



## EUROPEAN COMMISSION

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*Mr Richard FERRAND  
President of the  
Assemblée nationale  
Palais Bourbon  
126, rue de l'Université  
F – 75007 PARIS*

*Dear President,*

*The Commission would like to thank the Assemblée nationale for its Opinion on the reform of the European right to asylum, adopted on 30 November 2019.*

*Since the adoption of the European Agenda on Migration<sup>1</sup> in 2015, the Commission has been working to implement measures to address both immediate and long-term challenges of managing migration flows effectively and comprehensively.*

*Notwithstanding the significant progress that has been made in the development of the current European Asylum System, there are still notable differences between Member States' asylum and reception systems, ultimately leading to an uneven distribution of the responsibility among Member States to offer protection to those in need.*

*In April 2016, the Commission set out its priorities for a structural reform of the Common European Asylum System in its Communication "Towards a reform of the Common European Asylum System and enhancing legal avenues to Europe"<sup>2</sup>. Further to this Communication, in May and July 2016, the Commission presented a package of seven legislative proposals designed to reform the Common European Asylum System (the Dublin Regulation, the Eurodac Regulation, the Asylum Procedure Regulation, the Qualification Regulation, the EU Asylum Agency Regulation, the Reception Conditions Directive and the Union Resettlement Framework Regulation).*

*To date, despite significant efforts on all sides, the co-legislators have not been able to reach an agreement on these legislative proposals, mainly due to diverging views on the Dublin reform and the Asylum Procedure Regulation in the Council.*

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<sup>1</sup> COM(2015) 240 final

<sup>2</sup> COM(2016) 197 final.

*Upon taking office, President von der Leyen therefore proposed a fresh start through a New Pact on Migration and Asylum. The New Pact on Migration and Asylum, announced in the Political Guidelines<sup>3</sup> will set out a comprehensive and sustainable approach and establish a future-proof migration management system, including legal pathways and the integration of third-country nationals.*

*The Commission is pleased that the Assemblée nationale supports a comprehensive reform of the EU asylum system, in particular the objectives of establishing common standards and procedures through Regulations, of further harmonising reception conditions that safeguards the rights of asylum applicants, and the creation of a European Union Agency for Asylum that is more operational. The Commission agrees that a fair sharing of responsibility is needed in order to support Member States that, due to their geographical position, are placed with a higher burden on their asylum and reception systems. The Commission also agrees that such support must include the relocation of persons in need of international protection.*

*The Commission welcomes the view that the resources deployed to return rejected asylum seekers must be enhanced: the new mandate of the European Border and Coast Guard Agency should be seen also in this light, as it significantly increases the powers and resources of the Agency for assisting Member States in carrying out returns.*

*The preparation of the New Pact will necessitate intense discussions in many areas, including on the situation of unaccompanied minors, and the use of border procedures, while ensuring compliance with fundamental rights and the safe country concepts. In this respect, the Commission takes note of the opposition of the Assemblée nationale of the possibility to return an asylum applicant to a safe third country through which the applicant has transited. At the same time the Assemblée nationale is in favour of exclusive EU lists of safe countries of origin to which national additional list could be added.*

*The Commission continuously monitors migration trends in countries that have obtained visa-free access to the EU through a visa liberalisation dialogue (Western Balkan and Eastern Partnership countries) as provided by the Visa Suspension Mechanism Regulation 2018/1806. The asylum applications are one of the issues on which the EU and the Member States are cooperating closely with the visa free third countries concerned.*

*The Commission supports the development of safe and legal humanitarian pathways to the EU for persons in need of international protection, notably resettlement and private sponsorship. To date, over 65 000 persons have been resettled to the EU in the context of ad hoc resettlement schemes implemented since 2015. The Commission has repeatedly called on the European Parliament and the Council to quickly adopt the 2016 proposal for a European resettlement framework.*

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<sup>3</sup> [https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission_en.pdf)

*The Opinion of the Assemblée nationale has been shared within the Commission with all involved in the the preparation of the New Pact.*

*The Commission hopes that the clarifications provided in this reply address the issues raised by the Assemblée nationale and looks forward to continuing our political dialogue in the future.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*

*Ylva Johansson  
Member of the Commission*