Asylum procedure and protection in the regions of origin

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This Communication follows the conclusions at the Thessaloniki European Council and builds on the the Commission's related Communications on managing asylum (see COM(2003)0315.) It makes recommendations on how to enhance protection capacities for refugees and also proposes an EU-wide Resettlement Scheme.

The Communication is set out in four chapters:

- Chapter I looks at the first objective of Conclusion 26 of the Thessaloniki European Council, the need "to explore all parameters in order to ensure more orderly and managed entry in the EU of persons in need of international protection.

- Chapter II addresses the second objective of Conclusion 26, the need "to examine ways and means to enhance the protection capacity of regions of origin".

- Chapter III examines how to operationalise the Thessaloniki's European Council's clear call for an integrated, comprehensive, balanced, flexible and situation specific approach to asylum and migration issues in which both the mechanisms ensuring a more orderly entry in the EU of persons in need of international protection as well as the enhancement of the protection capacity of regions of origin play a key role.

- Chapter IV provides the conclusions of this Communication and outlines the best way forward.

The Commission proposes the strategic use and the introduction of EU Resettlement Schemes should be considered as a tool to ensure more orderly and managed entry in the EU of persons in need of international protection. This Communication discusses why the policy objective of this kind of managed entry could be beneficial for all concerned and create a win/win situation for those in need of international protection, countries of first asylum and destination countries, such as EU Member States. In terms of the financing of such an EU resettlement scheme the explicit inclusion of resettled refugees as beneficiaries of the second phase of the European Refugee Fund, will reinforce the collective and cooperative notion underlying any such scheme.

Furthermore the Communication highlights the need to assist the countries in the regions of origin, often merely transit countries, in becoming proper countries of first asylum allowing persons in need of international protection to access effective protection sooner and closer to their needs. In this context it is vital that these countries are assisted in a multi-annual engagement by the EU in this transformation process, and the Communication identifies identified the various elements of protection capacity enhancement on which such technical and financial assistance could be focused.

This Communication also proposes the crafting of EU Regional Protection Programmes which aim at addressing protracted refugee situations globally in a comprehensive and concerted approach. EU Regional Protection Programmes would need to be flexible and situation-specific and their added value would lie in the improved coordination and systematisation given to each of the identified possible elements of which such Programmes could be comprised. EU Regional Protection Programmes would provide a "tool box" comprising a range of measures. These tools would be mainly protection oriented. However, the following specific characteristics might in particular be included in such a "tool box":

- Action to enhance protection capacity;

- Registration Scheme: The UNHCR registration scheme "Profile", which will ultimately utilise biometric technology, constitutes a fundamental protection tool to better manage who requires protection in a third country. Such a scheme could also prove invaluable in terms of evaluating the effects of the action taken under the EU Regional Protection Programmes.

- An EU-wide Resettlement Scheme;

- Assistance for improving the local infrastructure;

- Assistance in regard to local integration of persons in need of international protection in the third country;

- Cooperation on legal migration;

- Action on migration management;

- Return: this could be aimed at the third country's own nationals, as well as other third country nationals for whom the third country has been or could have been a country of first asylum, if this country offers effective protection.

The Commission envisages taking charge of the drawing-up of a pilot EU Regional Protection Programme in relation to a protracted refugee situation identified by the Commission in close cooperation with UNHCR and consulting the relevant Council groups with a plan of action by July 2005 and a fully-fledged EU Regional Protection Programme by December 2005.