

# EUROPEAN PARLIAMENT

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*Committee on Development*

**2008/2305(INI)**

21.1.2009

## **OPINION**

of the Committee on Development

for the Committee on Civil Liberties, Justice and Home Affairs

on the future of the European Common Asylum System  
(2008/2305(INI))

Rapporteur: Danutė Budreikaitė

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## SUGGESTIONS

The Committee on Development calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Notes that in the past year the number of refugees has grown to more than 16 million worldwide; in this context, supports the establishment of a Common European Asylum System (CEAS) and welcomes the Commission's Policy Plan on Asylum, serving as a roadmap for the completion of the CEAS;
2. Regrets that the concept of the institution of asylum, an essential part of democracy and protection of human rights, has been severely eroded in recent years; reiterates the need for full respect of the rights and needs of asylum seekers and the principle of non-refoulement;
3. Underlines that a CEAS should be established that is fully coherent with the objectives and activities in the area of refugee protection of EU instruments for cooperation with developing countries (such as the European Development Fund (EDF), the Development Cooperation Instrument (DCI), the European Neighbourhood and Partnership Instrument (ENPI) and the European Instrument for Democracy and Human Rights (EIDHR)) and agreements and partnerships between the EU and developing countries (such as the Cotonou Agreement and the Africa-EU Strategic Partnership);
4. Welcomes the Commission's intention to amend Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status<sup>1</sup> and underlines that the common asylum procedure should provide for clear, uniform and reasonable time limits for the authorities to decide on an asylum application, thus avoiding long and unwarranted waiting periods which could have negative consequences for asylum seekers' health and well-being; reiterates that granting of refugee or subsidiary protection status should always be subject to an individual assessment and in no way be limited to a generalised assessment (e.g. based on nationality) or conditionality (e.g. relating to the human rights situation in a country of origin);
5. Stresses that during the waiting periods authorities should take into consideration the different needs of asylum seekers in a more fragile situation, such as children, people with disabilities and women, and provide the necessary infrastructure;
6. Shares the Commission's view that asylum is an integral part of development cooperation with third countries rather than a crisis management tool; reiterates also that development cooperation, particularly crisis prevention, human rights monitoring, conflict transformation and peace-building, could serve as a preventive instrument of displacement; stresses therefore that CEAS should be closely connected with European development and humanitarian policies;

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<sup>1</sup> OJ L 326, 13.12.2005, p. 13.

7. Looks forward to the assessment of the Regional Protection Programmes (RPPs) due to take place in 2009; underlines that the development of such programmes should be fully coherent with National and Regional Action Plans, the Thematic Programme on Migration and Asylum of the DCI and, more generally, should never be a means to remove responsibilities from Member States and the EU;
8. Calls on the Commission to promote greater participation by Member States in worldwide refugee resettlement efforts;
9. Welcomes the fact that the Commission recognises the need to ensure coherence with other policies that have an impact on international protection; calls therefore on the Commission to support and introduce initiatives to review and adapt all border management policies and practices such as the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) and the European Border Surveillance System (EUROSUR) to guarantee refugees' access to protection in the EU and full respect for the principle of non-refoulement at the EU's external borders. In addition, stresses that the duty to render assistance as enshrined in the UN Convention on the Law of the Sea (UNCLOS) is legally binding upon Member States, the EU and FRONTEX.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	21.1.2009
<b>Result of final vote</b>	+: 27 -: 0 0: 0
<b>Members present for the final vote</b>	Margrete Auken, Thijs Berman, Josep Borrell Fontelles, Danutė Budreikaitė, Marie-Arlette Carlotti, Thierry Cornillet, Corina Crețu, Koenraad Dillen, Beniamino Donnici, Fernando Fernández Martín, Juan Fraile Cantón, Alain Hutchinson, Filip Kaczmarek, Maria Martens, Luisa Morgantini, José Ribeiro e Castro, Toomas Savi, Frithjof Schmidt, Jürgen Schröder, Felekna Uca, Anna Záborská, Mauro Zani
<b>Substitute(s) present for the final vote</b>	Maria Berger, Raymond Langendries, Miguel Angel Martínez Martínez, Manolis Mavrommatis, Anne Van Lancker