



EUROPEAN COMMISSION

Brussels, 6.12.2016
C(2016) 8084 final

Dear President,

The Commission would like to thank the Camera Deputaților for its Opinion on the Proposal for a Regulation on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 {COM(2016) 271 final}.

The proposal forms part of a broader package of ambitious measures intended to reform the Common European Asylum System, as announced in the Commission's Communication of 6 April 2016 entitled "Towards a reform of the Common European Asylum System and enhancing legal avenues to Europe" {COM(2016) 197 final}, by establishing a sustainable and fair system for determining the Member State responsible for asylum seekers, by reinforcing the Eurodac system, by achieving greater convergence in the asylum system thereby preventing secondary movements and by developing an enhanced mandate for the European Asylum Support Office.

The aim of the proposal is to strengthen the role of the European Asylum Support Office, transforming it into a fully-fledged Agency capable of providing the necessary operational and technical assistance to Member States. It should increase practical cooperation and information exchange, monitor the implementation of the Common European Asylum System and enable convergence in the assessment of applications for international protection by providing guidance based on country of origin information.

The Commission welcomes the Camera Deputaților's general support for the proposal, in particular as regards the provision of operational and technical assistance by the Agency to Member States, child-protection aspects in training and provisions on personal data protection. The Commission agrees with the Camera Deputaților's view that in building up a capacity to gather and analyse information, the Agency should work in close cooperation with other relevant Union agencies and avoid duplication of efforts. The Commission also agrees that when providing assistance with the examination of applications, the tasks of the experts involved need to be clearly defined in accordance with Union and national law, and access to national databases may be authorised insofar as this may be necessary for those experts to perform their tasks.

*Mr Florin Iordache
President of the Camera Deputaților
Palace of the Parliament
Str. Izvor nr. 2-4, sector 5
RO – 050563 BUCHAREST*

The Commission takes note of the concerns expressed by the Camera Deputaților relating to the monitoring mechanism, and the Agency's role in initiating the monitoring exercise and its capacity to assess the readiness of Member States to address challenges resulting from disproportionate pressure. The Commission has also noted the Camera Deputaților's concerns regarding the operational standards to be developed by the new Agency. The Commission is pleased to have this opportunity to provide some clarifications regarding its proposal and trusts that these will address the Camera Deputaților's concerns.

In the Commission's view, by becoming more operational and by developing into a centre of expertise on asylum, the Agency would be well-placed to assist Member States in identifying the needs to address any shortcomings in their asylum systems through the monitoring mechanism. The Commission considers that the monitoring exercise should be done on the basis of multi-annual and annual programming, and that instances where the Agency would initiate a monitoring exercise on its own initiative should be limited to when there are serious concerns regarding the functioning of a Member State's asylum and reception systems. As regards the operational standards, these are meant to be of a non-binding nature, and to guide Member States in the implementation and practical application of Union law on asylum, with the assistance of the Agency as necessary.

The proposal presented by the Commission is currently in the legislative process involving both the European Parliament and the Council. The Commission remains hopeful that an agreement will be reached in the near future.

The Commission is grateful for the Opinion of the Camera Deputaților and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Dimitris Avramopoulos
Member of the Commission*