



EUROPEAN UNION
THE COUNCIL

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SEMDOC

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LIMITE

CK4 4

ASIM 3

NOTE

from: Presidency

to: K4 Committee

Subject: Strategy on migration and migration policy

1. On 1 July 1998 the Austrian Presidency submitted a strategy paper on migration and asylum policy (9809/98 CK4 27 ASIM 170). The purpose of that paper was to take discussion of the European Union's migration and asylum policy further and argue in favour of a self-contained migration and asylum strategy. The document has so far only been discussed by the K4 Committee, the Permanent Representatives Committee and the Council of Ministers for Justice and Home Affairs. Member States have only made general comments on the text and there has therefore not been any in-depth discussion. On the basis of Member States' comments and a number of written positions, the Austrian Presidency finally drew up 9809/2/98 CK4 27 ASIM 170 REV 2.
2. The Council of Ministers for Justice and Home Affairs discussed the strategy paper on migration and asylum policy at its meeting on 3 and 4 December 1998 on the basis of a note from the Austrian Presidency (13179/98 JAI 33 ASIM 239). It gave instructions for further examination of the strategy paper under the German Presidency with continuing discussion by the relevant Working Parties in the field of Justice and Home Affairs. The Vienna European Council on 11 and 12 December 1998 called for particular attention to be paid to the development of an overall migration strategy and urged the Council to pursue its work on this issue. The special meeting of the European Council in Tampere on 15 and 16 October 1999 is to evaluate progress achieved and give further guidance to the actions of the Union.

3. In this context it should also be noted that the Justice and Home Affairs Council suggested on 3 and 4 December 1998 that account should be taken of the relevant sections of the strategy paper when preparing the brief of the High-Level Working Group on Asylum and Migration. That Working Group was set up by the General Affairs Council on 7 December 1998 at the suggestion of the Netherlands. By a cross-pillar combination of measures, the Working Group is to help reduce the influx of asylum seekers and immigrants into the Member States of the European Union. Its main aim is to analyse and combat the reasons for flight taking account of the political and human rights situation. A final report is to be submitted to the Tampere European Council on 15 and 16 October 1999. At meetings on 17 December 1998 and 11 January 1999, the High-Level Working Group agreed on the proposed terms of reference and reached extensive agreement on the countries for which action plans should be drawn up. The General Affairs Council on 25 and 26 January 1999 is to establish the High-Level Working Group's terms of reference and reach final agreement on the States to be involved.

4. The strategy paper consists of 116 points which, in addition to a critical review of the way the European Union's migration policy has evolved so far, also contain proposals for a new approach to that policy in future. The Presidency does not think that there is much point in individual working parties examining all sections of the strategy paper in carrying out their respective briefs. It is therefore proposed that the instructions of the Ministers for Justice and Home Affairs should be met by having selected passages from the strategy paper on migration and asylum policy discussed by the relevant Working Parties. This means the Asylum Working Party and the Migration (Admission) and Migration (Expulsion) Working Parties, the Visa Working Party and the Multidisciplinary Group on Organised Crime.

5. The points could be divided up between the aforementioned Working Parties as follows:

Migration Working Party (Admission)	Points 41 to 44, 45, 46, 53, 74, 77 to 85, 93, 94, 98 to 100, 110 and 114 to 116.
Migration Working Party (Expulsion)	Points 109 and 111 to 113
Multidisciplinary Group on Organised Crime	Points 66 to 73.
Visa Working Party	Points 87 and 88.
Asylum Working Party	Points 101 to 108.

This is only a suggestion for dividing up the points. The Working Parties are quite free to also discuss points not listed here if they deem it necessary. It will also be possible for Third-Pillar Working Parties other than those referred to, e.g. Judicial Working Parties to examine the strategy paper in the context of their own remit.

The points mentioned also contain passages which fall within the remit of more than one of the Working Parties. It is therefore possible for a Working Party to go beyond the sections allocated to it and also examine points of the strategy paper which are primarily the responsibility of another Working Party.

The strategy paper also contains points which wholly or partly concern First or Second Pillar issues. Some of the points mentioned here fall into the latter category. The Permanent Representatives Committee is to decide which First or Second Pillar Working Parties are to discuss these points of the strategy paper.

The fact that points of the strategy paper are not included in the list in no way signifies that there is assumed to be agreement on them. The Presidency simply suggests that such points should not be discussed because it seems necessary to focus on the most important passages to back up the work of the High-Level Working Group on Asylum and Migration and prepare a document for the Tampere European Council.

6. Delegations are requested - if they have not already done so - to send their positions on 9809/2/98 CK 4 27 ASIM 170 REV 2 in writing to the General Secretariat of the Council as quickly as possible. The Presidency intends to use the existing positions and any others received to prepare documents on which to base discussions in the abovementioned Working Parties. It is proposed that the findings of the individual Working Parties be incorporated in the work of the High-Level Working Group on Asylum and Migration and combined to produce an overall position on the European Union's strategy on migration and asylum policy. This will then go first to the Justice and Home Affairs Council and then to the European Council in Tampere on 15 and 16 October 1999.