

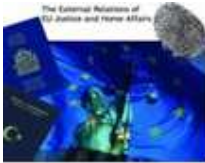


Malta-EU Steering & Action Committee

## JUSTICE AND HOME AFFAIRS

Sectoral Committee  
Weekly Update  
18.06.10

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## Malta-EU Steering & Action Committee

### **COM (2010) 314 - Report from the Commission to the European Parliament and the Council on the application of Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection.**

Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as beneficiaries of international protection and the content of the protection granted (the "Qualification Directive") was designed to define common criteria for the identification of persons in need of international protection and to ensure that at least a minimum level of benefits is available for these persons in all Member States. It is one of the building blocks of the first phase of the Common European Asylum System and is applicable to all Member States except Denmark.

This report gives an overview of the transposition and implementation of the Directive by Member States and identifies possible problematic issues.

The Commission identified several issues of incomplete and/or incorrect transposition of the Directive. This includes the implementation of standards lower than those established by the Directive. The Commission also identified deficiencies in the provisions of the Directive, namely the vagueness and ambiguity of several concepts such as actors of protection, internal protection, and membership of a particular social group; concepts which leave room for widely divergent interpretations by the Member States. Thus, important disparities subsist among Member States in the granting of protection and the form of the protection granted.

The evaluation of the implementation of the Directive shows that in practice few Member States make use of the possibility to differentiate between refugees and beneficiaries of subsidiary protection in terms of the content of the protection granted. On the other hand, the level of protection granted in different Member States differs, which affects asylum flows and is a cause of secondary movements.

This report shows that the objective of creating a level playing field with respect to the qualification and status of beneficiaries of international protection and to the content of the protection granted has not been fully achieved during the first phase of harmonization.

On the basis of a thorough evaluation of the implementation of the Directive, the Commission adopted on 21 October 2009 a proposal to recast the Qualification Directive. The proposed amendments are to remedy to the identified deficiencies, which are due to the imprecision of the standards themselves.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0314:FIN:EN:PDF>



**Malta-EU Steering & Action Committee**

## **Agreement on draft regulation implementing the European citizens' initiative**

At the meeting of the General Affairs Council held on Monday 14<sup>th</sup> June in Luxembourg, the Council reached agreement on a draft regulation aimed at making it possible for EU citizens to call for legislative proposals to be made on a specific issue i.e. the so-called European citizens' initiative.

The European citizens' initiative is part of a new dimension of participatory democracy introduced by the Treaty of Lisbon. The aim is to bring the EU closer to its citizens by encouraging more cross-border debate on EU issues, recognising the right of every citizen to participate in the democratic life of the Union.

The initiative will enable citizens to ask the Commission to bring forward legislative proposals if the signatories to such a demand number at least one million and come from a significant number of member states.

When an initiative is registered, the organisers would have a year during which to collect the required one million signatures. They would also be required to submit information on funding and support. And the Commission would be required to decide on admissibility of an initiative once 100 000 signatures have been collected.

The Council asked the presidency to start negotiations with the European Parliament so as to enable the regulation to be adopted at first reading.

More info:

[http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/EN/genaff/115169.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/genaff/115169.pdf)

## **Child labour**

At the meeting of the Foreign Affairs Council held on Monday 14<sup>th</sup> June in Luxembourg, and on the occasion of the international day against child labour (12<sup>th</sup> June) the Council adopted conclusions on child labour. The Council expressed its deep concern about the fact that over 200 million children are still engaged in child labour, more than a half of which are in hazardous work. It Council reaffirmed its commitment to protect and promote the rights of the child and agreed to take a number of measures to further increase its contribution to ending child labour. Furthermore the Council welcomed the document 'Combating Child Labour' prepared by the Commission and supported the conclusion in the study that there is room for stepping up EU efforts towards eliminating child labour, based on a comprehensive policy approach.

To read all the conclusions go to:

[http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/EN/foraff/115180.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/115180.pdf)