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RESTREINT

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NOTE

from: Legal Service

to : Working Party on Asylum

Subject: Agreement on exchange of information between the CDR/HCR and the Council

1. The Secretary-General of the Council has reached agreement in principle with the United Nations High Commissioner for Refugees (HCR) on an exchange of information between the clearing house and the HCR Centre for Documentation ⁽¹⁾. This cooperation will be set in train once the practical details of the exchange have been worked out. For that purpose, the HCR has sent the General Secretariat another draft agreement by exchange of letters which, among other things, envisages the transmission of information on asylum belonging in the public domain and in the Council's keeping.
2. Access to Council documents is now governed by the Council Decision of 20 December 1993 on public access to Council documents ⁽²⁾. Since any document may be communicated to the public under the conditions laid down in that Decision, it would be sensible, once and for all, to specify what documents will be sent to the HCR.

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⁽¹⁾ See SN 4280/93 WGI 1621 CIREA 91 of 17 September 1993, p. 4.
⁽²⁾ OJ No L 340 of 31.12.1993, p. 43.

- 3. It is proposed that the following documents be forwarded to the HCR on a permanent basis by the General Secretariat:**
- (a) Council documents which contain only information on asylum concerning:**
 - Member States' legislation (summaries or full text),
 - case law (summaries or full text),
 - important documents on the Member States' policies (in their final form),
 - statistics on the number of applications for asylum, unless the Member State or body that provided the information states otherwise;
 - (b) lists and other documents drawn up by the Council General Secretariat on the basis of the information referred to in (a) which do no more than summarize, reproduce or compile that information;**
 - (c) any document on asylum communicated to the public in accordance with the Council Decision of 20 December 1993 on public access to Council documents;**
 - (d) any document on asylum that the Council has decided to make public.**
- 4. Point 3 takes account of the guidelines adopted by the Ministers responsible for immigration in June 1993 on the dissemination of information held by the clearing house ⁽³⁾.**
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⁽³⁾ SN 2774/1/93 WGI 1433 CIREA 51 REV 1 of 6 April 1993.