


Procedure file

Basic information		
COS - Procedure on a strategy paper (historic)	1994/2027(COS)	Procedure completed
Immigration and asylum policies		
Subject 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF) 7.10.08 Migration policy		

Key players			
European Parliament			
Council of the European Union	Council configuration Justice and Home Affairs (JHA)	Meeting 1859	Date 20/06/1995

Key events			
22/02/1994	Non-legislative basic document published	COM(1994)0023	Summary
18/04/1994	Committee referral announced in Parliament		
20/06/1995	Resolution/conclusions adopted by Council		
27/06/1995	Vote in committee		Summary
26/06/1995	Committee report tabled for plenary	A4-0169/1995	
20/09/1995	Debate in Parliament		Summary
21/09/1995	Decision by Parliament	T4-0400/1995	Summary
21/09/1995	End of procedure in Parliament		
16/10/1995	Final act published in Official Journal		

Technical information	
Procedure reference	1994/2027(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/3/05302

Documentation gateway					
Non-legislative basic document		COM(1994)0023	23/02/1994	EC	Summary
Economic and Social Committee: opinion, report		CES1008/1994 OJ C 393 31.12.1994, p. 0069	14/09/1994	ESC	Summary
Committee report tabled for plenary, single reading		A4-0169/1995 OJ C 249 25.09.1995, p. 0005	27/06/1995	EP	
Text adopted by Parliament, single reading		T4-0400/1995 OJ C 269 16.10.1995, p. 0137-0156	21/09/1995	EP	Summary

Immigration and asylum policies

This Commission communication related to the immigration and asylum policies in the European Union and defined the guiding framework for the future European policy on this issue. The main areas of reflection proposed by the Commission to reach a global agreement on immigration and asylum in Europe were defined as follows: - working on migratory pressure, particularly by cooperating with the main countries of potential emigration to Europe: to meet this objective, the migration and asylum policies should be fully integrated in the Union's external policies and the various instruments in the matter should be used (e.g. in the fields of trade, development and cooperation, humanitarian assistance and human rights); - controlling immigration in order to maintain it within structures that could be managed: to this end, the communication proposed that there should be a joint political response to the problems of admitting workers, students and refugees and to the problem of illegal immigration; - giving greater consideration to the integration policies concerning legal immigrants: in this context, the communication suggested that the integration policies should improve the situation of nationals of third countries who had taken up residence legally (e.g.: though the creation of economic and socio-cultural conditions that benefited successful integration and dialogue with immigrant communities). ?

Immigration and asylum policies

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Immigration and asylum policies

The committee adopted the report by Mr Jan Kees WIEBENGA (ELDR, NL) concerning the Commission's communication on immigration and asylum policies. There were many amendments to the text (over 70 amendments had been adopted, largely with the support of the rapporteur, who tried to reach compromises between the various political views present). The report was adopted with 15 votes in favour, 3 against (Greens) and 7 abstentions (Socialists). The search for these compromises did not prevent a majority of Members from tabling new amendments in the House. ?

Immigration and asylum policies

The rapporteur, Mr Wiebenga, felt that the Commission's proposals were disappointing. He wanted to see a working programme that was in line with Parliament's position and that contained more precise details on the implementation of the policy together with a schedule and a financial statement for the measures proposed. He regretted the attitude of the Justice Ministers, who said that they wanted to implement an asylum and immigration policy but then used their veto, which should be abolished in this area. The rapporteur set out a series of priorities: - a policy to prevent immigration at EU level, with the establishment of an immigration monitoring centre; - the introduction of a European system for the reception of asylum-seekers, displaced persons and refugees in order that the responsibility for such reception might be equally shared by the Member States; - negotiation within the IGC of Parliament's role under the third pillar. Commissioner GRADIN stated that the Commission would certainly consult Parliament on the main aspects of the asylum and immigration policy. It would try to resolve the deadlock in the Council over the draft convention on customs controls at the Union's external borders. Before the end of the year the Commission would present a report on the possibility of applying Article K.9 (communitisation) to the asylum policy. The Commissioner also proposed that the first six paragraphs of Article K.1 (customs, drugs, etc.) should be transferred from the third pillar to the first pillar (criminal and police cooperation would remain under the third pillar). Other initiatives included: - the rules applicable to immigration and residence conditions; - family reunification; - the status of immigrants residing legally in the Union; - the conditions governing the temporary residence of refugees and people fleeing their country, with the problem of their return; - the study on sharing the responsibility for the reception of refugees among Member States. Finally, two communications would clarify: - the relationship between the development and assistance policy and the possibility of preventing illegal immigration; - migratory flows and political, social, ethnic and religious tensions.

Immigration and asylum policies

In adopting the report by Mr WIEBENGA (ELDR, NL), Parliament approved the communication from the Commission on immigration and asylum. In its resolution, Parliament called on the Commission to present, before 1 January 1996, a working programme based on this

resolution and containing a schedule for the measures to be introduced and their financing. The Commission was also called on to play a greater role in this particular area, with the target being the rapid harmonization of asylum and immigration policies and the possibility of bringing within the Community system a set of criteria for granting residence permits to refugees. . According to Parliament, the concept of providing a temporary reception for refugees should be the object of a Commission proposal containing at least the following: . the conditions of temporary reception, . the duration of the period of reception . the type of reception offered. Parliament also took the view that asylum and immigration policies should progressively become Community-based and that in this capacity any "resolution" or "recommendation" from the Council should be presented to Parliament under the provision of Article K6 of the Treaty on European Union. Parliament also put forward a series of proposals relating to each of the areas covered by the Commission in its communication: - Migration: . presentation of a proposal which aims to coordinate more effectively the study and the processing of information relating to migration (in the form of a monitoring centre); . definition of an appropriate policy for migration prevention in the European Union; . adoption of Community criteria for assessing asylum applications and common definition of the procedures applicable to the reception and protection of refugees; . drafting of a framework directive on immigration (to be followed by individual directives) which relates to access to the employment market, training, short-term working and the return of migrants, and introduction of a directive on family entry and settlement (on behalf of the current resolution); - Asylum: . adaptation of the asylum legislation applied by Member States, so that the procedures involved cannot take more than 3 years; . drafting of a common definition of the concept of "refugee" in the light of Article 1A of the Geneva Convention, while ensuring that refugee status is granted to anyone who is a real victim of persecution; . implementation of measures which take particular account of persons who are in a precarious legal position (children, women and unaccompanied minors); . introduction of minimum guarantees in respect of asylum procedures in the Member States, in order that: * all applicants might receive a full and fair hearing, * applicants are not transferred to non-member countries (or turned away) by Member States if effective refugee protection can be provided, * requests can only be rejected by responsible bodies, * applicants whose request has been rejected have the right of legal appeal (in the knowledge that any appeal will have a suspensive effect on deportation); . introduction by Member States of a framework of measures for persons who have undergone expatriation for reasons of serious distress, to comprise the provision of temporary reception, which does not call into question their right to apply for asylum at the end of this initial period; . introduction of a European system for the global reception of refugees, asylum seekers, etc., in order that the responsibility for such reception might be equally shared by the Member States; - Illegal immigration: . presentation of a proposal for the consistent repatriation of illegal immigrants; . strengthening of measures to combat illegal smuggling and black-market labour in the Member States; - Racism and xenophobia: . submission of a proposal for a directive to counteract discrimination; . measures to combat racism and xenophobia to be included in the priorities set for the European Community within the framework of the 1996 Intergovernmental Conference; . a code of good practice which prohibits racial discrimination is to be drawn up before 1997; - Integration: . introduction of measures which give priority to immigrants who are normally resident in the Community (easier access to dual nationality, granting of active and passive voting rights at local, regional and European level, etc.) . harmonization of measures relating to residence in the European Community in order to consolidate the status of immigrants who are normally resident in the EC; . setting up a Community programme which will include measures relating to professional training, the integration of respect for cultural identity, etc.; . promotion of basic standards for the treatment of immigrants, refugees and others, in respect of social security, employment, family entry and settlement, etc. Finally, Parliament called on the Commission and the Member States to organize an exchange of experience in this field in order to determine whether an active immigration policy will be necessary in the future. ?