

**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 24 July 2000

10652/00

LIMITE

ASIM 16

OUTCOME OF PROCEEDINGS

of : Strategic Committee on Immigration, Frontiers and Asylum
dated : 10 and 11 May 2000

1. The agenda as set out in telex 1976 dated 3 May 2000 was adopted with the addition of the item raised under "Other Business" (see point 4 below).

2. **Items to be noted**

a) **Medium-term work programme for CIREA
7996/00 CIREA 27**

The **Committee** endorsed the medium-term work programme for CIREA as set out in 7996/00 subject to the deletion of the words "(in principle, six monthly meetings)" at the end of point 10 of Section II and to the addition of a reference to the fact that CIREA could also carry out specific tasks at the request of higher bodies such as the High Level Working Group on Asylum and Migration or the Strategic Committee.

b) **Joint meeting on 19 April 2000 between CIREFI experts and experts from the applicant countries**
- Information from the Presidency

The **Presidency** informed the Committee of the outcome of the above meeting and drew attention in particular to the conclusions reached according to which

- a coincidence had been noted between the migration flows identified by the Member States and those observed in the candidate countries with the main countries of origin being Sri Lanka, Nigeria, Afghanistan and certain countries of Eastern Europe;
- with regard to illegal migration from China, particular attention had been paid to the transnational organised and diversified criminal aspects of this phenomenon;
- the problems faced by the candidate countries in combating illegal immigration from China had been noted.

3. **Policy matters**

a) **Commission staff working paper on the possible revision of the Dublin Convention 7122/00 ASILE 14**

The **Commission representative**, introducing 7122/00, indicated that the discussion paper should be seen not only as a step towards the transformation of the Dublin convention into a Community instrument but as a fundamental re-examination of the mechanisms of the Convention with a view to

- identifying the main difficulties encountered in the application of the Convention;
- establishing guidelines for future Community rules in the area covered by the Convention.

To that end the Commission services were looking for strategic guidance from the Strategic Committee following the pattern of the discussion of the Commission services discussion paper of March 1999 on common standards for asylum procedures. Such guidance was seen as urgent given the tight deadlines set in the Commission's Scoreboard for reviewing progress on the creation of an area of "freedom, security and justice" in the European Union (7917/00).

In parallel to the discussions in the Strategic Committee, the Commission services would be undertaking an evaluation exercise at expert level on the basis of a questionnaire they would shortly be submitting to the Member States. The Commission services would report on the outcome of the expert meetings to the Council as soon as possible.

During the ensuing preliminary exchange of views of a general nature, the **Committee** congratulated the Commission services on the quality of the discussion paper and agreed on the need for a rapid but sure and rigorous approach to the revision of the Dublin Convention.

Two delegations (**GR, I**) stressed the need to take account of the future enlargement of the EU.

Several delegations underlined the need to avoid asylum shopping and called for harmonised asylum procedures and minimum reception conditions for asylum seekers. Criticism was directed in particular at the heaviness and high costs of the procedures described in the Convention. The advent of Eurodac should, however, have an impact in this respect.

Areas identified by delegations as offering scope for improvement in the framework of an instrument to be drawn up under title IV TEC are :

- broadening the scope of the current Dublin Convention rules to persons requesting temporary (**S**) or subsidiary protection (**NL, S**);
- providing for the intervention of the Court of Justice of the European Communities (**NL**);

- time limits (D, F, A, NL, P, S) and means of proof (D, NL);
- the harmonisation of notions such as “safe third country” and “refugee” (B);
- the repatriation of failed asylum seekers (D)
- the treatment of family members (NL);
- aspects relating to family reunification (D, E, A)
- providing for the Member State where the applicant is physically present to process the request for asylum (S).

The **Commission representative** noted with satisfaction the commitment of the Swedish administration to deal with the Commission’s future proposal in this area as a matter of priority under its Presidency and drew attention furthermore to the parallel evaluation exercise of the workings of the Convention it was undertaking on the basis of a questionnaire it would shortly be submitting to the Member States and which might lead to practical improvements in the workings of the Dublin system with regard e.g. to statistics and to the training of officials dealing with Dublin cases.

Following this exchange of views, the **Presidency** invited delegations to submit, by 30 June 2000 at the latest, a written contribution containing their general appreciation of the Commission services working document and concluded that the Committee would continue examination of the document (Section II) in a more detailed way at a future meeting.

b) Questions arising from the analysis of the proposal for a Council Decision creating a European Refugee Fund
8002/00 ASILE 18 FIN 144
5635/00 ASILE 2 FIN 17

The outcome of the Committee’s discussions on this item is reflected in 8459/00.

c) Questions arising from the analysis of the proposal for a Council Directive on the right to family reunification
7675/1/00 MIGR 33
5396/00 MIGR 6

The outcome of the Committee’s discussions on this item is set out in 8633/00.

4. Other Business

- a) The **French delegation** drew delegations' attention to the note it had forwarded on temporary protection (subsequently distributed as 8510/00) which could be taken into account in future discussions within the Council on that subject.
- b) The **Presidency** informed the Committee that on 15 and 16 June 2000 a High Level European Conference, jointly organised by Portugal and the Commission and entitled "Towards a Common European Asylum System" would take place in Lisbon. Invitations, which would be sent shortly, would be addressed *inter alia* to Ministers, members of the Strategic Committee, of the Asylum Working Party, the Justice and Home Affairs Counsellors, the Council Secretariat and to representatives from the candidate countries as well as from international governmental and non-governmental organisations and from the academic world. The Conference, which would revolve around three themes (international protection, new challenges; towards a common refugee status; towards a common asylum procedure) was expected to lay the foundations for future work on the common European asylum system called for by the Tampere European Council.
- c) The **Presidency** announced that a meeting would be organised in June 2000 between a delegation made up of representatives (Presidency, incoming Presidency, Commission, Council Secretariat) of the Strategic Committee and of the High Level Working Group on Asylum and Migration (HLWG) and a delegation from Turkey, as provided for in the framework of the Action Plan for Iraq drawn up by the HLWG.