

BILAG TIL BESVARELSE AF SPM 208

Kristina Ravn

Fra: Thomas vom Braucke
Sendt: 22. september 2010 16:51
Til: 'Anna-Maria.Karjalainen@ec.europa.eu'
Cc: 'Julie Orye Schiff'; 'Thomas Thomsen'; Frank Johansen; 'OAN001@politi.dk'; Anders Hess Larsen; Lene Ahlmann-Ohlson; Henrik Ankerstjerne; Nicolai Holm Larsen; Kristina Ravn; Michael Kjærgaard; Anne-Marie Træholt; 'Troels Bay'
Emne: Danish preliminary reply as to the Follow-up to the meeting of 15 September, Asylum in Greece
Prioritet: Høj
Kategorier: Er journaliseret i EstherH
AppServerName: HBGESDHWEB8
ArchiveStatusCode: 3
DocumentID: 10/21804-13
DocumentIsArchived: -1

Dear Ms. Anna-Maria Karjalainen,

Hereby a preliminary response from Denmark as to the follow up questions to the meeting chaired by the Commission on 15 September 2010 on the Greek Migration Action Plan

Denmark supports the intention of the Commission to take on the very important coordinating role as regards assistance to Greece in the implementation of its Migration Actions Plan that was discussed at the meeting chaired by the Commission on 15 September 2010.

Denmark has implemented capacity building projects in various countries on migration management, inter alia Twinning projects in Hungary, Poland, the Baltic countries, Bosnia, Turkey and Romania. The cooperation between Denmark and its Twinning partners has been very fruitful. Further, Denmark and Sweden have assisted Greece in capacity building activities in 2009 focusing on asylum procedures, reception and return.

The Danish Ministry of Refugee, Immigration and Integration Affairs, the Danish Immigration Service, the National Commissioner of Police and the Danish Ministry of Foreign Affairs are able to provide expertise relevant to the implementation of the Greek Action Plan in the area of refugee status determination; asylum procedures (a new effective system was implemented this year); COI; statistics; Lean-management; electronic case handling; business intelligence; reception facilities; return management and protection of refugees and displaced in the region of origin (Danish Regions of Origin Program). The Danish approach as regards capacity building has a regional focus on countries of origin and transit. This in our view would be relevant also when it comes to Greece and is in line with the strong focus in the Stockholm Programme on the external dimension of migration and asylum focusing *inter alia* on countries of origin and transit, two of them being Turkey and Syria.

Moreover, we have contacted the Danish Refugee Council (a Danish NGO and implementing partner of UNHCR and involved in capacity building projects inter alia as part of the Danish regions of Origin Program) as well as the Danish Red Cross which operates most of the Danish asylum reception centers. Their expertise is also likely to be made available.

Due to the tight budgetary situation in the Danish administration, we would be interested to know more about possibilities for funding from the Commission to cover expenses related to Danish assistance (travel costs, per diems and overhead). Please note that EU funding is not a precondition for a contribution from our side.

We look forward to the future planning of the assistance to Greece. We hope that the Commission with the necessary input from Member States will be able to provide a clear overview on how Member States could best assist Greece in upgrading its asylum and migration system. Thus, we agree with the Commission that we need to react now and before the Asylum Support Office becomes fully operational.

Kind regards

Thomas vom Braucke

Danish Ministry of Refugee, Immigration and Integration Affairs
International Division
E-mail: tvb@inm.dk
Tel: +45 3395 1991 / +45 4126 9957

Fra: Magdalena.PECZEK-COUTURE@ec.europa.eu [mailto:Magdalena.PECZEK-COUTURE@ec.europa.eu]

Sendt: 20. september 2010 17:11

Til: stijndedecker@diplobel.fed.be; jai.belgoerop@diplobel.fed.be; Plamen.Angelov@bg-permrep.eu; info@bg-permrep.eu; daniela_munzbergova@mzv.cz; smeujav@mzv.cz; Julie Orye Schiff; Bryssel EU, RIA; martina.weber@diplo.de; holger.sperlich@diplo.de; kristo.pollu@mfa.ee; jai@rp-grece.be; eugenio.burgos@reper.mae.es; ziad.khoury@diplomatie.gouv.fr; dan.kelleher@dfa.ie; gai@rpue.esteri.it; mandreou@moi.gov.cy; iveta.muceniece@mfa.gov.lv; darius.mickevicius@eurep.mfa.lt; raoul.ueberecken@mae.etat.lu; vivien.vadasi@kum.hu; olav.attard@gov.mt; euaffairsdirector.mjha@gov.mt; alexander.sorel@minbuza.nl; nils.coleman@minbuza.nl; eva.wipler@bmeia.gv.at; robert.rybicki@msz.gov.pl; filip.jasinski@msz.gov.pl; mcs@reper-portugal.be; bogdan.marinescu@rpro.eu; andrej.groselj@gov.si; iveta.zrakova@mzv.sk; annikki.vanamo-alho@formin.fi; lars-johan.lonnback@foreign.ministry.se; leila-el-fahimi@foreign.ministry.se; christophe.prince@fco.gov.uk; ashleigh.gray@fco.gov.uk; kate.noble@fco.gov.uk; lkotroni@mfa.gr; raptakis@mfa.gr; carin.bratt@justice.ministry.se; oskar.ekblad@migrationsverket.se; zuzana.spudilova@minv.sk; marie-therese.kaindl@bmi.gv.at; silvia.spaeth@diplo.de; ajp@reper-portugal.be; hilbert.karl@bmi.gv.at; mvisser@coa.minjus.nl; L.Vonk@ind.minjus.nl; olav.attard@gov.mt; i.xanthakis@rp-grece.be; d.mallios@rp-grece.be; dkaa@yyka.gov.gr; ionna.kotsioni@gmail.com; i.boletis@astynomia.gr; k.soldatos@astynomia.gr; grvkoussoutis@yahoo.gr; irina.zemaite-dzicevica@iem.gov.lv; chadjipavlou@asylum.moi.gov.cy; timea.lehoczki@kum.hu; roberta.metsola@gov.mt; PFMcHale@justice.ie; Veronique.Marounek@diplobel.fed.be; Martin.Lauterbach@bamf.bund.de; Michael.Konther@bmi.bund.de; Thomas vom Braucke; christophe.jansen@ibz.fgov.be; lieta.goethijn@ibz.fgov.be; j.reinders@dtv.minjus.nl
Cc: Cristina.Jorge@frontex.europa.eu; tax@unhcr.org; preyntjens@iom.int; victor.holleboom@consilium.europa.eu; Lump@unhcr.org; roig@unhcr.org; desdras@iom.int; david.reisenzein@frontex.europa.eu
Emne: Follow-up to the meeting of 15 of September, Asylum in Greece
Prioritet: Høj

Dear all,

As a follow-up to the meeting of 15 September on the Implementation of the Greek Action Plan on the Reform of the Asylum system and on Migration Management, please let me remind you that we would be grateful if Delegations could send their written concrete suggestions and comments regarding the assistance that Member States are ready to offer to Greece to Ms Anna-Maria Karjalainen by 22 September (Anna-Maria.Karjalainen@ec.europa.eu).

Thank you in advance.

On behalf of Ms M.Guin

Magdalena PECZEK-COUTURE
European Commission
DG Home Affairs
Secretariat Unit B2, Asylum
46, Rue de Luxembourg
Office 02/085
B-1049 Brussels/Belgium
Tel: +32-2-29.91304
FAX: +32-2-29.80304
Magdalena.PECZEK-COUTURE@ec.europa.eu

Kristina Ravn

Fra: Kristina Ravn
Sendt: 2. november 2010 17:19
Til: 'muriel.guin@ec.europa.eu'
Cc: Lene Ahlmann-Ohlsen; Thomas vom Braucke
Emne: VS: Question on the opening letter to Greece from last autumn

FileUpdateStatus: 0

Dear Ms. Guin

The auto response from Angela Martini's mail refers to you, and I therefore kindly ask you to consider my request, please see the email below.

Sincerely,

Kristina Ravn
Fuldmægtig /Head of Section
Internationalt kontor / International Division
Ministeriet for Flygtninge, Indvandrere og Integration / Ministry of Refugee, Immigration and Integration Affairs.
+ 45 3392 8733
krr@inm.dk

Fra: Kristina Ravn
Sendt: 2. november 2010 17:17
Til: 'Angela.Martini@ec.europa.eu'
Cc: Lene Ahlmann-Ohlsen; Thomas vom Braucke
Emne: Question on the opening letter to Greece from last autumn

Dear Angela,

You have previously been kind enough to provide me with the information that a letter of formal notice has been sent to the Greek authorities in October 2009.

The Danish Parliament requests to see this document and I therefore kindly ask, if it is possible for the Commission to forward this document to Denmark, perhaps in confidential form?

Would it be better for the Commission, if Denmark requested access to the documents? What would be the outcome of such a request?

I thank you in advance for your reply.

Sincerely,

Kristina Ravn
Fuldmægtig /Head of Section
Internationalt kontor / International Division
Ministeriet for Flygtninge, Indvandrere og Integration / Ministry of Refugee, Immigration and Integration Affairs.
+ 45 3392 8733
krr@inm.dk

Kristina Ravn

Fra: Anna-Maria.KARJALAINEN@ec.europa.eu
Sendt: 3. december 2010 15:06
Til: Jeppe Winkel Pedersen
Emne: RE: Information on the rules for reimbursement regarding the mission to Greece in December

Dear Jeppe,

Many thanks for this information.

The Commission will also be represented for a part of the duration of the mission (in the beginning). We would foresee that all Member State experts would conduct the mission(s) as equals and have therefore not foreseen that there would be one Member State heading the mission.

We agree that a preparatory meeting with Member States' experts is necessary and are envisaging this to take place either in Brussels or then on the first day of the mission in Athens. We are currently drafting invitations containing objectives for the mission which should be sent to the relevant experts at the latest on next Monday. In the invitation we will also ask experts to book their tickets for travel to Greece so as to be able to start the mission in Athens in the morning of 13 December.

Kind regards,
Anna-Maria

From: Jeppe Winkel Pedersen [mailto:Jwp@inm.dk]
Sent: Friday, December 03, 2010 12:37 PM
To: KARJALAINEN Anna-Maria (HOME+JUST-SRD)
Subject: SV: Information on the rules for reimbursement regarding the mission to Greece in December

Dear Anna-Maria,

I am pleased to inform you that we have identified the person from who will take part in the planned expert mission to Greece on 13 December 2010:

Hans Peitersen
Senior Legal Advisor
1st Asylum Division
Danish Immigration Service
Tel: +45 3530 8630
E-mail: hap@us.dk

I would be grateful if you could continue to copy me, Thomas vom Braucke (tvb@inm.dk) and Kristina Ravn (krr@us.dk) on relevant mails regarding assistance to the implementation of the Greek Action Plan.

I would appreciate if you can inform me regarding whether the Commission will also be represented on the mission and who (if any) will be heading the mission (perhaps it is an issue to be agreed upon between the MS)? We suggest that a preparatory for the participants on the mission meeting should be organised in order to ensure that the TOR are clear and that the participants have the same expectations and perceptions (such a meeting can be conducted after the participants have arrived in Greece – but before the meetings with the Greek authorities).

Best regards,

Jeppe

Jeppe Winkel Pedersen

Special Political Advisor
International Division

Ministry of Refugee, Immigration and Integration Affairs
Holbergsgade 6
1057 Copenhagen K

Tel.: +45 3395 5847 or +45 1427 1231 (mobile)

Fra: Anna-Maria.KARJALAINEN@ec.europa.eu [mailto:Anna-Maria.KARJALAINEN@ec.europa.eu]

Sendt: 2. december 2010 18:24

Til: Kristina Ravn; Thomas vom Braucke; rob.jones@homeoffice.gsi.gov.uk; L.Vonk@ind.minjus.nl;
eva.wipler@bmeia.gv.at

Cc: Jeppe Winkel Pedersen

Emne: Information on the rules for reimbursement regarding the mission to Greece in December

Further to our letter of 26 November and our discussions in Brussels on 30 November, **please find below the terms and conditions that will enable the Commission to reimburse your experts' travel to Greece.** The mission should take place from 13 to 21 December 2010.

Before each mission can take place, the expert must have received an individual invitation letter from the Commission. The letter will include further information regarding the objectives of the mission, the place of work and the colleagues with whom experts will be working in Greece. It will also include all the necessary information needed to have the costs reimbursed. This letter will be sent to experts shortly.

A) The name and contact details of each expert and the time of the mission of each must be communicated to the Commission.

B) Bank forms

Each expert will need to complete a form following the below link for themselves and for their individual bank account details. Note that each form has a part that must be completed by the individual bank. It is important that all forms are signed and dated.

This link includes the appropriate forms for all community languages. The forms must be completed and submitted to the Commission as soon as possible and in any even before the final reimbursement can be made.

http://ec.europa.eu/budget/info_contract/ftiers_en.htm

C) Legal entity form:

Each expert will also need to complete a legal entity form following the below link:
http://ec.europa.eu/budget/info_contract/legal_entities_en.htm

D) The rules for reimbursed are as follows:

1

The Commission shall not be liable for any material; non-material or physical damage suffered by invited experts or those responsible for accompanying a disabled expert in the course of their journey to or stay in the place where the meeting is held, unless such harm is directly attributable to the Commission. In particular, invited experts

who use their own means of transport for travelling to such meetings shall be entirely liable for any accidents that they might cause.

2

(1) All experts shall be entitled to the reimbursement of their travel expenses from the place specified in their invitation (work or home address) to the place of the meeting, by the most appropriate means of transport given the distance involved. In general, for journeys of less than 400 km (one way, according to official distance by rail) this shall be first-class rail travel, and for distances of more than 400 km economy class air travel.

If the journey by air involves a flight of 4 hours or more without stopovers the cost of a business class ticket shall be reimbursed.

(2) The authorising officers for commitments shall specifically try to ensure that meetings are organised in such a way as to enable experts to benefit from the most economical travel rates.

The authorising officers for payments shall scrutinise particularly closely any requests for reimbursement involving abnormally expensive flights. They shall have the right to carry out any checks that might be needed and to request any proof from the expert required for this purpose. They shall also have the right, where it appears to be justified, to restrict reimbursement to the rates normally applied to the usual journey from the expert's place of work or residence to the meeting place.

(3) Travel expenses shall be reimbursed on presentation of original supporting documents: tickets and invoices or, in the case of online bookings, the printout of the electronic reservation and boarding cards for the outward journey. The documents supplied must show the class of travel used, the time of travel and the amount paid.

(4) The cost of travel by private car shall be reimbursed at the same rate as the first-class rail ticket.

(5) If the route is not served by a train the cost of travel by private car shall be reimbursed at the rate of EUR 0.22 per km.

(6) Taxi fares shall not be reimbursed.

3

(1) The daily allowance paid for each day of the meeting is a flat rate to cover all expenditure at the place where the meeting is held, including for example meals and local transport (bus, tram, metro, taxi, parking, motorway tolls, etc.), as well as travel and accident insurance.

(2) The daily allowance shall be **EUR 82.00**.

(3) If the place of departure cited in the invitation is 100 km or less from the place where the meeting is held, the daily allowance shall be reduced by 50%.

(4) The accommodation allowance will be **EUR 140.00 per** night in a hotel. The number of nights may not exceed the time of the mission + 1 day.

D) PAYMENTS

To be reimbursed, the attached form will need to be filled in by experts, including also the above-mentioned documents (e.g. hotel or travel invoices) as well as a complete Mission report.

<<Copy of reimburse_en.xls>>

The Commission will make any payment within 20 days after the approval of the Mission report and provided all the necessary documents are completed correctly and the legal entity and bank account have been duly registered (in advance) with the Commission. The Commission will only reimburse in Euro, using the exchange rate of the date when the costs were incurred.

Kristina Ravn

Fra: Thomas vom Braucke
Sendt: 3. november 2010 16:58
Til: Henrik Ankerstjerne; Kristina Ravn; Jeppe Winkel Pedersen; 'Julie Orye Schiff'
Cc: Lene Ahlmann-Ohlsen; Mads Kruse
Emne: VS: Mr. Stefano Manservisi. Orientation on letter sent to the Belgian Minister of the Interior
Vedhæftede filer: Letter to the Belgian minister of the Interior.pdf; image001.gif

t.o.

Fra: Claes Nilas
Sendt: 3. november 2010 16:55
Til: 'Anthony.VITALE@ec.europa.eu'
Cc: 'Floriana.Sipala@ec.europa.eu'; 'Laure.DE-GREVE@ec.europa.eu'; 'Jordi.GARCIA-MARTINEZ@ec.europa.eu'; Mads Kruse; Lene Ahlmann-Ohlsen; Thomas vom Braucke; Claes Nilas
Emne: ATT: Mr. Stefano Manservisi. Orientation on letter sent to the Belgian Minister of the Interior

Dear Stefano,

Once again let me thank you for our meeting in September.

For your information, please find attached a letter to the Belgian Minister of the Interior, Mrs. Turtelboom, from my Minister, Mrs. Rønn Hornbech, concerning the implementation of the National Greek Action Plan for Migration Management and the need for the Council to deliberate on this very important matter which is of great concern to my Minister.

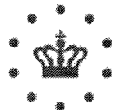
We look forward to the next steps in the cooperation with the Commission and the other Member States in assisting Greece with the implementation of the Action Plan. We are eager to step up towards coordination and concrete action with tangible outputs as soon as possible after the JHA Council meeting next week.

I hope to see you in Copenhagen during the spring for talks on the upcoming Danish Presidency in 2012. The International Division in the Ministry of Refugee, Immigration and Integration Affairs will be in contact with your staff on setting up a possible meeting.

Best regards,

Claes Nilas
Permanent Secretary of State

MINISTERIET FOR FLYGTNINGE
INDVANDRERE OG INTEGRATION



Holbergsgade 6
1057 København K
Tlf.: 33 92 36 03
Fax: 33 92 36 30
cni@inm.dk
Web: www.nyidanmark.dk



Annemie Turtelboom
Minister of the Interior
Rue de la Loi 2
B – 1000 Bruxelles

The Minister

Date: 03 NOV. 2010

Dear Annemie Turtelboom,

Two months ago, Greece sent its National Action Plan for Migration Management to the European Commission. The plan aims at improving the migration management in Greece, encompassing the screening of illegal migrants, a new asylum system, improved detention and reception facilities, repatriation and returns.

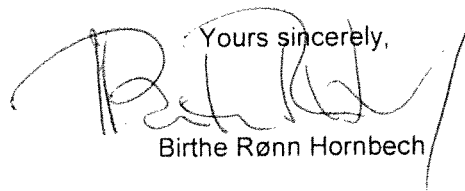
However, an Action Plan is not enough. It must be followed by concrete action.

It is absolutely crucial to initiate a series of activities aimed at strengthening the authorities' migration management in Greece. This will not only be in the interest of the asylum seekers with genuine needs for international protection, but it will also underpin our common efforts to combat illegal immigration to the EU.

EU efforts to assist Greece must be increased and intensified. It is of the utmost importance that all Member States work together in a spirit of solidarity. The Commission is already doing a tremendous effort to ensure that Greece will receive enough support to improve their asylum and migration system. We, as the responsible Ministers in the Member States, should also engage ourselves in order to further speed up the progress.

Bearing in mind the difficult work ahead and the need to rapidly and efficiently implement the Greek Action Plan, I would appreciate if we could discuss the Greek Action Plan and its implementation at the Council meeting on 8 November 2010, e.g. in relation with the agenda item *Common European Asylum System – State of Play*. I would also suggest that we commit ourselves to discuss this issue at all subsequent JHA Council meetings until the Dublin system will be well-functioning once again.

Finally, I would like to use this opportunity to express my appreciation for the excellent work done by the Belgian Presidency so far.

Yours sincerely,

Birthe Rønn Hornbech

Kristina Ravn

Fra: Kristina Ravn
Sendt: 9. december 2010 12:01
Til: 'Muriel.Guin@ec.europa.eu'
Cc: Angelica.LAZAR@ec.europa.eu; julisc@um.dk; Lene Ahlmann-Ohlsen
Emne: SV: DK/journalist question re Public access to docs

Kategorier: Er journaliseret i EstherH
AppServerName: HBGESDHWEB8
ArchiveStatusCode: 3
DocumentID: 10/32139-6
DocumentIsArchived: -1
FileUpdateStatus: 0

Dear Muriel

We can consent to the Commission giving public access to the two letters attached to your email.

Sincerely,
Kristina

Kristina Ravn
Fuldmægtig /Head of Section
Internationalt kontor / International Division
Ministeriet for Flygtninge, Indvandrere og Integration / Ministry of Refugee, Immigration and Integration Affairs.
+ 45 3392 8733
krr@inm.dk

Fra: Muriel.Guin@ec.europa.eu [mailto:Muriel.Guin@ec.europa.eu]
Sendt: 7. december 2010 19:37
Til: julisc@um.dk; Kristina Ravn
Cc: Angelica.LAZAR@ec.europa.eu
Emne: DK/journalist question re Public access to docs
Prioritet: Høj

Julie, Kristina,

We received a request for access to document from a DK journalist (see enclosed the request). I am afraid we are out of the deadline for replying but we need to do it in any case. As it concerns a letter that was sent from our DG to DK, we need to consult you before disclosure. Can you provide me with your feedback before 10/12/10 at 5 pm? We don't think that we can make an exception as for the infringement letters of formal notice but we still need to consult you as the "author" of one of the letters. Thanks in advance.

Muriel Guin
Head of Unit DG HOME Affairs/B2-Asylum

<<HOME EUROPA FEEDBACK167. URGENT: Neglect of access for information request - now waited for more than two weeks without even confirmation.>> <<original letter Nilas DK.TIF>> <<original reply Nilas DK.pdf>>

Kristina Ravn

Fra: Muriel.Guin@ec.europa.eu
Sendt: 7. december 2010 19:37
Til: julisc@um.dk; Kristina Ravn
Cc: Angelica.LAZAR@ec.europa.eu
Emne: DK/journalist question re Public access to docs
Vedhæftede filer: HOME EUROPA FEEDBACK167. URGENT Neglect of access for information request - now waited for more than two weeks without even confirmation.; original letter Nilas DK.TIF; original reply Nilas DK.pdf

Prioritet: Høj

Julie, Kristina,

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Muriel Guin
Head of Unit DG HOME Affairs/B2-Asylum

<<HOME EUROPA FEEDBACK167. URGENT: Neglect of access for information request - now waited for more than two weeks without even confirmation.>> <<original letter Nilas DK.TIF>> <<original reply Nilas DK.pdf>>

Kristina Ravn

Fra: HOME-EUROPA-FEEDBACK@ec.europa.eu
Sendt: 8. november 2010 09:03
Til: HOME-ARES-REGISTRATION@ec.europa.eu
Emne: HOME EUROPA FEEDBACK167. URGENT: Neglect of access for information request - now waited for more than two weeks without even confirmation.

For the attention of the Ares team:

Could you please register this new request and attribute it to Unit HOME B2 for reply?

For the attention of Unit HOME B2:

Please find below the enquiry from Mr. Anders Pedersen received on HOME EUROPA FEEDBACK that concerns the area of expertise of your Unit. Would you please be so kind to reply within the statutory deadline of 15 working days and please note that it is a compulsory requirement to put HOME EUROPA FEEDBACK in copy (with Ares departure number).

Best regards,

HOME EUROPA FEEDBACK

Malwina Galezowska- Razny
DG HOME 01

-----Original Message-----

From: MAILFORM@cec.eu.int [mailto:MAILFORM@cec.eu.int]

Sent: Tuesday, November 02, 2010 2:33 PM

To: HOME EUROPA FEEDBACK

Subject: 167. Home-Affairs Mailbox - URGENT: Neglect of access for information request - now waited for more than two weeks without even confirmation

Form submitted by: Mr. Anders Pedersen

Sent on 02/11/2010 at 14:33

Company:

Category: Press/media

Address: Weimarstraat 47A

Post Code: 2562GP City: Den Haag Country: NL

Email: anderspeders@gmail.com

Theme: police and law enforcement

Subject: URGENT: Neglect of access for information request - now waited for more than two weeks without even confirmation

Question: Dear Commission,

On October 19th I contacted Michele Cercone (at Michele.Cercone@ec.europa.eu) for a request for documents under EU regulation for access to information.

Today I contacted you again to hear what was going on, in relation to the application and wrote to the announced email address:

home-access-documents@ec.europa.eu

This address however rejects my emails!

However see below my request, which I hope to be processed as soon as possible. I am quite disapointed that I have received no response from the Commission on this.

Below follows my request from October 19th:

In accordance with Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents, I would like to inquire the following documents from Home Affairs:

All communication between the EU Commission for Home Affairs and the Danish government in relation to returning asylum seekers to Greece under the Dublin framework from 2008 and 2010.

I am looking forward to your response and would appreciate to receive swift response about this.

Yours sincerely,

--

Anders Pedersen

Journalist

Weimarstraat 47A

2562GP Den Haag

The Netherlands

+45 65744019



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE, FREEDOM AND SECURITY

Director General

Brussels, **16 SEP. 2008**
JLS-B2/ACC/gl D(2008)13657

Mr Claes Nilas
Permanent Secretary
Ministry of Refugee, Immigration and
Integration Affairs
Holbergsgade 6, 1057 Copenhagen K
Denmark
E-mail: inm@inm.dk

Dear Mr Nilas, *Dear Claes,*

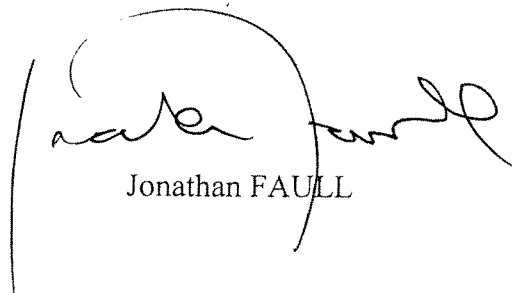
Thank you for your letter dated 4 July 2008 informing me about the decision taken by the Danish Minister of Refugees, Immigration and Integration Affairs to suspend for the time being transfers to Greece of unaccompanied minors who are asylum seekers, pursuant to the Dublin Regulation.

We consider that this decision is in full compliance with the Dublin Regulation, namely with its Article 3(2), which indeed allows a Member State to decide, upon its own initiative, to examine an application for asylum lodged with it by a third-country national and not to return an asylum seeker to the Member State responsible, for instance when it considers that the latter one is not in a position to offer adequate reception conditions.

I take this occasion to inform you that Greece has recently notified to the Commission the relevant legal measures transposing the Community asylum instruments. These are currently being examined by my Department in order to assess their compliance with the EC acquis. In particular, regarding the Dublin Regulation and following the decision taken by the Commission on 31 January 2008 to refer Greece to the Court of Justice, Greece communicated a new legal measure which ensures respect for the principle of an effective access to the procedure for determining refugee status, laid down in Article 3(1) of the Dublin Regulation.

The Commission will continue carefully to monitor the general asylum situation in Greece in order to ensure that Greece fulfils its obligations under the asylum acquis, this being a pre-condition for the smooth operation of the Dublin system, in a spirit of mutual trust and cooperation.

Yours sincerely,



Jonathan FAULL

DG JLS / CAD
1 1. 07. 2008

MINISTERIET FOR FLYGTNINGE
INDVANDRERE OG INTEGRATION



General Director Jonathan Faull
European Commission
DG Justice, Freedom and Security
B-1049 BRUSSELS
Belgium

CAD A / 11450

Ministry of Refugee, Immigration
and Integration Affairs

Permanent Secretary

DG JAI	CAD/A/				
PA	DG	ASS1	ASS2	01	A/LSO
	A	B	C	D	
1 1. 07. 2008					
PI	DG	ASS1	ASS2	01	A/LSO
	A	B	C	D	

Date: July 4th 2008

Dear Jonathan,

I would like to thank you for a pleasant and productive meeting in Copenhagen on June 19th 2008. The future immigration reality will certainly be challenging with an exciting new presidency ahead of us.

In the meeting we had a chance to discuss the Dublin Regulation with regard to Greece. As you remember, I mentioned the Danish concerns and the possibility of a future suspension of the use of the Dublin Regulation with regard to unaccompanied minors where Greece following the Dublin Regulation would be responsible.

I would like to inform you on recent developments on the matter since our meeting.

With regards to transfers from Denmark to Greece of unaccompanied minor asylum seekers pursuant to the Dublin Regulation, the Minister of Refugees, Immigration and Integration Affairs decided as of June 27th 2008, in view of the best interests of the child, cf. Article 3 of the United Nations Convention on the Rights of the Child, and on the basis of recently gathered information of the Swedish Migration Board in the enclosed report (in Swedish only) regarding the reception conditions in Greece of unaccompanied minors, for the time being, to suspend transfers of unaccompanied minor asylum seekers to Greece pursuant to the Dublin regulation.

Thus, the Danish alien authorities will in these cases for the time being apply Article 3, paragraph 2, of the Dublin Regulation and accordingly consider the application of the unaccompanied minor asylum seekers for asylum in Denmark except in those circumstances where information on family relations as mentioned in Article 6 and Article 15, paragraph 3, suggests that it will not be in the best interests of the child to consider the application for asylum in Denmark.

In our view it is therefore even more important that the Commission liaises even closer with Greece in order to ensure that other Member States – without risking a violation of their international obligations – can use the Dublin Regulation “normally” vis-à-vis Greece.

Yours sincerely,

[Signature]
Claes Nilas



Commissioner Cecilia Malmström
European Commission
B-1049 Bruxelles
Belgien

THE MINISTER

Date: 27 JAN. 2011

Dear Cecilia,

It is with great concern that I have read the ruling of 21 January 2011 by the European Court of Human Rights in the case of M.S.S. vs. Belgium and Greece (application no. 30696/09).

The European Court of Human Rights has found that Greece has violated the European Convention on Human Rights both because of the detention conditions of the applicant and his general living conditions in Greece and due to the deficiencies in the asylum procedure.

The ruling by the European Court of Human Rights highlights the indisputable need to provide support to Greece in the field of asylum. There is no time to waste, and I am personally very preoccupied by the gravity of this situation and the necessity of EU to make a joint effort to solve it. This demands assistance to the Greek authorities but also a clear message to Greece about the importance of living up to European standards.

I trust in you and the Commission to take quick and efficient action including a rapid implementation of the Greek National Action Plan for Migration Management. In order to re-establish the asylum system in Greece we all need to further increase and intensify our assistance to the Greek authorities. There has to be movement on all sides to recognise that we now need to act rather than to talk. Denmark stands ready to continue our support to Greece.

Greece has of course the primary responsibility for ensuring the improvements of its asylum procedures as well as the detention and living conditions for asylum seekers. Further steps following the Commission's opening letter to Greece from October 2009 could perhaps encourage Greece to take the necessary steps to ensure action.

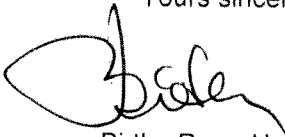
I would like to mention our positive and valuable experiences with the involvement of NGO's in the Danish asylum system, whereby the Danish Red Cross plays an important role in the accommodation of asylum seekers and the Danish Refugee Council for example is providing counselling to asylum seekers. Perhaps this model could be a source of inspiration in order to engage all available resources and the involvement of civil society. The Danish Red Cross and the Danish Refugee Council have indicated to me their willingness to contribute. In the Commission's future coordinating work it is important also to include such offers from civil society.

In this context, it is of course important to ensure the necessary funding.

Finally, I would like to inform you that following this ruling, I have instructed the Danish Immigration Service to start examining the asylum applications that should otherwise have been examined in Greece. The decision will take effect immediately and will be upheld until the situation in Greece has improved.

Please find enclosed a copy of my letter to the Hungarian Presidency regarding the forthcoming JHA Council meeting on 24-25 February 2011.

Yours sincerely,



Birthe Rønn Hornbech



Dr. Sándor Pintér
Belügyminiszter
József Attila Utca 2-4
HU 1051 Budapest
Ungarn

THE MINISTER

Date: 27 JAN. 2011

Dear Sándor Pintér,

Thank you for a fruitful and well-organised informal Council meeting last week. I anticipate an interesting and challenging first semester of 2011 and wish you success in all your efforts.

It is with great concern that I have read the ruling of 21 January 2011 by the European Court of Human Rights in the case of M.S.S. vs. Belgium and Greece (application no. 30696/09).

The European Court of Human Rights has found that Greece has violated the European Convention on Human Rights both because of the detention conditions of the applicant and his general living conditions in Greece and due to the deficiencies in the asylum procedure.

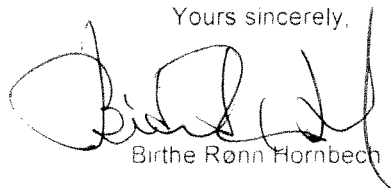
In this light I would appreciate if we could include the implications of this ruling in the discussions regarding the implementation of the Greek National Action Plan for Migration Management at the JHA Council meeting on 24-25 February 2011.

I would also like to inform you that following the ruling by the European Court of Human Rights, I have instructed the Danish Immigration Service to start examining the asylum applications that should otherwise have been examined in Greece. The decision will take effect immediately and will be upheld until the situation in Greece has improved.

Please find enclosed a copy of my letter to Commissioner Cecilia Malmström regarding the necessary support to Greece.

I am hopeful that our endeavours will lead to significant improvements in Greece in the field of asylum and migration management so that the Dublin system will once again be well-functioning as fast as possible.

Yours sincerely,



Birthe Rønn Hornbech



Commissioner Cecilia Malmström
European Commission
B-1049 Bruxelles
Belgien

THE MINISTER

Date: 21 FEB. 2011

Dear Cecilia,

As a follow up to my recent letter regarding the situation in Greece I would like to inform you that a mission of Danish officials together with the Danish Refugee Council visited Greece to look into possibilities to assist Greece in its implementation of the National Action Plan for Migration Management. The idea with this mission was to assess how we can swiftly add value to the ongoing process in Greece. I enclose our first outline for a Danish action plan for this bilateral assistance.

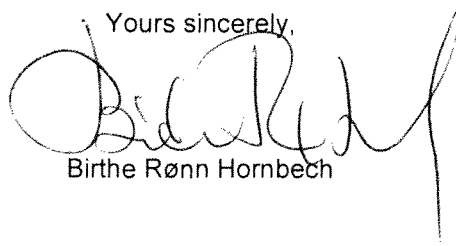
In brief, I appreciate the coordinating role of the Commission in the assistance to Greece. I hope that bilateral initiatives possibly with the involvement of civil society and international organisations can add value and momentum to the process. The Danish action plan might also inspire other Member States that are also planning supplementary bilateral initiatives. A copy of this letter has also been sent to other colleagues at the JHA Council as well as to the Presidency.

I would appreciate if the Commission could advise Member States on the exact possibilities on financing the costs related to assistance offered to Greece in the implementation of its action plan – for example at the JHA Council meeting later this month.

Immediate action of course also presupposes that Greece is both willing and able to make use of the assistance offered so that we build up a permanent capacity in a true partnership. Greece has the primary responsibility to implement its action plan and re-establish an asylum and migration system that is compliant with EU and international standards.

I look forward to the discussions at JHA Council meeting on 24-25 February 2011. I see the meeting as pivotal in our deliberations on how we can reach tangible outputs paving the way for swift, significant and sustainable improvements in Greece.

Yours sincerely,



Birthe Rønn Hornbech

Preliminary Danish Action Plan on bilateral assistance to Greece

Denmark remains committed to assist Greece in its implementation of the National Action Plan on Migration Management. The idea of the bilateral assistance offered is to add value and momentum to the ongoing process.

The outcome of a recent mission by Danish officials and the Danish Refugee Council to Greece is a first outline for a Danish action plan for this bilateral assistance. The Danish Red Cross also is ready to offer assistance.

Denmark sees a particular relevance of such bilateral assistance in the Danish model on asylum and migration management. The Danish model is characterised by close working relationship with flexible procedures and a frank dialogue between stakeholders, both governmental and nongovernmental, each of which have clearly defined tasks. This model ensures an effective, pragmatic and realistic asylum system in line with international standards.

In Denmark the key stakeholders in these three areas are on the governmental side the Danish Ministry of Refugee, Immigration and Integration Affairs, the Danish Immigration Service, the Refugee Appeals Board, the Ministry of Foreign Affairs and the National Commissioner of the Police and on the nongovernmental side the Danish Refugee Council and the Danish Red Cross. The Danish Refugee Council is the implementing partner of UNHCR in Denmark and an important player when it comes to counselling both on asylum procedures and assisted voluntary return. The Danish Red Cross is responsible for operation of accommodation facilities, *inter alia* for vulnerable groups, social assistance, etc.

Denmark has identified the following areas: 1) Assistance in the establishment of an accommodation facility for unaccompanied minors (UAM) and 2) Assisted Voluntary Return (AVR) and 3) Strengthen the cooperation between national authorities and with NGO's as a preparation for the Greek civil asylum authority, *inter alia* through the use of coordination fora, LEAN management and reliable and up to date business intelligence. Further areas of assistance are being considered.

A tentative project plan divided into milestones of identified areas of Danish assistance is found below.

Further planning and liaising with Greece, the Commission and other stakeholders is needed both to specify content, timing and finance. Further action of course presupposes that Greece is willing make use of the assistance offered to build up a permanent capacity in a partnership.

Tentative project plan divided into milestones of identified areas of Danish assistance to Greek Migration Action Plan

Topic	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8	Final outcome
Establishment of accommodation facilities for unaccompanied minors	Report from mission in Greece 6-11 February 2011, finalised 11 February 2011.	Possible financing, development and running costs (Greek, Commission and other) identified by 25 February 2011.	Project plan approved by Greece, Denmark (Government and NGOs) and other stakeholders March 2011.	Facilities identified, Mid March 2011.	Awareness raising within local community, according to project plan.	Refurbishing of building, completed according to project plan.	Staff (Government and NGOs) recruited and educated, according to project plan.	Identification of UAMs to be accommodated at reception centre, according to project plan.	A running reception centre as soon as possible, at the latest June 2011
Strengthening IOM's AVR programmes inter alia through additional counselling	Report from mission in Greece 6-11 February 2011, finalised 11 February 2011.	Possible financing, development and running costs (Greek, Commission and other) identified by 25 February 2011	Project plan approved by Greece, IOM, Denmark (Government/NGOs) and other stakeholders March 2011.	Possible recruitment of additional counsellors etc. for strengthened AVR programme according to project plan	Training of counsellors by NGOs for AVR programme according to project plan	Information campaign on AVR programme planned according to project plan	Information campaign on AVR programme implemented according to project plan		An AVR programme established by June 2011 enabling those who wish to return voluntarily to do so
Cooperation between national authorities and with NGOs as preparation for the Greek civil asylum authority	Report from mission in Greece 6-11 February 2011, finalised 11 February 2011.	Relevant stakeholders identified, Mid March 2011.	Study trip to Denmark and other relevant Member States to study the national models in coordination with business intelligence, Lean management etc, March/April 2011.	Greek NGOs, other civil society stakeholders and international organisations, identified by April 2011.	Preliminary analysis of budgetary consequences and necessary financing, May 2011.	Overall model with division of tasks and tentative budgetary and financial impact approved at appropriate level in Greece, End May 2011.	Analysis of budgetary consequences and necessary financing within Greek budget, identified July 2011.	Conclusion of partnership agreements by relevant stakeholders, September 2011.	An adjusted "Greek model" running, ultimo 2011