

Abstract

The aim of the thesis is to analyse asylum law of the European Union with focus on the changes, which introduced the Treaty of Lisbon. The paper describes development of the EU asylum law, establishing of the Common European Asylum System (CAES) and changes that Lisbon Treaty introduced in comparison with the former regulation. The text also deals with the right to asylum, which is established in the Charter of Fundamental Rights of the EU.

The thesis is divided into 7 chapters. In the first part of the paper the author follows historical development of the asylum law of the European Union and beginning of the harmonization until adoption of the Amsterdam Treaty. The second chapter is dedicated to the establishment of the CAES, which more than 10 years ago became main priority of the asylum policy of the EU and which aims to harmonize asylum laws of the Member States and therefore ensure a unified application not only of international, but also of European legislation from this area. Recent major changes in the structure and functioning of the European Union, which were introduced by the Lisbon Treaty, are in general outlined in the third chapter of this paper. Detailed description of changes is presented in the next chapter, which is divided into section according to the institutions. Each institution is described in brief and in the subsequent subchapter the relation of the particular institution to the asylum law is defined, in particular concerning the changes that introduced the Lisbon Treaty. The fifth chapter relates to so-called minimum standards and transfer to uniform harmonisation. According to the first paragraph of the Article 78 TFEU: *“The Union shall develop a common policy on asylum, subsidiary protection and temporary protection [...]”*, which is a step forward in the harmonization process. These chapter further analyses related Directives and the Dublin Regulation, which ensure fulfilment of rights and obligations according to the above mentioned article. Penultimate part of the paper deals with the Charter of Fundamental Rights of the EU, which became legally binding with the entry into force of the Treaty of Lisbon. The position of the Charter with regard to other conventions on human rights has been subject of discussion; therefore the author focuses on this issue in the first part of this chapter. Second part of the sixth chapter analyses the Article 18 of the Charter, which establishes the right to asylum, and describes its influence on the protection of asylum seekers. The last chapter of this thesis reviews upcoming changes, which shall modify asylum Directives and the Dublin Regulation.