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SEMDOC

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RESTREINT

ASIM 11

NOTE

to: Steering Group I

Subject: Draft Resolution on minimum guarantees for asylum procedures

1. At the Steering Group I meeting on 18 January 1995, broad agreement was reached on the addition of the following passage in the Annex to 11217/94 JAI 61 (following point 19). The wording was drawn up on the basis of a proposal by the Belgian delegation (12333/94 ASIM 240).

Application for asylum from a national of a Member State and citizen of the European Union

"The Member States note that, as they are parties to the European Convention for the Protection of Human Rights and Fundamental Freedoms, there should not be any legal grounds, in compliance with the 1951 Geneva Convention, for granting refugee status to an asylum seeker who is a national of another Member State.

On that basis, an application for asylum submitted by a national of another Member State will, in accordance with the rules and customs of each Member State, form the subject of a particularly rapid or simplified procedure".

2. It was agreed to note in the conclusions of the Steering Group's meeting that this wording did not create any irrebuttable presumption and that Member States were still required, as laid down in the Geneva Convention to which the Treaty on European Union refers, to examine every application for asylum individually.
3. The German and United Kingdom delegations entered scrutiny reservations.