Subject: Provisional work programme for Steering Group I (Asylum and Immigration) for the period from 1 January 1997 to 30 June 1997

I. Introduction

Five years ago considerable impetus was given during the last Netherlands Presidency to the process of harmonization in the area of asylum and immigration by the adoption by the Maastricht European Council of the report on immigration and asylum policies (WGI 930 of 3 December 1991) from the Ministers responsible for immigration questions. Much of that work programme has since been achieved, although at the same time it can be noted that cooperation in the field of Justice and Home Affairs and, thus, the harmonization process, has not yet been completed. What is more, the need for intensified mutual contacts, more practical cooperation and further approximation of asylum and immigration policies between the Member States has merely increased with the introduction of the Treaty on European Union. The criteria formulated at that time still apply unreservedly in 1997. Cooperation and harmonization are not objectives in themselves, but are the result of a need felt by the Member States for a common treatment of and approach to issues relating to asylum and immigration. Such a process should, on the one hand, be pragmatic, efficient and of practical use for the Member States and, on the other, be compatible with the European tradition of social justice and respect for human rights as enshrined in the European Convention on the Protection of Human Rights. This balance will also guide activities during the Netherlands Presidency in the first half of 1997 in the field of asylum and immigration.
3. In accordance with the decision of the CCEE/JHA Council of 20 March 1996, the structured dialogue at the CCEE/JHA Council meeting on 27 and 28 May 1997 will focus on asylum. During the Irish Presidency the decisions already adopted and published in the field of asylum (the asylum "acquis") were sent for that purpose to the CCEE. The European Commission is responsible for a general document describing the actual situation in the area of asylum for each individual associated country. The Presidency also intends to prepare for the attention of the CCEE/JHA Council a Ministerial declaration containing, in the Annex, the action to be undertaken by each of the CCEE and the technical assistance required for that purpose. Both documents will be discussed at meetings of asylum experts from the Member States and the CCEE.

4. It is also possible that the UNHCR's repatriation plan will become operational during the first half of 1997. The Presidency considers that mutual consultation and coordination within the European Union is necessary and desirable for such a return operation and will place this issue – if the situation at the time so requires – on the agenda. The initiative announced by the Commission on temporary protection for persons fleeing from situations of conflict will also be discussed. In addition, the Presidency intends to ask the European Commission to draw up a document on the use of the budget headings existing in the field of asylum and refugees and will devote discussions to this matter.

5. On 19 and 20 June 1997 the Presidency will be organizing a conference on the policy aspects and practical implementation of the reception of asylum-seekers with the possible participation by Member States of the European Union and other interested countries from the European area.

6. Mutual adaptation of the national procedures for granting of asylum is an MWP priority. In this connection, the Presidency intends to prepare a Council Decision on implementation by the Member States of the various 1992, 1995 and 1996 asylum decisions.
2. The migration aspects of the communication submitted by the European Commission on the problem of trafficking in women for purposes of sexual exploitation will be discussed. This subject will also be raised at the Ministerial Conference on action to combat trafficking in women which is being organized from 24 to 27 April 1997 by the Netherlands Ministries of Social Affairs and Justice.

3. The discussion and analysis of Member States’ replies as regards the monitoring of texts already adopted concerning the admission of third-country nationals (10669/96 ASIM 140) will be continued, following which — if necessary — appropriate proposals can be drafted by the Presidency.

Expulsion

4. Strengthening of measures to counter illegal immigration and illegal employment, and improved cooperation on the expulsion of illegal immigrants and problems encountered over readmission, are MWP priorities to which the Presidency is particularly attached. As a follow-up to the Council Decision taken under the Irish Presidency concerning monitoring of the implementation of instruments already adopted in this area, the Presidency intends, with the help of the replies to a questionnaire, to devote discussions to possible improvements in the practical cooperation between Member States and the solution of any bottlenecks in these areas.

5. The Presidency also intends to discuss the problem of the taking back of their own nationals by countries of origin in a combined meeting of experts from working parties from the three pillars of the Treaty on European Union. In the Presidency’s view, such an approach is the best way of achieving practical, concrete action vis-à-vis third countries. In this connection use will be made inter alia of the inventory made by CIREFI of expulsion problems experienced by Member States with regard to countries of origin (6072/3/96 CIREFI 11 REV 3).
VIII. False documents

1. The Presidency will continue discussions on elaborating a European image-archiving and transmission system which is compatible with national systems, with a view to their completion. Attention will be paid specifically to the definition of the contract and to the means of financing the consultant who will have to carry out the technical examination of the general user requirements.

2. Work on finalizing the Handbook of Genuine Documents, including methods of financing, will be completed by the Presidency (in coordination with the Sherlock Committee).

3. Work on publication of the Fraud Bulletin will be continued as a matter of priority. The Presidency further intends to focus in the Fraud Bulletin Drafting Committee on the exchange of data relating to false and falsified documents.

4. The Presidency considers the exchange and analysis of statistical data on false and falsified documents to be an important subject, and the question may be raised as to whether the data exchanged sufficiently meet the practical needs of the Member States. The Presidency is resolved in this connection to put forward a proposal for evaluation.

5. A third training seminar on the detection of false documents will be held for participants from the Member States from 10 to 21 March 1997. A similar seminar will be organized from 15 to 22 June for participants from the associated States.

IX. CIREA

1. The Presidency intends to complete the discussions initiated under the Irish Presidency on evaluating the work of CIREA with a view to improving working methods and practical cooperation, and to apply the findings in practice. In this connection, the Presidency intends to organize discussions between the officials in charge in the various Member States on individual asylum dossiers (rendered anonymous) involving particular legal aspects or points of policy.
2. The Presidency plans, in the light of consultations with one or more countries and on the basis of country reports to be drawn up, to look into which measures may intensify action to combat illegal immigration and the facilitation thereof.

3. The Presidency plans to address itself to exchanges of statistical data on illegal immigration and facilitator activity with a view to possible improvements to the content as well as regarding the methods of the exchanges. If necessary, the Presidency will submit relevant proposals.

4. A meeting of the CIREFI with participants from the CCEE will take place during the Netherlands Presidency.

5. The dialogue with the Mediterranean countries will – as far as migration aspects are concerned – be considered in the context of Euro-Mediterranean cooperation.

6. The Presidency takes the view that an exchange of information on ways and means of tackling the facilitation of illegal immigration in the various Member States may be useful in determining how in practical terms closer cooperation can be achieved. If necessary, the Presidency will submit relevant proposals.

7. Also, during the Netherlands Presidency, the United States will be invited to take part in a meeting of the CIREFI in the context of the Transatlantic Dialogue.

XI. Miscellaneous

Other than in the cases already specifically referred to, the Presidency will maintain and, where necessary, build upon contacts with third countries and organizations such as UNHCR, and keep the Member States informed thereof. The Transatlantic Dialogue initiated with the United States will be continued. Consequently, the follow-up seminar on South-North migration will this time be held in Washington.

Where necessary, the Presidency will prepare and coordinate the determination of European Union positions in other international fora.