EUROPEAN UNION
THE COUNCIL

Brussels, 23 February 1994 (01.03)
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RESTREINT

ASIM 47

OUTCOME OF PROCEEDINGS

of : Steering Group I (Asylum – Immigration)

~~on : 18 February 1994~~

1. Adoption of the agenda

The group approved the agenda as set out in telex No 578 of 10 February 1994, having agreed to discuss item 10 below under Other Business.

2. Harmonized application of the definition of refugee
(WGI 1633 REV 1 and 4710/94 ASIM 28)

The Group discussed whether the proceedings on the harmonized application of the definition of refugee within the meaning of the Geneva Convention should be extended to include paragraphs C, D and F of Article 1.

Following the discussion the Group instructed the Asylum Group to concentrate initially on Article 1A and subsequently, without this interfering with the timetable set by the Council, which stated that common action must be prepared before the end of 1994, on paragraphs D and F of that Article as well.

Article 1C, on the loss of refugee status, will be examined later.

3. Institutional aspects of implementation of the Dublin Convention

(4770/94 ASIM 32)

The Group took note of the opinion of the Legal Service on the composition and functioning of the Executive Committee of the Dublin Convention in relation to the institutional architecture of Title VI of the TEU.

The finding was that the institutional structure of the Council could be used, mutatis mutandis. The Group therefore asked the Legal Service to prepare draft procedural rules which applied the Council's Rules of Procedure by analogy.

4. Activity report on CIREA

– Version for publication

(10043/1/93 CIREA 9 REV 1)

The Italian delegation withdrew its scrutiny reservation.

5. Proposal for a Regulation determining the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States

(11287/93 ASIM 32)

– Progress report (4935/94 ASIM 42)

The Group heard an oral report from its Chairman on progress of the work in the Visa and Terrorism Groups (4935/94 ASIM 42).

6. Commission initiative for a Decision establishing a Convention on External Frontiers

(4421/94 ASIM 23, Section I.A)

The Group:

– had an exchange of views on the legal form and the content of the Decision, the signing of the Convention and the final date for adoption of the Convention by the Member States;

– referred to the opinion of the Council Legal Service on these points (9500/93 JUR 131) and the note from the United Kingdom delegation (11404/93 CK1 14);

– noted certain divergences of view on the above points;

– agreed to submit to the K.4 Committee the first three points in 4421/94 ASIM 13, section I.A.

The question of the date will be examined by the Group when work has advanced further.

7. Strengthening of infrastructure at external frontiers

– Presidency note (4829/94 ASIM 35)

The Group:

– heard an introduction to the note by the Chairman;

– agreed to examine the note at its next meeting.

In the meantime the Member States are requested to reply in detail to the questionnaire drawn up by the Commission in 1991.

8. Draft conclusions on the readmission by Member States of persons who are illegally resident in a Member State but who hold a residence permit for another Member State (Article 8(3) of the draft External Frontiers Convention)
(4357/94 ASIM 10)

The Group:

– noted that the Greek delegation had withdrawn its reservation on the last two paragraphs of conclusion 3;

– instructed the External Frontiers Group to continue examining the points still unresolved concerning Conclusions 3 and 4.

9. Burden-sharing

– Note from the Italian delegation
(4661/94 ASIM 26 and 4418/94 CK4 13)

The Group decided:

– to instruct the Migration Working Party to make a detailed examination of the question of burden-sharing, in accordance with the priority work programme for 1994 in the JHA area;

– that the broader aspects needed to be taken into account in order to encompass all forms of action between Member States for the purpose of meeting the costs involved in the refugee problem;

– that in order to identify certain specific points for this detailed examination, the Group could use inter alia the Widgren report prepared for the Vienna process, in particular paragraphs 40 and 69 (see 4661/94 ASIM 26).

10. Other business

(a) Laissez-passer to be issued by the authorities for their nationals

The Belgian delegation drew attention to the difficulties it was experiencing in obtaining laissez-passer from the Indian authorities for the removal of Indian nationals without papers. Of the 187 such laissez-passer requested in 1993, Belgium has obtained 10. The Belgian delegation wished to know:

– the situation in the other Member States;

– whether a joint démarche should be undertaken.

The Greek and United Kingdom delegations said they were in the same position. The United Kingdom delegation pointed out that one of the reasons for the problem was that all files had to be sent back to New Delhi.

The United Kingdom delegation said it would undertake a démarche on the spot and would make the results known. It supported the idea of a joint démarche.

(b) Commission communication on immigration and asylum

The Commission representative stated that the Commission would probably be approving the communication the following week.

Some delegations asked to be informed of the content of the communication in advance.

The Commission representative replied that he was unable to comply until the Commission had approved the text.