

EC/Switzerland agreement: State responsible for the examination of an asylum application. Dublin Convention on Eurodac

2004/0200(CNS) - 13/06/2005

The committee adopted the report by Timothy KIRKHOPE (EPP-ED , UK) approving the proposed Council decision subject to two amendments concerning the legal basis. Having consulted Parliament's Committee on Legal Affairs, the committee concluded that the Mixed Committees created within the Agreement could be considered a specific institutional framework within the meaning of the second subparagraph of Article 300(3) TEC. The Commission should therefore have indicated the second subparagraph of Article 300(3) TEC as the legal basis of the proposal, which implies the assent procedure, rather than the first subparagraph of Article 300(3) TEC, which provides for simple consultation of Parliament. The committee amended the text of the proposal accordingly