



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 April 2006

8240/06

LIMITE

ASILE 37

"I/A" ITEM NOTE

from : General Secretariat of the Council

to : Permanent Representatives Committee / Council

No. prev.doc.: 7855/06 ASILE 30

Subject : Adoption of Council Conclusions on strengthened practical cooperation in the field of asylum

1. On 20 February 2006, the Commission forwarded a Communication to the Council and the European Parliament "on strengthened practical cooperation. New structures, new approaches: improving the quality of decision making in the common European asylum system."¹

Following the mandate of the JHA Council on 21 February 2006, the Council bodies examined this Communication. On this basis, the Presidency submitted draft Council Conclusions.

2. Following the agreement reached at the Strategic Committee on Immigration, Frontiers and Asylum meeting on 6 April 2006, the Permanent Representatives Committee is invited to suggest that the Council adopt, under part "A" of the agenda of a forthcoming meeting, the Conclusions as set out in the Annex to this note.

¹ 6520/06 ASILE 15 + ADD 1 - COM (2006) 67 final, SEC (2006) 189.

**DRAFT COUNCIL CONCLUSIONS
ON STRENGTHENED PRACTICAL COOPERATION IN THE FIELD OF ASYLUM**

THE COUNCIL

1. *recalls* the Hague Programme of 4 and 5 November 2004, in which the European Council invited the Council and the Commission to establish appropriate structures involving the national asylum services of the Member States with a view to facilitating practical and collaborative cooperation. The European Council also stated that Member States will be assisted, *inter alia*, in achieving a single procedure for the assessment of applications for international protection, and in jointly compiling, assessing and applying information on countries of origin, as well as in addressing particular pressures on the asylum systems and reception capacities resulting, *inter alia*, from their geographical location;

2. *recalls* the Communication from the Commission to the Council and the European Parliament *The Hague Programme: Ten priorities for the next five years - The Partnership for European renewal in the field of Freedom, Security and Justice* of 10 May 2005. In this Communication, the Commission reiterated that administrative cooperation between the national services of Member States must be reinforced, with funds earmarked to assist Member States in processing the applications and the reception of third country nationals;

3. *recalls* the Council and Commission Action Plan implementing the Hague Programme on *Strengthening freedom, security and justice in the European Union* of 2 and 3 June 2005, in which it was announced that the Commission would present a Communication on the establishment of structures involving the national asylum services of the Member States for promoting cooperation;

4. *recalls* the Council Conclusions *on the single procedure for the assessment of applications for international protection*, of 25 and 26 October 2004, in which the Council considered that there was, in addition to the general objective of establishing the Common European Asylum System, a clear need for greater practical cooperation, and exchange and assessment of information between Member States to support the implementation of the first stage legislation of the Common European Asylum System and to take steps towards a single procedure to cover the two types of international protection status provided for by the Qualification Directive¹ and in which the respect of the Geneva Convention will be guaranteed;
5. *supports* in general the approach proposed in the Commission's Communication on *Strengthened practical cooperation* of 17 February 2006 and recognises that the first stage of the Common European Asylum System, as well as introducing a common legislative framework, makes it necessary to work towards harmonisation, not only of legislation, but of practice;
6. *acknowledges* that strengthened practical cooperation will contribute to the necessary convergence in decision-making and thus enhance the quality and efficiency of the asylum systems of Member States;
7. *considers* that the establishment of a Single Procedure, where the two types of international protection status set out in the Qualification Directive, are considered in one procedure, will help to reduce delays and repeated applications and therefore contribute to the efficiency of the asylum systems. The Council agrees with the Commission's approach of a preparatory phase of evaluation, consultation and analysis of what Member States need to do to unify the procedures, to be followed by a legislative phase to amend the first stage legislation where necessary;

¹ Council Directive (2004/83/EC) of 29 April 2004, on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (OJ L 304, 30.9.2004, p. 12).

8. *stresses* that accurate and easily accessible Country of Origin Information is essential for taking decisions on asylum claims. In this respect, the Council welcomes the Commission's intention to propose common guidelines, to find a solution to translation needs and to establish as soon as possible a common portal to all available information on countries of origin. In the longer term, these activities could lead to the development of an EU wide database subject to the results of a feasibility study;
9. *underlines* the responsibility of the Member States to ensure full application of the relevant legislation on asylum in the European Union and stresses the need to address the challenges brought by Particular Pressures in a spirit of solidarity. In this respect it welcomes the Commission's intention to amend and streamline existing financial instruments in order to make financial support quickly available for these kind of situations, acknowledges the need to analyse past and current particular pressure situations and encourages the pooling of Member States resources, notably via the setting up of expert teams, including, for example, availability of interpreters;
10. *acknowledges* the need to ensure the appropriate management of the ambitious programme of activities envisaged in the Communication and takes note of the Commission's intention to come forward with appropriate proposals to provide a systematic basis for exchange of information, promotion and dissemination of best practice, establishment of a repository of expertise with a view to facilitating practical co-operation and thus to improving convergence in asylum policies.
