JOINT ACTION

of 22 July 1997

adopted by the Council on the basis of Article K.3 of the Treaty on European Union, concerning the financing of specific projects in favour of asylum-seekers and refugees

(97/478/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Articles K.3 (2) (b) and K.8 (2) thereof,

Whereas the Member States consider asylum policy a matter of common interest;

Whereas taking action in favour of asylum-seekers and refugees in the Member States is likely to improve facilities for the admission of such persons and to encourage the sharing of responsibility between the Member States and whereas it is necessary to undertake specific projects on an experimental basis, with a view to establishing a legal instrument for developing further action in this area, as appropriate,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. Specific projects intended to improve admission facilities for asylum-seekers and refugees in the Member States shall be undertaken on an experimental basis during 1997.

2. These measures are intended primarily to implement the following instruments:

— the Council Resolution of 20 June 1995 on minimum guarantees for asylum procedures [1],

— the Council Resolution of 25 September 1995 on burden-sharing with regard to the admission and residence of displaced persons on a temporary basis [2],

— the Council Resolution of 26 June 1997 on unaccompanied minors who are nationals of third countries [3].

Article 2

The aggregate cost of the specific projects shall not exceed ECU 3,750 million.

Article 3

The specific projects shall be financed by the general budget of the European Communities.

Article 4

1. Where the financing is less than ECU 200 000, the Commission shall keep the Council informed of the number of requests received for the financing of specific projects, the principles applied in granting support thereto and the results of such projects.

2. Where the financing is ECU 200 000 or more and is less than ECU 1 million, the Commission shall be assisted by a Committee consisting of one representative from each Member State and chaired by a representative of the Commission. The Commission shall submit to the Committee a list of the projects which have been submitted to it. It shall indicate the projects it selects and shall give reasons for its selection. The Committee, acting by the majority provided for in the second subparagraph of Article K.4 (3) of the Treaty, shall deliver its opinion on the various projects within a period of two weeks. The Chairman shall not vote. The opinion shall be recorded in the minutes; moreover, each Member State shall have the right to ask that its position be recorded in the minutes. The Commission shall take full account of the opinion delivered by the Committee. It shall inform the Committee of how it has done so.

3. Where the financing is ECU 1 million or more, the Commission shall submit to the Committee referred to in paragraph 2 a list of the projects which have been submitted to it. It shall indicate the projects it selects and shall give reasons for its selection. The Committee, acting by the majority provided for in the second subparagraph of Article K.4 (3) of the Treaty, shall deliver its opinion on the various projects within a period of two weeks. The Chairman shall not vote. If a favourable opinion is not delivered within the time limit, the Commission shall

[1] OJ No C 274, 19. 9. 1996, p. 13.
[2] OJ No C 262, 7. 10. 1995, p. 1.
[3] OJ No C 221, 19. 7. 1997, p. 23.

either withdraw the project(s) concerned or submit it (them), with any opinion from the Committee, to the Council, which, acting by the majority provided for in the second subparagraph of Article K.4 (3) of the Treaty, shall take a decision within one month.

Article 5

The Commission shall keep the Council informed of the results of the specific projects financed by the general budget of the European Communities with a view to assessing the possibility of developing further action in this area on the basis of an appropriate legal instrument.

Article 6

This Joint Action shall enter into force on the day of its adoption. It shall be applicable until the end of 1997.

This Joint Action shall be published in the Official Journal.

Done at Brussels, 22 July 1997.

For the Council

The President

J. POOS