



EUROPEAN COMMISSION

*Brussels, 6.12.2016
C(2016) 8083 final*

Dear President,

The Commission would like to thank the Senat 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, increasing practical cooperation and information exchange, monitoring the implementation of the Common European Asylum System and promoting convergence in the assessment of applications for international protection by providing guidance based on country of origin information.

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 and to provide the necessary operational and technical support, particularly in situations of disproportionate pressure.

The Commission welcomes the Senat's positive opinion on the proposal, in particular as regards the aim of ensuring greater convergence in the assessment of protection needs across the Union and the provision of operational and technical assistance by the Agency to the Member States.

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The Commission takes note of the views expressed by the Senat regarding the need to assess the Agency's role in monitoring the application of the Common European Asylum System and the administrative and financial impact for Member States. The Commission is pleased to have this opportunity to provide some clarifications regarding its proposal and trusts that these will address the Senat's concerns.

The Commission agrees that the Agency should have a strong supporting role by providing increased operational and technical assistance. The Commission takes the view that the monitoring role it proposes for the Agency would not undermine the Agency's support role, but would rather reinforce it by enabling the need for support to be more readily identified, and for such support to be better targeted and implemented. It is not the Commission's intention to place unnecessary burdens on national administrations. It considers, however, that in situations of disproportionate pressure all possible means should be made available to the Agency for it to provide the necessary assistance to the Member State concerned.

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 Senat and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Dimitris Avramopoulos
Member of the Commission*