



**COUNCIL OF  
THE EUROPEAN UNION**

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**NOTE**

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from:	Presidency
to:	Council (Justice and Home Affairs)
on:	25 - 26 October 2012

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Subject:	Common European Asylum System - State of play
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Work on the recast proposals constituting the Common European Asylum System (CEAS) is progressing well. The Council and the European Parliament already reached agreement on the Qualification Directive and the Reception Conditions Directive, while negotiations on the recasts of the Dublin Regulation, the Eurodac Regulation and the Asylum Procedures Directive have entered their final phase.

The recast of the Qualification Directive was published in the Official Journal 20 December 2011<sup>1</sup>.

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<sup>1</sup> OJ L 337, 20.12-2011, p. 9

At its meeting on 2-3 October 2012, the Permanent Representatives Committee confirmed the agreement reached in the informal trilogues on the recast of the Reception Conditions Directive. This text is to be adopted as a Political agreement at the Justice and Home Affairs Council on 25-26 October 2012. After revision by the lawyer-linguists, the Council will adopt, at a forthcoming meeting, its position at first reading which will, thereafter, be communicated to the European Parliament with a view to approval without amendments.

On 18 July 2012, the Permanent Representatives Committee endorsed a compromise package on the recast of the Dublin Regulation. This package includes all provisions of the recast proposal except those related to the use of delegated acts or implementing acts. At its meeting on 19 September 2012, the Committee of Civil Liberties, Justice and Home Affairs (LIBE) expressed its support for this package. On 10 October 2012, the Permanent Representatives Committee agreed on a mandate to start negotiations with representatives of the European Parliament on the remaining provisions related to delegated acts and implementing acts. On the basis of this mandate, the Presidency will engage in trilogues with the European Parliament with a view to reaching an agreement on the entire recast of the Dublin Regulation by the end of the year. The first technical meeting on this issue with the European Parliament was held on 12 October 2012.

On 10 October, the Permanent Representatives Committee also endorsed a negotiating mandate for the Presidency with regard to the fourth revised version of the recast of the Eurodac Regulation of 30 May 2012. The LIBE Committee of the European Parliament currently envisages to hold an orientation vote on the EP draft report on 17-18 December 2012. The Presidency is in the contact with the Parliament with the view to accelerating work on this proposal to the maximum extent possible in keeping with the mandate with the European Council.

Work in the informal technical meetings and trilogues on the recast of the Asylum Procedures Directive is contributing to converging positions of the Council and the European Parliament. The second trilogue under CY Presidency took place on 16 October. The Presidency aims at achieving an overall compromise package that will have the support of both co-legislators in the further trilogues planned in November.

The Council is invited to take note of the progress achieved on the legislative proposals in the field of asylum and to instruct Council's preparatory bodies to continue work in keeping with the commitment to establish the legislative framework for a Common European Asylum System by the end of 2012.

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