

**NATIONS UNIES**  
LE HAUT COMMISSAIRE  
POUR LES RÉFUGIÉS



**UNITED NATIONS**  
THE HIGH COMMISSIONER  
FOR REFUGEES

Case Postale 2500  
1211 Genève 2  
Suisse

15 February 2005

Sir,

I should like to refer to the Exchange of Letters which took place between my predecessor, Mrs. Sadako Ogata, and the former Commissioner for Justice and Home Affairs, Mr. António Vitorino, on ways of further strengthening the cooperation between the European Commission and UNHCR on refugee and asylum issues in light of Declaration No. 17 to the Amsterdam Treaty and the political guidance contained in the Tampere Conclusions.

That arrangement built on existing excellent cooperation and further developed and structured our partnership in areas of common concern. We established regular channels for the exchange of information and documentation and provided mutual assistance in the study and implementation of programmes on refugee and asylum questions. Senior level semestrial consultations, alternately in Brussels and Geneva, coordinated cooperation, reviewed progress and identified areas for further collaboration.

The Strategic Partnership Agreement between the Office of the United Nations High Commissioner for Refugees and the Commission of the European Communities will be the framework within which both organizations will consolidate, further develop and structure cooperation in the field of protection and assistance to refugees and other persons of concern to the UNHCR in third countries, as well as on all issues pertaining to the external dimension of the EU asylum policy including those referred to in the Hague Programme, such as the development of Regional Protection Programmes, in full cooperation between all Commission services concerned.

In complement to the cooperation within the framework of the Strategic Partnership, I am conscious that the orientations given to the internal dimension of EU asylum policy by the Hague Programme and the new perspective of the Constitutional Treaty will require a further deepening of our relationship and yet closer cooperation on key issues pertaining to asylum policy which are being taken forward by our services.

Mr. Franco Frattini  
Vice-President of the Commission responsible for Justice, Freedom and Security  
European Commission  
Brussels



I consider it important that we have the opportunity to renew the basis of this collaboration through this Exchange of Letters. I suggest that the following proposals form the basis of our continuing cooperation:

#### **Objectives**

- The fostering of policy dialogue and close cooperation at all levels between Commission services and UNHCR on matters pertaining to the protection of refugees and other persons of concern to UNHCR. Where this concerns 3rd countries, this will take place in the framework provided by the Strategic Partnership Agreement.
- The continuation of current arrangements for the exchange of information on the situation of asylum-seekers, refugees and other persons of concern to the UNHCR to support the development of the reinforced practical cooperation between the asylum services of Member States called for in the Hague Programme.
- Cooperation in addressing the challenges of the Common European Asylum System and in the monitoring and evaluation of the application of the instruments of the Common European Asylum System by Member States.

#### **These objectives are to be achieved, *inter alia*, through:**

- Senior level meetings in Brussels and Geneva, which are in addition to regular working contacts, with the aim of producing a concrete follow-up in the form of agreed priorities or joint tasks.
  - Regular and systematic exchanges of information and analysis on particular issues arising from Member States' national law and practice in relation to the Common European Asylum System and how that affects the situation of refugees, asylum-seekers and other persons of concern to UNHCR. This activity will contribute to the monitoring and evaluation by the Commission of the implementation of the instruments of the Common European Asylum System.
  - Collaboration on the development of policy on the reinforced practical cooperation envisaged in the Hague Programme. This collaboration will be enhanced by the participation of UNHCR in EURASIL and other expert groups and committees as necessary and the exchange of views on programming activities and the taking forward of Community-funded projects.
  - Collaboration on the development of Regional Protection Programmes within the framework of the Strategic Partnership Agreement and in full cooperation between all Commission services concerned. This collaboration will be enhanced, *inter alia*, through Commission participation in Convention Plus working groups and the exchange of views on programming activities and the taking forward of Community funded projects.
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- Cooperation on the identification and development of resettlement opportunities in line with the Commission proposal for an EU-wide resettlement scheme and within the broad parameters set by the Convention Plus Multilateral Framework of Understandings on Resettlement and within the framework of the Strategic Partnership Agreement.
- The exchange of personnel where possible and of benefit to both parties.

I would be grateful if you could confirm your agreement to this Exchange of Letters as a basis for the further development and structuring of our relationship.

Please accept, Sir, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Ruud Lubbers', written over a horizontal line.

Ruud Lubbers

*Franco Frattini*  
*Vice-President of the European Commission*

Brussels, 15.02.2005  
D(2005)

Dear Sir,

I should like to refer to the exchange of letters which took place between my predecessor, Antonio Vitorino and the former High Commissioner for Refugees Mrs Sadako Ogata on ways of further strengthening the cooperation between the European Commission and UNHCR on refugee and asylum issues in light of Declaration No 17 to the Amsterdam Treaty and the political guidance contained in the Tampere conclusions.

That arrangement built on existing excellent cooperation and further developed and structured our partnership in areas of common concern. We established regular channels for the exchange of information and documentation and provided mutual assistance in the study and implementation of programmes on refugee and asylum questions. Senior level semestrial consultations, alternately in Brussels and Geneva, coordinated cooperation, reviewed progress and identified areas for further collaboration.

The Strategic Partnership Agreement between the Office of the United Nations High Commissioner for Refugees and the Commission of the European Communities will be the framework within which both organisations will consolidate, further develop and structure cooperation in the field of protection and assistance to refugees and other persons of concern to the UNHCR in third countries as well as on all issues pertaining to the external dimension of the EU asylum policy including those referred to in the Hague Programme, such as the development of Regional Protection Programmes, in full cooperation between all Commission services concerned.

In complement to the cooperation within the framework of the Strategic Partnership, I am conscious that the orientations given to the internal dimension of EU asylum policy by the Hague Programme and the new perspective of the Constitutional Treaty will require a further deepening of our relationship and yet closer cooperation on key issues pertaining to asylum policy which are being taken forward by our services.

I consider it important that we have the opportunity to renew the basis of this collaboration through this exchange of letters. I suggest that the following proposals form the basis of our continuing cooperation:

#### **Objectives**

- The fostering of policy dialogue and close cooperation at all levels between Commission services and UNHCR on matters pertaining to the protection of refugees and other persons of concern to UNHCR. Where this concerns third countries, this will take place in the framework provided by the Strategic Partnership Agreement.

J..

Mr Ruud Lubbers  
United Nations High Commissioner for Refugees  
P.O. Box 2500  
CH-1211 GENEVA 2 DEPOT

*Rue de la Loi 206 - B-1049 Brussels*  
*Tel. +32 2 298 75 00 - Fax +32 2 298 85 95 - e-mail: franco.frattini@cec.eu.int*

- The continuation of current arrangements for the exchange of information on the situation of asylum seekers, refugees and other persons of concern to the UNHCR to support the development of the reinforced practical cooperation between the asylum services of Member States called for in the Hague Programme.
- Cooperation in addressing the challenges of the Common European Asylum System and in the monitoring and evaluation of the application of the instruments of the Common European Asylum System by Member States.

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- Collaboration on the development of policy on the reinforced practical cooperation envisaged in the Hague Programme. This collaboration will be enhanced by the participation of UNHCR in EURASIL and other expert groups and committees as necessary and the exchange of views on programming activities and the taking forward of Community-funded projects.
- Collaboration on the development of Regional Protection Programmes within the framework of the Strategic Partnership Agreement and in full cooperation between all Commission services concerned. This collaboration will be enhanced, *inter alia*, through Commission participation in Convention Plus working groups and the exchange of views on programming activities and the taking forward of Community funded projects.
- Cooperation on the identification and development of resettlement opportunities in line with the Commission proposal for an EU-wide resettlement scheme and within the broad parameters set by the Convention Plus Multilateral Framework of Understandings on Resettlement and within the framework of the Strategic Partnership Agreement.
- The exchange of personnel where possible and of benefit to both parties.

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Yours sincerely,  
