Standards for the reception of applicants for international protection. Recast

2008/0244(COD) - 26/04/2012

The Council took note, on the basis of a presidency paper (doc. *8595/12*), of the **state-of-play of negotiations** on the various outstanding legislative proposals concerning the Common European Asylum System (CEAS).

In keeping with the commitment to strengthen the CEAS by the end of 2012, the Council instructed its preparatory bodies to continue work on the various proposals.

The situation on the **four outstanding files** can be described as follows:

- **The current Reception Conditions Directive**: negotiations between the Council and the European Parliament are expected to start soon. A revised proposal was tabled by the Commission on 1 June 2011.

- Asylum Procedures Directive: progress has been made, in particular regarding access to the procedure, applicants with special procedural needs and the applicability of accelerated procedures. Discussions in the Council preparatory bodies are continuing on other key elements such as guarantees for unaccompanied minors, subsequent applications and the right to an effective remedy. A revised proposal for the directive was tabled by the Commission on 1 June 2011.

- Eurodac Regulation: discussions are on hold pending a revised Commission proposal. Member States have requested additional provisions that would allow law enforcement authorities to access this central EU-wide fingerprint database, subject to strict conditions on data protection, for the purposes of fighting terrorism and organised crime.

- Dublin Regulation (procedures for determining the Member State responsible for examining an application for international protection): negotiations between the Council and the European Parliament are expected to start soon. The Council has introduced a **mechanism for early warning, preparedness and crisis management**. This mechanism is aimed at evaluating the practical functioning of national asylum systems, assisting Member States in need and preventing asylum crises. It will concentrate on enabling the adoption of measures to prevent asylum crises from developing rather than addressing the consequences of such crises once they had occurred.

Furthermore, in March 2012 the Council adopted **conclusions** on a **common framework for genuine and practical solidarity** with Member States facing particular pressures on their asylum systems, including through mixed migration flows. These conclusions are intended to constitute a toolbox for EU-wide solidarity with those Member States most affected by such pressures and/or encountering problems in their asylum systems. They aim to complement the implementation of the mechanism envisaged for early warning, preparedness and crisis management in the amended Dublin Regulation.

It should be noted that four other agreements and decisions related to the CEAS have already been adopted. They concern:

- the Qualification Directive providing for better, clearer and more harmonised standards for identifying persons in need of international protection which was adopted in November 2011 and entered into force in January 2012;

- the Long Term Residence Directive adopted in April 2011;

- the creation of the **European Asylum Support Office** (EASO) which started operations in spring 2011;

- the decision taken in March 2012 establishing common EU resettlement priorities for 2013 as well as new rules on EU funding for resettlement activities carried out by Member States.

As regards the overall context, it should be remembered that the European Council confirmed in its conclusions in June 2011 that negotiations on the various elements of the CEAS **should be concluded by 2012.**