

**MINIMUM GUARANTEES FOR ASYLUM PROCEDURES**

The Council agreed to the Resolution on minimum guarantees for asylum procedures. This Resolution will be formally adopted, once it has been finalized in a Working Party of Legal/Linguistic Experts, at a forthcoming Council meeting and then forwarded to the European Parliament.

The Resolution lays down principles concerning fair and effective asylum procedure in accordance with the 1951 Geneva Convention and the 1967 New York Protocol relating to the Status of Refugees. Within this framework, in order to ensure compliance with the principle of non-refoulement, no expulsion measure may be carried out as long as no decision has been taken on the asylum application.

The Resolution contains provisions on the rights of asylum-seekers during examination, appeal and review procedures. Reference is made, in connection with manifestly unfounded asylum applications, to the Resolution adopted by the Immigration Ministers at their meeting on 30 November and 1 December 1992.

As regards asylum applications at the border, the Resolution lays down that the Member States will adopt administrative measures ensuring that any asylum-seeker arriving at their frontiers is afforded an opportunity to lodge an asylum application.

Additional safeguards are laid down for unaccompanied minors and women.

The Resolution states that Member States will strive to bring their national legislation into line with these principles by 1 January 1996.

The Council was also able to record broad agreement on the fundamental Articles relating to the establishment of the European Police Office, its objective of improving cooperation between the competent authorities of the Member States in preventing and combating terrorism, unlawful drug trafficking and other serious forms of international crime and the duties to be carried out by the Office to that end. The Council also confirmed its agreement to EUROPOL automatically dealing with terrorist activities within two years of the entry into force of the Convention. The Council's agreement also extended to the tasks of the national units – the only liaison bodies – and of the liaison officers to be sent by each national unit to EUROPOL.

In conclusion, the Council confirmed that the discussions could be deemed to be completed – subject to final examination of the entire text of the Convention later – on the provisions (thirteen Articles) on the obligation to provide information, data security, legal capacity, the various units, the Director and staff of EUROPOL, the headquarters agreement, entry into force and accession to the Convention.

On the subject of the right of citizens to be informed of data concerning them held by EUROPOL, the Council examined a Presidency compromise on the coexistence in the Member States of systems based either on direct access or providing for indirect access.

It should be pointed out that a number of important institutional matters have yet to be resolved, such as the role of the European Parliament, the Court of Justice and the Court of Auditors.

On completion of the discussion, the Council instructed its preparatory bodies – the K.4 Committee and Steering Group II – to expedite their discussions on issues outstanding with a view to resolving them without delay. It also asked them to finalize the texts on which agreement in principle had been reached, as stated above. It confirmed its resolve to adopt this important Convention by the agreed deadline, i.e. in June.