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AVIS DU COMITÉ DES ÉVALUATIONS D'IMPACT

COMMUNICATION DE LA COMMISSION AU PARLEMENT EUROPEEN, AU CONSEIL, AU COMITE ECONOMIQUE ET SOCIAL EUROPEEN ET AU COMITE DES REGIONS

STRATEGIE POLITIQUE EN MATIERE D'ASILE UNE APPROCHE INTEGREE DE LA PROTECTION A TRAVERS DE L'UNION EUROPEENNE

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EUROPEAN COMMISSION

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Opinion

Title

Impact Assessment on: Policy plan on common European asylum system

(draft version of 3 April 2008)

Lead DG

DG JLS

1) Impact Assessment Board Opinion

(A) Context

In June 2007 the Commission presented a Green Paper which aimed at identifying the possible options for shaping the second phase of the Common European Asylum System (CEAS). The issues raised and the suggestions put forward during the consultation have provided the basis for the preparation of this policy plan. Most of the individual measures proposed in the policy plan will be the subject of specific impact assessments.

(B) Positive aspects

The IA report features a good and innovative way of linking the specific and operational objectives explicitly to the various aspects of the problem.

(C) Main recommendations for improvements

The recommendations below are listed in order of descending importance. Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

General recommendation: The IA report should clarify whether Member States will need to adjust the standards for protection of asylum scekers and what broader impacts on society this will have. It should clarify the plans for establishing a European Support Office, and review the description of social aspects and the indicators for asylum burden. During its meeting with the Board, JLS agreed to make changes in all of these areas.

(1) Clarify the distinction between harmonised and higher standards. The IA report should clarify what is meant by harmonisation aimed at a high standard of protection [of

Commission européenne, B-1049 Bruxelles / Europese Commissie, B-1049 Brussel - Belgium. Telephone: (32-2) 299 11 11. Office: BERL 6/29. Telephone: direct line (32-2) 2961898. Fax: (32-2) 2965960.

E-mail: impact-assessment-board@ec.europa.eu Website: http://www.cc.cec//ab/l/index_en.cfm asylum seekers] in equal terms throughout the EU, and whether this means that a number of Member States will have to raise standards in certain areas and/or whether other Member States have to lower standards. In this context the report should explicitly address concerns about a "race to the bottom".

(2) Improve the assessment of changes to protection standards. The IA report should address more fully the issues of subsidiarity and proportionality, in particular for the area of integration policy. It should clarify which measures could be proposed under the existing Treaties and which under the revised Treaties. The report should also analyse in more detail what impact the envisaged changes to the protection standards will have on the number of asylum seekers coming to the EU, and what the broader costs and benefits for society will be of changes in asylum flows. Furthermore, the potential consequences of the recent extension of the Schengen area should be taken into account. The analysis on these points should be further detailed in the future IA reports on individual measures.

(3) Clarify plans for a European Support Office. The IA report should clarify what type of organisation is envisaged, particularly in the context of the Commission's policy not to propose new agencies, and what budgetary implications it would have. The report should make clear that any decision on such a body would be consistent with the Commission's policy on agencies and will be subject to a specific impact assessment.

(4) Expand the description of social impacts. The report should provide more information on social aspects of asylum flows, notably gender issues and the relevance of family re-unification. These issues should be dealt with in greater detail in the impact assessments for specific measures.

(5) Revise indicators for measuring the asylum burden. The current use of GDP per asylum seeker as an indicator of asylum burden should be replaced by a more appropriate indicator.

(D) Procedure and presentation

It appears that all necessary procedural elements have been complied with.

2) IAB scrutiny process

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Author DG	JLS-B-2
External expertise used	No
Date of Board Meeting	16 April 2008
Date of adoption of Opinion	2 1 AVR. 2008

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