



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 May 2012

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NOTE

from: Presidency
to: Permanent Representatives Committee / Council (Justice and Home Affairs
on 7 - 8 June 2012)

Subject: Common European Asylum System
= State of play/orientation debate

In order to achieve the aim stipulated in the Stockholm Programme and confirmed by the European Council in June 2011 of completion of the Common European Asylum System by 2012, during the Danish Presidency the Council and its preparatory bodies have conducted a number of discussions on the different files that form the Common European Asylum System.

This has led to the adoption of 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, formally adopted by the Council on 8 March 2012, supplementing the discussions on the mechanism for early warning, preparedness and crisis management included in the Dublin Regulation.

Other already adopted elements of the Common European Asylum System are the revised Directive on Long Term Residents, the revised Qualification Directive, and the EASO Regulation. During the Danish Presidency, the Decision of the European Parliament and the Council modifying the Refugee Fund concerning the financing of the Joint EU Resettlement Scheme has been adopted and entered in to force in March 2012 allowing Member States to state their pledges for 2013 in accordance with the new priorities.

On the basis of the mandates obtained from the Permanent Representatives Committee on 21 March 2012 and 4 April 2012 respectively, the Presidency has initiated negotiations with the European Parliament on the recast for Reception Conditions Directive and on the recast for the Dublin Regulation.

On both files a series of four trilogues have been agreed between the Presidency, the European Parliament and the Commission. Furthermore, it has been agreed to work towards a political agreement on both files by the end of the Danish Presidency. The Presidency will continue to report to and initiate timely discussions within the Council bodies and the Permanent Representatives Committee in order to achieve the final compromise.

The Permanent Representatives Committee has recently initiated discussion on the recast for the Asylum Procedures Directive. On the basis of these discussions, the Presidency hope to be able to initiate negotiations with the European Parliament and thus paving the way forward for the incoming Cypriot Presidency to finalize negotiations in 2012.

The Commission has indicated its intention to put forward an amended proposal for a recast of the EURODAC Regulation to be presented at the June 2012 JHA Council including provisions enabling Member States to allow their law enforcement authorities' access to the EURODAC central database for the purposes of fighting terrorism and organised crime under a strict data protection regime.

The Council is invited to a first exchange of views on the basis of the Commission's amended proposal on the EURODAC Regulation.

Furthermore, the Council is invited 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.
