

Preface

In June 2013, the amended European Union (EU) legislation on asylum was adopted after lengthy and complex negotiations. The recast “asylum package” represents a significant step forward in the further development of a Common European Asylum System (CEAS). Since the 1999 Tampere Conclusions, there has also been a series of landmark rulings of the European Court of Human Rights (ECtHR) and the European Court of Justice of the European Union (ECJ) which, combined with important constitutional and institutional changes introduced by the 2009 Treaty of Lisbon (ToL), has visibly changed the juridical and legal landscape in the area of asylum. Despite the progress made so far, the EU protection regime for refugees remains characterized by an underlying tension between a security paradigm and a human rights-based approach.

This timely volume provides fresh insights into legislative and judicial developments from a fundamental human rights perspective and responds to some of the contemporary challenges faced by the EU protection regime, with a particular focus on the rights of asylum-seekers.

Many of the ideas in this book are the end-result of collaborative research undertaken during my Visiting Professorship at the School of Law of the University of Cagliari in Italy in 2012. I am grateful to a number of colleagues, particularly Francesca Ippolito, with whom I had the opportunity to discuss at length a number of issues in relation to European asylum law, which I elaborate further in this book. I would also like to thank Sandra Wickenhauser at Springer for inviting me to contribute to the *Springer Briefs Series in Law* and for her enduring patience as completion was delayed by recent judicial and legislative developments at European level.

As an increasing number of people around the world are forced to flee their own country for fear of persecution, it is to them and to their heroic courage that this volume is dedicated.

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Legislative developments and judicial activism of the
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