



## EUROPEAN COMMISSION

*Brussels, 22.02.2019  
C(2019) 1460 final*

*Ms Regina Bastos  
President of the European Affairs Committee  
Assembleia da República  
Palacio de S. Bento  
P-1249-068 LISBOA*

*Mr Eduardo Ferro Rodrigues  
President of the  
Assembleia da República  
Palacio de S. Bento  
P-1249-068 LISBOA*

*Dear President,*

*The Commission would like to thank the Assembleia da República for its Opinion on the Amended proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation No 439/2010 A contribution from the European Commission to the Leaders' meeting in Salzburg on 19-20 September 2018 {COM(2018) 633 final}.*

*This proposal is part of a series of measures by the Commission that are based on the principles of solidarity and responsibility and further strengthen the ability of the Union to provide full support to ensure an orderly management of migration flows.*

*This proposal comprises targeted amendments to the provisional agreement found by the co-legislators in June 2017 on the proposal for a Regulation on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010, which the Commission presented on 4 May 2016. This amended proposal should also be considered in conjunction with the proposals on the European Border and Coast Guard<sup>1</sup> and the Return Directive<sup>2</sup> presented by the Commission on the 12 September 2018.*

*The targeted amendments focus on the provisions on operational and technical assistance to ensure that, at the request of the Member State, the Agency can provide Member States with support in the entire administrative procedure of international protection, or parts thereof, without prejudice to the competence of the Member States to take decisions on individual applications. In addition, the Agency will be able to provide support in the procedure for determining the Member State responsible for examining an application for international protection. The proposal also foresees the ability of the Agency to assist Courts and Tribunals in the handling of appeals with full respect of the organisation of the judicial system in each Member State, as well as their judicial independence and impartiality.*

---

<sup>1</sup> COM(2018) 631 final.

<sup>2</sup> COM(2018) 634 final.

*The Commission is pleased that the Assembleia da República shares the view that this proposal does not change the previous approach and understanding with respect to the Commission's original proposal<sup>3</sup>. The Commission further welcomes the Assembleia da República's assessment that the principles of subsidiarity and proportionality are preserved.*

*Discussions between the Commission and the co-legislators, the European Parliament and the Council, concerning the proposal are now underway and the Commission remains hopeful that an agreement can be reached as soon as possible.*

*The Commission looks forward to continuing the political dialogue in the future.*

*Yours faithfully,*

*Frans Timmermans  
First Vice-President*

*Dimitris Avramopoulos  
Member of the Commission*

---

<sup>3</sup> COM (2016) 271 final.