

# EUROPEAN PARLIAMENT

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*Session document*

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B5-0029/2003

## **MOTION FOR A RESOLUTION**

further to the Council and Commission statements

pursuant to Rule 37(2) of the Rules of Procedure

by Jorge Salvador Hernández Mollar and Hubert Pirker

on behalf of the PPE-DE Group

on immigration and asylum policy

**B5-0029/2003**

**European Parliament resolution on immigration and asylum policy**

*The European Parliament,*

- having regard to the conclusions of the Tampere summit of 15 and 16 October 1999,
  - having regard to the conclusions of the Laeken summit of 14 and 15 December 2001,
  - having regard to the conclusions of the Seville summit of 21 and 22 June 2002,
  - having regard to the Treaty of Nice, which is to come into force on 1 February 2003,
  - having regard to the conclusions of working group X on 'Freedom, security and justice' of 2 December 2002,
  - having regard to the Commission and Council statements to Parliament of 18 December 2002,
  - having regard to the conclusions of the JHA Council of 28 November 2002,
  - having regard to the conclusions of the JHA Council of 19 December 2002,
  - having regard to the Council's operational programme for 2003 as presented by the Greek and Italian presidencies,
  - having regard to its earlier resolutions on these subjects,
- A. whereas the Treaty on European Union provided for the adoption by the Council of measures on asylum and immigration within five years of the entry into force of the Treaty of Amsterdam; whereas, despite the Tampere proposals, there is now little chance of this deadline being met,
- B. having regard to the progress achieved in Council on the subject of asylum under the Danish presidency,
- C. whereas, however, the same presidency made little progress on the subject of immigration,
- D. having regard to the agreement reached by the JHA Council of 19 December 2002 on the proposal for a directive on minimum standards for the qualification of third-country nationals as refugees and the adoption of the proposal for a regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application (Dublin II),
- E. having regard to the introduction, as of 15 January 2003, of the EURODAC system for collecting and comparing asylum seekers' fingerprints

- F. whereas the Treaty of Nice, which will come into force on 1 February 2003, provides for codecision and qualified majority voting in Council for measures related to asylum and refugees, once the Council has unanimously adopted the Community legislation defining the common rules and essential principles to be applied in those areas,
- G. having regard to the conclusions of working group X ('Freedom, security and justice) on the need for a common immigration and asylum policy,
- H. having regard to the draft programme of the Greek and Italian presidencies for 2003,
- I. having regard to the conclusions of the JHA Council of 19 December 2002 on controls at the external frontiers and the fight against illegal immigration,

### ***General***

- 1. Notes the welcome efforts of the Danish presidency to achieve further progress on both asylum and immigration;
- 2. Wishes to see swift and effective implementation of the Seville conclusions;

### ***Asylum***

- 3. Welcomes the adoption of the regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application (Dublin II);
- 4. Welcomes the agreement reached on the proposal for a directive on minimum standards for refugees, but regrets the failure to adopt it thanks to the reservations expressed by certain Member States;
- 5. Welcomes, in particular, the long-overdue introduction of EURODAC, since this system provides an essential back-up to an effective asylum policy, preventing abuses of the asylum procedure; is following, in a positive spirit, the preliminary discussions on the subject of safe third countries, and, with a view to ensuring rapid decisions on asylum procedures, calls for the creation of an extendable list of safe third countries, to be updated on a permanent basis;
- 6. Takes the view, given the above, that the Council is in process of adopting the Community legislation defining common rules on asylum, and that the EP/Council codecision procedure and qualified majority voting may therefore be expected soon to come into force in the field of asylum, as advocated by the Convention's working group X;

### ***Immigration***

7. Regrets the fact that only minimal progress has been made on immigration, and, in particular, deplores the delay in adopting the directives on family reunification and the status of long-term refugees;
8. Reiterates its call for the creation of an effective instrument for providing analysis of migration flows and information on immigration;
9. Endorses the position of working group X in favour of a common immigration policy, but stresses that such a policy must consist of common minimum standards and must be totally distinct from asylum policy;
10. Calls on the EU and the Member States to commit themselves to immigration policies aimed at both ensuring respect for legally resident immigrants' rights and freedoms and respect on the immigrants' part for the values of the host society;
11. Is examining, in a positive spirit, the Council's conclusions on controls at the external borders and the fight against illegal immigration, with particular reference to the need to strengthen frontier controls and introduce a stamp indicating the date of entry into the EU of third-country nationals;
12. Reiterates the importance of creating a corps of European border guards, made up of specialised units and jointly financed, which would, should circumstances require and on Member States' request, be temporarily made available to the national authorities to assist them on high-risk stretches of the external frontiers;
13. Stresses that the fight against illegal immigration, trafficking networks and all other related crime must remain a priority for the EU; recalls that, in this context, unilateral EU action will not suffice and that the cooperation of the countries of origin and transit of immigration is essential if real results are to be obtained;
14. Stresses that strategies for poverty reduction, improvement of living and working conditions, job creation and promotion of training schemes in the countries of origin will, in the long term, contribute to normalising migratory flows;

### ***Programme of the Greek and Italian presidencies***

15. Welcomes the fact that the Greek and Italian presidencies have made asylum, immigration and border controls one of their priorities;
16. Hopes that the two presidencies will also take account of the conclusions of working group X ('Freedom, security and justice') on the need for a legislative basis in the area of asylum and the introduction of a common immigration policy;

17. Wishes to see progress in the negotiation of readmission arrangements with third countries; asks to be informed of those negotiations' progress, and stresses that priority must be given to voluntary repatriation;
18. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States.