

Asylum: granting and withdrawing refugee status, minimum standards on procedures, Common European Asylum System

2000/0238(CNS) - 20/09/2000 - Legislative proposal

PURPOSE : to establish minimum standards on procedures in Member States for granting and withdrawing refugee status. **CONTENT** : the aim of this Directive is to establish minimum standards at Community level for asylum procedures in Member States in which refugee status is granted or withdrawn. The proposal is the first Community initiative on asylum procedures for the purpose of achieving a common European asylum system. As conclusion 15 of the Presidency at the Tampere European Council in 1999 states that in the long term Community rules should lead to a common asylum procedure in the European Union, the minimum standards for procedures in the Member States are only a first step towards further harmonisation on procedural rules. A Communication on this particular issue will be presented in November. With this proposal for a Directive, the Commission is pursuing the following aims: - providing for measures that are essential to the efficiency of Member States' procedures for granting and withdrawing refugee status; - laying down common definitions of, and common requirements for inadmissible and manifestly unfounded cases, including the safe country concepts in order to achieve a common approach among those Member States that apply these practices and concepts; - laying down time-limits for deciding in first instance and in appeal in these cases, empowering Member States to effectively process them as soon as possible; - enhancing thereby the ability of Member States to examine the asylum applications of persons that may be Geneva Convention refugees; - laying down a minimum level of procedural safeguards for asylum applicants in the procedures in Member States to ensure a common level of procedural fairness in the European Community; - laying down specific safeguards for fair procedures for persons with special needs; - setting minimum requirements for decisions and decision-making authorities with a view to reducing disparities in examination processes in Member States and ensuring a good standard of decision making throughout the European Community. Furthermore, the Commission envisages to introduce a Contact Committee. This Committee will facilitate the transposition and the subsequent harmonised implementation of the Directive through regular consultations on all practical problems arising from its application. It will help avoid duplication of work where common standards are set, notably with respect to the situation on safe third countries and safe countries of origin.