

# **THE INEFFECTIVENESS OF EU'S COMMON EUROPEAN ASYLUM SYSTEM (CEAS) IMPLEMENTATION IN ADDRESSING ASYLUM SEEKERS PROBLEMS IN EUROPE 2015-2021**

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## **ABSTRACT**

This study analyzes the extent of the effectiveness of the implementation of the Common European Asylum System (CEAS) as an asylum policy that the European Union applies to its member states. The European Union, as an international institution, adopted the policy of the 1951 Geneva Convention contained in the CEAS. CEAS did not arise out of thin air but rather developed on the basis of political decisions taken by supranational institutions and member states responsible for its implementation. In its implementation, CEAS is considered to be less effective due to different standards and concerns in each EU member state. The research objective in this study is to analyze the effectiveness of CEAS implementation in addressing asylum issues in Europe. The international regime is the analytical tool used by the authors in this study. The method used in this study is a qualitative method. According to the findings of this study, CEAS is still ineffective. The ineffectiveness of CEAS is caused by the large indications of problem malignancy factors compared to problem solving capacity in CEAS, which can be an impediment in dealing with asylum issues in Europe.

**Keywords: CEAS, European Union, Asylum Seeker, International Regime**

## **I. INTRODUCTION**

The Common European Asylum System (CEAS) is a legal and policy framework developed to guarantee aligned and uniform standards for people seeking international protection in the European Union. This is based on the understanding that the European Union is an open border area with freedom of movement everywhere and shares fundamental values. CEAS emphasizes the shared responsibility of processing international protection applicants in a dignified manner and ensures they receive fair treatment in accordance with procedures in the Common European Asylum System (CEAS).

The CEAS policy was established by the European Commission as a European executive body within the framework of the Justice and Home Affairs (JHA) pillar, which is one of the three pillars of cooperation that have been the main foundation of the establishment of the EU organization since 1993. This pillar of cooperation was specifically established to handle cooperation in the fields of civil and criminal law, border control, drug traffic control, police cooperation, information exchange, and especially immigration policy and asylum, with the aim

that all member states take responsibility for the protection of asylum seekers.<sup>1</sup> This policy has been implemented in the European Union since 1999 as evidence of its participation in solving global problems. The issue of asylum seekers is not new to the European Union. Europe has a long history of asylum seekers, which began in 1985 with a large wave of asylum seekers in Europe, and increased by approximately 697,000 with the end of the Cold War.<sup>2</sup> With the rise of asylum seekers in Europe, this has become a significant issue on the EU agenda.

The European Union, as a supranational organization, makes its member states align their common political interests and cannot determine political actions that are contrary to mutual agreement, whether in the economy, security, politics, legal order, or humanitarian cases, especially with this CEAS policy. The Common European Asylum System (CEAS) was established to ensure that every member state of the European Union can protect the basic rights of asylum seekers. Therefore, CEAS establishes clear minimum standards and procedures for processing and producing decisions on each asylum seeker's application and is supported by a clear and appropriate treatment of international law for every asylum seeker. Asylum seekers are people who have left their country to seek refuge from violence or persecution but have not been legally recognized as refugees. Asylum is a basic right and an international obligation for states, as set out in the 1951 Geneva Conventions.<sup>3</sup>

The Common European Asylum System (CEAS) consists of five main laws, namely the Asylum Procedure Directive, the Reception Condition Directive, the Qualification Directive, the Dublin Regulation, and the Eurodac Regulation. The law sets general standards in asylum decision-making and admission conditions, as well as ensuring that asylum seekers have access to international protections and making member states aware of their responsibility to examine asylum claims. In 2015, the asylum and national admissions systems in European Union countries saw an uneven increase. This has presented challenges and opportunities for EU member states. In 2014, the number of asylum seekers reached 562,680 and doubled in 2015 to 1,255,640. Of the number of asylum seekers in Europe, there are three main asylum-seeking countries: Syria, Afghanistan, and Iraq.<sup>4</sup>

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<sup>1</sup>EASO, *An Introduction to the Common European Asylum System for Courts and Tribunals*.

<sup>2</sup>Connor, "Number of Refugees to Europe Surges to Record 1.3 Million in 2015."

<sup>3</sup>Ireland, "What Is the EU's Common European Asylum System?"

<sup>4</sup>Eurostat newsrelease, "Asylum in the EU Member States: Record Number of over 1.2 Million First Time Asylum Seekers Registered in 2015."

With the immigrant crisis in 2015, the weaknesses of CEAS were revealed. The purpose of CEAS is to ensure that EU member states have a shared responsibility to welcome asylum seekers. However, some member states, such as Italy and Greece, are experiencing a greater flow of asylum seekers than others due to their geographical proximity to asylum seekers coming to Europe via Turkey and Libya. Italy and Greece, which are located in coastal areas, make it easier for asylum seekers, causing many countries to have more asylum applicants than other countries. This puts most of the responsibility on Italy and Greece for processing asylum claims due to the existence of the Dublin Regulation. The Dublin regulation was adopted in 2003 and stipulates that the member states where asylum seekers first enter the EU are responsible for examining their asylum claims. With the crisis that occurred in 2015, the European Union issued a new policy, namely the quota sharing policy. However, this policy is unacceptable to all EU member states, especially the Visegrad Group countries. The Visegrad Group is an alliance of four Central European countries, namely Poland, Slovakia, the Czech Republic, and Hungary. Visegrad countries, especially Hungary, see that the quota system proposed by the European Union is a danger to their country's national security, plus the increasing number of asylum seekers will make it difficult to implement. Evidence of Hungary's rejection can be seen in the closure of its external borders and the fact that it is not receiving variable quotas for the relocation of migrants from Greece and Italy.

The obligation to implement a policy to accept asylum seekers within the framework of CEAS has not been complied with by European Union member states. Although CEAS has reformed, it has not been able to force EU countries to adopt a harmonious foreign policy in order to address the asylum problem, especially during the immigrant crisis. This is because each country's national policies are sometimes inconsistent with the EU's views, causing the number of asylum seekers in EU members to be uneven.<sup>5</sup> In 2021, there were 140 asylum-seeking countries with 632,300 asylum applications. This year's COV has increased by 34% compared to 2020 and is lower than in 2019 before the COV. In 2021, there were 183,600 people seeking asylum under the age of 18; nearly 13% of those, around 23,300, were unaccompanied children from Afghanistan, Syria, and Bangladesh.<sup>6</sup>

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<sup>5</sup>Human Rights Watch, "EU: Decisive Moment for Migration Policy Summit Should Reject Offshore Processing of Asylum Seekers."

<sup>6</sup>State and State, "Statistics on Migration to Europe Overall Figures of Immigrants in European Society All Valid Residence Permits at the End of 2021 by Reason Refugees from Ukraine."

The issue of asylum seekers remains a crucial one today, especially in the European Union region. With the Common European Asylum System as the European Union's policy in handling asylum seekers, it has complexities starting with conflicts between member states or obstacles in its implementation. Therefore, the author is interested in analyzing the extent of the effectiveness of the implementation of the Common European Asylum System (CEAS) policy in overcoming the problem of asylum seekers in Europe in the 2015–2021 period. This research is interesting to discuss because the issue of asylum seekers is a fairly serious one, and the handling of asylum seekers must be carried out optimally so that in the future this problem will no longer be a problem in the European Union.

## **II. METHODS**

This study, entitled "Ineffectiveness of the Implementation of the Common European Asylum System (CEAS) of the European Union in Handling the Problem of Asylum Seekers in Europe in 2015–2021," is an analytical descriptive research that uses a qualitative approach. The research conducted focuses more on meaning and understanding. This method will later help the author see and explain the ineffectiveness of the CEAS implementation applied by the European Union to its member states and what obstacles are faced in implementing the CEAS policy.

Data collection techniques used in this study are literature research, which includes reviewing and studying a number of national and international journals, books, articles, and newspapers. This is done to clarify the analysis. There are two types of document survey data collection: primary and secondary sources. In this study, the author uses qualitative research analysis techniques to analyze the problems that are the topic of her research. According to James P. Spradley, there are four stages in analyzing qualitative data: domain analysis, taxonomic analysis, componential analysis, and cultural theme analysis.

## **III. RESULT AND DISCUSSION**

### **Ineffectiveness of the Common European Asylum System (CEAS)**

The Common European Asylum System is a legal and policy framework developed to ensure harmonized and uniform standards for people seeking international protection in the European Union. The European Union as a region with open borders and freedom of movement with the same fundamental values needs to have a common approach to implementing transparent,

effective, and fair procedures.<sup>7</sup>The Common European Asylum System (CEAS) sets common standards and cooperation to ensure that asylum seekers are treated in an open and fair system. This system is governed by five legislative instruments and one institution, namely:

**a) Asylum Procedure Directive**

The Asylum Procedure Directive has the main objective of establishing general standards of protection and assurance to ensure access to fair and efficient asylum procedures. Asylum seekers with special needs receive the necessary support to explain their claims, in particular the protection of unaccompanied minors and victims of torture. By looking at asylum travel to Europe to seek refuge, we see that it has passed through places that endanger the safety of their lives. This can be seen in the previous explanation of the asylum travel route to Europe, which resulted in 1,344 deaths and disappearances, 5,765 people arrived in Greece by sea, 45,048 people arrived in Italy by sea, and 302 people arrived in Cyprus by sea, consisting of women and minors. With this, it is necessary to protect asylum seekers in reaching European territory.

In 2019, 53,462 asylum seekers have reached the Aegean Sea from Turkey, with 34,400 women and children trapped in dire conditions that have reached crisis point. Under a detention policy in place since the March 2016 EU-Turkey agreement, Greek authorities are restricting asylum seekers on the Aegea islands until their asylum claims are decided, which could take months or even years.<sup>8</sup>

With the increasing death toll at sea and several human rights violations reported by some humanitarian organizations, it has shown that CEAS does not control the mitigation of asylum seekers well, plus some member states lack cooperation in handling asylum issues in Europe, which shows the ineffectiveness of the Common European Asylum System (CEAS) regime.

**b) Reception Condition Directive**

The Reception Condition Directive establishes minimum general standards of living conditions for asylum applicants and ensures that they have access to housing, food, employment, and health care. This is done to ensure they get a dignified standard of living in accordance with the Basic Charter of Rights. With the above explanation of the Reception Condition Directive, which ensures that asylum seekers have access to health, food, and shelter, it is in fact incompatible

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<sup>7</sup>EASO, *An Introduction to the Common European Asylum System for Courts and Tribunals*.

<sup>8</sup>Watch, "Greece: Camp Conditions Endanger Women, Girls Asylum Seekers Lack Safe Access to Food, Water, Health Care."

with the conditions experienced by asylum seekers in Camp Moria, Greece. Moriah's camp is located on the Greek island where they are asylum seekers awaiting claims for their asylum applications. The Moria camp, which houses more than 20,000 asylum seekers with a capacity of 3,000, has resulted in extreme overcrowding and a lack of sanitation and social rights for asylum seekers.<sup>9</sup>

With this condition, asylum seekers get limited access to obtaining medical services, making thousands of asylum seekers, including children, pregnant women, and the elderly, unable to get critical services, coupled with a lack of adequate facilities such as clean water and limited sanitation, thus facilitating the spread of diseases including respiratory diseases and chickenpox. Doing so violates human rights to individual safety, health, and environmental safety.

Based on the above, it has been shown that the Common European Asylum System (CEAS) as a European asylum policy does not work effectively. It also shows a misalignment with the objectives of CEAS, which is to ensure that asylum seekers get fair and dignified treatment in accordance with the procedures in CEAS, which in fact show that asylum seekers are not treated fairly, are not treated with dignity for violating human rights, and that there is a misalignment in the CEAS asylum procedures where asylum seekers should have access to food, health, and shelter.

Qualification Directive

In the Qualification Directive, it establishes a common ground for providing international protection and estimates a range of rights for beneficiaries (residence permits, travel documents, access to employment and education, social welfare, and health care). The Qualification Directive aims to equalize the criteria in each member state for determining who is entitled to refugee status and protection for anyone at serious risk from their country of origin.

Asylum seekers, defined as people who seek protection and security in other countries, especially in the European region, should receive good treatment based on the provisions set forth in CEAS. The CEAS policy should be a guideline for EU member states in handling asylum issues so that the objectives of CEAS can be fulfilled properly.

On December 8, 2020, Camp Moria, which housed the sanctuary, was burned down and destroyed to be replaced with a new camp. However, the ineligibility of the new camp has received criticism from the international community because the conditions of the camp are not suitable for

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<sup>9</sup>Digidiki and Bhabha, "Eu Migration Pact Fails to Address Human Rights Concerns in Lesbos, Greece."

habitation, such as thin tents in cold weather conditions, coupled with its location very close to the sea and a lack of adequate facilities.

The asylum conditions have shown a lack of developed standards of treatment in humanitarian emergencies, and they violate human rights. This has demonstrated CEAS's failure to provide protections, such as by providing minimum admission standards at the border, protracted asylum claim determination processes, and failures in asylum relocation. The failure of asylum relocation has fueled hatred and xenophobia, and the above statement shows the ineffectiveness of the application of the Common European Asylum System (CEAS).

### **c) Dublin Regulation**

The Dublin Regulation specifies which member states are responsible for examining certain asylum applications. The Dublin Regulation was first agreed as part of the European Union meeting in Dublin, Republic of Ireland, in 1990 and is better known as the Dublin Convention. In 1997, the Dublin Convention replaced the Schengen agreement as part of European law governing and establishing EU countries that examine a person's asylum claim.

The Dublin Regulation has been reformed many times, starting with the Dublin Convention, which was first signed in 1990 in Dublin, Ireland, and implemented in 1997 with ratification by 12 EU member states, namely Denmark, Belgium, Germany, Greece, France, Ireland, Italy, the Netherlands, Spain, Portugal, the United Kingdom, and Luxembourg. In 2003, Dublin Regulation II replaced the Dublin Convention by implementing this regulation in all member states except Denmark.

In 2008, the European Commission proposed amending the Dublin Regulation as an update to the existing rules in the framework of the second phase of CEAS. This is because the previous rules were considered unfair in distributing responsibility for handling asylum applications.<sup>10</sup> In 2013, the Dublin Regulation was approved to replace the Dublin Regulation II and came into force for all member states except Denmark. Dublin Regulation III is still based on the same principle as Dublin before it, namely, that the first member state where fingerprints are stored or asylum claims are filed is responsible for a person's asylum claim.

The urgency of the Dublin Regulation is that the removal of internal boundaries from asylum recipient member states will lead to double applications. Because the absence of the same regulations that require member states to be responsible for the receipt of asylum applications can

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<sup>10</sup>Lyra Jakulevičienė, *The Common European Asylum System*.

give rise to different rules that cause asylum applications to fall under the jurisdiction of one member state.

Dublin Regulation III is said to contain the paradox of solidarity, in which solidarity is mentioned in Recital 8 of the Preamble in the context of solidarity actions given by EASO.<sup>11</sup> However, the Dublin system is based on the geographical position of states as implementing bodies, which largely use the first entry rule to determine which member states are responsible for examining asylum applications. This could lead to imbalances among EU member states in the absence of a mechanism to ensure the redistribution of responsibility for asylum applications if one state becomes burdened due to the operation of the Dublin procedure.

The Dublin Regulation has been criticized for burdening countries on the EU's outer borders in processing asylum, this is also because some EU member states lack cooperation in dealing with existing asylum issues, thus hampering the implementation of CEAS in EU member states, and causing ineffectiveness to the Common European Asylum System (CEAS).

#### **d) Eurodac Regulation**

The Eurodac Regulation is an instrument aimed at facilitating applications under the Dublin Regulation. Eurodac is a computerized system operated as a central database of fingerprint data for asylum applicants. This system is a communication infrastructure between EU member states because wherever there are asylum seekers, the data will automatically enter and be accessible by its member states.

With the Eurodac Regulation as a form of prevention, detection, and investigation of perpetrators of terrorism and all other forms of criminal cases that may be carried out by asylum seekers It requires every country where there is an asylum application to fingerprint all applicants who are not less than 14 years of age and to transmit such data to the central system no less than 72 hours after receipt of the asylum application.

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<sup>11</sup>Thym and Tsourdi, "Dimensions."



**Table .1.** Pending cases at the end of the year in EU+ countries by reporting country and main citizenship, 2015-2019

Reporting country	2015					2019		Highest share	Sparkline
	2015	2016	2017	2018	2019	% change over previous year	Share in EU+		
<b>Germany</b>	438 760	621 905	483 640	388 821	326 770	↓	-21	26%	Afghanistan (23%)
<b>Spain</b>	16 430	20 345	38 880	78 705	181 013	↑	+69	15%	Colombia (26%)
<b>Greece</b>	26 150	40 025	47 815	76 330	105 465	↑	+38	12%	Afghanistan (28%)
<b>France</b>	38 125	44 070	38 405	52 921	74 385	↑	+41	8.2%	Afghanistan (20%)
<b>United Kingdom</b>	38 870	36 860	32 575	38 120	46 181	↑	+17	6.2%	Athens (22%)
<b>Italy</b>	49 715	89 620	152 420	182 985	47 020	↓	-64	5.2%	Eritrea (20%)
<b>Belgium</b>	36 656	24 735	18 715	19 530	29 065	↑	+49	2.2%	Pakistan (22%)
<b>Sweden</b>	156 690	82 960	52 480	37 425	27 580	↓	-27	2.0%	Afghanistan (12%)
<b>Austria</b>	79 666	77 445	57 655	38 045	27 180	↓	-29	2.0%	Afghanistan (39%)
<b>Netherlands</b>	29 425	12 345	7 385	15 965	20 205	↑	+27	2.2%	Syria (27%)
<b>Cyprus</b>	2 050	2 860	5 120	10 180	18 795	↑	+81	2.1%	Syria (22%)
<b>Switzerland</b>	38 075	21 475	24 510	15 130	11 460	↓	-24	1.3%	Turkey (24%)
<b>Ireland</b>	27 790	10 080	9 335	10 890	8 315	↓	-21	0.8%	Iraq (42%)
<b>Ireland</b>	4 866	4 055	5 470	7 060	7 330	↑	+4	0.8%	Georgia (21%)
<b>Poland</b>	3 305	2 890	2 895	4 960	4 790	↑	+7	0.5%	Russia (69%)
<b>Malta</b>	811	1 070	1 500	2 020	4 260	↑	+111	0.5%	Sudan (22%)
<b>Luxembourg</b>	2 475	2 466	1 525	1 521	1 790	↑	+17	0.2%	Eritrea (28%)
<b>Denmark</b>	18 975	7 020	4 205	2 400	1 660	↓	-41	0.2%	Syria (23%)
<b>Norway</b>	28 545	7 005	2 525	1 985	1 325	↓	-32	0.1%	Turkey (23%)
<b>Bulgaria</b>	9 100	15 585	2 725	1 820	1 100	↓	-40	0.1%	Afghanistan (32%)
<b>Romania</b>	405	645	2 085	1 520	940	↓	-39	0.1%	Iraq (40%)
<b>Czech Republic</b>	655	770	810	795	775	→	-2	0.1%	Ukraine (28%)
<b>Croatia</b>	55	485	415	250	620	↑	+148	0.1%	Iraq (28%)
<b>Lithuania</b>	115	180	210	380	560	↑	+41	0.1%	Russia (43%)
<b>Slovenia</b>	170	555	475	420	580	↑	+29	0.1%	Morocco (23%)
<b>Iceland</b>	275	580	345	450	425	↓	-6	0.0%	Iraq (21%)
<b>Hungary</b>	36 495	3 425	675	125	285	↑	+68	0.0%	Afghanistan (38%)
<b>Portugal</b>	45	50	55	90	180	↑	+100	0.0%	The Gambia (27%)
<b>Slovakia</b>	275	85	110	155	110	↓	-29	0.0%	Afghanistan (32%)
<b>Latvia</b>	225	225	90	125	100	↓	-20	0.0%	Azerbaijan (20%)
<b>Estonia</b>	120	70	70	80	35	↓	-31	0.0%	Russia (43%)
<b>Liechtenstein</b>	100	75	90	80	30	↓	-43	0.0%	China (33%)
<b>Citizenship</b>	<b>Reporting country</b>								
<b>Afghanistan</b>	159 025	238 525	240 410	12 6 645	111 200	↓	-10	1.2%	Germany (43%)
<b>Syria</b>	120 805	157 740	111 455	92 400	86 455	↓	-7	0.9%	Germany (53%)
<b>Iraq</b>	108 665	124 090	85 510	80 295	69 315	↓	-14	7.6%	Germany (53%)
<b>Iran</b>	29 790	47 730	32 535	38 530	62 175	↑	+9	4.6%	Germany (54%)
<b>Pakistan</b>	42 830	50 450	47 500	44 960	41 685	↓	-6	4.6%	Greece (27%)
<b>Nigeria</b>	30 025	51 925	59 765	47 985	39 330	↓	-18	4.3%	Germany (57%)
<b>Venezuela</b>	805	5 025	14 880	14 940	17 795	↑	+20	4.1%	Spain (93%)
<b>Colombia</b>	420	1 165	3 635	11 980	36 725	↑	+209	4.0%	Spain (93%)
<b>Turkey</b>	6 930	11 480	18 895	28 820	34 400	↑	+19	2.8%	Germany (52%)
<b>Russia</b>	22 435	28 345	28 470	29 755	28 870	→	-3	2.2%	Germany (53%)
<b>Eritrea</b>	42 325	36 720	29 110	25 315	22 090	↓	-12	2.4%	Italy (42%)
<b>Somalia</b>	27 695	31 795	22 025	19 295	19 890	→	+3	2.2%	Germany (44%)
<b>Albania</b>	41 055	22 345	14 735	17 875	18 465	→	+3	2.0%	United Kingdom (27%)
<b>Bangladesh</b>	15 485	16 580	20 410	17 170	16 785	→	-2	1.8%	France (27%)
<b>Georgia</b>	32 715	9 660	10 940	15 615	14 250	↓	-9	1.8%	Germany (29%)
<b>Other</b>	295 190	301 885	292 305	278 060	289 565	→	+4	3.2%	Germany (28%)
<b>EU+</b>	1 050 995	1 137 410	954 100	906 780	911 885	→	+1		Afghanistan (12%)

(Source: Eurostat)<sup>12</sup>

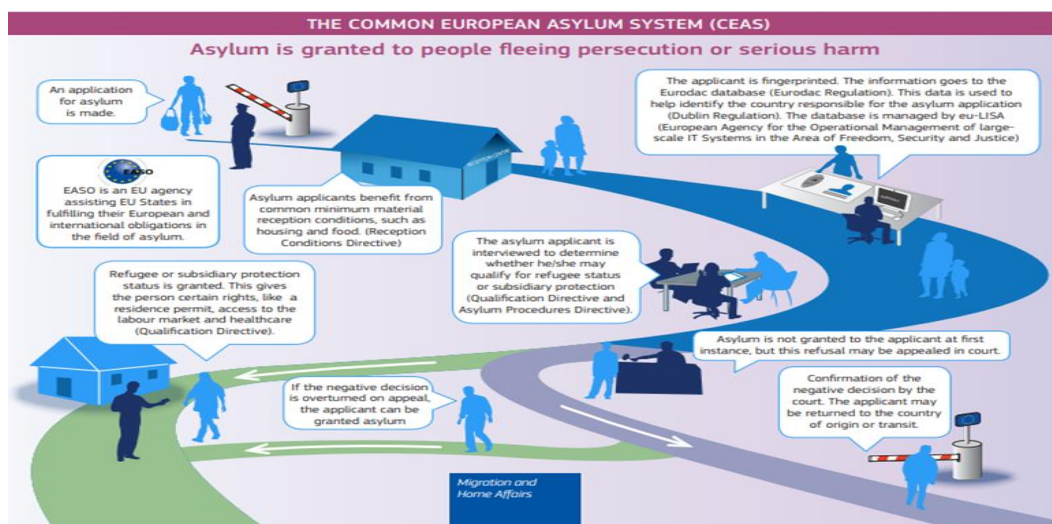
Based on the data above, the delay in asylum applications in the European Union is related to the implementation of CEAS as an asylum policy. The delay has made asylum seekers take longer to make their asylum claims, so that it has become one of the factors that hinder the effectiveness of CEAS as a system that regulates asylum applications in Europe.

e) EUAA (European Union Agency for Asylum)

The EU Asylum Agency contributes to improving the functioning and implementation of CEAS. It provides operational and technical assistance to member states in the assessment of

<sup>12</sup>Eurostat, “EASO Asylum Report 2020 : Annual Report on the Situation of Asylum in the European Union Table 3 . Pending Cases at the End of the Year in EU + Countries by Reporting Country and Main Citizenship , 2015-2019.”

applications for international protection across Europe. Based on an explanation of the instruments in the Common European Asylum System (CEAS) policy, The process of an asylum applicant to the European Union being entitled to international protection is very long; here is a picture that explains the process of accepting asylum seekers who apply in the EU..<sup>13</sup>



**Figure.1.** the Asylum Acceptance Process in the European Union

(Source: European Commission)

Based on the figure above, it explains the process of accepting asylum seekers implemented in the European Union, which aims to enable EU member states to access and identify asylum seekers' personal data and be responsible for receiving it in accordance with the Dublin Regulation. The priority is to ensure the implementation of a complete and coherent European asylum system. This is supported by a new systematic monitoring process to see the implementation and implementation of asylum regulations and foster mutual trust.<sup>14</sup>

The EU has a responsibility to welcome asylum seekers in a dignified manner and ensure they get fair treatment. This ensures that wherever applicants apply, the results will be in accordance with fair and effective procedures throughout the European Union without any misuse. However, the flow of asylum is not constant and is uneven throughout the European Union. For example, there were more than 1.8 million asylums in 2015, but only 142,000 in 2019, indicating a 92% decrease in the number of asylums.

<sup>13</sup> Ireland, “What Is the EU’s Common European Asylum System?”

<sup>14</sup> ECommission, “The Common European Asylum System.”

With this, the European Union has, since 1999, established the Common European Asylum System as a European asylum system. The European Commission proposes to reform CEAS through a comprehensive approach to migration and asylum policies based on three main pillars: efficient asylum and return procedures; solidarity and equitable sharing of responsibilities; and strengthening partnerships with third countries.

Based on the above explanation of the shortcomings in the implementation of CEAS to the Asylum Procedure Directive, Reception Condition Directive, Qualification Directive, Dublin Regulation, and Eurodac Regulation, a series of inadequacies of the Common European Asylum System (CEAS) as an asylum policy in Europe that regulates the asylum system in Europe have been shown. Thus, EUAA, as an asylum body responsible for the implementation and function of CEAS, has not been able to carry out its duties properly, resulting in the ineffectiveness of the Common European Asylum System (CEAS).

#### **IV. CONCLUSION**

The Common European Asylum System is an asylum policy in Europe applied to European Union member states. Based on the author's analysis and explanation above, it can be concluded that the effectiveness of the implementation of the Common European Asylum System (CEAS) is still ineffective. The ineffectiveness that the author found is based on the fact that the asylum issue has a high malignancy problem; this can be seen from the asylum issue in CEAS, which is political and has an intellectual dimension that makes the regime run ineffectively. The issue of asylum is also incongruous, as not all EU member states consider it a problem. Based on problem-solving capacity, the ineffectiveness of the Common European Asylum System (CEAS) regime is caused by the lack of integration of the European Union and member states in dealing with asylum issues, coupled with several EU policies that are considered less effective in solving problems in Europe.

#### **V. ACKNOWLEDGMENTS**

To achieve an effective regime it requires the cooperation of member states in that regime. And pay attention to common goals and common interests. If this can be resolved then CEAS as an EU asylum policy can run well and effectively and so that the issue of asylum does not become a problem in Europe. The European Union should promote more human security aspects because the European Union as a promoter of democratic values and the rule of law should promote human values. The protection of human security must be based on morality and all human beings must be of equal value and not lose their value even in times of crisis. All EU member states have also

signed and activated the Universal UN Declaration of Human Rights and have a legal obligation to protect that right.

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