Going Beyond the Discourses on Common European Asylum System

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The notion of common asylum polices first emerged within the European Union (EU) through the Maastricht Treaty which promoted the intergovernmental cooperation on Asylum procedures. This concept became more dominant after the establishment of Common European Asylum System (CEAS) in 1999. With the eruption of Syrian refugee crisis, EU encountered adverse outcomes of divergent border control polices of member states. It is a well-known reality that the border controls are prerequisites for territorial identity of states. In this milieu, the backbone of CEAS namely Asylum Procedure Directives (APD) and the Dublin regulations stipulate the fact that claims of the asylum seekers should proceed within the first EU country where they initially arrived. This has led to push back asylum seekers to frontline states like Greece and Italy where they first entered during their journey. In contrast, countries like Germany has opened borders for all refugees who come through Greece and Balkan states. On the other hand, the concept of Safe Third Countries (STC) that comes under CEAS, has provided an opportunity for member countries to deport refugees to another country. These realities have resulted in creating a massive burden for frontline states. In this regard, as states are getting an opportunity to send these asylum seekers to frontline states under CEAS, an unequal burden sharing mechanisms have been established within the union. Grounded on this setting, main objective of this study is to examine the lapses of the CEAS by using the Qualitative research method. The theories including realism and neo realism will be also employed in this study. Finally, this study concludes that CEAS cannot be recognized as an effective method to address ongoing refugee crises within the EU.

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