



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from:	Presidency
to:	Council (Justice and Home Affairs on 26 - 27 April 2012)
Subject:	Common European Asylum System = State of play

As stipulated in the Stockholm Programme and confirmed by the European Council in June 2011, the completion of the Common European Asylum System by 2012 remains a key objective of the EU. In 2012, the Council preparatory bodies have already conducted a number of discussions on the different files that form the Common European Asylum System.

The discussion on the mechanism for early warning, preparedness and crisis management included in the Dublin Regulation was supplemented by the Council Conclusions on a Common Framework for genuine and practical solidarity towards Member States facing particular pressure on their asylum systems, including through mixed migration flows. The Council Conclusions were adopted by Council on 8 March 2012.

On 31 March 2012, the Decision of the European Parliament and the Council modifying the Refugee Fund concerning the financing of the Joint EU Resettlement Scheme entered into force. On this basis, Member States were given the month of April 2012 to pledge in accordance with the new priorities set out in the Decision.

Other already adopted elements of the Common European Asylum System are the revised Directive on Long Term Residents, the revised Qualification Directive as well as the EASO Regulation.

On 21 March 2012, the Permanent Representatives Committee mandated the Presidency to initiate negotiations with the European Parliament on the recast for Reception Conditions Directive on the basis of a compromise package that had been discussed at two previous occasions in the committee and at several meetings among Counsellors in January and February.

Furthermore, on 4 April 2012, the Permanent Representatives Committee mandated the Presidency to conduct negotiations with the European Parliament on the recast for the Dublin Regulation on the basis of a compromise text that had been the object of discussion at one previous occasion in the committee and at several meetings at Counsellors' level in January, February and March.

Negotiations with the European Parliament will start on both the Reception Conditions Directive and the Dublin Regulation as soon as possible.

As regards the recast for Asylum Procedures Directive, progress has been made, in particular on access to the procedure, applicants with special procedural needs and the applicability of accelerated procedures. Compromise proposals have been discussed at the level of the Asylum Working Party and the Strategic Committee for Immigration and Asylum. Further discussion continues to be necessary on key elements of the recast proposal such as guarantees for unaccompanied minors, subsequent applications and the right to an effective remedy.

On the recast for the EURODAC Regulation, negotiations remain on hold due to the fact that an overwhelming majority of delegations continue to support the inserting of provisions currently not proposed by the Commission in the EURODAC Regulation enabling Member States to allow their law enforcement authorities' access to the EURODAC central database under strict conditions on data protection for the purposes of fighting terrorism and organised crime.

The Presidency invites the Council to take note of the progress achieved on the legislative proposals in the field of asylum and to instruct its preparatory bodies to continue work in keeping with the commitment to establish a Common European Asylum System by the end of 2012.
