

9940/93

CIREA 5

REPORT

from: Steering Group I (Asylum - Immigration)

on : 8 and 9 November 1993

to : K.4 Committee

No. prev. doc.: 9728/93

Subject: Second activity report on CIREA (1)

1. At its meeting on 8 and 9 November 1993, Steering Group I confirmed its agreement to the second activity report on CIREA (Annex hereto). It agreed to propose that the report be referred to the next meeting of the Justice and Home Affairs Council.
2. It also thought that this report could not be published in its present version and instructed the CIREA to prepare a revised version of it.

Second activity report
on the Centre for Information,
Discussion and Exchange on Asylum (CIREA)

I. Introduction

1. The Ministers decided to set up CIREA at their meeting on 11 and 12 June 1992. Its main objective is to compile, exchange and disseminate information and prepare documentation on all questions relating to asylum.
2. It has been decided that CIREA will in principle draw up an activity report twice a year for the attention of the Council. The first report was submitted to the Ministers at their meeting in Copenhagen on 1 and 2 June 1993 (WGI 1503).
3. The purpose of this second report is to describe the progress of work during the second half of 1993.

II. Work undertaken by CIREA

CIREA has held two meetings in the second half of 1993 (15 September and 27 October) and will hold a third one on 13 December.

CIREA has concerned itself with two types of work: it has continued with the establishment of the rules governing its operation and it has exchanged information on asylum in respect of each Member State.

A. Rules of operation

1. Establishment of a new statistical system (WGI 1544 REV 2)

The Group has established a new statistical system to record the number of asylum-seekers and the recognition rate in each of the Member States.

The system has been set up in order to respond more effectively to the provisions laid down in the second part of Article 14(1) of the Dublin Convention, where it is stated inter alia that statistical data concerning monthly arrivals will be forwarded quarterly. It also corresponds to the guidelines laid down by the Ministers indicating that CIREA should concentrate on the exchange of statistical information.

The new system will enable the Member States to have a more complete and more accurate picture of the situation regarding asylum-seekers in the European area. Firstly, the Member States will have access to information about the exact number of asylum-seekers from all countries of the world. Secondly, footnotes indicate the general interpretation given by the Member States to several concepts contained in the statistical tables.

In this first phase, the intention has been to cover only a relatively limited amount of important data which the Member States can easily assemble.

The new statistical system will apply as from 1 January 1994.

In addition, the Group held a discussion with a view to harmonizing certain important statistical concepts.

2. Guidelines on the content of joint reports on third countries ⁽¹⁾ (WGI 1535 REV 1)

The Ministers have on several occasions asked for joint situation reports to be drawn up on certain third countries of origin of asylum-seekers. To achieve this aim fully CIREA has decided to include a number of items of information in each of these reports.

CIREA has accordingly prepared some guidelines enabling the reports to give an accurate overall picture of the political, economic and social situation in the third country, without going into too much detail.

It has been agreed that these guidelines could be adapted as appropriate to the third country on which the joint report is requested. In certain cases, this will mean deleting one or more points. In other cases, certain specific questions will be added depending on the perceived information requirements.

3. Dissemination and confidentiality of the joint reports concerning the situation in certain third countries (WGI 1535 REV 1) ⁽¹⁾

CIREA has examined the question of the dissemination and confidentiality of the joint reports on several occasions.

A consensus seems possible on allowing the competent national authorities to use the joint reports, if they wish to do so, among the items of information at their disposal when dealing with asylum applications.

Depending on national procedures, these reports may be made available to the parties involved in a dispute when there is an appeal against a decision by the authorities responsible for matters concerning asylum and aliens.

4. Procedure for drawing up reports in connection with joint assessments of the situation in third countries (WGI 1655 REV 1)

CIREA considers that it is important to have a rapid procedure for drawing up joint reports on the situation in third countries.

To this end, it has made a detailed examination of the procedure relating to the stages to be followed, the decision to produce a joint report, its drafting by the representations of Member States in a particular third country and its forwarding to CIREA via the appropriate bodies once completed.

⁽¹⁾ Scrutiny reservation by the Netherlands delegation.

B. Information exchanges

1. Situation in the country of origin of asylum-seekers

CIREA made a detailed examination of the situation in Ethiopia/Eritrea (WGI 1356) and Romania (WGI 1404) on the basis of joint reports drawn up on the spot by the representations of the Twelve and finalized by EPC.

The discussion, which proved very useful for the Member States, enabled informal consultations to be held to facilitate the co-ordination of asylum practices and policies.

In this context, it contributed to the general debate on the way in which the Member States will apply Article 1A of the Geneva Convention. CIREA has also had occasion to discuss asylum-seekers from other regions, such as Albanians from Kosovo.

2. New list of joint reports on third countries

It was agreed that European Political Co-operation should be asked to draw up joint reports on five other third countries (Bulgaria, China, Iraq, Vietnam and Zaire)

A request will also be made, in due course, in respect of Turkey and Nigeria.

3. Examination of the differences in the rate of recognition of refugee status

CIREA discussed the very different rates behind of recognition in the Member States and the reasons behind them.

In this connection it gave priority to examining the situation in those third countries which generate most asylum-seekers in the European Union.

It was apparent that this exercise was one of the main points which CIREA was intended to deal with, thus contributing to the general debate on how Member States are to apply Article 1A of the Geneva Convention.

4. Representations to the authorities of third countries

(a) It is apparent that certain Member States are experiencing a significant increase in the number of asylum-seekers of Chinese origin.

On the basis of a study carried out within CIREA, the Ad hoc Group on Immigration decided to ask European Political Co-operation to make representations to the Chinese authorities with a view to facilitating the return of rejected Chinese asylum-seekers. The arguments to be deployed are still being prepared.

(b) It was also agreed that representations should be made to the Vietnamese authorities and a request to that effect has been forwarded to EPC. Work on arguments to be deployed is similarly under way.

5. Length of time taken to examine of asylum applications

CIREA has conducted a review and produced a synopsis relating to the average length of time taken to examine applications for asylum, decisions and appeals in each of the Member States.

In view of recent changes in legislation in the Member States which will affect the length of time taken to examine asylum applications, the group agreed to carry out a further examination of the situation at a later date.

6. Co-operation with the UNHCR research documentation centre (CDR)

Following decisions taken by Ministers on 1 and 2 June 1993, CIREA has established with the CDR/UNHCR the practical bases on which to implement the co-operation agreement concluded.

It has been agreed that a six-month pilot project should be set up between CIREA and the CDR.

7. Compilation of information

The compilation of information on asylum practices and policies is of particular importance in the work of CIREA.

At each meeting Member States have exchanged practical information on salient aspects such as the number of asylum-seekers who have entered a country, breakdown into nationalities, draft laws under examination, new legislative provisions and major changes in practice which have taken place.

CIREA has also conducted a detailed and thorough exchange of views on changes in legislation in certain Member States, especially Germany, the United Kingdom, Belgium, Greece and Portugal.

III. Future work

CIREA will continue its efforts to finalize the rules governing its operation and to improve the exchange of information on asylum.

In this connection CIREA considers that all work which will help to ensure more effective consultation on the concept of "refugee" as defined Article 1A of the Geneva Convention should be continued.

CIREA is aware that these discussions will take place in parallel with those of the Group on Asylum where current work is aimed at preparing guidelines on this subject and that the work of the Group on Asylum would, therefore, be underpinned by the discussions under way within CIREA.

In addition, it will be remembered that the Ministers decided at their meeting in Lisbon on 11 and 12 June 1992 that in the immediate term CIREA would operate on a provisional basis, in the framework of the decision set out in WGI 1107.

In view of the entry into force of the Treaty on European Union, a legal act will have to be adopted in due course to establish CIREA in this new framework.
