



**Building a Europe of Asylum:  
Summary of UNHCR's Recommendations to France  
for its European Union Presidency  
July – December 2008**

UNHCR welcomes the French Presidency's focus on "building a Europe of asylum" as one of its priorities. In this context, UNHCR has eleven recommendations for ensuring that forthcoming asylum initiatives are based on a "full and inclusive application" of the 1951 Convention on the Status of Refugees, which is an integral part of the EU's asylum *acquis*. These are summarized below:

1. UNHCR calls on the French Presidency to ensure that EU measures to combat **irregular migration and human trafficking** incorporate refugee protection safeguards, to ensure access to EU territory and to asylum procedures for persons seeking international protection.
2. The European Commission's **monitoring role with respect to asylum law and practice** should be strengthened, to ensure adequate assessment of the transposition and implementation by Member States of the first phase asylum instruments. The Council, under France's leadership, should consider **quality assurance mechanisms for asylum decision-making**, to narrow the gap between international and regional law, and the practice of Member States.
3. With respect to proposals expected from the European Commission to amend the **Dublin and Eurodac Regulations**, France is encouraged to lead discussions to ensuring that the system does not deny asylum-seekers a fair determination of their claims, nor the exercise of other basic rights. Changes should also seek to address particular pressures on certain Member States which result from application of the Dublin system.
4. UNHCR urges the French Presidency to support amendments to the **Reception Conditions Directive** to define more clearly the entitlements of all asylum-seekers --including those in detention or subject to the Dublin Regulation-- to adequate reception standards, and to ensure these are effectively available in all Member States.
5. UNHCR urges the Presidency to address the **serious discrepancies in asylum determination** practices among Member States, to make sure that asylum-seekers

- receive a fair examination of their claims, regardless of where in the EU or at its borders they are presented. Amendments will also be required in future to the **Qualification Directive**, to bring it in line with international norms.
6. In advance of the European Commission's proposals for amendment to the **Asylum Procedures Directive**, UNHCR encourages the French Presidency to promote examination and correction of those aspects of the Directive which impede fair and efficient asylum processes.
  7. UNHCR urges the French Presidency actively to promote the development of a **European Asylum Support Office**, with a substantive and well-defined role for UNHCR within that Support Office in view of UNHCR's mandated functions.
  8. Member States, including France, are encouraged to expand their contribution to worldwide **refugee resettlement** efforts, including through creation of more resettlement places in the EU.
  9. UNHCR supports French Presidency's commitment to integration and, in particular, to measures to support the integration of refugees and subsidiary **protection beneficiaries** in EU Member States. UNHCR believes that extending the scope of the **Directive on the Rights of Long Term Residents** to include both groups, and providing family reunification rights to subsidiary protection beneficiaries, would facilitate integration.
  10. UNHCR encourages the Council, under the French Presidency's leadership, to continue to support programmes to **build refugee protection capacity in third countries**, while demonstrating leadership and solidarity by preserving and strengthening the EU's own asylum system.
  11. In view of forthcoming EU-Africa Ministerial Conference, and other relevant regional forums, UNHCR urges awareness of the need for comprehensive approaches to **migration and development** to address the situation of people who have been compelled to leave their countries owing to persecution, conflict or human rights violations.

UNHCR  
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