Basic information

1999/0905(CNS) CNS - Consultation procedure	Procedure lapsed or withdrawn
Migration and asylum policy: European strategy and the Union's future policy **Subject** 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF) 7.10.08 Migration policy	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties and Internal Affairs	REDING Viviane (PPE)	24/11/1998

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs, Security and Defense Policy	TERRÓN I CUSÍ Anna (PSE)	05/01/1999
JURI Legal Affairs, Citizens' Rights	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2146	1998-12-03
Justice and Home Affairs (JHA)	2166	1999-03-12

Key events

Date	Event	Reference	Summary
19/11/1998	Legislative proposal published	09809/2/1998	Summary
03/12/1998	Debate in Council		
08/02/1999	Committee referral announced in Parliament		
12/03/1999	Debate in Council		
16/03/1999	Vote in committee		Summary
16/03/1999	Committee report tabled for plenary, 1st reading/single reading	A4-0143/1999	
12/04/1999	Debate in Parliament		

Technical information	
Procedure reference	1999/0905(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legal basis	Treaty on European Union (after Amsterdam) M K.3-p2
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/4/10731

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0143/1999 OJ C 219 30.07.1999, p. 0006	16/03/1999	
Text adopted by Parliament, 1st reading/single reading		T4-0246/1999 OJ C 219 30.07.1999, p. 0023-0073	13/04/1999	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	12838/1998	16/11/1998	
Legislative proposal	09809/2/1998	19/11/1998	Summary
Supplementary non-legislative basic document	05264/2/1999	26/02/1999	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Migration and asylum policy: European strategy and the Union's future policy

1999/0905(CNS) - 13/04/1999 - Text adopted by Parliament, 1st reading/single reading

Adopting the report by Viviane Reding (PPE,LU) on migration and asylum policy, the European Parliament calls on the Council to assume, without delay, collective responsibilty for relieving the critical situation of the displaced persons and refugees in Kosovo, FYROM and Albania, by sharing the burden of receiving refugees and by joint efforts to improve the situation of those left in the area. In the context of the entry into force of the Amsterdam Treaty, the Parliament calls on the Commission to propose, without delay, a European policy on migration and asylum, with the full involvement of the Parliament. It calls on the Member States to ratify the International Convention for the Protection of Migrant Workers and their families adopted by the UN General Assembly on 18/12/90. With regard to asylum, it recalls that all Union Member States must respect the Geneva Convention and no agreement should derogate from this obligation. In the event of an application for asylum being rejected, the Parliament urges that expulsion be suspended if there are signs that the applicant's life could be at risk in his or her country of origin. It also takes the view that an asylum seeker cannot

be expelled until his right to appeal has been exhausted. The report calls for priority to be given to improving the implementation of existing international conventions on asylum and asks that, if need be, those conventions be supplemented so as to adapt them to new circumstances, rather than creating new instruments. The Parliament supports the setting-up of a system of complementary protection to supplement refugee status. It rejects any attempt to replace the legal reference framework by a discretionary system based on an "institutional offer" at the discretion of each government. It calls on the Council to tak erapid action to reach consensus on the question of sharing refugees and the burden imposed by massive and sudden influxes of refugees into those Member States which accept them either for geographical or historical reasons. With regard to migrant labour, the Parliament calls on the Council to take a decision on the Commission's proposal laying down an agreement on the rules governing the admission of third-country nationals to Member States. It further calls on Member States to recognise the right of legitimate immigrants to vote in local and European elections after 5 years' residence in a Member State. With regard to illegal immigration, the Parliament calls on the Member States and the accession countries to strengthen, in association with third countries, their cooperation in administrative, police and judicial matters, in order to combat crime, while fully exploiting the potential of Europol. It stresses that, in the fight against organised illegal immigration, consideration must always be given to the right of refugees to seek protection. The report expresses the Parliament's belief that the fight against undeclared work must also aim at the employers "who give the orders". The Parliament advocates that the agreements on re-admission to crisis-torn regions be temporarily suspended and recalls that bilateral agreements on immediate re-admission of illegal immigrants concluded by Member States with neighbouring countries must take account of the suspensory effect of the asylumprocedure laid down in the Geneva Convention. Finally, it demands that the administrative and judicial procedures applicable to illegal immigrants should lead to swifter decision making in particular with a view to regularising their status.

Migration and asylum policy: European strategy and the Union's future policy

1999/0905(CNS) - 19/11/1998 - Legislative proposal

OBJECTIVE: to present a strategy paper from the Austrian presidency on EU migration and asylum policy as a possible basis for future EU policy in this area. CONTENT: this Council paper presents an overview of a re-definition of European policy on migration. Currently, this policy is determined by national interests. However, the paper stresses that, at the end of the 1900s, it is becoming increasingly clear that the challenges in terms of migration should be met by the Union as a whole, rather than individually by Member States. Current migratory movements seem to demonstrate this (the exodus of Croats, Bosnians and Kosovans, the illegal immigration of Iraqis and Kurds and the emigration movement from the Maghreb) because they affect the whole of the EU territory. The paper seems to suggest that it is becoming essential to define a European policy concept on immigration and that the current situation, whereby EU immigration policy is simply the sum of the individual Member States? own policies in this area, can no longer be maintained. This concept must develop as a coherent, medium-term migration policy for the EU, which takes account of the highly complex topics involved, the fact that crisis situations repeatedly occur, the experience of inadequate reaction to such crises in the past and the realisation that one-dimensional measures do not solve the problem. For these reasons, the strategy paper proposes that, in the short term, the EU?s migration policy, in particular its visa, asylum, immigration, freedom of movement and border-security policies, must cover the following areas: 1) reduction of migratory pressure in the main countries of origin of immigrants: - intervention in conflict regions; - extension of development aid and economic cooperation; - political cooperation between host States and States of origin; - raising of human rights standards. 2) reduction of illegal migration and suppression of illegal immigration networks, especially in connection with the fight against organised crime. 3) immigration control: - improvement and standardisation of data capture; - promotion of tried and tested systems for the quantitative control of new immigration; - standardisation of rules governing the migration of third country nationals, and especially those governing family reunification; - transfer payments to immigrants determined by migration policy considerations; - combatting of illegal employment. 4) definition of an overall concept of official controls for entry to Member States, at all stages of movements of persons: - in the country of departure at the time of granting visa, - in transit by checks to be carried out by transport undertakings, - in the transit States by implementation of the Community acquis, - in external-border controls of the EU Member States, - by security nets at internal borders, - in the country of final destination with swift procedures (under the law governing asylum and aliens). 5) determination of the status of legal immigrants with a view to promoting integration. 6) new protection for refugees: - temporary protection for displaced persons and solidarity compensation; - integration programmes which are socially acceptable to the host States; - reintegration programmes with international support; - reform of the asylum application procedure; - transition from protection concepts based exclusively on the rule of law to include politically oriented concepts, additions to the legal basis for this, - reduction of manifestly unfounded applications for asylum. 7) agreements with States of origin and transit States: - on the approximation of legal standards affecting migration policy, - in the field of prevention and - with regard to effective repatriation. 8) ?europeanisation? of migration policy. The paper also singles out a number of priority areas. These include immigration management, combatting illegal immigration, developing legal procedures which make it possible for migration policy objectives to be attained, developing a borders policy for which there is joint responsibility and establishing a uniform, comprehensive EU law on asylum and the repatriation of illegal immigrants.