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EUROPEAN UNION
THE COUNCIL

Brussels, 4 November 1994

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CONFIDENTIEL

ASIM 216

NOTE

from : the French Delegation

to : Group Asylum

Subject: Minimum guarantees for asylum procedures
- Text proposal on the preamble

TEXT PROPOSAL FROM THE FRENCH DELEGATION

Draft Joint action

on minimum guarantees for asylum procedures

The Council

at its meeting in ..... on .....

Based on Article K1 of the Treaty Establishing the European Union, which includes asylum policies as one of the matters of common interest,

Based on Article K3.2b of the Treaty Establishing the European Union,

Determined, in keeping with their common humanitarian tradition, to guarantee adequate protection to refugees who need such protection in accordance with the terms of the Geneva Convention of 28 July 1951, as amended by the New York Protocol of 31 January 1967, relating to the Status of Refugees,

Noting that Member States may, in accordance with national legislation, allow the exceptional stay of aliens for other compelling reasons outside the terms of the 1951 Geneva Convention,

Affirming the intention of Member States to apply the Dublin "Convention Determining the State Responsible for Examinig the Applications for Asylum LOdged in one of the Member Sates of the European Communities" of 15 June 1990,

(...)

Invites Member States to act jointly so that asylum applications can be examined on the basis of similar procedures,

Adopts, to that end, the procedural guarantees for asylum-seekers described in the annex,

Invites Member States to ensure that those procedures are respected by adapting their national law before 1 January 1996,

Agrees to examine periodically how such procedures are applied,

Emphasizes the right for each Member State to include provisions in its national law which are more favourable than those described in the Annex.