



Brussels, 13 October 2023  
(OR. en)

14112/23

LIMITE

ASILE 102  
MIGR 332

#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

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Subject: Recommendation for a Council Decision authorising the opening of negotiations on amending the arrangements between the European Union, on the one part, and, respectively, the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein, on the other part, as regards the modalities of the participation by those States in the European Asylum Support Office, in order for them to be able to participate in the European Union Agency for Asylum

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1. On 7 March 2023, the Commission submitted to the Council a recommendation for the above-mentioned draft Council Decision, based on Article 218(3) and (4) of the Treaty on the Functioning of the European Union (ST 8717/23 *RESTREINT UE / EU RESTRICTED*). The draft Council Decision is accompanied by an Addendum containing the negotiating directives (ST 8717/23 ADD 1 *RESTREINT UE / EU RESTRICTED*).
2. The JHA Counsellors (Asylum) examined the draft Council Decision and its Addendum at their meeting on 22 June 2023 (ST 8717/23 + ADD 1 *RESTREINT UE / EU RESTRICTED*). Following the conclusion of the opt-in procedure of Ireland on 28 July 2023, the Presidency shared a revised text to delegations on 6 October 2023 (ST 13789/23) to which no delegation objected. A slightly revised version was circulated on 12 October to further clarify in the recitals that Denmark is not taking part in the adoption of the decision, in accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark (ST 13789/23 REV 1).

3. The European Parliament will be informed in accordance with Article 218(10) TFEU and following their adoption by the Council, the Decision and the negotiating directives will be transmitted to the EP.
4. In view of the above, the Permanent Representatives Committee is invited:
- to confirm its agreement on the text of the draft Council Decision, as revised by the legal/linguistic experts, set out in document 14116/23 and 14116/23 ADD 1 *RESTREINT UE / EU RESTRICTED*, and
  - recommend that the Council adopt the draft Council Decision authorising the opening of negotiations on amending the arrangements between the European Union, on the one part, and, respectively, the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein, on the other part, as regards the modalities of the participation by those States in the European Asylum Support Office, in order for them to be able to participate in the European Union Agency for Asylum, as set out in document 14116/23 revised by the legal/linguistic experts and in document 14116/23 ADD 1 *RESTREINT UE / EU RESTRICTED*.