

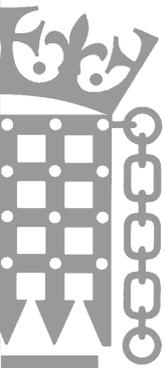
HOUSE OF LORDS

European Union Committee

1st Report of Session 2003-04

Evidence by Caroline Flint MP on Asylum Procedures

Report with Evidence



HOUSE OF LORDS

European Union Committee

1st Report of Session 2003-04

**Evidence by
Caroline Flint MP on
Asylum Procedures**

Report with Evidence

Ordered to be printed 9 December and published 23 December 2003

London : The Stationery Office Limited
£price

HL Paper 8

The European Union Committee

The European Union Committee is appointed by the House of Lords in each session with the orders of reference “to consider European Union documents and other matters relating to the European Union”. It has seven Sub-Committees.

Current Membership

Membership of the Sub-Committee is in the Appendix.

The Members of the European Select Committee are:

Baroness Billingham
Lord Bowness
Lord Brennan
Lord Dubs
Lord Geddes
Lord Grenfell (Chairman)
Lord Hannay of Chiswick
Baroness Harris of Richmond
Baroness Maddock
L Marlesford
Lord Neill of Bladen
Baroness Park of Monmouth
Lord Radice
Lord Renton of Mount Harry
Lord Scott of Foscote
Lord Shutt of Greetland
Lord Williamson of Horton
Lord Woolmer of Leeds

Publications

The reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices, transcripts of evidence and government responses to committee reports are on the internet at

http://www.parliament.uk/parliamentary_committees/lords_eu_select_committee.cfm

A list of reports of the committee in the last two sessions is inside the back cover.

General Information

General information about the House of Lords and its Committees, including guidance to witnesses, details of current inquiries and forthcoming meetings is on the internet at

http://www.parliament.uk/about_lords/about_lords.cfm

Contacts for the European Union Committee

All correspondence should be addressed to the Clerk of the European Union Committee, Committee Office, House of Lords, London, SW1A 0PW

The telephone number for general enquiries is 020 7219 3130.

The Committee’s email address is hlcommittees@parliament.uk.

EVIDENCE BY CAROLINE FLINT MP ON ASYLUM PROCEDURES

1. In this Report we make available, for the information of the House, the oral evidence given to Sub-Committee E (Law and Institutions)¹ on 12 November 2003 by Caroline Flint MP on the proposed Council Directive² together with her letter of 5 December 2003 in which she clarifies two matters raised in the evidence.
2. The key topics in the evidence are:
 - Progress of negotiations (QQ 1, 52-3)
 - Compliance with Geneva Convention (QQ 4-6, 46)
 - Safe country of origin (QQ 2, 11, 43, 49-50)
 - Transit Zones (QQ 7, 9, 12, 15)
 - Appeal Rights (Q 13)
 - Safe third country (of transit) (QQ 2, 8, 43, 45, 48)
 - Detention (QQ 16 -23, 29-30, 37)
 - Minimum standards (QQ 23-26)
 - Unaccompanied minors (QQ 31-36)
 - Prioritised cases (QQ 37-41).
3. The draft Directive remains the subject of negotiations. The Seville European Council (June 2002) called upon the Member States to adopt common standards for asylum procedures by the end of 2003. But as the evidence given by the Minister indicates there remain a number of matters on which Member States have yet to agree. The Justice and Home Affairs Council on 27 and 28 November, having noted the state of play, agreed to continue work with a view to reaching agreement under the Irish Presidency (January–June 2004). The proposal is retained under scrutiny.

¹ Members of the Sub-Committee are listed in the Appendix.

² Docs 7214/03 and 12281/03—Amended proposal for a Council Directive on minimum standards on procedures in Member States for granting and withdrawing refugee status. The original Proposal was the subject of a detailed inquiry by the Committee: *Minimum Standards in Asylum Procedures* (11th Report, Session 2000-01, HL Paper 59).

APPENDIX: SUB-COMMITTEE E (LAW AND INSTITUTIONS)

The members of the Sub-Committee were:

Lord Brennan
Lord Fraser of Carmyllie
Lord Grabiner
Lord Henley
Lord Lester of Herne Hill
Lord Mayhew of Twysden
Lord Neill of Bladen
Lord Plant of Highfield
Lord Scott of Foscote (Chairman)
Baroness Thomas of Walliswood
Lord Thomson of Monifieth

Recent Reports from the Select Committee

Review of Scrutiny of European Legislation (1st Report session 2002-03, HL Paper 15)
Annual Report 2003 (44th Report session 2002-03, HL Paper 19)
The Draft Constitutional Treaty (41st Report session 2002-03, HL Paper 169)

Session 2002-2003 Reports prepared by Sub-Committee E

The Future Status of the EU Charter of Fundamental Rights (6th Report, HL Paper 48)
The Future of Europe: Constitutional Treaty—Draft Articles 1–16 (9th Report, HL Paper 61)
The Future of Europe: Constitutional Treaty—Draft Articles 24-33 (12th Report, HL Paper 71)
The Future of Europe: Constitutional Treaty— Draft Article 31 and Draft Articles from Part 2 (Freedom, Security and Justice) (16th Report, HL Paper 81)
The Future of Europe: Constitutional Treaty— Draft Articles 43–46 (Union Membership) and General and Final Provisions (18th Report, HL Paper 93)
The Future of Europe: Constitutional Treaty— Articles 33–37 (The Democratic Life of the Union) (22nd Report, HL Paper 106)
If At First You Don't Succeed ... Takeover Bids Again (28th Report, HL Paper 128)
Reforming Comitology (31st Report, HL Paper 135)
The Proposed Framework Decision on Racism and Xenophobia—an Update (32nd Report, HL Paper 136)
EU/US Agreements on Extradition and Mutual Legal Assistance (38th Report, HL Paper 153)
Evidence by Lord Filkin CBE on the Proposed Council Directive Defining Refugee Status and Those in Need of International Protection (43rd Report, HL Paper 173)

Other Relevant Reports prepared by Sub-Committee E

Defining Refugee Status and Those In Need of International Protection (28th Report session 2001-2002, HL Paper 156)
Asylum Applications – Who Decides? (19th Report session 2001-2002, HL Paper 100)
Minimum Standards in Asylum Procedures (11th Report session 2000-2001, HL Paper 59)
Minimum Standards of Reception Conditions for Asylum Seekers (8th Report session 2001-2002, HL Paper 49)