



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from Presidency
to : Council (Justice and Home Affairs)
on : 5 and 6 June 2003

No. prev.doc. : 9646/03 ASILE 31
No. Cion prop. : 10279/02 ASILE 33 + REV 1 (de, en, fr) - COM(2002) 326 final/2

Subject : Amended proposal for a Council Directive on minimum standards on procedures
 in Member States for granting and withdrawing refugee status

1. On 24 October 2000, the Commission presented a proposal for a Directive on minimum standards on procedures in Member States for granting and withdrawing refugee status. This proposal was the subject of discussions which led the Council to adopt Conclusions on this item at its meeting on 6 and 7 December 2001.¹ In these Conclusions, the Commission was invited to present an amended proposal taking into account the approaches defined by the Council.

When drafting the Conclusions, the Council took into account the Opinions of the European Parliament and the Economic and Social Committee, delivered respectively on 20 September 2001 and 21 April 2001.

¹ 15107/1/01 ASILE 59 REV 1.

2. In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not taking part in the adoption of this Directive and is not bound by it nor subject to its application.

The United Kingdom and Ireland notified their wish to participate in the adoption of this Directive in accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland.

3. In order to comply with the Council's invitation, the Commission convoked several meetings with national experts during the first quarter of 2002.
4. In June 2002, the Commission forwarded its amended proposal.

The relevant Council bodies have focussed their work on the first two Chapters (Articles 1 to 22 - General provisions and Basic principles and Guarantees).

It is recalled that following the Seville European Council, an agreement concerning this proposal should be reached by the Council by the end of 2003.

5. The text of Articles 1 to 22 of the proposal, as they result from the Permanent Representatives Committee's discussions, is set out in the addendum to this note, with delegations' comments in the footnotes.
6. The Presidency's intention is to reach agreement in those provisions of the first two Chapters which are not linked to Chapters III and IV.

The Council is therefore invited to examine outstanding issues concerning Articles 13, 17 and 20.