



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 26 September 2005

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**ASILE 18
RELEX 471**

NOTE

from : the Presidency
to : Strategic Committee on Immigration, Frontiers and Asylum
Subject : Communication from the Commission to the Council and the European
Parliament on regional protection programmes
- Draft Council Conclusions

Delegations will find attached Draft Council Conclusions on the Communication from the Commission on regional protection programmes (doc. 11989/05 ASILE 14 RELEX 438), drawn up following discussion in the meeting of the High Level Working Group on Asylum and Migration on 22-23 September 2005.

DRAFT COUNCIL CONCLUSIONS
ON REGIONAL PROTECTION PROGRAMMES

THE COUNCIL

- *recalls* the European Council Conclusions of Tampere of 15/16 October 1999 which stressed the need for a comprehensive approach to migration and asylum and in which the Union, as well as Member States, was invited to contribute to the greater coherence of its internal and external policies in this area. Partnership with the third countries concerned was designated as a key element for the success of such a policy,

- *recalls* the Council Conclusions on the Communication of the Commission on *Integrating migration issues into the European Union's relations with third countries* of May 2003, which emphasise that migration policy is a strategic priority for the European Union and invites the Commission, inter alia, to develop concrete proposals to make additional funding available for assistance for refugees in the region and for reducing poverty in host communities,

- *recalls* the European Council Conclusions of Thessaloniki of 19/20 June 2003 which invited the Commission to explore all parameters in order to ensure more orderly and managed entry in the EU of persons in need of international protection, and to examine ways and means to enhance the protection capacity of regions of origin with a view to presenting to the Council, before June 2004, a comprehensive report suggesting measures to be taken, including legal implications,

- *recalls* the Council Conclusions *On the managed entry in the EU of persons in need of international protection and enhancement of the protection capacity of regions of origin 'improving access to durable solutions'*, of 2 November 2004, in which the Council invited the Commission to present an action plan for one or more Regional Protection Programmes to the Council by July 2005 which should be situation specific and protection oriented.

- *recalls* the Hague Programme of 4 and 5 November 2004, which welcomed the Commission's Communication on "*improving access to durable solutions*" and invited the Commission to develop EU Regional Protection Programmes in partnership with third countries concerned and in close consultation and co-operation with the UNHCR and that these programmes should be built on the experience gained in pilot protection programmes to be launched before the end of 2005. These programmes would incorporate a variety of relevant instruments, primarily focused on capacity building and include a joint resettlement programme for Member States willing to participate in such a programme.

AND ADOPTS THE FOLLOWING CONCLUSIONS:

1. The Council supports the approach proposed in the Commission's Communication of 1 September 2005, *On Regional Protection Programmes* and recognises that such programmes are a first step in improving access to protection needs and durable solutions for those in need of international protection, as quickly and as close to their home as possible.
2. The Council reiterates the importance of working in close partnership and cooperation with third countries in regions of origin and transit in the development of Regional Protection Programmes. The Council also recognises the need for a comprehensive and regional approach which is situation specific and protection oriented, including the durable solutions of repatriation, local integration and resettlement where appropriate, with a focus on protection oriented activities for the pilot Regional Protection Programmes. In taking this work forward, the Council further notes the importance of continuing to work closely with the UNHCR and, where relevant, other international organisations. Regional Protection Programmes should, through a co-ordinated approach, be coherent with general development and humanitarian assistance.
3. The Council supports the proposal that pilot Regional Protection Programmes should be considered for the Western Newly Independent States (Ukraine, Moldova and Belarus) and sub-Saharan Africa.

4. The Council invites the Commission to intensify the engagement with relevant partners and to present the Council with further details of the programmes for implementation of the proposed pilot programmes by the end of November 2005. The Council looks forward to receiving the evaluation of the pilot programmes as early as possible in 2007.

 5. The Council underlines the need to ensure appropriate sustainable funding for on-going initiatives under Regional Protection Programmes, including in the context of the work on future financing of EU policies. Recognising the need to facilitate, and its wish to encourage the targeted use of resettlement, the Council welcomes the initiative of the Commission to bring forward as soon as possible a proposal to amend the Council Decision establishing the European Refugee Fund, as announced in the Communication.
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