

THE IMPACT OF IMPLEMENTING THE NEW REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE EU AGENCY FOR ASYLUM ON EU MEMBER STATES' ADMINISTRATIONS

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Abstract

In the European Migration Agenda, the Commission acknowledged the importance of EASO's role in designing and maintaining a Common Asylum Policy, considering that the Agency could become a country-of-origin information centre by encouraging the implementation of a uniform decision-making process by taking basic professional training measures and, of course, could put in place specialized networks of national authorities to enhance operational cooperation on asylum.

This proposal for a legislative amendment aims to provide the EU Agency for Asylum with the necessary tools to make it a powerful institution that can implement and improve the functioning of the CEAS by completing asylum legislative and policy instruments in particular as regards asylum procedures, professional qualification standards, the Dublin system and the resettlement or transfer of asylum seekers.

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1. Introduction

At Union level, there is a Common European Asylum System (CEAS) laying down minimum standards for the treatment of asylum seekers and for the examination of all asylum applications.

The issue of amending the Union's rules on asylum was raised due to the migration crisis that has forced this process.

Currently, asylum seekers in the European Union are treated differently, the rate of positive asylum decisions varying significantly on a case-by-case basis, somehow forcing this category of foreign citizens to move across Europe to seek international protection in countries where they believe they will have the most chances of success.

The European Commission has proposed to the Council a number of seven legislative proposals to improve EU asylum standards.

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The Common European Asylum System is therefore undergoing a reform addressing several aspects: from increased efficiency and major resilience to the great pressure of migration, to the elimination of factors that attract asylum seekers, as well as the elimination of secondary movements, the adoption of measures to combat abuse, and improving the aid given to the Member States most severely affected.

The seven legislative proposals to amend the Community asylum *acquis*, promoted by the Commission, are aimed at the following:

- reforming the Dublin system to improve the manner of distributing asylum requests among Member States and guarantee the quick processing of asylum requests;

- strengthening the Eurodac Regulation, with regard to improving the EU database of digital fingerprints of asylum seekers;

- a true EU agency to manage the asylum phenomenon¹: the Commission proposed to amend the European Asylum Support Office's mandate so that it could play a new policy-implementing role as well as a strengthened operational role. For instance, EASO will manage the distribution mechanism under a reformed Dublin System, will monitor the compliance of Member States with EU asylum rules, will identify measures to remedy shortcomings, and will take operational measures in emergency situations².

- so as to harmonise procedures and reduce gaps between Member States concerning the rates of recognition, the Asylum Procedures Directive must be replaced with a new Regulation.

- with regard to the harmonisation of protection standards, as well as the asylum seekers' rights, it is proposed to amend and complement the Directive on common procedures for granting and withdrawing international protection with a new Regulation;

- so as to guarantee that asylum seekers enjoy dignified, harmonised reception standards, the Reception Conditions Directive must be recast once more;

- the last proposal refers to creating a permanent framework on resettlement and humanitarian admission.

¹ Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No. 439/2010, COM (2016) 271 final, Brussels, 4.5.2016.

² Elena Loredana, P. (2018). International Protection Regulations in the European Union. *13th International Conference on European Integration - realities and perspectives, Legal Sciences in the New Millennium*, [online](ISSN: 2067 – 9211), p. 20. Available at: <http://proceedings.univ-danubius.ro/index.php/eirp/article/viewFile/1871/1930> [Accessed 10 March 2019].

These recast proposals are considered priorities within the Joint declaration of 2016³, identified by the European Parliament, the Council and the Commission and currently being analysed by these European institutions.

Currently, after one year and a half, these proposals are at various stages of the legislative process.

Therefore, the proposals aiming to create the European Union Agency for Asylum and the one concerning the reformation of the Eurodac system are close to being adopted, while the proposal on the EU resettlement framework, the one concerning standards for granting international protection and the reception conditions proposal are advancing at a rapid pace.⁴

2. Legal grounds and objectives of the proposed Regulation

At the beginning of 2016 (19 February), the European Council stated it was necessary to reform the current EU asylum framework, by ensuring an effective policy that respects human rights. On 6 April 2016, the Commission claimed that a system that has been improperly designed or implemented, disproportionately attributing responsibility to certain Member States and encouraging uncontrolled movements to other Member States, should be abandoned. Currently, at European level, the goal is that the European Union should have at its disposal a solid, effective system to manage migration sustainably, based on the principles of responsibility and solidarity.

In the European Agenda on Migration⁵, the Commission acknowledged the importance of EASO's role in designing and maintaining a Common Asylum Policy, considering that the Agency could become a country-of-origin information centre by encouraging the implementation of a uniform decision-making process by taking basic professional training measures and, of course, could put in place specialized networks of national authorities to enhance operational cooperation on asylum. Thus, the Agency is proposed to function with a strengthened mandate, playing a special role in implementing the asylum policy, and another enhanced operational role, all of these being possibly only through a monitoring mechanism that should assess compliance with the CEAS, as well as various necessary duties, namely reviewing and

³ Joint declaration of the Presidents of the European Parliament, the Council and the European Commission on the EU's legislative priorities for 2017, 13.12.2016.

⁴ Communication from the Commission to the European Parliament, the European Council and the Council - *Commission contribution to the EU Leaders' thematic debate on a way forward on the external and the internal dimension of migration policy*, COM (2017) 820 final, Brussels, 07.12.2017.

⁵ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: *A European Agenda on Migration*, COM (2015) 240 final, Brussels, 13.05.2015.

supplying country-of-origin information, managing the Dublin system distribution key and making endeavours to support Member States in emergency situations or if useful corrective measures have not been taken.

This proposal for a legislative amendment aims to provide the EU Agency for Asylum with the necessary tools to make it a powerful institution that can help implement and improve the functioning of the CEAS, by completing asylum legislative and policy instruments, in particular as regards asylum procedures, professional qualification standards, the Dublin system and the resettlement or transfer of asylum seekers.

The Council and the Parliament reached a political consensus *ad referendum* in June 2017, as regards the chapters in the Regulation on the EU Agency for Asylum (twelve), the technical works concerning this proposal being completed before the end of 2017; the adoption of this proposal is suspended pending progress on the rest of the CEAS package.

In September 2018, the Commission proposed numerous amendments concerning the EU Agency for Asylum, which include an expansion of the technical and operational assistance that the agency may provide to Member States.

3. The impact of the new regulation on Member States' administrations

3.1. The role of the current European asylum support agency

The European Asylum Support Office (EASO) is an EU Agency established under Regulation (EU) No. 439/2010 of the European Parliament and of the Council, which has a particular role to play in the practical implementation of the Common European Asylum System (CEAS), being established with a view to enhancing practical cooperation on asylum issues and supporting EU Member States to fulfil their obligations at European and international level and to provide protection to all people in need by giving support to those Member States whose reception and asylum systems are facing particular pressure, acting as a centre of expertise in the field of asylum.

EASO's mission is to facilitate the implementation of a Common European Asylum System by acting as an independent centre of expertise on asylum, providing support to all Member States by facilitating, coordinating and strengthening the practical cooperation among them.

EASO's goal is to facilitate, coordinate and perfect the cooperation on asylum among Member States from all points of view.

EASO provides:

1. all evidence-based information required in the process of drafting all EU policies and legislation in all areas with a direct or indirect impact on asylum;

2. operational, technical and practical support to Member States in specific need and those facing various types of pressure on their reception and asylum systems, by providing teams comprised of national asylum experts.

EASO also offers various types of permanent support concerning the existence of a common asylum training programme, supporting and driving the common quality of country-of-origin (COI) information; special support, namely tailor-made assistance, relocation, capacity building and providing specific quality control tools; emergency support by providing temporary support and assistance to Member States under particular pressure to repair or rebuild their asylum and reception systems, sharing and merging information, data, and analyses at EU level, including common EU-wide guidelines; third-country support consisting in supporting partnerships with third countries to reach common solutions by building capacities and creating regional protection programmes, as well as coordinating Member States' measures on resettlement.

Moreover, the EU will set up an Early Warning, Preparedness and Crisis Management Mechanism, allowing Member States to be continuously prepared to manage the alarming evolution of asylum seeker flows, with EASO creating an Early Warning and Preparedness System (EPS) to this end.

Concerning the early warning, EASO constantly provides a general presentation containing a review of the trends and factors influencing asylum, as well as risk scenarios, relying on information provided by Member States, the European Agency for the Management of Operational Cooperation at the External Borders (Frontex), the Office of the United Nations High Commissioner for Refugees (UNHCR), and the International Organisation for Migration, as well as updated COI data generated by EASO.

With regard to training, EASO provides tools to help Member States prepare for the management of the influx of asylum seekers, as well as the uninterrupted change in their number by providing training, COI, quality tools and support for analysis and implementation of EU legislation.

With regard to crisis management, EASO supports Member States facing particular pressure, offering support by deploying asylum support teams (AST).

As for EASO training, the Office relies on the EAC – European Asylum Curriculum, which is in fact a common professional training system aimed at asylum officers, other target groups, and directors and EU law enforcement officers, members of the judiciary; this training focuses on basic aspects of the asylum procedure and practice through interactive modules, while developing training modules in cooperation with other EU agencies in this regard.

Aside from these training courses, EASO organises ad-hoc training sessions (in Bulgaria, Greece, Italy, Luxembourg and Sweden), helping Member States that are facing certain types of pressure⁶.

⁶ European Asylum Support Office website - <https://www.easo.europa.eu/about-us>.

3.2. *The impact across Europe of implementing the Regulation*

The current EU agency currently operating in Malta – EASO – has supported the Member States throughout the process of implementing the European asylum *acquis* and improving the functioning of existing instruments ever since the beginning of its activity in 2011, gaining experience and credibility with regard to its work on the practical cooperation between Member States and supporting them in fulfilling their obligations under the CEAS.

It is considered that, due to its experience and knowledge in the field of asylum, and particularly due to the tasks carried out by EASO that have gradually evolved, it is time for this agency to become a stand-alone centre of expertise.

The Commission believes that due to the massive and uncontrolled arrival of migrants and asylum seekers on the European continent, in particular last year, structural weaknesses of the CEAS have arisen, the Agency being one of the tools that can be used to address these deficiencies effectively. It is necessary to provide the Agency with the necessary means to assist Member States in crisis situations, but it is all the more necessary to build a legal, operational and practically solid framework so that the Agency could strengthen Member States' asylum and reception systems and be able to act in complementarity with them.

Therefore, the purpose of this proposal to amend the Regulation in force is to strengthen the role of EASO and transform it into an Agency that may facilitate the implementation of the CEAS and improve its functioning, renaming EASO (European Asylum Support Office) the European Union Agency for Asylum, with a mandate to meet the requirements entailed by the reform.

With regard to subsidiarity, the proposed Regulation aims to promote EU legislation and operational standards in order to ensure a high level of uniformity concerning asylum procedures, reception conditions and the assessment of protection needs across the Union, to facilitate the implementation and improvement of its functioning, to strengthen the exchange of information, as well as practical cooperation between Member States in the field of asylum, to monitor the operational and technical implementation of the EU legislation and asylum standards, by providing Member States with reinforced technical and operational assistance for the management of asylum and reception systems, with priority for those Member States dealing with unbalanced pressure on these systems. Therefore, so as to ensure that the legal framework on asylum is properly applied, so as to strengthen the stable and orderly functioning of the CEAS, as this is the EU's common interest, the objectives of this proposal can be achieved much better at Union level, which, under Article 5 of the Treaty on European Union, may adopt measures in accordance with the principle of subsidiarity.

With regard to proportionality, the proposal aims to respond to the political realities and challenges that the Union is facing in terms of migration and asylum, ensuring that the operational standards and the asylum legislation are fully and correctly implemented by the Member States, that practical cooperation and exchange of information between Member States and with third countries are strengthened, by taking appropriate measures to maintain the smooth functioning of the CEAS, by providing the EU Agency for Asylum with the necessary tools to address both the disproportionate pressure on Member States' asylum and reception systems, as well as the inherent shortcomings of these systems in the long run.

The Agency may also assist Member States in the process of examining applications for international protection, at the request of the Member States and within a clearly defined operational framework, and if, following a monitoring exercise or in the event of disproportionate pressure on asylum and reception systems, the Member State concerned takes insufficient or no action, thereby endangering the functioning of the CEAS, the Agency may be required to intervene and provide assistance to a Member State in such a situation.

The objectives of this proposal can therefore be achieved much better at Union level, which, under Article 5 of the Treaty on European Union, may adopt measures in accordance with the principle of proportionality.

In order to carry out its mandate, the future European Union Agency for Asylum should work in close cooperation with the asylum authorities of the Member States, with national immigration, asylum and other services, using their capacities and expertise, as well as with the Commission, acting in good faith and exchanging accurate information in a timely manner.

Furthermore, by collecting and reviewing information on the asylum situation in the Union and in third countries, the European Union Agency for Asylum could help Member States better understand the factors favouring asylum-related migration to and within the Union, which is also useful in the context of early warnings and preparing Member States.

Regarding the reform of the Dublin system, the EU Agency for Asylum, by using and managing the correction mechanism, should give Member States the necessary support.

The European Union Agency for Asylum is designed to assist Member States to train experts in all national administrations, courts and national jurisdictions, as well as national asylum services, including with regard to the development of a common basic curriculum. Moreover, the Agency should make sure that all experts belonging to the asylum support teams or the Asylum Intervention Pool receive specialised training prior to participating in the Agency's operational activities.

It is absolutely useful for the Agency to collect information and draw up reports providing country-of-origin information by calling on the European COI networks so as to avoid duplication and create synergies with national reports, thus ensuring a more structured and streamlined production of country-of-origin information at EU level. In addition, the Agency should work with Member States and carry out a joint analysis to provide guidelines on the situation in certain countries of origin, so as to ensure the same purpose in assessing applications for international protection and the nature and quality of the protection granted.

Furthermore, the Agency should organise and coordinate activities to promote Union legislation in order to ensure a high degree of uniformity with regard to asylum procedures, reception conditions and the assessment of protection needs across the Union, supporting Member States by developing operational standards and compliance monitoring indicators for these standards, as well as developing guidelines on asylum, and it should also facilitate the exchange of best practices between Member States.

The European Union Agency for Asylum should establish a mechanism to monitor and assess the implementation of the CEAS, Member States' compliance with the operational standards, guidelines and best practices in the field of asylum, and to verify the functioning of Member States' asylum and reception systems, all in close cooperation with the Commission and without prejudice to the Commission's responsibility as guardian of the Treaties. Monitoring and assessment should be comprehensive and should rely above all on the information provided by the Member States, the analysis of the information on the asylum situation carried out by the Agency, site visits and the checking of a sample of cases.

The EU Agency for Asylum should also provide Member States with operative and technical assistance, particularly when their asylum and reception systems are under disproportionate pressure in order to facilitate and improve the proper functioning of the CEAS and support Member States in fulfilling their obligations under the CEAS. This operational and technical assistance consists in sending asylum support teams comprising experts from the agency's own staff, experts from Member States, or experts seconded by Member States to the Agency, as well as based on an operational plan.

The European Union Agency for Asylum should provide assistance for a better transfer of beneficiaries of international protection between Member States, while ensuring that the asylum and reception systems concerned are not the object of abuse, acting with solidarity towards Member States whose asylum and reception systems are under particular and disproportionate pressure, caused in particular due to their geographical or demographic situation.

With regard to Member States facing disproportionate migration pressure, characterised by massive arrivals of mixed migratory flows, called hotspots (certain areas at the external borders), they should be able to rely on enhanced technical and operative reinforcements from migration support teams, comprising teams of experts from the Member States sent through the European Union Agency for Asylum, the European Agency for the Management of Operational Cooperation at the External Borders and Europol, or other relevant Union agencies, as well as experts from the own staff of the European Union Agency for Asylum and the European Agency for the Management of Operational Cooperation at the External Borders. This will ensure the coordination of the activities carried out by migration support teams with the Commission and the other relevant Union agencies.

The EU Agency for Asylum should cooperate with EU bodies, agencies and offices, particularly with the European Agency for the Management of Operational Cooperation at the External Borders and the European Union Agency for Fundamental Rights, with the objective of fulfilling its mission and tasks. Cooperation should be based on working arrangements, previously approved by the Commission, in accordance with the EU legislation and policies.

It is imperative that the EU Agency for Asylum be an EU body, have legal personality and exercise the implementing powers conferred on it by this Regulation, being independent in terms of operational and technical aspects, and have legal, administrative and financial autonomy.

It should also have its own budget, with revenue mainly from the EU's contribution, and its funding is the object of an agreement of the budget authority, as set out in item 31 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, all of this in order to guarantee the autonomy of the European Union Agency for Asylum.

The budgetary procedure of the Union should apply to the Union's contribution and other possible grants from the general budget of the European Union, and the Court of Auditors should check the accounts⁷.

3.3. The impact at national level of implementing the Regulation

In view of the above, the draft Regulation, in the proposed form, will lead to a constant and sustained effort on the part of the authorities responsible for managing the asylum situation with regard to the obligation to periodically

⁷ Amended proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No. 439/2010, COM (2018) 633 final, Brussels, 12.09.2018.

report data and information to the Agency, to receive asylum seekers from other Member States in accordance with to the quota established at European level for each Member State (on the basis of the reference key included in the draft recasting of the Dublin Regulation), the mandatory secondment of experts to participate in support operations on the territory of the Member States dealing with particular pressure for periods of at least 30 days.

In view of the Agency's new task of monitoring and assessing the implementation of the CEAS, along with the Member States' new obligation to provide and exchange information, I estimate that the authorities responsible for managing the asylum situation will be bound to ensure a greater degree of transparency regarding the periodic reporting of the legislative, institutional or resource-related measures taken for the proper management of the asylum issue in our country. Moreover, the authorities responsible for asylum management will have to take over and implement a series of operational standards and/or guidance elements developed at the Agency level, based on which they are to be evaluated (including through monitoring visits conducted by the Agency) on the manner they are complied with at national level.

Based on a preliminary analysis, the draft Regulation has no impact on the national asylum legislation, but in the medium term, I estimate that there will be a need for additional staffing of the authorities responsible for managing the asylum situation so as to properly manage the relationship with the Agency, in the light of the new mandatory tasks that each Member State will have following the adoption of the Regulation.

From the point of view of professional training, I retain the added value of the proposed Regulation compared to the current version, namely that the authorities responsible for managing the asylum situation will take over and integrate the Common European Asylum Curriculum into their own professional training programmes, which will lead to a unitary interpretation and practice of the legislation in the field.

On 26 September 2016⁸, the Romanian Senate found that the proposed Regulation complied with the principles of subsidiarity and proportionality detailed above. Furthermore, it noted the following elements:

1. Romania, along with most Member States, salutes the contribution that the future agency may have to a better implementation of migration and asylum policy through proposals to strengthen the role of the current EASO,

⁸ Decision No. 122 of 26 September 2016 on the Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No. 439/2010, COM (2016) 271 final, published in: Official Gazette No. 769 of 30 September 2016.

particularly on the technical dimension, in the support and coordination of operational aspects, as well as the objective of supporting increased convergence in the field.

2. The advancement of the discussions highlighted both for Romania and the other Member States the need to carefully assess the impact of transforming EASO into the Agency on the national migration and asylum model, the role of the future agency in monitoring and assessing the situation in Member States under migratory pressure, as well as with regard to the new financial and administrative obligations arising for Member States in terms of strengthening the human resources of the future agency.

The Romanian Senate has recommended enhancing practical cooperation on asylum between Member States and providing operational support to Member States to turn EASO into a strengthened agency equipped with the necessary tools for the five principles that the new Agency will rely on, i.e. enhancing practical cooperation and exchanging information on asylum – the Agency and the Member States will have the task of cooperating and the obligation to exchange information; ensuring greater convergence in assessing protection needs across the Union; promoting the EU legislation and operational standards to ensure a high degree of uniformity in the implementation of the asylum legal framework; monitoring and assessing the implementation of the CEAS; providing Member States with enhanced operational and technical assistance for the management of their asylum and reception systems, notably in cases of disproportionate pressure.

On 27 September 2018⁹, the Chamber of Deputies adopted an opinion concerning the Proposal for a Regulation, indicating the following important aspects:

It supports the objective of providing enhanced operational and technical assistance to Member States for the management of their asylum and reception systems, especially in cases of disproportionate pressure.

The Chamber of Deputies invites the European Commission to take the necessary action to avoid the materialisation of the risk that, in case of disproportionate pressure on its asylum or reception systems, a Member State does not request operational and technical assistance from the Agency, or does not accept an offer of this kind from the Agency, or does not take sufficient measures to deal with the pressure, or fails to comply with the recommendations of the European Commission, thus affecting the

⁹ Decision No. 83 of 27 September 2016 on adopting the opinion on the Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No. 439/2010, COM (2016) 271, published in: Official Gazette No. 771 of 3 October 2016.

effectiveness of asylum and reception systems to such an extent that the functioning of the Common European Asylum System (CEAS) would be jeopardised. The European Commission may adopt a decision by means of an implementing act, as this provision potentially entails a conflict.

It welcomes with enthusiasm the idea to include experts with professional profiles relevant to child protection in the assistance teams, given the increase in the number of unaccompanied children among migrants and asylum seekers, as well as the introduction of aspects related to the handling of children's applications for international protection as part of their training activities and it recommends that the protection of children's rights be reflected as much as possible in the tasks and duties of the Agency.

It draws attention to the fact that the task of collecting and gathering information on the asylum situation in the Union and in third countries, within the proposed agency, should only be extended to data and analyses with added value, compared to those from other sources or which are available through other agencies of the Union, in order to avoid an unjustified increase in the spending of European taxpayers' money.

It proposes that the active involvement of the Agency and experts in asylum request screening activities leads to disproportionate risks in terms of data security, considering that there would be too much interference with national asylum systems, and it suggests that such involvement be restricted to well-motivated cases and limited to what is definite added value.

It expresses concern about the Agency's right to initiate on its own initiative a monitoring exercise to assess the asylum or reception systems of a Member State whenever there are serious concerns about the functioning of any aspect of the asylum or reception systems of the Member State concerned, considering that this right could lead to excesses on the part of the Agency, to which it recommends that these monitoring actions be duly justified.

It warns that indicators, guidelines and best practices on asylum also depend on the national economic and social frameworks specific to each Member State, recommending that they be treated with caution with regard to transposition into the Union's practice.

It draws the attention of the European Commission, asking it to explain the operational standards for the implementation of the Union's asylum legislative instruments, which are to be developed by the new Agency, and what safeguards are to be limited to what is strictly necessary, so as not to affect the relevant rights that are the responsibility of the Member States.

It expresses concern about the provision setting forth that the Agency assesses whether Member States are prepared to face the challenges arising from any disproportionate pressure on their asylum and reception systems, considering that the preparation of Member States in this area cannot be

limited to administrative aspects, but also has legitimate cultural and political connotations, which the agency has no capacity to estimate.

It is of the view that this obligation of cooperation should also include the possibility of non-participation of the Member State in those situations in which the State concerned would have an excessive administrative burden if it complied with such obligation, or it would simply be incompatible with national law.

It salutes the attention paid to personal data protection and the detailed management thereof.

Conclusions

Given that EASO, renamed the European Union Agency for Asylum, was set up by a regulation, regulations being the only legal instrument that can ensure the level of efficiency and uniformity needed to implement EU asylum legislation, another regulation is also appropriate for this analysed proposal.

Recently launched, the new amended proposal¹⁰ must be addressed in the context of the interinstitutional negotiations on the Proposal for a Regulation on the European Union Agency for Asylum and repealing Regulation (EU) No. 439/2010, presented by the Commission on 4 May 2016.

The negotiations resulted in a provisional agreement between the European Parliament and the Council, concluded on 28 June 2017, which would, in the Commission's opinion, give durability to the mandate of the EU Agency for Asylum, compared to EASO's current mandate.

This regulation on the EU Agency for Asylum is recognised by the Commission as having added value compared to the regulation in force, considering that this amended proposal should be discussed in the context of the ongoing negotiations on the CEAS reform and should be seen as a complement to these discussions. It also believes that this amended proposal should not delay the adoption of the Regulation on the EU Agency for Asylum even further, which is being adopted in the context of discussions on the entire reform of the CEAS.

The European Council believes the activities must be continued so as to reach a final agreement concerning the package as soon as possible, highlighting the need to find a quick solution to the entire CEAS package.

So as to ensure an appropriate balance between solidarity and accountability, the amendments introduced by this proposal, analysed together with the Proposal for a Regulation on the European Border and Coast Guard and the Proposal for a recast of the Return Directive, are based on a substantial approach.

¹⁰Amended proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No. 439/2010, COM (2018) 633 final, Brussels, 12.09.2018.

In general terms, the proposed Regulation sets additional tasks for the competent asylum authorities of the Member States, which would require the allocation of human, logistical and financial resources in order to comply with the new obligations.

I also believe that these new tasks, together with the broad mandate of the Monitoring and Assessment Agency, will entail a rethinking of the manner and the internal tools for collecting, organising and disseminating statistical data and information on the processing of asylum claims, organising the professional training activity as a whole, as well as strengthening the capacity to monitor and assess the quality of the asylum procedure.

In the proposed form, I consider that the impact generated by the proposed Regulation will be a considerable one given the need to supplement human, logistic and financial resources to be allocated for the implementation of the new tasks within the Member States' administrations.

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