

10201/95

LIMITE

ASIM 260

NOTE

from: Spanish Presidency

to : K.4 Committee

Nos prev. docs: 8515/95 ASIM 204 and 8594/95 ASIM 206

Subject: Draft Resolution on an alert and emergency procedure for burden-sharing with regard to the admission and residence of displaced persons on a temporary basis

Delegations will find attached a proposal from the Spanish Presidency on the abovementioned subject, in the light of discussions on the working document submitted by the Austrian, German and Netherlands delegations.

**DRAFT RESOLUTION ON AN ALERT AND
EMERGENCY PROCEDURE FOR BURDEN-SHARING WITH REGARD TO
THE ADMISSION AND RESIDENCE OF DISPLACED PERSONS
ON A TEMPORARY BASIS**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article K.1 thereof,

Having regard to the Resolution of the Council of Ministers for Justice and Home Affairs of 21 June 1995 on burden-sharing with regard to the admission and residence of displaced persons on a temporary basis,

Whereas the aforementioned Resolution, in line with the conclusions of the Council, needs further development in order to be able to apply effectively the principles set out therein when crisis situations arise requiring swift action;

Whereas it is necessary to this end to introduce an alert and emergency procedure in order to apply the principles set out in the Resolution of 21 June 1995 so that the application of such principles in future will not be delayed as a result of complex procedures,

HEREBY ADOPTS THIS RESOLUTION:

1. Initiation of the procedure

On a proposal from the Presidency, a Member State or the Commission, an urgent meeting of the K.4 Committee may be convened, the members of which will be advised by those responsible in the Member States for asylum and immigration affairs, to decide whether a situation exists which requires harmonized action by the European Union for the admission and residence of displaced persons on a temporary basis.

When an action of this type is envisaged, the conditions laid down in paragraphs 1 and 2 of the Resolution of the Council of Ministers for Justice and Home Affairs of 21 June 1995 must be fulfilled.

Prior to the meeting, the Presidency, in collaboration with the Commission and with the support of the Council General Secretariat, will prepare a report on the situation. That report will be forwarded to the Member States.

2. Content of the meeting

The agenda for the meeting will cover the following:

- a study of the situation and an assessment of the extent of population movement,
- the drawing up of a timetable and a progressive plan for anticipated admission requirements,
- an indication by each Member State of the number of persons who will be admitted and when they will be admitted, pursuant to paragraph 4 of the Resolution of the Council of Ministers for Justice and Home Affairs of 21 June 1995,
- coordination with the Commission's actions in the area of humanitarian aid to refugees,
- exchange of information with the UNHCR and coordination of the admission plan,
- coordination with third countries.

3. Decision on burden-sharing

In the light of the agreement reached at the meeting of the K.4 Committee, a proposal will be prepared for submission to the Council for approval.

If necessary, in accordance with paragraph 3 of the Resolution of 21 June 1995 and after a month has elapsed without agreement being reached within the K.4 Committee, the provisions laid down by the Council's Rules of Procedure for urgent cases may be applied.

4. Monitoring of the situation

The detailed arrangements for admitting displaced persons will be decided on by each Member State.

While the crisis lasts, the K.4 Committee may hold frequent meetings at intervals to be decided on by the Committee itself and on the basis of the points set out in paragraph 2 of this Resolution.
