



**COUNCIL OF
THE EUROPEAN UNION**

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"I/A" ITEM NOTE

from: General Secretariat of the Council
to: Permanent Representatives Committee (Part II)/Council
Subject: Amended proposal for a Directive of the European Parliament and of the Council on common procedures for granting and withdrawing international protection status (Recast) [First reading]
- Political agreement
COMMON GUIDELINES
Consultation deadline: 7.5.2013

1. The Asylum Procedures Directive provides for the standards on procedures that Member States must apply for granting and withdrawing international protection. These standards aim at ensuring that applications for international protection are treated alike, irrespective in which Member State they are processed.
2. On 7 June 2011, the Council received from the Commission an amended proposal for a Directive of the European Parliament and of the Council on common procedures for granting and withdrawing international protection status (Recast) (11207/11). The Commission had amended its initial proposal of 23 October 2009 (12959/09), taking into account the European Parliament's first-reading position voted on 6 April 2011 (8526/11) and the views expressed in Council.

3. At its plenary session on 26 and 27 October 2011, the European Economic and Social Committee, under reference to its opinion of 28 April 2010¹, decided not to draw up a new opinion on the amended proposal, but to refer to the position it had taken on the initial proposal. On 16 November 2011, the Committee of the Regions announced in a letter to the Secretary-General of the Council of the European Union not to issue an opinion on the amended proposal (18836/11).
4. In accordance with the provisions of the joint declaration on practical agreements for the co-decision procedure², representatives of the Council, the Parliament and the Commission conducted informal contacts with a view to finding agreement. The outcome of these contacts appears in document 7695/13 + COR 1.
5. By letter of 24 April 2013, the Chair of the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament informed the Chair of the Permanent Representatives Committee that the LIBE Committee, at its meeting on 24 April 2013, positively considered this text (8233/13). For that reason, the LIBE-Chair indicates he would recommend to the Members of the LIBE Committee and, subsequently, to the plenary, that the Council's first reading position be accepted without amendments in the European Parliament's second reading, subject to verification by the lawyer linguists of both institutions.

¹ EESC opinion "Minimum standards on procedures in Member States for granting and withdrawing international protection (recast)", OJ C 18 of 19.01.2011, p. 85.

² OJ C 145 of 30.06.2007, p. 5.

6. The Permanent Representatives Committee is accordingly invited to confirm the informal agreement achieved and to suggest to the Council to confirm a political agreement on the amended recast of the Asylum Procedures Directive as it appears in document 7695/13 + COR 1³. After confirmation of the political agreement, the text will be finalised by the lawyer-linguists so that the Council can adopt its first reading position as an "A" item at a forthcoming Council. Subsequently, Council's position at first reading will be communicated to the European Parliament with a view to approval without amendments in second reading.
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³ In accordance with Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union, and to the Treaty on the Functioning of the European Union, the United Kingdom and Ireland are not taking part in the adoption of the recast of the Reception Conditions Directive. In accordance with the Protocol No 22 on the position of Denmark, Denmark also does not take part in its adoption and is not bound by it or subject to its application.