



## PRESS RELEASE

### **SVR on EU asylum policy: Jointly implement the CEAS reform swiftly and in line with human rights, keep the debate objective and goal-oriented**

**The new European Commission will take up its work on 1 December 2024. Dealing with migration and refugees will also be on the agenda. Will the reform of the Common European Asylum System (CEAS) be implemented jointly or will the member states continue to go it alone at national level? In a position paper, the Expert Council on Integration and Migration (SVR) comments on the implementation of the CEAS reform and the current debate and addresses its recommendations for the EU legislative period 2024 to 2029 to the European institutions and those responsible at federal level in Germany.**

**Berlin, 28. November 2024.** "The European Union is at a crossroads: will it take the path towards a Europe of solidarity and implement European asylum policy collectively or is there a threat of further renationalisation of asylum policy? This could lead to the final collapse of the CEAS, resulting in a loss of confidence in the EU's ability to act in this important policy area. This also harbours the risk of renationalisation in other policy areas, which would jeopardise cohesion within the EU," says Professor Hans Vorländer, Chairperson of the SVR. He refers to the developments of recent months: "If declarations of emergency, border controls or opt-outs by member states acting alone become widespread, a domino effect could occur." The SVR therefore urges that the CEAS reform, which was agreed after a long period of tough negotiations, should now be implemented quickly and consistently across the EU. In particular, the introduction of a better division of responsibility is one of the fundamental new governance mechanisms and addresses a long-standing deficit. "Renegotiating the recently adopted migration and asylum package would further delay the now urgent implementation and would be the worse alternative. It would be a rupture of historic proportions and have unforeseeable consequences," says Professor Vorländer.

In the opinion of the SVR, the way in which this complex issue is currently being discussed in the EU is not helpful in finding solutions. "The answer to dwindling support among the population is not further fuelling fears and rejection of refugees. An escalation in the public debate does not solve any problems, but rather damages social cohesion. A 'competition' between member states for the toughest measures is not a constructive contribution to common solutions," says Professor Vorländer.

"The goal, as simple as it is fundamental, is to manage migration as sustainably as possible while complying with common law. Sustainable migration management in Europe, especially in the area of asylum, is only possible in a coordinated manner; national measures are not enough here. There is a lot at stake: Europe's protection, human rights and humanitarian responsibilities as well as central pillars of European integration such as the rule of law, freedom of movement and solidarity," the SVR Chairperson summarises the Expert Council's position paper.

The SVR believes that it is primarily up to the member states to implement the reform package quickly and comprehensively, with Germany setting a good example here, where the Federal Government has already approved a draft. The SVR Chairperson explains: "Implementation in Germany and the other member states must be balanced and comprehensive. It would be problematic to cherry-pick, with states prioritising restrictive elements and overstretching legal leeway in a restrictive direction, while neglecting the protection and procedural guarantees for the persons affected by the regulations. The SVR recommends that the new European Commission accompany the implementation process and the



challenges and conflicts of interest that inevitably arise in the process with strong and inclusive leadership while sanctioning violations of the law more consistently than in the past.

The SVR is sceptical about the outsourcing of asylum and return procedures to third countries, which is being discussed at European level and in Germany. "There are far more arguments against the idea of outsourcing than in favour of it. The proposals to date raise considerable legal, political and operational questions," says Professor Vorländer. "For example, the principle of non-refoulement enshrined in the Geneva Refugee Convention must be observed. There must also be no collective expulsion. There are obligations under international law that must be honoured. A mere outsourcing of procedures and the granting of protection would also permanently undermine the EU's credibility in matters of human and refugee rights. If the EU turns its back on international refugee protection, it will be much more difficult in future to motivate other states to play their part.

Instead, the SVR recommends more and better migration agreements. The means of choice for this is a migration policy based on partnership, which must find a balance between migration control and immigration opportunities and address the respective interests of the partner countries. "Improved co-operation in the area of migration management and return policy must therefore be accompanied by opening up legal channels in the area of labour migration and migration for the purpose of education and training," says the SVR Chairperson.

The position paper "Strengthening solidarity and the rule of law: Implementing the common asylum policy and putting the facts back into the debate" can be downloaded here:

<https://www.svr-migration.de/en/publication/position-paper-on-eu-asylum-policy/>

The press release is available for download under this link:

<https://www.svr-migration.de/en/press/svr-on-eu-asylum-policy/>

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### **About the Expert Council**

The Expert Council on Integration and Migration is an independent and interdisciplinary body providing research-based policy advice. Its reports aim to assist those bodies responsible for integration and migration policy, as well as the general public, in their opinion-forming processes. The interdisciplinary Expert Council comprises a total of nine Researchers: Prof. Dr Hans Vorländer (Chairperson), Prof. Dr Birgit Leyendecker (Deputy Chairperson), Prof. Dr Havva Engin, Prof. Dr Birgit Glorius, Prof. Dr Marc Helbling, Prof. Dr Winfried Kluth, Prof. Dr Matthias Koenig, Prof. Sandra Lavenex, Ph.D., Prof. Panu Poutvaara, Ph.D.

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