Basic information

1998/0357(CNS) CNS - Consultation procedure Decision	Procedure completed
Refugees, displaced persons, asylum seekers: voluntary repatriation and reception, Kosovo emergency assistance **Subject** 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties and Internal Affairs	ZIMMERMANN Wilmya (PSE)	20/01/1999

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs, Security and Defense Policy	The committee decided not to give an opinion.	23/02/1999
BUDG Budgets	BRINKHORST Laurens Jan (ELDR)	17/02/1999

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2173	1999-04-26

Key events

Date	Event	Reference	Summary
16/12/1998	Legislative proposal published	COM(1998)0733	Summary
15/03/1999	Vote in committee		Summary
15/03/1999	Committee report tabled for plenary, 1st reading/single reading	A4-0115/1999	
22/03/1999	Committee referral announced in Parliament		
13/04/1999	Modified legislative proposal published	COM(1999)0181	Summary
26/04/1999	Act adopted by Council after consultation of Parliament		

26/04/1999	End of procedure in Parliament		
01/05/1999	Final act published in Official Journal		

Technical information

Procedure reference	1998/0357(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Treaty on European Union (after Amsterdam) M K.8-p2 Treaty on European Union (after Amsterdam) M K.3-p2
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/10822

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0115/1999 OJ C 219 30.07.1999, p. 0004	15/03/1999	
Text adopted by Parliament, 1st reading/single reading		T4-0250/1999 OJ C 219 30.07.1999, p. 0023-0086	13/04/1999	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1998)0733 OJ C 037 11.02.1999, p. 0004	16/12/1998	Summary
Modified legislative proposal	COM(1999)0181	13/04/1999	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Third pillar act 1999/0290
OJ L 114 01.05.1999, p. 0002 Summary

Refugees, displaced persons, asylum seekers: voluntary repatriation and reception, Kosovo emergency assistance

1998/0357(CNS) - 16/12/1998 - Legislative proposal

PURPOSE : Provide the Union with a legal instrument enabling it to support, firstly, measures designed to improve the reception conditions and access to asylum procedures, and, secondly, to facilitate the voluntary repatriation and reintegration of refugees, displaced persons and asylum seekers. CONTENT : The objective of this joint action is to provide the Union with an instrument enabling it to react in a flexible manner to the changing needs and future pressures in this field and which will also take account of the principle of shared responsibility between Member States. More specifically it aims to : - provide the individuals and groups concerned with appropriate protection in accordance with the common traditions of the Member States and with the obligations incumbent upon them, particularly by virtue of the Convention for the Protection of Human Rights and Fundamental Freedoms and the Geneva Convention relating to the Status of Refugees; - provide appropriate reception certificates for asylum seekers and facilitate access to fair and efficient procedures to protect the rights of refugees; - create conditions in which refugees, displaced persons and asylum seekers who wish to return voluntarily from the Member States to their countries of origin are able to do so; - ensure a balance of effort between the Member States to deal with the reception and voluntary return of refugees and displaced persons. With respect to reception aspects, the programme will cover the following aspects : - measures for the improvement of the infrastructure in the Member States for the reception of asylum applicants and displaced persons; - the enhancement of the fairness and efficiency of asylum procedures and the facilitation of access to them, including the provision of : legal assistance and other counselling services, interpretation services; information on the procedure to be followed, and the rights and obligations of the asylum applicant during the procedure; access to precise and up to date country information; - the ensuring of a basic standard of living conditions for asylum applicants and displaced persons, including accommodation, medical care, education and training; - special assistance to vulnerable groups, such as unaccompanied minors, victims of torture or rape, and people requiring special medical treatment; - the provision of information to the public on Member States' obligations to persons seeking international protection and the European Union's asylum policy, including public awareness measures complementing other measures financed under this joint action. With respect to voluntary repatriation of asylum applicants, displaced persons and refugees from the Member States to their countries of origin, and their reintegration there, the following is envisaged : - the collection and dissemination of information on all aspects relevant to return, including the economic and administrative situation in the country of origin, employment opportunity, property rights and other legal matters; - counselling to assist both persons who are considering whether to return voluntarily to their country of origin and persons who have decided in principle to return; - training and education, with the aim of providing refugees, displaced persons and asylum applicants with skills which will be of benefit on return to the country of origin. The following may also be eligible for funding : - transport costs associated with repatriation; - measures to support the reintegration in their country of origin of persons returning from the Member States, including post repatriation monitoring. The Commission will be responsible for managing the measures and will publish guidelines regarding eligible expenditures. The programme will run for two years from the entry into force of the legal base, i.e. the period 1999-2000. The projected budget is 30 million euros. At the end of that period, an evaluation will be made to see whether it is necessary to continue the action or re-direct it. The Commission will carry out regular evaluation and monitoring of operations financed under this instrument to ensure that they correspond to the objectives and priorities set, and to draw up guidelines with a view to improving project selection criteria. At the end of each financial year, it will report to the European Parliament and the Council on the action taken and on the assessment of this action.

Refugees, displaced persons, asylum seekers: voluntary repatriation and reception, Kosovo emergency assistance

1998/0357(CNS) - 26/04/1999 - Final act

PURPOSE : To provide the Union with legal instruments which allows it to establish projects and measures to provide practical support in relation to the reception and voluntary repatriation of refugees, displaced persons and asylum seekers. COMMUNITY MEASURE : Joint Action 1999/290/JHA adopted by the Council on the basis of Article K.3 of the Treaty on European Union, establishing projects and measures to provide practical support in relation to the reception and voluntary repatriation of refugees, displaced persons and asylum seekers, including the emergency assistance to persons who have fled as a result of recent events in Kosovo. CONTENT : The objective of this Joint Action is to establish an instrument aiming to create and improve the reception and voluntary repatriation of refugees, displaced persons and asylum seekers in the Member States. In order to carry this out, the financial reference amount of EUR 15 million is given for 1999, which may be the subject to revision at a later date by the budgetary authority. In addition, assistance may be given to asylum seekers who have fled from Kosovo and from neighbouring regions as a result of recent events there. More specifically, the Joint Action aims to : 1) improve the conditions in which the refugees, displaced persons and asylum seekers are received in the Member States, and to support asylum procedures which are fair, efficient and accessible to persons in need of international protection; 2) assist the voluntary repatriation of refugees, displaced persons and asylum seekers from the Member States to their country of origin, and their reintegration there; 3) provide emergency assistance in the Member States which receive a significant number of refugees following the crisis in Kosovo. The Joint Action defines the areas of activity covered by this initiative. Thus, the finance would be used : - in the reception context, to support the creation or the improvement of infrastructures in the Member States for the reception of the refugees, displaced persons and asylum seekers, to enhance the fairness and efficiency of administrative and judicial asylum procedures (access to them, adequate information,...), to ensure a basic standard of living conditions for the persons concerned, including accommodation, medical care, education and training, special assistance to vulnerable groups (such as unaccompanied minors, victims of rape and torture,...) and to provide information to the public on Member States' obligations to persons seeking international protection; - in the context of voluntary repatriation, the collection and dissemination of information on all aspects relevant to return, including the economic and administrative situation in the country of origin, employment opportunity, propert rights and other legal matters, councelling to assist both persons who are considering whether to return voluntarily to their country of origin and those who have decided in principle to return and training and education with the aim of providing these persons concerned with skills which will be of benefit to them on return to the country of origin. Those who wish to return to their country may be eligible for financing which would cover transport costs asociated with repatriation and measures to

support the reintegration in their country of origin. Concerning emergency assistance to persons following recent events in Kosovo, assistance is based on a 6 month period and aims to cover accommodation needs, means of subsistence (food and clothing), medical, psychological or other personal assistance and other costs linked to the personal administering and implementing the assistance. These measures may also include actions to facilitate the voluntary return of displaced persons when the conditions permit. The Commission will be responsible for the management of financial control. For the implementation of this Joint Action, the Commission shall be assisted by a Committee consisting of one representative from each Member State and chaired by the Commission. There are strict financial criteria set out in the text of the Joint Action. Similarly, specific procedures are planned by type of funding and measures envisaged (above or below 50,000 EUROS for reception and repatriation measures, above or below 200,000 EUROS or even a million EUROS for aid to Kosovars). The financial support from the budget of the European Communities shall not exceed 80% of the total cost of the project or measure. The Commission shall be responsible for the monitoring and evaluation of projects and measures financed under this Joint Action. Monitoring and evaluation may be financed from the appropriations available under this Joint Action. The Commission shall prepare a summary report of measures undertaken and the evaluation carried out, to be sent to the European Parliament and the Council. ENTRY INTO FORCE : 26.04.1999. It shall apply until 31.12.1999.

Refugees, displaced persons, asylum seekers: voluntary repatriation and reception, Kosovo emergency assistance

1998/0357(CNS) - 13/04/1999 - Text adopted by Parliament, 1st reading/single reading

Under consultation procedure, the European Parliament adopted the legislative resolution by Wilmya Zimmermann (PSE,DE) which approves the Commission proposal for a Council Decision on the joint action adopted by the Council on the basis of Article K.3 of the Treaty on European Union establishing measures to provide practical support in relation to the reception and the voluntary repatriation of refugees, displaced persons and asylum applicants, subject to amendments, notably in the following areas: - re-titling the proposal to read: "Proposal for a Council Decision on a Joint Action adopted by the Council on the basis of Article K.3 of the Treaty on European Union establishing a European Refugee Fund"; - extending the provision of practical support to help those refugees who wish to do so to return from EU territory to their countries of origin to cover reception centres in the Member States; - underlining that a legal basis should be adopted for the Community financing provided under this proposal; - noting that the Amsterdam Treaty will transfer matters of "Immigration and Asylum" to the Community's sphere of competence, and proposing that, given the commitment made in Article 73k(2)(b) of the Treaty to take measures in the field of burden-sharing among Member States for receiving refugees, there is good reason to cofinance all aspects of refugee policy as of the year 2000 and to adopt a common legal basis as of 2001; - widening the definition of "displaced persons" to include persons who have sought permission to stay in a Member State under temporary protection and have been refused; - with regard to measures to be covered by the proposal in terms of improvement of the conditions in which refugees are received, changing the wording to more generally cover measures to raise public awareness in this area; - proposing that the criteria determining financial assistance under this proposal be identical to those established for the Community action programme to promote the integration of refugees (CNS98356); - requiring that technical assistance under the proposed joint action must be financed from appropriations authorised to that end by the budgetary authority under the annual budgetary procedure; - raising from EURO 200,000 to EURO 500,000 the threshold, below which the Commission shall keep the Council informed of the number of requests received for the financing of specific projects, principles applied in granting support thereto and the results of such projects, and above which the Commission will be assisted by a committee; - requiring the Commission to keep the European Parliament adequately informed of the deliberations of the committees, in keeping with its budgetary powers and the new powers accorded to it in this area by the Amsterdam Treaty; - setting a deadline of 01/06/2001 for the Commission to submit an evaluative summary report and requiring that the report should incorporate the report specified in the Council decision establishing a Community action programme to promote the integration of refugees (CNS98356) as well as information on cooperation with the advisory committee and on the type andextent of the technical assistance used.

Refugees, displaced persons, asylum seekers: voluntary repatriation and reception, Kosovo emergency assistance

1998/0357(CNS) - 13/04/1999 - Modified legislative proposal

The amended proposal seeks to respond to the decision of the Extraordinary Council (Justice & Home Affairs) meeting of 07.04.1999 concerning events in Kosovo, when the Commission was invited to come forward with a proposal which would enable financial assistance to be provided from the Community budget, if needed, to those Member States which agree to accept refugees from the conflict region. The proposal makes provision for the provision of emergency assistance for the reception in the Member States of displaced persons, asylum applicants and refugees who have fled from Kosovo as a result of recent events in that region or who have fled from other regions in comparable circumstances. The financial assistance would be limited in time to six months following arrival and would mainly cover costs such as immediate accommodation, means of subsistence and medical expenses. These changes are completely in line with the budgetary commentary on budget line B5-803 and with the report of the rapporteur in the Civil Liberties Committee of the European Parliament (Wilmya ZIMMERMANN - PES, D). It should be noted that the new financial statement of this amended proposal states that in view of the uncertainty of the situation in Kosovo, it is not possible to estimate precisely the emergency aid needs of Kosovan refugees.