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Introduction: European refugee law and transnational emulation

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Europe has the most advanced regional protection regime in the world. The regime has taken shape through a series of legal undertakings on asylum, refugee law principles and human rights between Member States of the European Union (EU), aiming at an ever-greater uniformity in the law and practice of its members. The EU sought to codify a common regional system of asylum by 2012, in order to provide a single asylum procedure and a uniform protection status.[1] A regime covering twenty-four countries,[2] including some of the most developed and powerful in the world, is bound to exert considerable influence beyond Europe. The predicted impact of this body of EU norms has been widely identified in the academic literature as one that will have a 'ripple effect' beyond the EU, particularly with respect to the evolving content of international refugee law by means of changing customary law and UNHCR practice.[3] However, very few studies have noted the fact that the European protection regime has already influenced the law and practice of States

[1] Art. 78(2), Treaty on the Functioning of the European Union, as amended by the Treaty of Lisbon, which entered into force on 1 December 2009 (OJ 2010 No. C 83/47).

[2] Denmark opted out entirely of the asylum package; both the UK and Ireland opted out of most of the second phase (recast) of EU legislation.

[3] B. S. Chimni, 'Reforming the International Refugee Regime: A Dialogic Model' (2001) 14 *Journal of Refugee Studies* 151–68, at 157; Volker Türk and Frances Nicholson, 'Refugee Protection in International Law: An Overall Perspective', in Erika Feller, Volker Türk and Frances Nicholson (eds.), *Refugee Protection in International Law: UNHCR's Global Consultations on International Protection* (Cambridge: Cambridge University Press, 2003), p. 6; Catherine Dauvergne, *Making People Illegal* (Cambridge: Cambridge University Press, 2008), pp. 150–3; Guy S. Goodwin-Gill, 'The Search for the One, True Meaning. . .', in Guy S. Goodwin-Gill and Hélène Lambert (eds.), *The Limits of Transnational Law: Refugee Law, Policy Harmonization and Judicial Dialogue in the European Union* (Cambridge: Cambridge University Press, 2010), at pp. 238–9.

around the world, for some time.[4] The implications of this are great, in terms of understanding the global reach of regional systems of law, and how this shapes the relationship between international rules and standards, and national law and practice across the world when it comes to refugee protection.

This volume explores the extent to which European (or EU) legal norms of refugee protection have been emulated in other parts of the world, and assesses the implications of these trends. At times, the norms may *not* have had much discernible influence. This, too, is of interest. The aim of this volume is therefore more evaluative than speculative. We believe that now is a good time to take stock and assess the influence of European refugee law beyond the EU. This is because the first phase of the Common European Asylum System (CEAS) legislation (which codifies over twenty years of State practice) has concluded, and it is therefore a useful point in time to look both backwards and forwards. Thus, the volume examines how the European protection regime has (or has not) influenced national refugee law and protection practice in a range of States around the world. This is evaluated in two respects: first, in terms of the *extent* of influence (e.g., partial or total and the content of the norm being emulated), and second, in terms of the *processes* whereby emulation of the European protection regime has occurred (e.g., through transnational network, international or local actors). We examine the extent and processes of emulation in seven case studies: Africa, Australia, Canada, Israel, Latin America, Switzerland and the United States. The chosen cases seek to reflect a range of broad legal characteristics (e.g., diversity of civil/common law traditions) as well as characteristics more specific to refugee law (e.g., States with national refugee determination systems versus those that rely on UNHCR for this function) and EU law (e.g., States which have formal bilateral agreements with the EU versus States which do not, and therefore where diffusion may be said to be more natural). Crucially, we have selected case studies that enable us to explore the degree to which EU refugee law is emulated or eschewed, and whether this is done expressly or 'by stealth'. In this regard, for example, the case study on the United States is important in identifying and explaining the lack of transnational dialogue and emulation, thereby capturing the limits of diffusion of European refugee law. By contrast, the case studies of Switzerland, Israel, Australia, Canada, Africa and to some extent also Latin

[4] One such study to note this to be the case in Africa is Bonaventure Rutinwa, 'The End of Asylum: The Changing Nature of Refugee Policies in Africa' (2002) 21 *Refugee Survey Quarterly* 2–41, at 33.

America provide clear evidence of emulation, albeit in the case of Africa, this evidence is more historical than modern. Overall, the number and range of cases enables us to produce robust generalizations about the global reach of European norms in the area of international protection.

The Global Reach of European Refugee Law takes forward the research agenda first laid out by Goodwin-Gill and Lambert in *The Limits of Transnational Law: Refugee Law, Policy Harmonization and Judicial Dialogue in the European Union*.[5] Where *The Limits of Transnational law* explored the extent of transnational judicial dialogue within the EU (and explained why there was less than might be expected), *The Global Reach of European Refugee Law* examines the worldwide emulation of key norms of European refugee protection through transnational processes and actors.

Regarding terminology, the term 'law' in this volume is used in a normative sense, interchangeably with 'norm': that is, as principled beliefs about appropriate action, shared by a community, which are embedded in practice and codified in rules (i.e., law).[6] The word 'European' is used interchangeably with 'European Union (EU)' to capture the influence of the wider Europe of the Council of Europe on the EU, unless specified otherwise. 'Emulation' is understood to mean a process of diffusion. The word 'reach' in the title of the volume is used in its ordinary meaning in order to capture both the scope of the study and the capability of the emulation in terms of distance, length, degree and range. Finally, 'refugee law' in the context of this book is synonymous with the EU concept of 'international protection': it encompasses both the law under the 1951 Refugee Convention/1967 Protocol (that is, the law of 'refugee protection' *stricto sensu*), and other forms of protection under international human rights treaties. In the EU context, international protection generally translates into asylum, understood as 'the right of residence'.[7]

[5] Guy S. Goodwin-Gill and Hélène Lambert (eds.), *The Limits of Transnational Law: Refugee Law, Policy Harmonization and Judicial Dialogue in the European Union* (Cambridge: Cambridge University Press, 2010).

[6] Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999); Martha Finnemore, *National Interests in International Society* (Ithaca, NY: Cornell University Press, 1996); Wayne Sandholtz and Kendall Stiles, *International Norms and Cycles of Change* (Oxford: Oxford University Press, 2009). See also Rosalyn Higgins, *Problems and Process: International Law and How We Use It* (Oxford: Clarendon Press, 1995), pp. 1–16.

[7] Arts. 13 and 18, Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for

A Worldwide emulation of Europe: drivers and facilitators

A core proposition of this volume is that States worldwide have been copying, to varying degrees, European norms of refugee protection for some time. In other words, this pattern of emulation is historical, and the 1951 Refugee Convention may be seen in terms of a similar pattern of worldwide adoption of Western norms encoded in an international legal instrument providing rights for refugees (see discussion in Chapter 7 on Africa).

There is a sizeable body of literature on the possible global influence of the EU, both in the socio-legal literature on the diffusion of law[8] and in the area of political science/political sociology of the EU.[9] Up to now, most European legal scholars have taken a 'European integration' approach to 'European asylum law' and have focused on EU institutional development and the effects of EU law on Member States.[10] At the same time, American scholars have for some time highlighted the global promise of European legal institutions.[11] More specifically, recent work by Fullerton highlights the significance of the new EU provisions concerning war refugees on the policy debate on asylum in the United

persons eligible for subsidiary protection, and for the content of the protection granted (recast) (OJ 2011 No. L 337/9).

[8] See, e.g., William Twining, *Globalisation and Legal Theory* (Cambridge: Cambridge University Press, 2000); 'Diffusion of Law: A Global Perspective' (2004) 49 *Journal of Legal Pluralism* 1–45; 'Social Science and Diffusion of Law' (2005) 32 *Journal of Law and Society* 203–40; 'Normative and Legal Pluralism: A Global Perspective' (2010) 20 *Duke Journal of Comparative & International Law* 473–517; Gunther Teubner, 'Legal Irritants: Good Faith in British Law or How Unifying Law Ends up in New Divergences' (1998) 61 *Modern Law Review* 11–32.

[9] See, e.g., Eiko Thielemann and Nadine El-Enany, 'Refugee Protection as a Collective Action Problem: Is the EU Shirking Its Responsibilities?' (2010) 19 *European Security* 209–29; Andrew Geddes, *Immigration and European Integration: Beyond Fortress Europe?* (2nd edn, Manchester: Manchester University Press, 2008), pp. 170–85; Ian Manners, 'Normative Power Europe: A Contradiction in Terms?' (2002) 40 *Journal of Common Market Studies* 235–58.

[10] See, e.g., Elspeth Guild and Carol Harlow (eds.), *Implementing Amsterdam: Immigration and Asylum Rights in EC Law* (Oxford: Hart, 2001); Anneliese Baldaccini, Elspeth Guild and Helen Toner (eds.), *Whose Freedom, Security and Justice? EU Immigration and Asylum Law and Policy* (Oxford: Hart, 2007).

[11] Eric Stein, 'Lawyers, Judges, and the Making of a Transnational Constitution' (1981) 75 *American Journal of International Law* 1–27; Anne-Marie Burley and Walter Mattli, 'Europe Before the Court: A Political Theory of Legal Integration' (1993) 47 *International Organization* 41–76; Anne-Marie Slaughter and William Burke-White, 'The Future of International Law is Domestic (or, The European Way of Law)' (2006) 47 *Harvard International Law Journal* 327–52.

States.[12] International Relations (IR) scholars too have long been working on diffusion theories in organizational structures.[13] The empirical data reveal from the mid-twentieth century onward, growing similarity in organizational form and function within a range of specific policy areas including public healthcare, education, and managing the natural environment.[14] Such similarity constitutes a puzzle. Why is there such a degree of worldwide homogeneity in how societies organize themselves, given the great difference in local conditions and requirements?

Some sociologists predict that weaker States, often on the periphery of the world system, will emulate the policies and organizations of the post powerful and advanced States.[15] This sociological institutionalism has been criticized for offering an account of 'world culture march[ing] effortlessly and facelessly across the globe'.[16] Local conditions or 'cultural filters'[17] – policy requirements, domestic politics and national legal culture – may reasonably be expected to shape how transnational rules are received and adopted by States. Here constructivism in IR is most useful as it seeks to explain how ideas spread across borders and take effect in national policy communities. Constructivists see a world that is substantially shaped by the identities of actors and the ideas they hold about how they should organize and act (i.e., norms).[18] One such example is the norm of sovereignty, which defines the primary unit

[12] Maryellen Fullerton, 'A Tale of Two Decades: War Refugees and Asylum Policy in the European Union' (2011) 10 *Washington University Global Studies Law Review* 87–132.

[13] Emily Goldman and Leslie Eliason (eds.), *The Diffusion of Military Technology and Ideas* (Stanford: Stanford University Press, 2003); Alexander Betts (ed.), *Global Migration Governance* (Oxford: Oxford University Press, 2011); Manners, 'Normative Power Europe'.

[14] I am grateful to Theo Farrell for pointing me to this literature. John Meyer, David Frank, Ann Hironaka, Evan Schofer and Nancy Tuma, 'The Structuring of a World Environmental Regime, 1870–1990' (1997) 51 *International Organization* 623–51; Francisco Ramirez and John Meyer, 'Comparative Education: The Social Construction of the Modern World System' (1980) 6 *Annual Review of Sociology* 369–99.

[15] Paul DiMaggio and Walter Powell, 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality', in P. Powell and W. DiMaggio (eds.), *The New Institutionalism in Organizational Analysis* (Chicago: Chicago University Press, 1991), pp. 41–62.

[16] Martha Finnemore, 'Norms, Culture and World Politics: Insights from Sociology's Institutionalism' (1996) 52 *International Organization* 325–47, at 339.

[17] Manners, 'Normative Power Europe', at 245.

[18] Wendt, *Social Theory of International Politics*. See also David Armstrong, Theo Farrell and Hélène Lambert, *International Law and International Relations* (2nd edn, Cambridge: Cambridge University Press, 2012), pp. 100–10.

of political organization in the modern world, and rights and duties of that unit.[19]

Much overlap exists between these bodies of scholarship (particularly, law and IR).[20] Accordingly, this Introduction, which is written from a law perspective, draws on IR (and sociological) theory on policy and social diffusion, with the aim of identifying key pointers for chapter authors to consider in their case studies.[21]

According to Twining, 'diffusion is a pervasive, continuing phenomenon';[22] it 'refers to a vast and complex range of phenomena',[23] and raises 'questions about occasions, motives, agents, recipients, pathways, obstacles, trialability, observability, impact, and so on'.[24] Twining correctly notes that this process of diffusion is 'typically a reciprocal rather than a one-way process', hence early influences of 'Western legal traditions lose their pre-eminence'.[25] Crucially, he explains that 'processes of diffusion are nearly always mediated through local actors'.[26]

Constructivists in IR have produced numerous accounts of how norms evolve and spread. Most accounts emphasize the role of norm entrepreneurs and advocates in promoting new norms, and the role of transnational networks (professional, scientific, legal or advocacy) in diffusing norms.[27] Norm diffusion usually involves a process of socialization, where States (or policy communities within them) are pressured and/or persuaded to adopt the new norm, and internalization, where the new norm is embedded in the laws, codes and practices of the adopting

[19] Samuel Barkin and Bruce Cronin, 'The State and the Nation: Changing Norms and the Rules of Sovereignty in International Relations' (1994) 48 *International Organization* 107–30.

[20] See Anne-Marie Slaughter, *A New World Order* (Princeton: Princeton University Press, 2004).

[21] In the academic debate relating to the spread of ideas, sociologists and IR scholars have generally referred to the terminology of 'diffusion' and 'socialization', whereas lawyers have referred to 'reception' and 'transplants'. Some socio-legal scholars do however embrace the term 'diffusion'; see Twining, 'Diffusion of Law: A Global Perspective' and 'Social Science and Diffusion of Law'.

[22] Twining, 'Social Science and Diffusion of Law', 215, referring to the work of Patrick Glenn.

[23] *Ibid.*, 240. [24] *Ibid.*, 228. [25] *Ibid.*, 215–16, referring to the work of Patrick Glenn.

[26] Twining, 'Diffusion of Law: A Global Perspective', 26. On the role of electoral mechanisms in shaping patterns of policy diffusion, see Katerina Linos, 'Diffusion through Democracy' (2011) 55 *American Journal of Political Science* 678–95.

[27] Peter Haas, 'Epistemic Communities and International Policy Coordination' (1992) 41 *International Organization* 1–35; Thomas Risse, 'Ideas Do Not Float Freely: Transnational Coalitions, Domestic Structures, and the End of the Cold War' (1994) 48 *International Organization* 165–214; Preslava Stoeva, *New Norms and Knowledge in World Politics* (Abingdon, Oxon.: Routledge, 2010).

community.[28] Crucially, constructivists find that specific norms are often 'localized' in the process of selective adoption by States.[29]

We may draw on this scholarship to identify the processes whereby non-EU States emulate European asylum law and protection practice. There are *two main drivers* behind the spread of norms. The first driver for emulation is new challenges and uncertainty. This emulation driver draws on rational processes and the need to succeed.[30] Where States are faced with new challenges and are uncertain about how to tackle them, then they go fishing for ideas. According to this perspective, diffusion offers a solution to a problem.[31] The second driver for emulation is normative and stems from reputation and the growing of transnational professional standards (through association or bilateral agreements with the EU, for instance). This emulation driver draws on social processes and the need to conform.[32] Here, diffusion appears more as an ideology; the underlying motivation of the diffusion is its value.[33] In law, including refugee law, a transnational professional identity, composed of expertise and norms, has developed that is shared by organizational actors the world over.[34] In the context of our study on refugee law and protection practice, the EU, as a major source of new ideas and professional standards, fulfils a leading role in this respect.

State emulation is also a process of norm diffusion. Here constructivist studies point to *three facilitating factors*. The first of these is the degree of fit between the foreign norm and local requirements, politics, laws and culture[35] – in other words, the 'context'.[36] The second, as noted already, is

[28] Martha Finnemore and Kathryn Sikkink, 'International Norm Dynamics and Political Change' (1998) 52 *International Organization* 887–917; Thomas Risse, Steven Ropp and Kathryn Sikkink, *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999).

[29] Amitav Acharya, 'How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism' (2004) 58 *International Organization* 239–75.

[30] Paul DiMaggio and Walter Powell, 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality', in Powell and DiMaggio (eds.), *New Institutionalism*, pp. 41–62.

[31] Twining, 'Diffusion of Law: A Global Perspective', 30.

[32] DiMaggio and Powell, 'Iron Cage Revisited'.

[33] Twining, 'Diffusion of Law: A Global Perspective', 30.

[34] Betts, *Global Migration Governance*.

[35] Jeffrey Checkel, 'Norms, Institutions, and National Identity in Contemporary Europe' (1999) 50 *International Studies Quarterly* 83–111, at 86–7; Andrew Cortell and James Davis, 'Understanding the Domestic Impact of International Norms: A Research Agenda' (2000) 2 *International Studies Review* 65–90.

[36] Twining, 'Social Science and Diffusion of Law', 211 discussing the work of Otto Kahn-Freund. See also the discussion on 'fit' and 'proximity', in Katerina Linos, 'When Do Policy Innovations Spread? Lessons for Advocates of Lesson-Drawing' (2006) 119 *Harvard Law*

the presence and role of transnational policy, legal or advocacy networks in 'transmitting' the foreign norms. The third facilitating factor is the role of advocacy groups and other stakeholders in 'pushing' for normative change from within the country in question.[37] This view of diffusion captures the more romantic view that law is embedded holistically in legal culture, and so reception can be problematic.[38]

Aside from the academic issues that result from looking at the spread and effect of European protection law worldwide, there are also important practical imperatives. Policy makers, but also legislators (in the EU and in countries around the world), want to know why the adoption of a legal rule or practice is not working, and when – and under what conditions – it will work. When faced with a choice, they also want to know how to go about choosing a particular rule or practice.[39] Domestic courts and judges want to know when it is appropriate to use foreign law.[40] Others (e.g., activists, UNHCR, human rights NGOs, etc.) want to know how to resist a restrictive rule or practice.

By examining seven case studies in detail, this book aims to remedy the lack of a sustained empirical base – identified by Twining as 'the Achilles heel of comparative law'[41] – in the area of (diffusion of) refugee law.

B Key *trends* in European refugee law

Ever since the Single European Act (1987), issues of asylum and immigration have been part of the debate relating to the creation of an Internal

Review 1467–87. For different views on commonalities and distinctiveness between legal cultures, see, for instance, Roger Cotterrell, *Law, Culture and Society* (Aldershot: Ashgate, 2006); David Nelken, 'Puzzling Out Legal Cultures: A Comment on Blankenburg', in David Nelken (ed.), *Comparing Legal Cultures* (Aldershot: Ashgate, 1997), pp. 58–88; Pierre Legrand, 'European Legal Systems Are Not Converging' (1996) 45 *International and Comparative Law Quarterly* 52–81.

[37] Anne-Marie Clarke, *Diplomacy of Conscience: Amnesty International and Changing Human Rights Norms* (Princeton: Princeton University Press, 2002); Anne Klotz, *Norms in International Relations* (Ithaca, NY: Cornell University Press, 1995).

[38] Twining, 'Diffusion of Law: A Global Perspective', 30.

[39] *Ibid.*, 10; Twining, 'Social Science and Diffusion of Law', 217.

[40] Goodwin-Gill and Lambert, *Limits of Transnational Law*. See also Christopher McCrudden, 'A Common Law of Human Rights?: Transnational Judicial Conversations on Constitutional Rights' (2000) 20 *Oxford Journal of Legal Studies* 499–532; Sir Basil Markesinis and Jörg Fedtke, *Judicial Recourse to Foreign Law: A New Source of Inspiration?* (London: University College London and Austin: University of Texas: 2006); John Bell, 'The Argumentative Status of Foreign Legal Arguments' (2012) 8 *Utrecht Law Review* 8–19.

[41] Twining, 'Social Science and Diffusion of Law', 240.

Market and the abolition of internal borders by 1992.[42] A special group of senior civil servants (the Ad Hoc Immigration Group) was set up to reinforce external border controls and limit access into Europe. As early as 1987, this Group adopted an agreement to impose penalties on carriers responsible for bringing undocumented aliens into the European Community (EC) (1987). The Ad Hoc Group also adopted two conventions in 1990: the Convention determining the state responsible for examining the applications for asylum lodged in one of the Member States of the EC (Dublin Convention),[43] and the Convention on the gradual abolition of internal borders (Schengen Convention).[44] Both conventions contained almost identical provisions on asylum. Shortly afterwards, and clearly confirming the priorities of the EC in the field of asylum at the time (namely, internal security and external border control), the EC Immigration Ministers agreed on the text of two Resolutions and one Conclusion (1992): the Resolution on manifestly unfounded applications, the Resolution of a harmonized approach to questions concerning host third countries and the problem of readmission agreements, and the Conclusion on countries where there is generally no serious risk of persecution.[45]

The Amsterdam Treaty (1997)[46] was a major milestone in the creation of a European asylum policy through the introduction of EC competence in asylum and immigration issues in a new 'title' dealing with an area of freedom, security and justice. However, this 'title' was kept separate from the traditional provisions relating to the free movement of persons.[47] Equally important, therefore, were the Tampere European Council Conclusions, which promised a new legal objective for the development

[42] Art. 8A(2) Single European Act (now art. 26(2) TFEU) defines the internal market as 'an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of this Treaty' (OJ 1987 No. L 169).

[43] Convention determining the state responsible for examining applications for asylum lodged in one of the member states of the European Communities (Dublin Convention, OJ 1997 No. C 254/1).

[44] The Schengen *acquis* – Convention implementing the Schengen Agreement of 14 June 1985 between the governments of the states of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders (OJ 2000 No. L 239/19).

[45] See generally Ingrid Boccardi, *Europe and Refugees: Towards an EU Asylum Policy* (Alphen aan den Rijn, the Netherlands: Kluwer Law International, 2002), pp. 27–60.

[46] OJ 1997 No. C 340.

[47] Steve Peers and Nicola Rogers (eds.), *EU Immigration and Asylum Law: Text and Commentary* (Dordrecht: Martinus Nijhoff, 2006), p. 83 (referring to Title IV as the 'ghetto' provision).

of a common asylum and immigration policy, namely, the respect of human rights. For the first time, a commitment was made to freedom based on human rights, democratic institutions and the rule of law.[48] In particular, the right to 'move freely throughout the Union ... in conditions of security and justice' was affirmed.[49] This freedom was to be granted to *all*, which meant that the EU had to develop common policies on asylum and immigration.[50] The Tampere summit was a key moment in the development of common asylum and immigration policies as it was then that these policies became founded on respect for human rights, and not in the Internal Market. The Union was acquiring a new human rights dimension, and as pointed out by Boccardi, '[i]t was not coincidence that the Tampere Council also instituted the body that was going to draft the EU Charter of Fundamental Rights'.[51] That also marked the moment when it was finally acknowledged that the EU needed a Common European Asylum System (CEAS), a hugely ambitious project, and that this was to be created by 2012.

This project has so far proceeded in two stages. In stage one (1999–2005 – the Tampere Programme), a common legislative framework was adopted on the basis of international and Europe-wide standards. Six key legislative instruments were adopted during this first phase: the Asylum Procedures Directive,[52] the Qualification Directive,[53] the Dublin Regulation,[54] the Reception of Asylum Seekers Directive,[55] the Eurodac Regulation[56] and the Temporary Protection Directive.[57] Stage

[48] Tampere European Council, Presidency Conclusions, point 1. [49] *Ibid.*, point 2.
[50] *Ibid.*, point 3. [51] Boccardi, *Europe and Refugees*, p. 174.
[52] Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in member states for granting and withdrawing refugee status (OJ 2005 No. L 326/13).
[53] Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (OJ 2004 No. L 304/12).
[54] Council Regulation 2003/343/EC of 18 February 2003 establishing the criteria and mechanisms for determining the member state responsible for examining an asylum application lodged in one of the member states by a third-country national (OJ 2003 No. L 50/1).
[55] Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers (OJ 2003 No. L 31/18).
[56] Council Regulation 2000/2725/EC of 11 December 2000 concerning the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of the Dublin Convention (OJ 2000 No. L 316/1).
[57] Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between member states in receiving such persons and bearing the consequences thereof (OJ 2001 No. L 212/12).