

9142/94

RESTREINT

ASIM 169

OUTCOME OF PROCEEDINGS

of : Asylum Group

on: 5 September 1994

1. Adoption of the agenda

The Group adopted the agenda set out in Telex No 2994 of 26 July 1994.

2. Definition of minimum guarantees for procedures for the examination of asylum applications (8713/94 ASIM 152)

The Group examined in detail the document submitted by the Presidency on this matter. The outcome of its proceedings will be found in 8713/1/94 ASIM 152 REV 1.

The Group considered in particular whether these minimum guarantees would apply under the Dublin Convention. Because of the specific nature of some of the rules which were to apply, the French delegation said that it would submit a working paper on the subject which could be examined at the same time as the Presidency proposal.

The Group noted that in the Irish delegation's view both the decision to refuse an application for asylum and the recommendation on which the decision was based should be communicated in writing to the applicant. The Irish delegation stated that it might wish to make a statement for inclusion in the minutes when the text was finally approved.

There were differences of opinion in the Group on the manner in which applicants should be informed of refusal of their applications. Most delegations thought that notification of the grounds and of the means of appeal should be made in the language of the Member State taking the decision. However, three delegations (NL/UK/Cion) considered that this notification should cover the basic aspects of the decision and be made, at least orally, in a language understood by the applicant.

With regard to unaccompanied minors, the Netherlands delegation requested that measures be taken at European Union level with regard to reception arrangements.

The Group noted the comments made by the HCR on the text drawn up on minimum guarantees.

The Group agreed to continue examining all these questions at the next meeting.

3. Harmonized application of the definition of refugee within the meaning of Article 1A of the 1951 Geneva Convention (6675/1/94 ASIM 90 REV 1 and 8653/94 ASIM 157)

The Group agreed to examine this question at a future meeting.

4. Possible arguments in reply to criticisms by certain NGOs (9184/94 ASIM 134)

The Group made a preliminary examination of 8184/94 ASIM 134 submitted by the Presidency.

The Presidency asked delegations to send the Secretariat their comments on this point in writing by the end of September/beginning of October, so that the discussions could be prepared.

5. Other business

- (a) The Group noted that at the 38th meeting of the CAHAR, to be held within the framework of the Council of Europe from 20 to 22 September 1994, certain points of common interest to the States of the European Union would be discussed. The Presidency asked delegations to bear this in mind.
- (b) The Group noted the provisional agenda for the EXCOM preparatory meeting. The Presidency did not rule out the possibility of holding an on-the-spot coordination meeting between Member States in order to prepare for the discussions.
- (c) At the request of the French delegation, the Belgian delegation reported on the situation regarding the conclusion of the agreement with the consultant chosen for the EURODAC feasibility study.