

Abstract

This thesis deals with the proposed changes in the area of EU asylum and migration law in the light of the current refugee crisis. EU asylum and migration law are two separate areas between which there is a „close connection“. The paper describes EU asylum and migration legal framework, then delimits the term „refugee crisis“ and reviews recent measures taken or proposed by the EU.

The thesis is divided into 3 chapters. In the first part of the paper the author follows up the legal framework which encompasses both international legal instruments (1951 Refugee Convention and others) and EU primary law and secondary acts. The second chapter is dedicated to analysis of the „refugee crisis“, its crises factors, as well as to reflections on the characteristic of this crisis as a state of emergency. The last chapter, which is internally divided into two subchapters, concerning asylum and migration law, relates to particular measures taken by the EU during the crisis. The subchapter which deals with the asylum law includes the following topics: on the one hand it describes ad hoc measures to tackle the migration crisis in Italy and Greece, on the other hand it analyzes proposals of a system reform (e.g. proposal for a permanent EU relocation mechanism, reform of the Dublin system, completing the reform of the Common European Asylum System). The desired result of the system changes is meant to be a creation of a genuine common asylum procedure and guarantee that asylum seekers are treated in an equal and appropriate manner, regardless of the Member State in which they make their application, as well as a prevention of secondary movements and abuse of the procedures (so-called Asylum shopping) at the same time. The subchapter treating the area of migration law deals with the Schengen governance reform and measures taken to manage the EU's external borders (EUROSUR, European Border and Coast Guard) as well as the readmission agreements and the EU-Turkey deal to assure reduction of the irregular migration.

The conclusion of the work then highlights that the EU's approach has been relatively inconsistent so far. It also points out the fact that the European Commission has tried to appropriate some of the powers from the member states. This diploma thesis analyses the above mentioned areas of the European asylum and migration law, discusses relevant case law of the Court of Justice of the European Union and European Court of Human Rights and also contains expert public and academic reflections.