




Basic information	
2000/0127(CNS) CNS - Consultation procedure Directive	Procedure completed
Displaced persons: temporary protection in the event of a mass influx, Member States' admission Subject 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	LIBE	Citizens' Freedoms and Rights, Justice and Home Affairs	WIEBENGA Jan-Kees (ELDR)	29/08/2000
	Committee for opinion		Rapporteur for opinion	Appointed
	BUDG	Budgets	The committee decided not to give an opinion.	
	EMPL	Employment and Social Affairs	The committee decided not to give an opinion.	
Council of the European Union	Council configuration		Meetings	Date
	Justice and Home Affairs (JHA)		2337	2001-03-15
	Justice and Home Affairs (JHA)		2350	2001-05-28
	Budget		2368	2001-07-20
European Commission	Commission DG		Commissioner	
	Justice and Consumers			

Key events			
Date	Event	Reference	Summary
24/05/2000	Legislative proposal published	COM(2000)0303 	Summary

04/09/2000	Committee referral announced in Parliament		
27/02/2001	Vote in committee		Summary
27/02/2001	Committee report tabled for plenary, 1st reading/single reading	A5-0077/2001	
13/03/2001	Decision by Parliament	T5-0123/2001	Summary
13/03/2001	Debate in Parliament		
15/03/2001	Debate in Council		
20/07/2001	Act adopted by Council after consultation of Parliament		
20/07/2001	End of procedure in Parliament		
07/08/2001	Final act published in Official Journal		

Technical information	
Procedure reference	2000/0127(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 063-p2
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/13433

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0077/2001	27/02/2001	
Text adopted by Parliament, 1st reading/single reading		T5-0123/2001 OJ C 343 05.12.2001, p. 0022-0082	13/03/2001	Summary
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2000)0303  OJ C 311 31.10.2000, p. 0251 E	24/05/2000	Summary	
Other institutions and bodies				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0402/2001 OJ C 155 29.05.2001, p. 0021	28/03/2001	

CofR	Committee of the Regions: opinion	CDR0420/2000 OJ C 357 14.12.2001, p. 0006	13/06/2001	
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Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
Directive 2001/0055 OJ L 212 07.08.2001, p. 0012	Summary

Displaced persons: temporary protection in the event of a mass influx, Member States' admission

2000/0127(CNS) - 20/07/2001 - Final act

PURPOSE : to establish minimum standards for giving temporary protection in the event of a mass influx of displaced persons from third countries who are unable to return to their country of origin and to promote a balance of effort between Member States in receiving and bearing the consequences of receiving such persons. COMMUNITY MEASURE : Council Directive 2001/55/EC. CONTENT : This Directive: - establishes minimum standards to ensure a balance in the efforts of the Member States in receiving refugees and displaced persons; - establishes a maximum duration for the temporary protection arrangements. The text provides for a duration of one year with the possibility of an automatic extension by two six-monthly periods. Where reasons for temporary protection persist, the Council may decide a further extension of up to one year; - provides for the protection to be granted immediately, once the Council has decided by qualified majority that a mass influx has occurred; a Council decision extending the duration of temporary protection shall also be adopted by qualified majority; - lays down the obligations of the Member States with regard to: the rights to be granted to beneficiaries of temporary protection, in particular the right to work, housing, emergency health care, maintenance support, education and the right to family reunification; mechanisms for access to the asylum procedure; measures relating to return following the end of temporary protection measures; - establish a solidarity mechanism based on the principle of double voluntary actions (requiring the consent of both the person benefiting from temporary protection and the host Member State). ENTRY INTO FORCE : 07/08/2001. IMPLEMENTATION : 31/12/2002.

Displaced persons: temporary protection in the event of a mass influx, Member States' admission

2000/0127(CNS) - 13/03/2001 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Mr Jan-Kees WIEBENGA (ELDR, NL) by 276 votes in favour, 200 votes against and 27 abstentions. This resolution approves the draft directive on the temporary protection in the event of a mass influx of displaced persons. Although Parliament considered this draft directive to be a substantial improvement on earlier proposals on temporary protection, it nevertheless adopted a number of amendments in order to improve responsibility-sharing between Member States and to improve the actual protection granted. (Please refer to the previous text).

Displaced persons: temporary protection in the event of a mass influx, Member States' admission

2000/0127(CNS) - 28/05/2001

The Council reached political agreement on the draft directive. The maximum duration for temporary protection arrangements is fixed at one year with the possibility of an automatic extension by two six-monthly periods. Where reasons for temporary protection persist, the Council may decide a further extension of upto one year.

Displaced persons: temporary protection in the event of a mass influx, Member States' admission

2000/0127(CNS) - 24/05/2000 - Legislative proposal

PURPOSE : to establish minimum standards at Community level for the grant of temporary protection in the event of a mass influx of displaced persons and measures to promote a balance of efforts between Member States in receiving such persons and bearing the consequences thereof.

CONTENT : as envisaged by the conclusions of the Presidency at the Tampere European Council in October 1999, a common European asylum system must be based on the full and inclusive application of the Geneva Convention, maintaining the principle of non-refoulement. It is also to include, in the short term, a clear and workable determination of the State responsible for the examination of an asylum application, common standards for a fair and efficient asylum procedure, common minimum conditions of reception of asylum seekers, and the approximation of rules on the recognition and content of the refugee status. It should also be completed by measures on subsidiary forms of protection offering an appropriate status to any person in need of such protection. In the longer term, Community rules should lead to a common asylum procedure and a uniform status for those who are granted asylum valid throughout the Union. The Commission was asked to prepare a Communication on this matter in 2000. Thus, the Commission is at present proposing a draft Council Directive on temporary protection in the event of a mass influx, based on solidarity between the Member States, as indicated in the scoreboard for the evaluation of progress in the establishment of an area of freedom, security and justice in the European Union, approved by the Council on 27 March 2000. The proposal is part of a series of recent and forthcoming Commission initiatives on asylum policy under the new Treaty establishing the European Community. With this proposal for a Council Directive, the Commission is pursuing the following aims: - implementing the Treaty, the Vienna Action Plan, the Presidency conclusions of the Tampere special European Council and the scoreboard presented to the Council and the Parliament in March 2000; - avoiding a total bottleneck in national asylum systems in the event of a mass influx, which would have negative effects on Member States, the persons concerned and other persons seeking protection outside the context of the mass influx, and thereby supporting the viability of the common European asylum system; - making immediate protection and fair rights available to the persons concerned; - clarifying the link between temporary protection and the Geneva Convention, safeguarding the full application of the Convention; - contributing to achieving balance between the efforts made by the Member States to receive the persons concerned by offering coordination facilities in the event of a mass influx in the European Union and in implementing temporary protection; - to give practical expression to solidarity in the reception of the persons concerned by means of financial solidarity and the double voluntary action in reception of them. To achieve these aims the Commission is presenting a "package" in a single Directive, based on Article 63(2)(a) and (b) of the Treaty, containing definitions corresponding to the Treaty's objectives and minimum standards for temporary protection in the event of a mass influx, which should promote the balance between the efforts made by the Member States to receive persons concerned and to bear the consequences. With regard to the maximum duration of temporary protection in the event of a mass influx, this is a crucial component of the system, especially if access to the asylum procedure is temporarily postponed. In 1998, the Commission proposed a maximum period of 3 years, possibly to be extended to 5 years. But there seems to be some reluctance to accept this period in several Member States. The Commission is accordingly making a new proposal for a maximum period of 2 years, which is a reasonable and workable period. As regards the financial instruments, the draft Directive provides expressly for a financial solidarity mechanism in the simple form of a reference to the Council Decision establishing a European Refugee Fund. The Fund is to be given EUR 216 million over five years (36 for 2000, 45 each year thereafter, EUR 10 million of that for emergency measures).