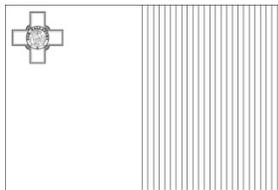


ANNUAL PROGRAMME 2013

Discussions



External Borders Fund (EBF), European Refugee Fund (ERF),
European Return Fund (RF), European Fund for the Integration of
Third Country Nationals (EIF)

Public Consultation financed by the European Union

Co-financing Rate: 100% EU Funds

Sustainable Management of Migration Flows



In your Opinion

What are the needs that need to be tackled in relation to **reception conditions**?

- Type of Action
- Background / Justification
- Scope
- Quantified Results
- Complementarity with other actions
- Financial Estimates
- Risks and Mitigating measures



Points for Discussion

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- **Art. 6.2 Stockholm Programme** emphasizes that individuals regardless of the Member State in which their application for asylum is made are offered an equivalent level of treatment as regards Reception Conditions.
 - How can MT ensures that conditions at Reception level offer an equivalent level of treatment as per minimum requirements?
 - Can gaps be identified? What are these gaps?
 - How can EU funding help to address these gaps?

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- **Art 4 Action Plan on Unaccompanied Minors** states that reception measures and access to relevant procedural grantees should apply from the moment an UM is detected at the external border or on EU territory until a durable solution is found.
 - How can we ensure that UM receive reception and assistance which is up to standards and minimum requirements?
 - Have MT established reception facilities that meet the specific needs of UM?
 - What gaps can be identified?
 - How can EU funding address these gaps?

Reception Conditions Directive

RECAST introduces:

-A definition of an applicant with **special reception needs** (Art. 2 and 21).

Art. 21 vulnerable persons such as minors, UM, disabled persons, elderly, pregnant women, single parents with minor children, victims of trafficking, persons with serious physical or mental illness, persons suffering from PTSD, persons who were victims of rape, torture.

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- Art. 22 MS shall establish a mechanism with a view to identify whether the applicant is a vulnerable person and if he/she has specific reception needs and indicating the nature of such needs.
 - Art.22 MS shall ensure adequate support for persons with special reception needs throughout the duration of the asylum procedure.

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- How can EU funding assist MT in increasing its capacity
 - To identify vulnerable persons
 - To identify the needs of these vulnerable group
 - To provide specialised health services to vulnerable persons throughout the asylum procedure
 - To provide specialised legal services (e.g. information targeted for UM) to these people
 - To effectively monitor these persons



- **Strengthening the provision on Access to Information**

Art. 5, obliging MS to inform asylum seekers within a reasonable time and not exceeding 5 days after lodging their asylum application of at least any established benefits and of the obligations with which they must comply relating to reception conditions.

MS shall ensure that applicants are provided with information on organization that provide specific legal assistance that might be able to help them or inform them concerning the available reception conditions including health care.

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- **Training Art. 29** MS shall ensure that authorities/entities that are implementing this directive have received basic training.

In your Opinion

What are the needs that need to be tackled in relation to **asylum procedures/protection**?

- Type of Action
- Background / Justification
- Scope
- Quantified Results
- Complementarity with other actions
- Financial Estimates
- Risks and Mitigating measures



POINTS FOR DISCUSSION

Stockholm Programme Art 6.2.1 emphasizes the need for reducing disparities and ensure higher degree of harmonization.

Directive 2011/95/EU Qualification Directive
(transposition date December 2013)

- Approximation of rights between refugees and beneficiaries of subsidiary protection with regards to family unity, access to employment and health care (*may require training to front liners, development of information tools*)
- Improved conditions and integration facilities with better standards for vulnerable persons with special needs (*may require specialised services*)

Recast Procedures Directive

- **Training of personnel** of national determining authorities is considered essential to ensure quality and harmonisation of CEAS. Recast proposal identifies a mandatory list of training subjects
- Introduced the concept of **special procedural guarantees** for certain categories of persons and the need to provide sufficient time for this category of persons

- **Access to information and counselling** – information to every applicant in a language that he/she actually understands (*may require MT to enhance the services of interpreters and broaden the existing services of interpreters*)
- *Applicant have timely access to his date including transcript and personal interview and can have the possibility to provide comments on transcript (Art. 16) (may require changes in the case management systems).*

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- Art 18 obliges MS to provide upon request free legal assistance at first instance (limited to the provision of information on the procedure and explanations of reasons of fact and in law in case of negative decision)

(may require the provision of additional staff offering legal services)

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- Art. 41 Right to an effective remedy

The Recast has introduced requirement for a full examination of fact and law. MS to provide reasonable time limits for the applicant to introduce an appeal and requiring what time limits must not render impossible or excessively the access to an effective remedy

(may require additional resources at appeal stage and changing case management systems)

In your Opinion

What are the needs that need to be tackled in relation to **return procedures**?

- Type of Action
- Background / Justification
- Scope
- Quantified Results
- Complementarity with other actions
- Financial Estimates
- Risks and Mitigating measures



POINTS FOR DISCUSSION

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- The Stockholm Programme recognizes that an effective and sustainable return policy is an essential element of a well-managed migration system within the Union. Such a policy must be implemented with full respect for the principle of "*non-refoulement*" and for the fundamental rights and freedoms and the dignity of the individual returnees. Voluntary return should be preferred, while acknowledging the inevitable need for efficient means to enforce returns where necessary.

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- Creating a comprehensive approach on return and readmission by setting up cooperation with countries of origin and transit within the framework of the Global Approach to Migration and in line with the European Pact on Immigration and Asylum
 - the conclusion of effective and operational readmission agreements and mechanism to monitor the implementation.
 - encouraging of voluntary return, including through the development of incentive systems, training, reintegration and subsidies, and by using the possibilities offered by existing financial instruments,

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- Improving the exchange of information on developments at national level in the area of regularization, with a view to ensuring consistency with the principles of the European Pact on Immigration and Asylum
 - increasing practical cooperation for instance by regular chartering of joint return flights, and the procurement from third countries of travel documents.

In your Opinion

What are the needs that need to be tackled in relation to **integration measures**?

- Type of Action
- Background / Justification
- Scope
- Quantified Results
- Complementarity with other actions
- Financial Estimates
- Risks and Mitigating measures



POINTS FOR DISCUSSION

Long Term Residence Directive

Preamble 4. The **integration of third-country** nationals who are long-term residents in the Member States is a key element in promoting economic and social cohesion, a fundamental objective of the Community stated in the Treaty.

Preamble 12 In order to constitute a genuine instrument for the integration of long-term residents into society in which they live, **long-term residents should enjoy equality of treatment with citizens of the Member State in a wide range of economic and social matters**, under the relevant conditions defined by this Directive.



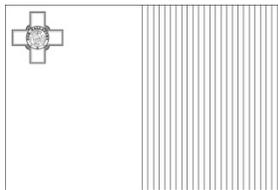
Art. 6.1.5. of the Stockholm Programme states that the successful integration of legally residing third-country nationals remains the key to maximising the benefits of immigration.

Member States' integration policies should be supported through the **further development of structures and tools for knowledge exchange and coordination with other relevant policy areas, such as employment, education and social inclusion.** Access to employment is central to successful integration.

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- to incorporate integration issues in a comprehensive way in all relevant policy areas,
 - to support the integration process, including essential elements such as **introductory courses and language classes, a strong commitment by the host community and the active participation of immigrants in all aspects of collective life,**

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- the development of **core indicators in a limited number of relevant policy areas** (for example employment, education and social inclusion)
 - **improved consultation with and involvement of civil society, taking into account integration needs in various policy areas** and making use of the European Integration Forum and the European website on Integration
 - to enhance democratic values and social cohesion in relation to immigration and integration of immigrants and to **promote intercultural dialogue and contacts at all levels.**

Thank You



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