity between EU Member States, despite the declared aim to harmonise their policies.

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