Border control: common rules on temporary reintroduction of border control at internal borders in exceptional circumstances

2011/0242(COD) - 08/06/2012

The Council took note of the **state-of-play** of negotiations on the various outstanding legislative proposals concerning the Common European Asylum System (CEAS).

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

– On the reception conditions directives, negotiations between the Council and the European Parliament are ongoing. It is the goal of the Presidency to obtain political agreement by the end of June. A revised proposal was tabled by the Commission on 1 June 2011.

– Negotiations between the Council and the European Parliament are also expected to be finalised by the end of June on the Dublin Regulation, which establishes the procedures for determining the member state responsible for examining an application for international protection. 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. The mechanism would concentrate on adopting measures to prevent asylum crises from developing rather than addressing the consequences of such crises once they had occurred.

As a complement to the mechanism for early warning, preparedness and crisis management in the amended Dublin Regulation, the Council adopted in March 2012 conclusions on a common framework for genuine and practical solidarity towards 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 towards those member states most affected by such pressures and/or encountering problems in their asylum systems**.

– On the asylum procedures directives, the Presidency has received a mandate to start negotiations with the European Parliament as soon as possible. A revised proposal of the directive was tabled by the Commission on 1 June 2011.

– **Regarding the Eurodac regulation**, the Commission last week tabled its **new proposal for a revised Eurodac Regulation** (see summary dated 30/05/2012) **which allows 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. After examination in the Council preparatory bodies, negotiations with the European Parliament should start as soon as possible.

On the basis of the mandates obtained from the Permanent Representatives Committee on 21 March 2012 and 4 April 2012 respectively, the Presidency has initiated negotiations with the European Parliament on the recast for Reception Conditions Directive and on the recast for the Dublin Regulation.

On both files a series of four trilogues have been agreed between the Presidency, the European Parliament and the Commission. Furthermore, **it has been agreed to work towards a political agreement on both files by the end of the Danish Presidency**.

The Permanent Representatives Committee has recently initiated discussion on the recast for the Asylum Procedures Directive. On the basis of these discussions, the Presidency hope to be able to initiate negotiations with the European Parliament and **thus paving the way forward for the incoming Cypriot Presidency to finalize negotiations in 2012**.