**EU\_Asylum\_Support\_Office**

**ID:** 529 **Code:** COM (2009) 66 **Type:** Regulation **Date of Proposal:** 20.02.2009 **Current Status:** initially the document was signed on 19.05.2010, but additional discussions were underway in November 2010. There is no further update on the document since then.

**Memo by:** Patrycja Rozbicka **Team:** DE

**Title:** Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a European Asylum Support Office

**Identified Commission Official:** DG Justice, Freedom and Security, Jacques BARROT

**Objective:**

This proposal forms part of EU efforts to develop a comprehensive asylum policy. The Commission proposes to establish a European Asylum Support Office in the institutional form of a regulatory agency; with a responsibility for facilitating and strengthening practical cooperation between Member States on asylum and helping to improve implementation of the common asylum system.

**Background:**

Work on the creation of a Common European Asylum System (CEAS, which the regulation is part of) started immediately after the entry into force of the Treaty of Amsterdam in May 1999 on the basis of the guidelines issued by the Tampere European Council of October 1999. Among the proposals of the 2004 Hague Programme, which was designed to strengthen freedom, security and justice, was that a common asylum area should be created by the establishment of an effective, harmonized procedure in accordance with the Union’s values and humanitarian tradition. Within this framework, and in support of legislative efforts, the Hague Programme proposed the setting-up of a European support office for all forms of cooperation between Member States relating to the Common European Asylum System (after establishment of a common asylum procedure and on the basis of an evaluation). In the conclusions of its meeting in April 2008 the Justice and Home Affairs Council specifically asked the Commission to present proposals on this matter. In its Policy Plan on Asylum adopted in June 2008 (COM(2008)360) the Commission announced its intention of presenting a legislative proposal for the establishment of such an office. Finally, in late September 2008 the European Council adopted the European Pact on Immigration and Asylum and expressly agreed to establish in 2009 a European support office with the task of facilitating the exchange of information, analyses and experience among Member States, and developing practical cooperation between the administrations in charge of examining asylum applications.

**Consultation / Organised Interest Activity:**

The Policy Plan on Asylum adopted by the Commission in June 2008, which provides for the adoption by the Commission of a legislative proposal for the establishment of the Support Office, was drawn up on the basis of a Green Paper presented by the Commission in *June 2007* with the aim of identifying options for the second stage of the Common European Asylum System. The Green Paper raised specific questions concerning the setting-up of a European Asylum Support Office. In response to the public consultation, 89 contributions were received from a wide range of stakeholders in the field of asylum, including 20 Member States, regional and local authorities, the Committee of the Regions, the European Economic and Social Committee, the UNHCR, academics, political parties and many non-governmental organisations (the actual list of participants is not available).

The responses to the Green Paper showed that the interested parties broadly supported a strengthening of practical cooperation on asylum and the setting-up of a support structure for such activities. The preferred option of the Policy Plan on Asylum specifically included the establishment of a European Asylum Support Office.

In 2008 the Commission commissioned an external study on the feasibility of establishing a support structure for practical cooperation on asylum. For this study a wide consultation of stakeholders was undertaken, including 10 case studies and interviews with more than 50 parties. Two meetings were held, in *April and in June 2008*, to enable stakeholders to give their views on the tasks to be assigned to the asylum support structure and how it should be organised in institutional terms. The study was completed at the end of 2008.

**Issues / Frames:**

1. Facilitation of exchange of information and cooperation between national administrations in charge of processing asylum applications.
2. Establishing a European Asylum System - the creation of common European approach to both legal and illegal migration.
3. The creation of solidarity mechanisms to offer adequate support to member states whose asylum systems are overburdened.

**Other Information:**

The debate on the regulation was highly related to discussions of the Directive on reception of Asylum seekers (our ID4). The two topics were related and most of the media coverage does not distinguish between two documents.