EUROPEAN UNION
THE COUNCIL

Brussels, 15 December 1994 (30.01)
(OR. f)

11997/94

CONFIDENTIEL

CIREA 67

OUTCOME OF PROCEEDINGS

of: CIREA

on: 8 December 1994

1. Adoption of the agenda

The Working Party adopted the agenda in Telex No 4695 of 28 November 1994, having agreed to enter four items under "Other business" (see below).

2. Exchange of information on asylum

The Working Party noted oral statements by:

- the Danish delegation explaining the new legislation in Denmark (see 11848/94 CIREA 60);
- the German delegation on the Readmission Agreement concluded between Germany and the Czech Republic (see 11732/94 CIREA 56 ASIM 230);
- the Netherlands delegation on developments in the concept of third country where there is generally no risk of persecution and changes envisaged in the principle of host third country;
- the German delegation on recent new measures requiring entry visas for nationals of certain African countries (Togo, Benin, Burkina Faso, Côte d'Ivoire and Niger). It referred to the sharp rise in the numbers of asylum-seekers from Togo and the reasons for this.

In addition, the Working Party noted 11891/94 CIREA 61 containing statistical and other information provided by delegations.

3. **Examination of joint reports drawn up in the context of the CFSP**

   - Albania (10819/94 PESC 304 CIREA 50)

CIREA discussed the joint report on Albania (see 10819/94 PESC 304 CIREA 50). Delegations welcomed the report, which was useful for examining asylum applications, although some delegations would have liked to see additions made to it in the light of 7471/94 CIREA 16.

With this in mind, delegations were asked to send in their comments on the asylum-related aspects of the joint report during December 1994.

CIREA noted progress on the other joint reports being finalized under the CFSP.

4. **Examination of the situation in certain non-Member States which are sources of asylum-seekers (Bulgaria, Romania and Iraq)**

The Working Party discussed in depth the situation in certain non-Member States which generate asylum-seekers (Bulgaria, Romania and Iraq) and the Member States' administrative practices regarding recognition of refugee status.

In addition to delegations' replies to the relevant questionnaire (see Telex No 4189 of 7 November 1994) ([1]), CIREA's discussion took into consideration:

- for Bulgaria: the CFSP joint report (10820/94 PESC 305 CIREA 51 + COR 1), the Presidency background paper on Bulgaria (11798/94 CIREA 58) and the paper sent by the UNHCR (11963/94 CIREA 63);

- for Romania: the Presidency paper (11797/94 CIREA 57) and the paper sent by the UNHCR (11965/94 CIREA 65);

- for Iraq: the Presidency paper (11799/94 CIREA 59) and the UNHCR paper (11966/94 CIREA 66).

5. Exchange of views on safety aspects of repatriation

CIREA took note of the Belgian delegation's note, which also raised questions relating to the monitoring of repatriation (see 11962/94 CIREA 62).

The Working Party noted that there was some practical experience in the Member States. This involved monitoring the situation of asylum-seekers whose applications had been rejected and who returned to their countries of origin.

([1]) 11713/94 CIREA 55 + ADD 1 + ADD 2.

In this connection, attention was drawn to the Readmission Agreement drawn up between Switzerland and Sri Lanka. Under the terms of this agreement the UNHCR takes part in observation of the repatriation of persons refused entry. In order to gain a clearer picture of experience in this area, CIREA agreed that the Swiss authorities should be contacted, via the Presidency, and invited to provide information either orally or in writing on the Agreement and its implementation.

In addition, Member States which already had Readmission Agreements with third countries were asked to send in the relevant details for circulation to CIREA.

CIREA agreed that this question, including the return of unaccompanied children to their countries of origin, would be discussed further at a later date.

OTHER BUSINESS

(a) Islamic fundamentalism

The Italian delegation suggested issuing a questionnaire to Member States in order to build up a picture of Islamic fundamentalism and its repercussions on the numbers of asylum applications from certain third countries.

CIREA, while recognizing the value of this type of initiative, preferred to make this assessment when reviewing the situation in the third countries concerned on a case-by-case basis.

(b) **Information exchange between CIREA and UNHCR/CDR**

The Working Party:

- noted the view expressed orally by the Council Legal Service that under the Decision of 20 December 1993 the General Secretariat of the Council could send the UNHCR the documents referred to in 10177/94 ASIM 201 JUR 242 in the framework of the Information Exchange Agreement which had been drawn up;

- agreed that the conditions were in place for the General Secretariat of the Council to conclude an Agreement, by exchange of letters, setting up the project for an information exchange with the UNHCR/CDR on the lines specified in 9291/94 CIREA 26.

(c) **Overview of national laws**

CIREA considered whether it would be useful to compile a complete overview of Member States' laws and practices. CIREA asked the General Secretariat to submit a draft questionnaire in order to prepare the ground for discussion of this subject.

(d) **Proceedings in the first half of 1995**

The French delegation announced that it intended to include examination of the situation in Sri Lanka on the agenda for the first meeting in 1995.

It also referred to the wish for closer collaboration between the UNHCR and CIREA.