



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 11 July 2002

**Interinstitutional File:
2001/0074 (CNS)**

10895/02

LIMITE

MIGR 67



PRESIDENCY NOTE

to : Strategic Committee on Immigration, Frontiers and Asylum
on 22 and 23 July 2002

Subject : Action Programme for Return/Repatriation based on the Commission's Green
Paper on a Community return policy on illegal residents

The European Council in Seville on 21-22 June 2002 decided to speed up the implementation of all aspects of the programme adopted in Tampere for the creation of an area of freedom, security and justice in the European Union.

Conclusion No 30 of the conclusions of the European Council of Seville specifically calls for adoption, by the end of 2002, of the components of a Return/Repatriation Programme based on the Commission's Green Paper, including the best possible facilities for early return to Afghanistan.

The Danish Presidency is aware that the deadline for submitting written comments to the Commission on the contents of the Green Paper has not yet been reached. Initial viewpoints and comments on the Green Paper will however be exchanged at the Commission's oral hearing on 16 July 2002. The question will also be addressed initially in the Working Party on Migration and Expulsion on 17 July 2002.

In view of the deadline set down by the European Council in Seville for the adoption of a European Return/Repatriation Programme and in order to implement Conclusion No 30, the Presidency finds it necessary at this stage to initiate a discussion on the issue of an Action Programme for Return/Repatriation.

At the meeting on 22 –23 July 2002 the Presidency therefore invites the Strategic Committee on Immigration, Frontiers and Asylum to consider the possible content and scope of an Action Programme for Return/Repatriation. The discussion will serve to provide input for further discussions of the topic at the informal meeting of JHA Ministers in September 2002. The Commission will present a Communication on the topic as soon as possible after the informal JHA Ministerial meeting in September 2002, cf. the Road Map of the Presidency for the follow-up to the conclusions of the European Council in Seville. A Return/Repatriation Programme will then be drafted and adopted on a JHA Council in November 2002.

On that basis, the Danish Presidency calls on the Strategic Committee on Immigration, Frontiers and Asylum to put forward their viewpoints on the following issues:

A Communication from the Commission on an Action Programme for Return/Repatriation should cover the following groups of persons:

- Illegal residents,
- Rejected asylum seekers and
- People enjoying international protection who wish to return voluntarily.

It is important that an Action Programme on Return/Repatriation focus on issues specifically related to the practical return and repatriation phase. The Programme should at least include the following elements,

- Common guidelines/standards for return/repatriation measures, including guidelines for operational cooperation between Member States,

- Forced and voluntary return,
- Introduction to specific country-related Return Programmes, including counselling of potential returnees, post-return counselling and possible financial assistance.

Do Member States envisage additional elements?

In order to reach the necessary progress acquired by the European Council in Seville, components for a specific Return/Repatriation Programme concerning Afghanistan should be included in the Commission Communication on an Action Programme. Member States are in this regard asked to consider whether such a return/repatriation programme should be treated separately from the general Return Programme.

Two Repatriation Programmes to Afghanistan have already been initiated by individual Member States in cooperation with International Organisations in this field. Both programmes are partly Community-funded and focus on voluntary return of rejected asylum seekers and recognised refugees who wish to return to Afghanistan.

What steps should be taken at Community level further to facilitate early return to Afghanistan ?
