



Brussels, 26 November 2021  
(OR. en)

---

---

**Interinstitutional File:  
2016/0131(COD)**

---

---

14294/21  
ADD 1

CODEC 1534  
ASILE 68

**'I/A' ITEM NOTE**

---

From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

---

Subject: Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 (**first reading**)  
- Adoption of the legislative act  
= Statements

---

**Joint statement by Cyprus, Greece, Italy, Malta and Spain**

Cyprus, Greece, Italy, Malta and Spain consider that the legislative proposals presented by the Commission in 2016 on the reform of the Common European Asylum System and in 2020 within the new Pact on Migration and Asylum constitute a legislative package whose elements are closely interlinked. The adoption of the European Asylum Agency Regulation is an important and necessary step that does not affect this package approach. Consequently, the objective remains the adoption of a fully integrated and coherent set of rules, ensuring the effective application of the principle of solidarity and fair sharing of responsibility, a result that should be achieved in the course of the negotiations on the different proposals currently under discussion.

### **Joint statement by Hungary and Poland**

Hungary and Poland would like to stress their commitment to the reform of the Common European Asylum System, however the reform of the EU asylum policy shall be based on a consensus between Member States that stays in line with the **European Council** conclusions from 2018, ensuring the proper balance between responsibility and solidarity. We perceive that the Agency should be treated as a tool for implementing the legislative proposals included in the Pact. In this regard we are convinced that we should not urge solutions that were contraproductive in the past and resulted in the deepening of mistrust among the Member States. Finally and taking into account the interlinkage of the relevant legislative proposals we remain fully committed to the principle that nothing is agreed until everything is agreed, thus Hungary and Poland cannot confirm the compromise text proposed by the Presidency with a view to an agreement with the European Parliament.

---