European Parliament
2014-2019

Committee on Civil Liberties, Justice and Home Affairs

2016/0224(COD)

26.6.2017

AMENDMENTS
188 - 418

Draft report
Laura Ferrara
(PE597.506v01-00)

Common procedure for international protection in the Union

Proposal for a regulation
(COM(2016)0467 – C8-0321/2016 – 2016/0224(COD))

AM_Com_LegReport

Amendment 188
Kristina Winberg

Proposal for a regulation
–

Proposal for rejection

The European Parliament rejects the Commission proposal.

Or. en

Amendment 189
Auke Zijlstra, Harald Vilimsky, Janice Atkinson, Gilles Lebreton, Marine Le Pen
on behalf of the ENF Group

Proposal for a regulation
–

Proposal for rejection

The European Parliament rejects [the Commission proposal].

Or. en

Justification

This proposal should be rejected as it facilitates granting of international protection in the Nation States that should be prevented at all costs. International protection should solely be granted to applicants in the region closest to the country of origin. With this approach, we could prevent illegal migration, human trafficking, the death of migrants, a disruption of our economies and societies and safety threats to EU citizens. Furthermore, the EU Nation States are not similar and therefore cannot have a common procedure.

Amendment 190
Marina Albiol Guzmán, Martina Anderson, Malin Björk, Barbara Spinelli

Draft legislative resolution
Paragraph 1

Draft legislative resolution	*Amendment*

1. ***Adopts its position at first reading hereinafter set out***;	1. ***Rejects the Commission's proposal and refers the text back to the Commission; urges the Commission to present a new proposal consistent with international legislation and the Geneva Convention on the Status of Refugees***;

Or. en

Amendment 191
Marina Albiol Guzmán

Proposal for a regulation
Title 1

Text proposed by the Commission	*Amendment*
Proposal for a	Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	***DIRECTIVE*** OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU	establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU

Or. en

Amendment 192
Brice Hortefeux

Proposal for a regulation
Title 1

Text proposed by the Commission	*Amendment*
Proposal for a	Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	***DIRECTIVE*** OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU	establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU

Or. fr

Amendment 193
Brice Hortefeux

Proposal for a regulation
Recital 1

Text proposed by the Commission	*Amendment*
(1) The objective of this ***Regulation*** is to streamline, simplify and ***harmonise*** the procedural arrangements of the Member States by establishing a common procedure for international protection in the Union. To meet that objective, a number of substantive changes are made to Directive 2013/32/EU of the European Parliament and of the Council[22] and that Directive should be ***repealed and*** replaced ***by a Regulation***. References to the ***repealed*** Directive should be construed as references to this ***Regulation***.	(1) The objective of this ***Directive*** is to streamline, simplify and ***bring together*** the procedural arrangements of the Member States by establishing a common procedure for international protection in the Union. To meet that objective, a number of substantive changes are made to Directive 2013/32/EU of the European Parliament and of the Council[22] and that ***Directive should therefore be*** replaced. References to Directive ***2013/32/EEC*** shall be construed as references to this ***Directive***.
[22] Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast) (OJ L180, 29.6.2013, p. 60).	[22] Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast) (OJ L180, 29.6.2013, p. 60).

Or. fr

Amendment 194
Marina Albiol Guzmán, Barbara Spinelli

Proposal for a regulation
Recital 1

Text proposed by the Commission	*Amendment*
(1) The objective of this ***Regulation*** is to streamline, simplify and harmonise the procedural arrangements of the Member States by establishing a common procedure for international protection in the Union. To meet that objective, a number of substantive changes are made to Directive	(1) The objective of this ***Directive*** is to streamline, simplify and harmonise the procedural arrangements of the Member States by establishing a common procedure for international protection in the Union. To meet that objective, a number of substantive changes are made to Directive

2013/32/EU of the European Parliament and of the Council [22] and that Directive should be repealed and replaced by a Regulation. References to the repealed Directive should be construed as references to this ***Regulation***.

[22] Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast) (OJ L180, 29.6.2013, p. 60).

2013/32/EU of the European Parliament and of the Council [22] and that Directive should be repealed and replaced by a Regulation. References to the repealed Directive should be construed as references to this ***Directive***.

[22] Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast) (OJ L180, 29.6.2013, p. 60).

Or. en

Amendment 195
Udo Voigt

Proposal for a regulation
Recital 2

Text proposed by the Commission	*Amendment*
(2) A common policy on asylum***, including a Common European Asylum System*** which is based on the full and inclusive application of the Geneva Convention Relating to the Status of Refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967 (Geneva Convention), is a constituent part of the European Union's objective of establishing progressively an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the Union. ***Such a policy should be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States.***	(2) A common policy on asylum which is based on the full and inclusive application of the Geneva Convention Relating to the Status of Refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967 (Geneva Convention), is a constituent part of the European Union's objective of establishing progressively an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the Union.

Or. de

Amendment 196
Jussi Halla-aho

Proposal for a regulation
Recital 2

Text proposed by the Commission	*Amendment*
(2) A common policy on asylum, including a Common European Asylum System which is based on the full and inclusive application of the Geneva Convention Relating to the Status of Refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967 (Geneva Convention), is a constituent part of the European Union's objective of establishing progressively an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the Union. Such a policy should be governed by the principle of ***solidarity and fair sharing of responsibility, including its financial implications, between the Member States***.	(2) A common policy on asylum, including a Common European Asylum System which is based on the full and inclusive application of the Geneva Convention Relating to the Status of Refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967 (Geneva Convention), is a constituent part of the European Union's objective of establishing progressively an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the Union. Such a policy should be governed by the principle of ***affordability, taking into account the absorption capacities of the receiving societies as well as maximal self-reliance of the applicants for international protection***.

Or. en

Amendment 197
Marina Albiol Guzmán

Proposal for a regulation
Recital 3

Text proposed by the Commission	*Amendment*
(3) The Common European Asylum System is based on common standards for asylum procedures, recognition and protection offered at Union level, reception conditions and a system for determining the Member State responsible for asylum seekers. Notwithstanding progress achieved so far in the progressive	(3) The Common European Asylum System is based on common standards for asylum procedures, recognition and protection offered at Union level, reception conditions and a system for determining the Member State responsible for asylum seekers. Notwithstanding progress achieved so far in the progressive

development of the Common European Asylum System, there are still significant disparities between the Member States in the types of procedures used, the recognition rates, the type of protection granted, the level of material reception conditions and benefits given to applicants and beneficiaries of international protection. These divergences ***are important drivers of secondary movements and*** undermine the objective of ensuring that in a Common European Asylum System all applicants are ***equally treated*** wherever they apply in the Union.

development of the Common European Asylum System, there are still significant disparities between the Member States in the types of procedures used, the recognition rates, the type of protection granted, the level of material reception conditions and benefits given to applicants and beneficiaries of international protection. These divergences undermine the objective of ensuring that in a Common European Asylum System all applicants are ***treated with the highest standards and in full compliance with fundamental rights and the Geneva Convention on the Status of Refugees*** wherever they apply in the Union.

Or. en

Amendment 198
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 3

Text proposed by the Commission	*Amendment*
(3) The Common European Asylum System is based on common standards for asylum procedures, recognition and protection offered at Union level, reception conditions and a system for determining the Member State responsible for asylum seekers. Notwithstanding progress achieved so far in the progressive development of the Common European Asylum System, there are still significant disparities between the Member States in the types of procedures used, the recognition rates, the type of protection granted, the level of material reception conditions and benefits given to applicants and beneficiaries of international protection. These divergences ***are***	(3) The Common European Asylum System is based on common standards for asylum procedures, recognition and protection offered at Union level, reception conditions and a system for determining the Member State responsible for asylum seekers. Notwithstanding progress achieved so far in the progressive development of the Common European Asylum System, there are still significant disparities between the Member States in the types of procedures used, the recognition rates, the type of protection granted, the level of material reception conditions and benefits given to applicants and beneficiaries of international protection. These divergences undermine

important drivers of secondary movements and undermine the objective of ensuring that in a Common European Asylum System all applicants are equally treated wherever they apply in the Union.

the objective of ensuring that in a Common European Asylum System all applicants are equally treated wherever they apply in the Union.

Or. en

Amendment 199
Marina Albiol Guzmán

Proposal for a regulation
Recital 4

Text proposed by the Commission	*Amendment*
(4) In its Communication of 6 April 2016,[23] the Commission set out its options for improving the Common European Asylum System, namely to establish a sustainable and fair system for determining the Member State responsible for asylum seekers, to reinforce the Eurodac system, to achieve greater convergence in the EU asylum system, to prevent secondary movements within the Union and a new mandate for the European Union Agency for Asylum. That Communication is line with calls by the European Council on 18-19 February 2016 [24] to make progress towards reforming the EU's existing framework so as to ensure a humane and efficient asylum policy. It also proposes a way forward in line with the holistic approach to migration set out by the European Parliament in its own initiative report of 12 April 2016.	***Deleted***

[23] COM(2016) 197 final.

[24] EUCO 19.02.2016, SN 1/16.

Or. en

Amendment 200
Udo Voigt

Proposal for a regulation
Recital 5

Text proposed by the Commission	*Amendment*
(5) For a well-functioning Common European Asylum System, substantial progress should be made regarding the convergence of national asylum systems. The current disparate asylum procedures in all Member States should be replaced with a common procedure for granting and withdrawing international protection applicable across all Member States pursuant to Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Qualification Regulation)[25] ensuring the timeliness and effectiveness of the procedure. Applications made by the third-country nationals ***and stateless persons*** for the international protection should be examined in a procedure**,** which is governed by the same rules, regardless of the Member State where the application is lodged to ensure equity in the treatment of applications for international protection, clarity and legal certainty for the individual applicant.	(5) For a well-functioning Common European Asylum System, substantial progress should be made regarding the convergence of national asylum systems. The current disparate asylum procedures in all Member States should be replaced with a common procedure for granting and withdrawing international protection applicable across all Member States pursuant to Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Qualification Regulation)[25] ensuring the timeliness and effectiveness of the procedure. Applications made by the third-country nationals for the international protection should be examined in a procedure which is governed by the same rules, regardless of the Member State where the application is lodged**,** to ensure equity in the treatment of applications for international protection, clarity and legal certainty for the individual applicant.
_____	_____
[25] OJ L […], […], p. […].	[25] OJ L […], […], p. […].

Or. de

Amendment 201
Marina Albiol Guzmán

Proposal for a regulation
Recital 6

Text proposed by the Commission	*Amendment*

(6) A common procedure for granting and withdrawing international protection should limit the secondary movements of applicants for international protection between Member States, where such movements would be caused by differences in legal frameworks, by replacing the current discretionary provisions with harmonised rules and by clarifying the rights and obligations of applicants and the consequences of non-compliance with those obligations, and create equivalent conditions for the application of Regulation (EU) No XXX/XXX (Qualification Regulation) in Member States.[26]	***deleted***

_____

[26] THIS FOOTNOTE IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.

Or. en

Amendment 202
Brice Hortefeux

Proposal for a regulation
Recital 6

Text proposed by the Commission	*Amendment*
(6) A common procedure for granting and withdrawing international protection should limit the secondary movements of applicants for international protection between Member States, where such movements would be caused by differences in legal frameworks, by ***replacing the current discretionary provisions with*** harmonised rules and by clarifying the rights and obligations of applicants and the consequences of non-compliance with those obligations, and create equivalent conditions for the application of Regulation (EU) No XXX/XXX (Qualification	(6) A common procedure for granting and withdrawing international protection should limit the secondary movements of applicants for international protection between Member States, where such movements would be caused by differences in legal frameworks, by ***proposing more closely*** harmonised rules and by clarifying the rights and obligations of applicants and the consequences of non-compliance with those obligations, and create equivalent conditions for the application of Regulation (EU) No XXX/XXX (Qualification Regulation) in Member States.[26]

Regulation) in Member States.[26]

[26] THIS FOOTNOTE IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.

[26] THIS FOOTNOTE IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.

Or. fr

Amendment 203
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Bodil Valero, Judith Sargentini

Proposal for a regulation
Recital 6

Text proposed by the Commission	*Amendment*
(6) A common procedure for granting and withdrawing international protection should ***limit the secondary movements of*** applicants ***for international protection between Member States, where such movements would be caused by differences in legal frameworks***, by replacing the current discretionary provisions with harmonised rules and by clarifying the rights and obligations of applicants and the consequences of non-compliance with those obligations, and create equivalent conditions for the application of Regulation (EU) No XXX/XXX (Qualification Regulation) in Member States.[26]	(6) A common procedure for granting and withdrawing international protection should ***create incentives for*** applicants ***to remain and integrate in the territory of the Member State responsible to examine their asylum application***, by replacing the current discretionary provisions with harmonised rules and by clarifying the rights and obligations of applicants and the consequences of non-compliance with those obligations, and create equivalent conditions for the application of Regulation (EU) No XXX/XXX (Qualification Regulation) in Member States.[26]

[26] THIS FOOTNOTE IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.

[26] THIS FOOTNOTE IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.

Or. en

Amendment 204

Jussi Halla-aho

Proposal for a regulation
Recital 7

Text proposed by the Commission	*Amendment*
(7) This Regulation should apply to all applications for international protection made in the territory of the Member States, including those made at the external border, on the territorial sea or in the transit zones of Member States, and the withdrawal of international protection. ***Persons seeking international protection who are present on the territorial sea of a Member State should be disembarked on land and have their applications examined in accordance with this Regulation.***	(7) This Regulation should apply to all applications for international protection made in the territory of the Member States, including those made at the external border, on the territorial sea or in the transit zones of Member States, and the withdrawal of international protection.

Or. en

Amendment 205
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 7

Text proposed by the Commission	*Amendment*
(7) This Regulation should apply to all applications for international protection made in the territory of the Member States, including those made at the external border, on the territorial sea or in the transit zones of Member States, and the withdrawal of international protection. Persons seeking international protection who are present on the territorial sea of a Member State should be disembarked on land and have their applications examined in accordance with this Regulation.	(7) This Regulation should apply to all applications for international protection made in the territory of the Member States, including those made at the external border, on the territorial sea or in the transit zones of Member States, and the withdrawal of international protection. ***In accordance with the principle of non-refoulement,*** persons seeking international protection who are present on the territorial sea of a Member State should be disembarked on land and have their applications examined in accordance with

this Regulation.

Or. en

Amendment 206
Brice Hortefeux

Proposal for a regulation
Recital 7

Text proposed by the Commission	*Amendment*
(7) This ***Regulation*** should apply to all applications for international protection made in the territory of the Member States, including those made at the external border, on the territorial sea or in the transit zones of Member States, and the withdrawal of international protection. Persons seeking international protection who are present on the territorial sea of a Member State should be disembarked on land and have their applications examined in accordance with this ***Regulation***.	(7) This ***Directive*** should apply to all applications for international protection made in the territory of the Member States, including those made at the external border, on the territorial sea or in the transit zones of Member States, and the withdrawal of international protection. Persons seeking international protection who are present on the territorial sea of a Member State should be disembarked on land and have their applications examined in accordance with this ***Directive***.

Or. fr

Amendment 207
Jeroen Lenaers

Proposal for a regulation
Recital 7

Text proposed by the Commission	*Amendment*
(7) This Regulation should apply to ***all*** applications for international protection made in the territory of the Member States, including those made at the external border, on the territorial sea or in the transit zones of Member States, and the withdrawal of international protection. Persons seeking international protection who are present on the territorial sea of a	(7) This Regulation should ***only*** apply to applications for international protection made in the territory of the Member States, including those made at the external border, on the territorial sea or in the transit zones of Member States, and the withdrawal of international protection. Persons seeking international protection who are present on the territorial sea of a

Member State should be disembarked on land and have their applications examined in accordance with this Regulation.

Member State should be disembarked on land and have their applications examined in accordance with this Regulation.

Or. en

Amendment 208
Marina Albiol Guzmán

Proposal for a regulation
Recital 7

Text proposed by the Commission	*Amendment*
(7) This ***Regulation*** should apply to all applications for international protection made in the territory of the Member States, including those made at the external border, on the territorial sea or in the transit zones of Member States, and the withdrawal of international protection. Persons seeking international protection who are present on the territorial sea of a Member State should be disembarked on land and have their applications examined in accordance with this ***Regulation***.	(7) This ***Directive*** should apply to all applications for international protection made in the territory of the Member States, including those made at the external border, on the territorial sea or in the transit zones of Member States, and the withdrawal of international protection. Persons seeking international protection who are present on the territorial sea of a Member State should be disembarked on land and have their applications examined in accordance with this ***Directive***.

Or. en

Amendment 209
Jussi Halla-aho

Proposal for a regulation
Recital 8

Text proposed by the Commission	*Amendment*
(8) This Regulation should apply to applications for international protection in a procedure where it is examined whether the applicants qualify as beneficiaries of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). ***In addition to***	(8) This Regulation should apply to applications for international protection in a procedure where it is examined whether the applicants qualify as beneficiaries of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation).

the international protection, the Member States may also grant under their national law other national humanitarian statuses to those who do not qualify for the refugee status or subsidiary protection status. In order to streamline the procedures in Member States, the Member States should have the possibility to apply this Regulation also to applications for any kind of such other protection.

Or. en

Amendment 210
Marina Albiol Guzmán

Proposal for a regulation
Recital 8

Text proposed by the Commission	*Amendment*
(8) This ***Regulation*** should apply to applications for international protection in a procedure where it is examined whether the applicants qualify as beneficiaries of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). In addition to the international protection, the Member States may also grant under their national law other national humanitarian statuses to those who do not qualify for the refugee status or subsidiary protection status. In order to streamline the procedures in Member States, the Member States should have the possibility to apply this ***Regulation*** also to applications for any kind of such other protection.	(8) This ***Directive*** should apply to applications for international protection in a procedure where it is examined whether the applicants qualify as beneficiaries of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). In addition to the international protection, the Member States may also grant under their national law other national humanitarian statuses to those who do not qualify for the refugee status or subsidiary protection status. In order to streamline the procedures in Member States, the Member States should have the possibility to apply this ***Directive*** also to applications for any kind of such other protection.

Or. en

Amendment 211
Brice Hortefeux

Proposal for a regulation
Recital 8

Text proposed by the Commission	*Amendment*
(8) This ***Regulation*** should apply to applications for international protection in a procedure where it is examined whether the applicants qualify as beneficiaries of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). In addition to the international protection, the Member States may also grant under their national law other national humanitarian statuses to those who do not qualify for the refugee status or subsidiary protection status. In order to streamline the procedures in Member States, the Member States should have the possibility to apply this ***Regulation*** also to applications for any kind of such other protection.	(8) This ***Directive*** should apply to applications for international protection in a procedure where it is examined whether the applicants qualify as beneficiaries of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). In addition to the international protection, the Member States may also grant under their national law other national humanitarian statuses to those who do not qualify for the refugee status or subsidiary protection status. In order to streamline the procedures in Member States, the Member States should have the possibility to apply this ***Directive*** also to applications for any kind of such other protection.

Or. fr

Amendment 212
Beatrix von Storch

Proposal for a regulation
Recital 8

Text proposed by the Commission	*Amendment*
(8) This Regulation should apply to applications for international protection in a procedure where it is examined whether the applicants qualify as beneficiaries of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). In addition to the international protection, the Member States may also grant under their national law other national humanitarian statuses to those who do not qualify for the refugee status ***or subsidiary protection status***. In	(8) This Regulation should apply to applications for international protection in a procedure where it is examined whether the applicants qualify as beneficiaries of international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). In addition to the international protection, the Member States may also grant under their national law other national humanitarian statuses to those who do not qualify for the refugee status. In order to streamline the

order to streamline the procedures in Member States, the Member States should have the possibility to apply this Regulation also to applications for any kind of such other protection.

procedures in Member States, the Member States should have the possibility to apply this Regulation also to applications for any kind of such other protection.

Or. en

Amendment 213
Brice Hortefeux

Proposal for a regulation
Recital 9

Text proposed by the Commission	*Amendment*
(9) With respect to the treatment of persons falling within the scope of this ***Regulation***, Member States are bound by obligations under instruments of international law to which they are party.	(9) With respect to the treatment of persons falling within the scope of this ***Directive***, Member States are bound by obligations under instruments of international law to which they are party .

Or. fr

Amendment 214
Marina Albiol Guzmán

Proposal for a regulation
Recital 9

Text proposed by the Commission	*Amendment*
(9) With respect to the treatment of persons falling within the scope of this ***Regulation***, Member States are bound by obligations under instruments of international law to which they are party.	(9) With respect to the treatment of persons falling within the scope of this ***Directive***, Member States are bound by obligations under instruments of international law to which they are party.

Or. en

Amendment 215
Jussi Halla-aho

Proposal for a regulation
Recital 10

Text proposed by the Commission	*Amendment*
(10) The resources of the Asylum, Migration and Integration Fund should be mobilised to provide adequate support to Member States' efforts in applying this Regulation, in particular to those Member States which are faced with specific and disproportionate pressures on their asylum and reception systems.	***deleted***

Or. en

Amendment 216
Ska Keller
on behalf of the Verts/ALE Group
Bodil Valero, Judith Sargentini

Proposal for a regulation
Recital 10

Text proposed by the Commission	*Amendment*
(10) The resources of the Asylum, Migration and Integration Fund should be mobilised to provide adequate support to Member States' efforts in applying this Regulation, in particular to those Member States which are faced with specific and disproportionate pressures on their asylum and reception systems.	(10) The resources of the Asylum, Migration and Integration Fund should be mobilised to provide adequate support to Member States' efforts in applying this Regulation, in particular to those Member States which are faced with specific and disproportionate pressures on their asylum and reception systems. ***Adequate funding shall be made available to local and regional authorities and international and civil society organisations, including through the possibility for local and regional authorities to directly access the Asylum Migration and Integration Fund (AMIF).***

Or. en

Amendment 217
Brice Hortefeux

Proposal for a regulation
Recital 10

Text proposed by the Commission	*Amendment*
(10) The resources of the Asylum, Migration and Integration Fund should be mobilised to provide adequate support to Member States' efforts in applying this ***Regulation***, in particular to those Member States which are faced with specific and disproportionate pressures on their asylum and reception systems.	(10) The resources of the Asylum, Migration and Integration Fund should be mobilised to provide adequate support to Member States' efforts in applying this ***Directive***, in particular to those Member States which are faced with specific and disproportionate pressures on their asylum and reception systems.

Or. fr

Amendment 218
Marina Albiol Guzmán

Proposal for a regulation
Recital 10

Text proposed by the Commission	*Amendment*
(10) The resources of the Asylum, Migration and Integration Fund should be mobilised to provide adequate support to Member States' efforts in applying this ***Regulation***, in particular to those Member States which are faced with specific and disproportionate pressures on their asylum and reception systems.	(10) The resources of the Asylum, Migration and Integration Fund should be mobilised to provide adequate support to Member States' efforts in applying this ***Directive***, in particular to those Member States which are faced with specific and disproportionate pressures on their asylum and reception systems.

Or. en

Amendment 219
Marina Albiol Guzmán

Proposal for a regulation
Recital 11

Text proposed by the Commission	*Amendment*
(11) The European Union Agency for Asylum should provide Member State with the necessary operational and technical assistance in the application of this ***Regulation***, in particular by providing experts to assist national authorities to receive, register, and examine applications for international protection ***and by providing updated information on third countries, including country of origin information and guidance on the situation in specific countries of origin***. When applying this ***Regulation***, Member States should ***take into account operational standards, indicators, guidelines and*** best practices developed by the European Union Agency for Asylum.	(11) The European Union Agency for Asylum should provide Member State with the necessary operational and technical assistance in the application of this ***directive***, in particular by providing experts to assist national authorities to receive, register, and examine applications for international protection. When applying this ***Directive***, Member States should ***respect fundamental rights and take into account*** best practices developed by the European Union Agency for Asylum.

Or. en

Amendment 220
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 11

Text proposed by the Commission	*Amendment*
(11) The European Union Agency for Asylum should provide Member State with the necessary operational and technical assistance in the application of this Regulation, in particular by providing experts to assist national authorities to receive, register, and examine applications for international protection and by providing updated ***information on third countries, including*** country of origin information and guidance on the situation in specific countries of origin. When applying this Regulation, Member States should take into account operational	(11) The European Union Agency for Asylum should provide Member State with the necessary operational and technical assistance in the application of this Regulation, in particular by providing experts to assist national authorities to receive, register, and examine applications for international protection and by providing updated country of origin information and guidance on the situation in specific countries of origin. When applying this Regulation, Member States should take into account operational standards, indicators, guidelines and best

standards, indicators, guidelines and best practices developed by the European Union Agency for Asylum.

practices developed by the European Union Agency for Asylum.

Or. en

Amendment 221
Brice Hortefeux

Proposal for a regulation
Recital 11

Text proposed by the Commission	*Amendment*
(11) The European Union Agency for Asylum should provide Member State with the necessary operational and technical assistance in the application of this ***Regulation***, in particular by providing experts to assist national authorities to receive, register, and examine applications for international protection and by providing updated information on third countries, including country of origin information and guidance on the situation in specific countries of origin. When applying this ***Regulation***, Member States should take into account operational standards, indicators, guidelines and best practices developed by the European Union Agency for Asylum.	(11) The European Union Agency for Asylum should provide Member State with the necessary operational and technical assistance in the application of this ***Directive***, in particular by providing experts to assist national authorities to receive, register, and examine applications for international protection and by providing updated information on third countries, including country of origin information and guidance on the situation in specific countries of origin. When applying this ***Directive***, Member States should take into account operational standards, indicators, guidelines and best practices developed by the European Union Agency for Asylum.

Or. fr

Amendment 222
Jussi Halla-aho

Proposal for a regulation
Recital 11

Text proposed by the Commission	*Amendment*
(11) The European Union Agency for Asylum should provide Member State with	(11) The European Union Agency for Asylum should provide Member State with

the necessary operational and technical assistance in the application of this Regulation, in particular by providing experts to assist national authorities to receive***, register, and examine*** applications for international protection and by providing updated information on third countries, including country of origin information and guidance on the situation in specific countries of origin. When applying this Regulation, Member States should take into account operational standards, indicators, guidelines and best practices developed by the European Union Agency for Asylum.	the necessary operational and technical assistance in the application of this Regulation, in particular by providing experts to assist national authorities to receive ***and register*** applications for international protection and by providing updated information on third countries, including country of origin information and guidance on the situation in specific countries of origin. When applying this Regulation, Member States should take into account operational standards, indicators, guidelines and best practices developed by the European Union Agency for Asylum.

Or. en

Amendment 223
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 12

Text proposed by the Commission	*Amendment*
(12) In the interests of a correct recognition of those persons in need of protection as refugees within the meaning of Article 1 of the Geneva Convention or as persons eligible for subsidiary protection, every applicant should have an effective access to the procedure, the opportunity to cooperate and properly communicate with the responsible authorities so as to present the relevant facts of his or her case and sufficient procedural guarantees to pursue his or her case throughout all stages of the procedure.	(12) In the interests of a correct recognition of those persons in need of protection as refugees within the meaning of Article 1 of the Geneva Convention or as persons eligible for subsidiary protection, every applicant should have an effective access to the procedure, the opportunity to cooperate and properly communicate with the responsible authorities so as to present the relevant facts of his or her case and sufficient procedural guarantees ***and access to free legal assistance*** to pursue his or her case throughout all stages of the procedure.

Or. en

Amendment 224
Beatrix von Storch

Proposal for a regulation
Recital 12

Text proposed by the Commission	*Amendment*
(12) In the interests of a correct recognition of those persons in need of protection as refugees within the meaning of Article 1 of the Geneva Convention ***or as persons eligible for subsidiary protection***, every applicant should have an effective access to the procedure, the opportunity to cooperate and properly communicate with the responsible authorities so as to present the relevant facts of his or her case and sufficient procedural guarantees to pursue his or her case throughout all stages of the procedure.	(12) In the interests of a correct recognition of those persons in need of protection as refugees within the meaning of Article 1 of the Geneva Convention, every applicant should have an effective access to the procedure, the opportunity to cooperate and properly communicate with the responsible authorities so as to present the relevant facts of his or her case and sufficient procedural guarantees to pursue his or her case throughout all stages of the procedure.

Or. en

Amendment 225
Jussi Halla-aho

Proposal for a regulation
Recital 12

Text proposed by the Commission	*Amendment*
(12) In the interests of a correct recognition of those persons in need of protection as refugees within the meaning of Article 1 of the Geneva Convention or as persons eligible for subsidiary protection, every applicant should have an effective access to the procedure, the ***opportunity*** to cooperate and properly communicate with the responsible authorities so as to present ***the*** relevant facts of his or her case and sufficient procedural guarantees to pursue his or her case throughout ***all stages of*** the procedure.	(12) In the interests of a correct recognition of those persons in need of protection as refugees within the meaning of Article 1 of the Geneva Convention or as persons eligible for subsidiary protection, every applicant should have an effective access to the procedure, the ***obligation*** to cooperate and properly communicate with the responsible authorities so as to present ***all*** relevant facts of his or her case and sufficient procedural guarantees to pursue his or her case throughout the procedure.

Or. en

Amendment 226
Marina Albiol Guzmán

Proposal for a regulation
Recital 13

Text proposed by the Commission	*Amendment*
(13) The applicant should be provided with an effective opportunity to present all relevant elements at his or her disposal to the determining authority. For this reason, the applicant should, subject to limited exceptions, enjoy the right to be heard through a personal interview ***on the admissibility or on merits of his or her application, as appropriate***. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she may be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure appropriate confidentiality and by adequately trained and competent personnel***, including where necessary, personnel from authorities of other Member States or experts deployed by the European Union Agency for Asylum***. The personal interview may only be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the interview should be	(13) The applicant should be provided with an effective opportunity to present all relevant elements at his or her disposal to the determining authority. For this reason, the applicant should, subject to limited exceptions, enjoy the right to be heard through a personal interview. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter***, and a cultural mediator,*** and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she may be assisted by the legal adviser or counsellor during the interview. The ***applicant must have the opportunity to be effectively assisted by NGOs providing legal aid before, during, and after the interview. The*** personal interview should be conducted under conditions which ensure appropriate confidentiality and by adequately trained and competent personnel ***from the relevant Member State***. The personal interview may only be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the ***audio of the*** interview

recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision, or in the case of an accelerated examination procedure, at the same time as the decision is made.

should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision, or in the case of an accelerated examination procedure, at the same time as the decision is made. ***If the applicant is in need of special guarantees in accordance with Article 19 to 22, that applicant must have the opportunity to provide specifications within a reasonable time after a personal interview.***

Or. en

Amendment 227
Péter Niedermüller

Proposal for a regulation
Recital 13

Text proposed by the Commission	*Amendment*
(13) The applicant should be provided with an effective opportunity to present all relevant elements at his or her disposal to the determining authority. For this reason, the applicant should, subject to limited exceptions, enjoy the right to be heard through a personal interview on the admissibility or on merits of his or her application, as appropriate. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she may be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure appropriate confidentiality	(13) The applicant should be provided with an effective opportunity to present all relevant elements at his or her disposal to the determining authority. For this reason, the applicant should, subject to limited exceptions, enjoy the right to be heard through a personal interview on the admissibility or on merits of his or her application, as appropriate. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she may be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure appropriate confidentiality

and by adequately trained and competent personnel, including where necessary**,** ***personnel from authorities of other Member States or*** experts deployed by the European Union Agency for Asylum. The personal interview may only be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the interview should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision, or in the case of an accelerated examination procedure, at the same time as the decision is made.	and by adequately trained and competent personnel, including where necessary experts deployed by the European Union Agency for Asylum. The personal interview may only be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the interview should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision, or in the case of an accelerated examination procedure, at the same time as the decision is made. ***Applicants should always be given an opportunity to provide further clarifications orally or in writing with regard to any incorrect translations or misunderstandings in the report or in the transcript.***

Or. en

Justification

In line with amendments on Article 5 (4). The possibility to correct translation error support the well founded asylum decisions.

Amendment 228
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 13

Text proposed by the Commission	*Amendment*
(13) The applicant should be provided with an effective opportunity to present all	(13) The applicant should be provided with an effective opportunity to present all

relevant elements at his or her disposal to the determining authority. For this reason, the applicant should***, subject to limited exceptions,*** enjoy the right to be heard through a personal interview on the admissibility ***or*** on merits of his or her application, as appropriate. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she ***may*** be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure appropriate confidentiality and by adequately trained and competent personnel, including where necessary, ***personnel from authorities of other Member States or*** experts deployed by the European Union Agency for Asylum. The personal interview may only be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the interview should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision***, or in the case of an accelerated examination procedure, at the same time as the decision is made***.

relevant elements at his or her disposal to the determining authority. For this reason, the applicant should enjoy the right to be heard through a personal interview on the admissibility ***and*** on merits of his or her application, as appropriate. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and ***a legal representative or counsellor and*** be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she ***should*** be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure appropriate confidentiality and by adequately trained and competent personnel, including where necessary, experts deployed by the European Union Agency for Asylum. The personal interview may only be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the interview should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision.

Or. en

Amendment 229

Jussi Halla-aho

Proposal for a regulation
Recital 13

Text proposed by the Commission	*Amendment*
(13) The applicant should be provided with an effective opportunity to present all relevant elements at his or her disposal to the determining authority. For this reason, the applicant should, subject to limited exceptions, enjoy the right to be heard through a personal interview on the admissibility or on merits of his or her application, as appropriate. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she may be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure appropriate confidentiality and by adequately trained and competent personnel, including where necessary, personnel from authorities of other Member States or experts deployed by the European Union Agency for Asylum. The personal interview may only be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the interview should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision, or	(13) The applicant should be provided with an effective opportunity to present all relevant elements at his or her disposal to the determining authority. For this reason, the applicant should, subject to limited exceptions, enjoy the right to be heard through a personal interview on the admissibility or on merits of his or her application, as appropriate. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she may be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure appropriate confidentiality and by adequately trained and competent personnel, including where necessary, personnel from authorities of other Member States or experts deployed by the European Union Agency for Asylum. The personal interview may only be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstance beyond his or her control ***or when the application is clearly inadmissible***. Given that the personal interview is an essential part of the examination of the application, the interview should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview

in the case of an accelerated examination procedure, at the same time as the decision is made.

before the determining authority takes a decision, or in the case of an accelerated examination procedure, at the same time as the decision is made.

Or. en

Amendment 230
Brice Hortefeux, Rachida Dati

Proposal for a regulation
Recital 13

Text proposed by the Commission	*Amendment*
(13) The applicant should ***be provided with*** an effective opportunity to present all relevant elements at his or her disposal ***to the determining authority***. For this reason, the applicant should***, subject to limited exceptions,*** enjoy the right to be heard through a personal interview on the ***admissibility or on*** merits of his or her application***, as appropriate***. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she may be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure ***appropriate*** confidentiality and by adequately trained and competent personnel, including where necessary, personnel from authorities of other Member States or experts deployed by the European Union Agency for Asylum. The personal interview may ***only*** be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or	(13) ***Before the determining authority takes a decision***, the applicant should ***have*** an effective opportunity to present all relevant elements at his disposal. For this reason, the applicant should enjoy the right to be heard through a personal interview on the merits of his or her application. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient ***and reasonable*** time to prepare and consult with his or her legal adviser or counsellor, and he or she may be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure confidentiality and by adequately trained and competent personnel, including where necessary, personnel from authorities of other Member States or experts deployed by the European Union Agency for Asylum. The personal interview may be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring

unable to be interviewed owing to enduring circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the interview should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision, or in the case of an accelerated examination procedure, at the same time as the decision is made.

circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the interview should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision, or in the case of an accelerated examination procedure, at the same time as the decision is made.

Or. fr

Amendment 231
Sergei Stanishev

Proposal for a regulation
Recital 13

Text proposed by the Commission	*Amendment*
(13) The applicant should be provided with an effective opportunity to present all relevant elements at his or her disposal to the determining authority. For this reason, the applicant should, subject to limited exceptions, enjoy the right to be heard through a personal interview on ***the admissibility or on*** merits of his or her application, as appropriate. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she may be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure appropriate confidentiality	(13) The applicant should be provided with an effective opportunity to present all relevant elements at his or her disposal to the determining authority. For this reason, the applicant should, subject to limited exceptions, enjoy the right to be heard through a personal interview on merits of his or her application, as appropriate. For the right to a personal interview to be effective, the applicant should be assisted by an interpreter and be given the opportunity to provide his or explanations concerning the grounds for his or her application in a comprehensive manner. The applicant should be given sufficient time to prepare and consult with his or her legal adviser or counsellor, and he or she may be assisted by the legal adviser or counsellor during the interview. The personal interview should be conducted under conditions which ensure appropriate confidentiality and by adequately trained

and by adequately trained and competent personnel, including where necessary, personnel from authorities of other Member States or experts deployed by the European Union Agency for Asylum. The personal interview may only be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the interview should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision, or in the case of an accelerated examination procedure, at the same time as the decision is made.	and competent personnel, including where necessary, personnel from authorities of other Member States or experts deployed by the European Union Agency for Asylum. The personal interview may only be omitted when the determining authority is to take a positive decision on the application or is of the opinion that the applicant is unfit or unable to be interviewed owing to enduring circumstance beyond his or her control. Given that the personal interview is an essential part of the examination of the application, the interview should be recorded and the applicants and their legal advisers should be given access to the recording, as well as to the report or transcript of the interview before the determining authority takes a decision, or in the case of an accelerated examination procedure, at the same time as the decision is made.

Or. en

Justification

In line with other amendments to remove admissibility checks as a requirement before applying the Dublin Regulation.

Amendment 232
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini, Bodil Valero, Jean Lambert

Proposal for a regulation
Recital 14

Text proposed by the Commission	*Amendment*
(14) It is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs already at the stage of the administrative procedure by providing good quality information and legal support	(14) It is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs already at the stage of the administrative procedure by providing good quality information and legal support

which leads to more efficient and better quality decision-making. For that purpose, access to legal assistance and representation should be an integral part of the common procedure for international protection. In order to ensure the effective protection of the applicant's rights, particularly the right of defence and the principle of fairness, and to ensure the economy of the procedure, applicants should, ***upon their request and*** subject to conditions set out in this Regulation, be provided with free legal assistance and representation during the administrative procedure and in the appeal procedure. The free legal assistance and representation should be provided by persons competent to provide them under national law.

which leads to more efficient and better quality decision-making. For that purpose, access to legal assistance and representation should be an integral part of the common procedure for international protection ***at all stages of the procedure***. In order to ensure the effective protection of the applicant's rights, particularly the right of defence and the principle of fairness, and to ensure the economy of the procedure, applicants should, subject to conditions set out in this Regulation, be provided with free legal assistance and representation during the administrative procedure***, including during personal interviews,*** and in the appeal procedure***. Applicants should have the right to an effective remedy before a court or tribunal against a decision not to grant free legal assistance and Member States shall ensure that legal assistance and representation is not arbitrarily restricted and that the applicant's effective access to justice is not hindered***. The free legal assistance and representation should be provided by persons competent to provide them under national law.

Or. en

Amendment 233
Maria Grapini

Proposal for a regulation
Recital 14

Text proposed by the Commission	*Amendment*
(14) It is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs already at the stage of the administrative procedure by providing good quality information and legal support which leads to more efficient and better quality decision-making. For that purpose,	(14) It is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs already at the stage of the administrative procedure by providing good quality information and legal support which leads to more efficient and better quality decision-making. For that purpose,

access to legal assistance and representation should be an integral part of the common procedure for international protection. In order to ensure the effective protection of the applicant's rights, particularly the right of defence and the principle of fairness, and to ensure the economy of the procedure, applicants should, upon their request and subject to conditions set out in this Regulation, be provided with free legal assistance and representation during the administrative procedure and in the appeal procedure. The free legal assistance and representation should be provided by persons competent to provide them under national law.	access to legal assistance and representation should be an integral part of the common procedure for international protection. In order to ensure the effective protection of the applicant's rights, particularly the right of defence and the principle of fairness, and to ensure the economy of the procedure, applicants should, upon their request and subject to conditions set out in this Regulation, be provided with free legal assistance and representation during the administrative procedure and in the appeal procedure. The free legal assistance and representation should be provided by persons competent to provide them under national law. ***Consideration should be given to granting Member States a certain flexibility as regards their procedural autonomy and the need to avoid placing on them excessive financial burdens.***

Or. ro

Amendment 234
Jussi Halla-aho

Proposal for a regulation
Recital 14

Text proposed by the Commission	*Amendment*
(14) It is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs already at the stage of the administrative procedure by providing good quality information ***and legal support*** which leads to more efficient and better quality decision-making. ***For that purpose, access to legal assistance and representation should be an integral part of the common procedure for international protection.*** In order to ensure the effective protection of the applicant's rights, particularly the right of defence and	(14) It is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs already at the stage of the administrative procedure by providing good quality information which leads to more efficient and better quality decision-making. In order to ensure the effective protection of the applicant's rights, particularly the right of defence and the principle of fairness, and to ensure the economy of the procedure, applicants should, upon their request and subject to conditions set out in this Regulation, be

the principle of fairness, and to ensure the economy of the procedure, applicants should, upon their request and subject to conditions set out in this Regulation, be provided with ***free*** legal assistance and representation ***during the administrative procedure and*** in the appeal procedure. The ***free*** legal assistance and representation should be provided by persons competent to provide them under national law.	provided with legal assistance and representation in the appeal procedure. The legal assistance and representation should be provided by persons competent to provide them under national law.

Or. en

Amendment 235
Marina Albiol Guzmán

Proposal for a regulation
Recital 14

Text proposed by the Commission	*Amendment*
(14) It is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs already at the stage of the administrative procedure by providing good quality information and legal support which leads to more efficient and better quality decision-making. For that purpose, access to legal assistance and representation should be an integral part of the common procedure for international protection. In order to ensure the effective protection of the applicant's rights, particularly the right of defence and the principle of fairness, and to ensure the economy of the procedure, applicants should***, upon their request and subject to conditions set out in this Regulation,*** be provided with free legal assistance and representation during the administrative procedure and in the appeal procedure. The free legal assistance and representation should be provided by persons competent to provide them under national law.	(14) It is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs already at the stage of the administrative procedure by providing good quality information and legal support which leads to more efficient and better quality decision-making. For that purpose, access to legal assistance and representation should be an integral part of the common procedure for international protection. In order to ensure the effective protection of the applicant's rights, particularly the right of defence and the principle of fairness, and to ensure the economy of the procedure, applicants should be provided with free legal assistance and representation during the administrative procedure and in the appeal procedure. The free legal assistance and representation ***shall be provided as soon as an applicant has declared the wish to receive international protection and*** should be provided by persons competent to provide them under national law.

Or. en

Amendment 236
Brice Hortefeux

Proposal for a regulation
Recital 14

Text proposed by the Commission	*Amendment*
(14) It is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs already at the stage of the administrative procedure by providing good quality information and legal support which leads to more efficient and better quality decision-making. For that purpose, access to legal assistance and representation should be an integral part of the common procedure for international protection. In order to ensure the effective protection of the applicant's rights, particularly the right of defence and the principle of fairness, and to ensure the economy of the procedure, applicants should, upon their request and subject to conditions set out in this ***Regulation***, be provided with free legal assistance and representation during the administrative procedure and in the appeal procedure. The free legal assistance and representation should be provided by persons competent to provide them under national law.	(14) It is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs already at the stage of the administrative procedure by providing good quality information and legal support which leads to more efficient and better quality decision-making. For that purpose, access to legal assistance and representation should be an integral part of the common procedure for international protection. In order to ensure the effective protection of the applicant's rights, particularly the right of defence and the principle of fairness, and to ensure the economy of the procedure, applicants should, upon their request and subject to conditions set out in this ***Directive***, be provided with free legal assistance and representation during the administrative procedure and in the appeal procedure. The free legal assistance and representation should be provided by persons competent to provide them under national law.

Or. fr

Amendment 237
Marina Albiol Guzmán

Proposal for a regulation
Recital 15

Text proposed by the Commission	*Amendment*

(15) Certain applicants may be in need of special procedural guarantees due, inter alia, to their age, gender, sexual orientation, gender identity, disability, serious illness, mental disorders or as a consequence of torture, rape or other serious forms of psychological, physical, sexual or gender-based violence. It is necessary to systematically assess whether an individual applicant is in need of special procedural guarantees and identify those applicants as early as possible from the moment an application is made and before a decision is taken.	(15) Certain applicants may be in need of special procedural guarantees due, inter alia, to their age, gender, sexual orientation, gender identity, ***gender expression, sex characteristics,*** disability, serious illness, mental disorders or as a consequence of torture, rape***, trafficking, shipwreck,*** or other serious forms of psychological, physical, sexual or gender-based violence. It is necessary to systematically assess whether an individual applicant is in need of special procedural guarantees and identify those applicants as early as possible from the moment an application is made and before a decision is taken.

Or. en

Amendment 238
Jussi Halla-aho

Proposal for a regulation
Recital 15

Text proposed by the Commission	*Amendment*
(15) ***Certain applicants may be in need of special procedural guarantees due, inter alia, to their age, gender, sexual orientation, gender identity, disability, serious illness, mental disorders or as a consequence of torture, rape or other serious forms of psychological, physical, sexual or gender-based violence. It is necessary to systematically assess whether an individual*** applicant is in need of special procedural guarantees ***and identify those applicants as early as possible from the moment an application is made and before a decision is taken***.	(15) ***It is necessary to systematically assess whether an individual applicant is in need of special procedural guarantees and identify those applicants as early as possible from the moment an application is made and before a decision is taken. The indications that the*** applicant is in need of special procedural guarantees ***include, inter alia, signs of physical, mental or developmental disorders or disabilities as well as age-related vulnerabilities such as dementia***.

Or. en

Amendment 239
Emil Radev

Proposal for a regulation
Recital 15

Text proposed by the Commission	*Amendment*
(15) Certain applicants may be in need of special procedural guarantees due, inter alia, to their age, gender, ***sexual orientation, gender identity,*** disability, serious illness, mental disorders or as a consequence of torture, rape or other serious forms of psychological, physical, sexual or gender-based violence. It is necessary to systematically assess whether an individual applicant is in need of special procedural guarantees and identify those applicants as early as possible from the moment an application is made and before a decision is taken.	(15) Certain applicants may be in need of special procedural guarantees due, inter alia, to their age, gender, disability, serious illness, mental disorders or as a consequence of torture, rape or other serious forms of psychological, physical, sexual or gender-based violence. It is necessary to systematically assess whether an individual applicant is in need of special procedural guarantees and identify those applicants as early as possible from the moment an application is made and before a decision is taken.

Or. bg

Amendment 240
Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova

Proposal for a regulation
Recital 15

Text proposed by the Commission	*Amendment*
(15) Certain applicants may be in need of ***special*** procedural guarantees due, inter alia, to their age, gender, sexual orientation, gender identity, disability, serious illness, mental disorders or as a consequence of torture, rape or other serious forms of psychological, physical, sexual or gender-based violence. It is necessary to systematically assess whether an individual applicant is in need of ***special*** procedural guarantees and identify those applicants as early as possible from the moment an application is made and before	(15) Certain applicants may be in need of ***specific*** procedural guarantees due, inter alia, to their age, gender, sexual orientation, gender identity, disability, serious illness, mental disorders or as a consequence of torture, rape or other serious forms of psychological, physical, sexual or gender-based violence. It is necessary to systematically assess whether an individual applicant is in need of ***specific*** procedural guarantees and identify those applicants as early as possible from the moment an application is made and

a decision is taken.	before a decision is taken.

Or. en

Justification

Aligns the terminology with the EP position on other CEAS instruments, notably the Reception Conditions Directive

Amendment 241
Jussi Halla-aho

Proposal for a regulation
Recital 16

Text proposed by the Commission	*Amendment*
(16) To ensure that the identification of applicants in need of special procedural guarantees takes place as early as possible, the personnel of the authorities responsible for receiving and registering applications should ***be adequately trained to detect signs of vulnerability signs and they should*** receive appropriate instructions for that purpose. ***Further measures dealing with identification and documentation of symptoms and signs of torture or other serious acts of physical or psychological violence, including acts of sexual violence, in procedures covered by this Regulation should, inter alia, be based on the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).***	(16) To ensure that the identification of applicants in need of special procedural guarantees takes place as early as possible, the personnel of the authorities responsible for receiving and registering applications should receive appropriate instructions for that purpose.

Or. en

Amendment 242
Marina Albiol Guzmán

Proposal for a regulation
Recital 16

Text proposed by the Commission	*Amendment*
(16) To ensure that the identification of applicants in need of special procedural guarantees takes place as early as possible, the personnel of the authorities responsible for receiving and registering applications should be adequately trained to detect signs of vulnerability signs and they should receive appropriate instructions for that purpose. Further measures dealing with identification and documentation of symptoms and signs of torture or other serious acts of physical or psychological violence, including acts of sexual violence, in procedures covered by this ***Regulation*** should, inter alia, be based on the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).	(16) To ensure that the identification of applicants in need of special procedural guarantees takes place as early as possible, ***NGOs must have full access to detention centres, reception centres, border posts, or any other place where potential asylum-seekers are present; and*** the personnel of the authorities responsible for receiving and registering applications should be adequately trained to detect signs of vulnerability signs and they should receive appropriate instructions for that purpose. Further measures dealing with identification and documentation of symptoms and signs of torture or other serious acts of physical or psychological violence, including acts of sexual violence, in procedures covered by this ***Directive*** should, inter alia, be based on the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).

Or. en

Amendment 243
Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova

Proposal for a regulation
Recital 16

Text proposed by the Commission	*Amendment*
(16) To ensure that the identification of applicants in need of ***special*** procedural guarantees takes place as early as possible, the personnel of the authorities responsible for receiving and registering applications should be adequately trained to detect signs of vulnerability signs and they should receive appropriate instructions for that purpose. Further measures dealing with	(16) To ensure that the identification of applicants in need of ***specific*** procedural guarantees takes place as early as possible, the personnel of the authorities responsible for receiving and registering applications should be adequately trained to detect signs of vulnerability signs and they should receive appropriate instructions for that purpose. Further measures dealing with

identification and documentation of symptoms and signs of torture or other serious acts of physical or psychological violence, including acts of sexual violence, in procedures covered by this Regulation should, inter alia, be based on the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).	identification and documentation of symptoms and signs of torture or other serious acts of physical or psychological violence, including acts of sexual violence, in procedures covered by this Regulation should, inter alia, be based on the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).

Or. en

Justification

Aligns the terminology with the EP position on other CEAS instruments, notably the Reception Conditions Directive

Amendment 244
Brice Hortefeux

Proposal for a regulation
Recital 16

Text proposed by the Commission	*Amendment*
(16) To ensure that the identification of applicants in need of special procedural guarantees takes place as early as possible, the personnel of the authorities responsible for receiving and registering applications should be ***adequately*** trained to detect signs of vulnerability signs and they should receive appropriate instructions for that purpose. Further measures dealing with identification and documentation of symptoms and signs of torture or other serious acts of physical or psychological violence, including acts of sexual violence, in procedures covered by this ***Regulation*** should, inter alia, be based on the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).	(16) To ensure that the identification of applicants in need of special procedural guarantees takes place as early as possible, the personnel of the authorities responsible for receiving and registering applications should be trained to detect signs of vulnerability signs and they should receive appropriate instructions for that purpose. Further measures dealing with identification and documentation of symptoms and signs of torture or other serious acts of physical or psychological violence, including acts of sexual violence, in procedures covered by this ***Directive*** should, inter alia, be based on the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).

Or. fr

Amendment 245
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 17

Text proposed by the Commission	*Amendment*
(17) Applicants who are identified as being in need of special procedural guarantees should be provided with adequate support, including sufficient time, in order to create the conditions necessary for their effective access to procedures and for presenting the elements needed to substantiate their application for international protection. ***Where it is not possible to provide adequate support in the framework of an accelerated examination procedure or a border procedure, an applicant*** in need of special procedural guarantees should be exempted from ***those procedures. The need for special procedural guarantees of a nature that could prevent the application of*** accelerated ***or*** border procedures ***should also mean that the applicant is provided with additional guarantees in cases where his or her appeal does not have automatic suspensive effect, with a view to making the remedy effective in his or her particular circumstances***.	(17) Applicants who are identified as being in need of special procedural guarantees should be provided with adequate support, including sufficient time, in order to create the conditions necessary for their effective access to procedures and for presenting the elements needed to substantiate their application for international protection. ***Applicants*** in need of special procedural guarantees should be exempted from accelerated ***and*** border procedures.

Or. en

Amendment 246
Marina Albiol Guzmán

Proposal for a regulation
Recital 17

Text proposed by the Commission	*Amendment*
(17) Applicants who are identified as being in need of special procedural guarantees should be provided with adequate support, including sufficient time, in order to create the conditions necessary for their effective access to procedures and for presenting the elements needed to substantiate their application for international protection. Where it is not possible to provide adequate support in the framework of an accelerated examination procedure or a border procedure, an applicant in need of special procedural guarantees should be exempted from those procedures. ***The need for special procedural guarantees of a nature that could prevent the application of*** accelerated ***or border*** procedures ***should also mean that the applicant is provided with additional guarantees in cases where his or her appeal does not have automatic suspensive effect, with a view to making the remedy effective in his or her particular circumstances***.	(17) Applicants who are identified as being in need of special procedural guarantees should be provided with adequate support, including sufficient time, in order to create the conditions necessary for their effective access to procedures and for presenting the elements needed to substantiate their application for international protection. Where it is not possible to provide adequate support in the framework of an accelerated examination procedure or a border procedure, an applicant in need of special procedural guarantees should be exempted from those procedures. ***Minors shall always be exempted from border and*** accelerated procedures.

Or. en

Amendment 247
Elly Schlein

Proposal for a regulation
Recital 17

Text proposed by the Commission	*Amendment*
(17) Applicants who are identified as being in need of special procedural guarantees should be provided with adequate support, including sufficient time, in order to create the conditions necessary for their effective access to procedures and for presenting the elements needed to substantiate their application for	(17) Applicants who are identified as being in need of special procedural guarantees should be provided with adequate support, including sufficient time, in order to create the conditions necessary for their effective access to procedures and for presenting the elements needed to substantiate their application for

international protection. Where it is not possible to provide adequate support in the framework of an accelerated examination procedure or a border procedure, an applicant in need of special procedural guarantees should be exempted from those procedures. ***The need for special procedural guarantees of a nature that could prevent the application of*** accelerated ***or border*** procedures ***should also mean that the applicant is provided with additional guarantees in cases where his or her appeal does not have automatic suspensive effect, with a view to making the remedy effective in his or her particular circumstances***.	international protection. Where it is not possible to provide adequate support in the framework of an accelerated examination procedure or a border procedure, an applicant in need of special procedural guarantees should be exempted from those procedures. ***Minors should be always exempted from border and*** accelerated procedures.

Or. en

Amendment 248
Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova

Proposal for a regulation
Recital 17

Text proposed by the Commission	*Amendment*
(17) Applicants who are identified as being in need of ***special*** procedural guarantees should be provided with adequate support, including sufficient time, in order to create the conditions necessary for their effective access to procedures and for presenting the elements needed to substantiate their application for international protection. Where it is not possible to provide adequate support in the framework of an accelerated examination procedure or a border procedure, an applicant in need of ***special*** procedural guarantees should be exempted from those procedures. The need for ***special*** procedural guarantees of a nature that could prevent the application of accelerated or border procedures should also mean that the applicant is provided with additional	(17) Applicants who are identified as being in need of ***specific*** procedural guarantees should be provided with adequate support, including sufficient time, in order to create the conditions necessary for their effective access to procedures and for presenting the elements needed to substantiate their application for international protection. Where it is not possible to provide adequate support in the framework of an accelerated examination procedure or a border procedure, an applicant in need of ***specific*** procedural guarantees should be exempted from those procedures. The need for ***specific*** procedural guarantees of a nature that could prevent the application of accelerated or border procedures should also mean that the applicant is provided with additional

guarantees in cases where his or her appeal does not have automatic suspensive effect, with a view to making the remedy effective in his or her particular circumstances.

guarantees in cases where his or her appeal does not have automatic suspensive effect, with a view to making the remedy effective in his or her particular circumstances.

Or. en

Justification

Aligns the terminology with the EP position on other CEAS instruments, notably the Reception Conditions Directive

Amendment 249
Marina Albiol Guzmán

Proposal for a regulation
Recital 18

Text proposed by the Commission	*Amendment*
(18) With a view to ensuring substantive equality between female and male applicants, examination procedures should be gender-sensitive. In particular, personal interviews should be organised in a way which makes it possible for both female and male applicants to speak about their past experiences in cases involving gender-based persecution. For this purpose, women should be given an effective opportunity to be interviewed separately from their spouse, partner or other family members. ***Where possible,*** women and girls should be provided with female interpreters and interviewers. Medical examinations on women and girls should be carried out by female medical practitioners, in particular having regard to the fact that the applicant may have been a victim of gender-based violence. The complexity of gender-related claims should be properly taken into account in procedures based on the concept of first country of asylum, the concept of safe third country, the concept of safe country of origin and in the notion of subsequent	(18) With a view to ensuring substantive equality between female and male applicants, examination procedures should be gender-sensitive. In particular, personal interviews should be organised in a way which makes it possible for both female and male applicants to speak about their past experiences in cases involving ***sexual orientation or*** gender-based persecution. For this purpose, women should be given an effective opportunity to be interviewed separately from their spouse, partner or other family members. Women and girls should be provided with female interpreters and interviewers. Medical examinations on women and girls should be carried out by female medical practitioners, in particular having regard to the fact that the applicant may have been a victim of gender-based violence. ***Where an applicant's gender identity differs from their legal gender, Member States shall ensure in examination and interviews respect for the gender identity of the applicant by using the corresponding name, title, and gender marker.*** The complexity of gender-

applications.

related claims***, including claims related to sexual orientation, gender identity, gender expression, and sex characteristics,*** should be properly taken into account in procedures based on the concept of first country of asylum, the concept of safe third country, the concept of safe country of origin and in the notion of subsequent applications.

Or. en

Amendment 250
Jussi Halla-aho

Proposal for a regulation
Recital 18

Text proposed by the Commission	*Amendment*
(18) With a view to ensuring substantive equality between female and male applicants, examination procedures should be gender-sensitive. In particular, personal interviews should be organised in a way which makes it possible for both female and male applicants to speak about their past experiences in cases involving gender-based persecution. For this purpose, ***women*** should be given an effective opportunity to be interviewed separately from their spouse, partner or other family members. Where possible, ***women and girls*** should be provided with ***female*** interpreters and interviewers. Medical examinations on ***women and girls*** should be carried out by ***female*** medical practitioners, in particular having regard to the fact that the applicant may have been a victim of gender-based violence. ***The complexity of gender-related claims should be properly taken into account in procedures based on the concept of first country of asylum, the concept of safe third country, the concept of safe country of origin and in the notion of subsequent***	(18) With a view to ensuring substantive equality between female and male applicants, examination procedures should be gender-sensitive. In particular, personal interviews should be organised in a way which makes it possible for both female and male applicants to speak about their past experiences in cases involving gender-based persecution. For this purpose, ***the applicant*** should be given an effective opportunity to be interviewed separately from their spouse, partner or other family members. Where possible, ***the applicant*** should be provided with interpreters and interviewers ***of the same sex***. Medical examinations on ***the applicants*** should be carried out by medical practitioners ***of the same sex***, in particular having regard to the fact that the applicant may have been a victim of gender-based violence.

applications.

Or. en

Amendment 251
Marina Albiol Guzmán

Proposal for a regulation
Recital 18 a (new)

Text proposed by the Commission	*Amendment*
	(18a) Violence that is directed against a person because of that person's gender, gender identity or gender expression, or that affects persons of a particular gender disproportionately is understood as gender-based violence. It may result in physical, sexual, emotional or psychological harm, or economic loss, to the victim. Gender-based violence is understood to be a form of discrimination and violation of fundamental freedoms of the victim and includes violence in close relationships, sexual violence (including rape, sexual assault, and harassment), trafficking in human beings, slavery, and different forms of harmful practices, such as forced marriages, female genital mutilation and so-called 'honour-crimes'. Women victims of gender-based violence and their children often require special support and protection because of the high risk of secondary and repeat victimisation, of intimidation and retaliation connected with such violence.

Or. en

Amendment 252
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 19

Text proposed by the Commission	*Amendment*
(19) When, ***in the framework of an application being processed***, the applicant is searched, that search should be carried by a person of the same sex. ***This should be without prejudice to a search carried out, for security reasons, on the basis of national law.***	(19) When, ***for security purposes***, the applicant is searched, that search should be carried by a person of the same sex.

Or. en

Amendment 253
Jeroen Lenaers

Proposal for a regulation
Recital 19

Text proposed by the Commission	*Amendment*
(19) When, in the framework of an application being processed, the applicant is searched, that search should be carried by a person of the same sex. This should be without prejudice to a search carried out, for security reasons, on the basis of national law.	(19) When, in the framework of an application being processed, the applicant is searched, that search should be carried ***in accordance with national legislation and the principle of proportionality and should be carried out*** by a person of the same sex. This should be without prejudice to a search carried out, for security reasons, on the basis of national law.

Or. en

Amendment 254
Marina Albiol Guzmán

Proposal for a regulation
Recital 19

Text proposed by the Commission	*Amendment*
(19) When, in the framework of an application being processed, the applicant	(19) When, in the framework of an application being processed, the applicant

is searched, that search should be carried by a person of the same sex. This should be ***without prejudice to a search carried out, for security reasons, on the basis of national law***.	is searched, that search should be carried by a person of the same sex. This should be ***an exceptional measure done only when there is a specific justification***.

Or. en

Amendment 255
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini, Bodil Valero

Proposal for a regulation
Recital 20

Text proposed by the Commission	*Amendment*
(20) The best interests of the child should be a primary consideration of Member States when applying this Regulation, in accordance with Article 24 of the Charter and the 1989 United Nations Convention on the Rights of the Child. In assessing the best interests of the child, Member States should in particular take due account of the minor's well-being and social development, including his or her background. In view of Article 12 of the United Nations Convention on the Rights of the Child concerning the child's right to be heard, the determining authority shall provide a minor the opportunity of a personal interview unless this is manifestly not in the minor's best interests.	(20) The best interests of the child should be a primary consideration of Member States when applying this Regulation, in accordance with Article 24 of the Charter and the 1989 United Nations Convention on the Rights of the Child. In assessing the best interests of the child, Member States should in particular take due account of the minor's well-being and social development, including his or her background. In view of Article 12 of the United Nations Convention on the Rights of the Child concerning the child's right to be heard, the determining authority shall provide a minor the opportunity of a personal interview unless this is manifestly not in the minor's best interests. ***Border, admissibility and accelerated procedures should never be applied to unaccompanied minors. Minors should never be detained as part of border procedures, at transit zones, external borders or at any stage during the determination of their asylum application.***

Or. en

Amendment 256
Marina Albiol Guzmán

Proposal for a regulation
Recital 20

Text proposed by the Commission	*Amendment*
(20) The best interests of the child should be a primary consideration of Member States when applying this ***Regulation***, in accordance with Article 24 of the Charter and the 1989 United Nations Convention on the Rights of the Child. In assessing the best interests of the child, Member States should in particular take due account of the minor's well-being and social development, including his or her background. In view of Article 12 of the United Nations Convention on the Rights of the Child concerning the child's right to be heard, the determining authority shall provide a minor the opportunity of a personal interview unless this is manifestly not in the minor's best interests.	(20) The best interests of the child should be a primary consideration of Member States when applying this ***Directive***, in accordance with Article 24 of the Charter and the 1989 United Nations Convention on the Rights of the Child. In assessing the best interests of the child, Member States should in particular take due account of the minor's well-being and social development, including his or her background. In view of Article 12 of the United Nations Convention on the Rights of the Child concerning the child's right to be heard, the determining authority shall provide a minor the opportunity of a personal interview unless this is manifestly not in the minor's best interests.

Or. en

Amendment 257
Marina Albiol Guzmán

Proposal for a regulation
Recital 21

Text proposed by the Commission	*Amendment*
(21) The common procedure streamlines the time-limits for an individual to accede to the procedure, for the examination of the application by the determining authority as well as for the examination of first level appeals by judicial authorities. Whereas a disproportionate number of simultaneous applications may risk delaying access to the procedure and the examination of the applications, a measure of flexibility to	(21) The common procedure streamlines the time-limits for an individual to accede to the procedure, for the examination of the application by the determining authority as well as for the examination of first level appeals by judicial authorities. Whereas a disproportionate number of simultaneous applications may risk delaying access to the procedure and the examination of the applications, a measure of flexibility to

exceptionally extend those time-lines may at times be needed. However, to ensure an effective process, extending those time-limits should be a measure of last resort considering that Member States should regularly review their needs to maintain an efficient asylum system, including by preparing contingency plans where necessary, and considering that the European Union Agency for Asylum should provide Member States with the necessary operational and technical assistance. Where Member States foresee that they would not be able to meet the set time-limits, they should request assistance from the European Union Agency for Asylum. ***Where no such request is made, and because of the disproportionate pressure the asylum system in a Member State becomes ineffective to the extent of jeopardising the functioning of Common European Asylum System, the Agency may, based on an implementing decision of the Commission, take measures in support of that Member State.***

exceptionally extend those time-lines may at times be needed. However, to ensure an effective process, extending those time-limits should be a measure of last resort considering that Member States should regularly review their needs to maintain an efficient asylum system, including by preparing contingency plans where necessary, and considering that the European Union Agency for Asylum should provide Member States with the necessary operational and technical assistance. Where Member States foresee that they would not be able to meet the set time-limits, they should request assistance from the European Union Agency for Asylum.

Or. en

Amendment 258
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 21

Text proposed by the Commission	*Amendment*
(21) The common procedure streamlines the time-limits for an individual to accede to the procedure, for the examination of the application by the determining authority as well as for the examination of first level appeals by judicial authorities. Whereas a disproportionate number of simultaneous applications may risk delaying access to	(21) The common procedure streamlines the time-limits for an individual to accede to the procedure, for the examination of the application by the determining authority as well as for the examination of first level appeals by judicial authorities. Whereas a disproportionate number of simultaneous applications may risk delaying access to

the procedure and the examination of the applications, a measure of flexibility to exceptionally extend those time-lines may at times be needed. However, to ensure an effective process, extending those time-limits should be a measure of last resort considering that Member States should regularly review their needs to maintain an efficient asylum system, including by preparing contingency plans where necessary, and considering that the European Union Agency for Asylum should provide Member States with the necessary operational and technical assistance. Where Member States foresee that they would not be able to meet the set time-limits, they should request assistance from the European Union Agency for Asylum. Where no such request is made, and because of the disproportionate pressure the asylum system in a Member State becomes ineffective to the extent of jeopardising the functioning of Common European Asylum System, the Agency may, based on an implementing decision of the Commission, take measures in support of that Member State.	the procedure and the examination of the applications, a measure of flexibility to exceptionally extend those time-lines may at times be needed. However, to ensure an effective process, extending those time-limits should be ***strictly limited and*** a measure of last resort considering that Member States should regularly review their needs to maintain an efficient asylum system, including by preparing contingency plans where necessary, and considering that the European Union Agency for Asylum should provide Member States with the necessary operational and technical assistance. Where Member States foresee that they would not be able to meet the set time-limits, they should request assistance from the European Union Agency for Asylum. Where no such request is made, and because of the disproportionate pressure the asylum system in a Member State becomes ineffective to the extent of jeopardising the functioning of Common European Asylum System, the Agency may, based on an implementing decision of the Commission, take measures in support of that Member State.

Or. en

Amendment 259
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 22

Text proposed by the Commission	*Amendment*
(22) Access to the common procedure should be based on a three-step approach consisting of the making, registering and lodging of an application. Making an application is the first step that triggers the	(22) Access to the common procedure should be based on a three-step approach consisting of the making, registering and lodging of an application. Making an application is the first step that triggers the

application of this Regulation. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Such a wish may be expressed in any form and the individual applicant need not necessarily use specific words such as international protection, asylum or subsidiary protection. The defining element should be the expression by the third county national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. In case of doubt whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection. The applicant should benefit from rights under this Regulation and Directive XXX/XXX/EU (Reception Conditions Directive)[27] as soon as he or she makes an application.

[27] OJ L […], […], p. […].

application of this Regulation. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Such a wish may be expressed in any form and the individual applicant need not necessarily use specific words such as international protection, asylum or subsidiary protection. The defining element should be the expression by the third county national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. In case of doubt whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection. The applicant should benefit from rights under this Regulation and Directive XXX/XXX/EU (Reception Conditions Directive)[27] as soon as he or she makes an application. ***The applicant should be given a document which certifies his or her status as an applicant and which should be valid for the duration of his or her right to remain on the territory, at the time when the application is made and at the latest at the time of registration.***

[27] OJ L […], […], p. […].

Or. en

Amendment 260
Jeroen Lenaers

Proposal for a regulation
Recital 22

Text proposed by the Commission	*Amendment*
(22) Access to the common procedure should be based on a ***three-step*** approach consisting of the making***,*** registering and lodging of an application. Making an application is the first step that triggers the application of this Regulation. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Such a wish may be expressed in any form and the individual applicant need not necessarily use specific words such as international protection, asylum or subsidiary protection. The defining element should be the expression by the third county national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. In case of doubt whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection. The applicant should benefit from rights under this Regulation and Directive XXX/XXX/EU (Reception Conditions Directive)[27] as soon as he or she makes an application.	(22) Access to the common procedure should be based on a ***two-step*** approach consisting of the making ***and*** registering and ***the*** lodging of an application. Making ***and registering*** an application is the first step that triggers the application of this Regulation. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Such a wish may be expressed in any form and the individual applicant need not necessarily use specific words such as international protection, asylum or subsidiary protection. The defining element should be the expression by the third county national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. In case of doubt whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection. The applicant should benefit from rights under this Regulation and Directive XXX/XXX/EU (Reception Conditions Directive)[27] as soon as he or she makes an application.
[27] OJ L […], […], p. […].	[27] OJ L […], […], p. […].

Or. en

Amendment 261
Brice Hortefeux

Proposal for a regulation
Recital 22

Text proposed by the Commission	*Amendment*
(22) Access to the common procedure should be based on a three-step approach consisting of the making, registering and lodging of an application. Making an application is the first step that triggers the application of this ***Regulation***. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Such a wish may be expressed in any form and the individual applicant need not necessarily use specific words such as international protection, asylum or subsidiary protection. The defining element should be the expression by the third county national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. In case of doubt whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection. The applicant should benefit from rights under this Regulation and Directive XXX/XXX/EU (Reception Conditions Directive)[27] as soon as he or she makes an application.	(22) Access to the common procedure should be based on a three-step approach consisting of the making, registering and lodging of an application. Making an application is the first step that triggers the application of this ***Directive***. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Such a wish may be expressed in any form and the individual applicant need not necessarily use specific words such as international protection, asylum or subsidiary protection. The defining element should be the expression by the third county national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. In case of doubt whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection. The applicant should benefit from rights under this Regulation and Directive XXX/XXX/EU (Reception Conditions Directive)[27] as soon as he or she makes an application.
[27] OJ L […], […], p. […].	[27] OJ L […], […], p. […].

Or. fr

Amendment 262
Beatrix von Storch

Proposal for a regulation
Recital 22

Text proposed by the Commission	*Amendment*
(22) Access to the common procedure should be based on a three-step approach consisting of the making, registering and lodging of an application. Making an application is the first step that triggers the application of this Regulation. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Such a wish may be expressed in any form and the individual applicant need not necessarily use specific words such as international protection***, asylum or subsidiary protection***. The defining element should be the expression by the third county national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. In case of doubt whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection. The applicant should benefit from rights under this Regulation and Directive XXX/XXX/EU (Reception Conditions Directive)[27] as soon as he or she makes an application.	(22) Access to the common procedure should be based on a three-step approach consisting of the making, registering and lodging of an application. Making an application is the first step that triggers the application of this Regulation. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Such a wish may be expressed in any form and the individual applicant need not necessarily use specific words such as international protection ***or asylum***. The defining element should be the expression by the third county national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. In case of doubt whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection. The applicant should benefit from rights under this Regulation and Directive XXX/XXX/EU (Reception Conditions Directive)[27] as soon as he or she makes an application.
[27] OJ L […], […], p. […].	[27] OJ L […], […], p. […].

Or. en

Amendment 263
Marina Albiol Guzmán

Proposal for a regulation
Recital 22

Text proposed by the Commission	*Amendment*
(22) Access to the common procedure should be based on a three-step approach consisting of the making, registering and lodging of an application. Making an application is the first step that triggers the application of this ***Regulation***. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Such a wish may be expressed in any form and the individual applicant need not necessarily use specific words such as international protection, asylum or subsidiary protection. The defining element should be the expression by the third county national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. In case of doubt whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection. The applicant should benefit from rights under this ***Regulation*** and Directive XXX/XXX/EU (Reception Conditions Directive)[27] as soon as he or she makes an application.	(22) Access to the common procedure should be based on a three-step approach consisting of the making, registering and lodging of an application. Making an application is the first step that triggers the application of this ***Directive***. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Such a wish may be expressed in any form and the individual applicant need not necessarily use specific words such as international protection, asylum or subsidiary protection. The defining element should be the expression by the third county national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. In case of doubt whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection. The applicant should benefit from rights under this ***Directive*** and Directive XXX/XXX/EU (Reception Conditions Directive)[27] as soon as he or she makes an application.
[27] OJ L […], […], p. […].	[27] OJ L […], […], p. […].

Or. en

Amendment 264
Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova

Proposal for a regulation
Recital 22 a (new)

Text proposed by the Commission	*Amendment*
	(22a) In order to increase applicants' understanding of the functioning of the Common European Asylum System (CEAS) it is necessary to improve the provision of information significantly. Investing in the early provision of accessible information to applicants will greatly increase the likelihood that they will understand, accept and follow the procedures of this Regulation to a greater extent than to date. In order to reduce the administrative requirements and make effective use of common resources the Asylum Agency should develop suitable information material, in close cooperation with the national authorities. The Asylum Agency should make full use of modern information technologies when developing that material. In order to assist asylum seekers properly, the Asylum Agency should also develop audio-visual information material that can be used as a complement to written information material. The Asylum Agency should be responsible for maintaining a dedicated website with information on the functioning of the CEAS for applicants and potential applicants designed to counter the often incorrect information provided to them by smugglers. The information material developed by the Asylum Agency should be translated and made available in all of the major languages spoken by asylum seekers arriving in Europe.

Or. en

Justification

Improved provision of information, mirrors suggestions in the Dublin regulation

Amendment 265
Péter Niedermüller

Proposal for a regulation
Recital 23

Text proposed by the Commission	*Amendment*
(23) An application should be registered as soon as it is made. At this stage, the authorities responsible for receiving and registering applications, including border guards, police, immigration authorities and authorities responsible for detention facilities should register the application together with the personal details of the individual applicant. Those authorities should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in case of non-compliance with those obligations. The applicant should be given a document ***certifying that an*** application ***has been made. The time limit for lodging an application starts to run from the moment an application is registered***.	(23) An application should be registered as soon as it is made. At this stage, the authorities responsible for receiving and registering applications, including border guards, police, immigration authorities and authorities responsible for detention facilities should register the application together with the personal details of the individual applicant. Those authorities should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in case of non-compliance with those obligations. The applicant should be given a document ***which certifies his or her status as an applicant at the time when the*** application ***is registered, and which should be valid for a period of six months and shall be renewed automatically where no final decision has yet been reached on the application for international protection, ensuring that the validity of that document covers the period during which the applicant has a right to remain on the territory of the Member State responsible***.

Or. en

Amendment 266
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 23

Text proposed by the Commission	*Amendment*
(23) An application should be registered as soon as it is made. At this stage, the	(23) An application should be registered as soon as it is made. At this stage, the

authorities responsible for receiving and registering applications, including border guards, police, immigration authorities and authorities responsible for detention facilities should register the application together with the personal details of the individual applicant. Those authorities should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in case of non-compliance with those obligations. The applicant should be given a document certifying that an application has been made. The time limit for lodging an application starts to run from the moment an application is registered.

authorities responsible for receiving and registering applications, including border guards, police, immigration authorities and authorities responsible for detention facilities should register the application together with the personal details of the individual applicant. ***The applicant's lack of documentation should not prevent Member States from carrying out the registration procedures.*** Those authorities should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in case of non-compliance with those obligations. The applicant should be given a document certifying that an application has been made. The time limit for lodging an application starts to run from the moment an application is registered.

Or. en

Amendment 267
Jeroen Lenaers

Proposal for a regulation
Recital 23

Text proposed by the Commission	*Amendment*
(23) An application should be registered as soon as it is made. At this stage, the authorities responsible for receiving and registering applications, including border guards, police, immigration authorities and authorities responsible for detention facilities should register the application together with the personal details of the individual applicant. Those authorities should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in case of non-compliance with those obligations. The applicant should be given a document certifying that an application has been made. The time limit for lodging an	(23) An application should be registered as soon as it is made. At this stage, the authorities responsible for receiving and registering applications, including border guards, police, immigration authorities***, other authorities that have been entrusted by the Member States with those tasks*** and authorities responsible for detention facilities should register the application together with the personal details of the individual applicant. Those authorities should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in case of non-compliance with those obligations. The applicant should be given a document

application starts to run from the moment an application is registered.	certifying that an application has been made. The time limit for lodging an application starts to run from the moment an application is registered.

Or. en

Amendment 268
Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova

Proposal for a regulation
Recital 23

Text proposed by the Commission	*Amendment*
(23) An application should be registered as soon as it is made. At this stage, the authorities responsible for receiving and registering applications, including border guards, police, immigration authorities and authorities responsible for detention facilities should register the application together with the personal details of the individual applicant. Those authorities should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in case of non-compliance with those obligations. The applicant should be given a document certifying that an application has been made. The time limit for lodging an application starts to run from the moment an application is registered.	(23) An application should be registered as soon as ***possible after*** it is made. At this stage, the authorities responsible for receiving and registering applications, including border guards, police, immigration authorities and authorities responsible for detention facilities should register the application together with the personal details of the individual applicant. Those authorities should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in case of non-compliance with those obligations. The applicant should be given a document certifying that an application has been made. The time limit for lodging an application starts to run from the moment an application is registered.

Or. en

Justification

According to Article 27 (Registering applications for international protection) the authorities have up to three days in normal circumstances to register an application. I agree that registration shall be made quickly after the application is made but it cannot always be at the same time as the making of the application.

Amendment 269
Marina Albiol Guzmán

Proposal for a regulation
Recital 23

Text proposed by the Commission	*Amendment*
(23) An application should be registered as soon as it is made. At this stage, the authorities responsible for receiving and registering applications***, including border guards, police, immigration authorities and authorities responsible for detention facilities*** should register the application together with the personal details of the individual applicant. Those authorities should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in case of non-compliance with those obligations. The applicant should be given a document certifying that an application has been made. The time limit for lodging an application starts to run from the moment an application is registered.	(23) An application should be registered as soon as it is made. At this stage, the authorities responsible for receiving and registering applications should register the application together with the personal details of the individual applicant. Those authorities should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in case of non-compliance with those obligations. The applicant should be given a document certifying that an application has been made***, and should be granted access to an interpreter and a legal adviser***. The time limit for lodging an application starts to run from the moment an application is registered.

Or. en

Amendment 270
Péter Niedermüller

Proposal for a regulation
Recital 24

Text proposed by the Commission	*Amendment*
(24) The lodging of the application is the act ***that formalises the application for international protection.*** The applicant ***should be given the necessary information as to how and where to lodge his or her*** application ***and he or she should be given an effective opportunity to do so***. At this stage he or she is required to submit all the elements at his or her disposal needed to	(24) The lodging of the application is the act ***of submitting of elements available to*** the applicant ***which may help to substantiate the*** application ***for international protection in accordance with [Article 4(1) of the Qualification Regulation]***. At this stage he or she is required to submit all the elements at his or her disposal needed to substantiate the

substantiate ***and complete*** the application. The time-limit for the administrative procedure starts to run from the moment an application is lodged. ***At that time, the applicant should be given a document which certifies his or her status as an applicant, and which should be valid for the duration of the his or her right to remain on the territory of the Member State responsible for examining the application.***

application. The time-limit for the administrative procedure starts to run from the moment an application is lodged.

Or. en

Amendment 271
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini, Jean Lambert

Proposal for a regulation
Recital 24

Text proposed by the Commission	*Amendment*
(24) The lodging of the application is the act ***that formalises the application for international protection***. The applicant should be given the necessary information as to how and where to lodge his or her application and he or she should be given an effective opportunity to do so. At this stage he or she is required to submit all the elements at his or her disposal needed to substantiate ***and complete*** the application. The time-limit for the administrative procedure starts to run from the moment an application is lodged. ***At that time, the applicant should be given a document which certifies his or her status as an applicant, and which should be valid for the duration of the his or her right to remain on the territory of the Member State responsible for examining the application.***	(24) The lodging of the application is the act ***of submitting all relevant elements at the applicant's disposal in accordance with [Article 4(1) of the Qualification Regulation]***. The applicant should be given the necessary information as to how and where to lodge his or her application and he or she should be given an effective opportunity to do so. At this stage he or she is required to submit all the elements at his or her disposal needed to substantiate the application. The time-limit for the administrative procedure starts to run from the moment an application is lodged.

Or. en

Amendment 272
Alessandra Mussolini, Salvatore Domenico Pogliese

Proposal for a regulation
Recital 24

Text proposed by the Commission	*Amendment*
(24) The lodging of the application is the act that formalises the application for international protection. The applicant should be given the necessary information as to how and where to lodge his or her application and he or she should be given an effective opportunity to do so. At this stage he or she is ***required*** to submit all the elements at his or her disposal needed to substantiate and complete the application. The time-limit for the administrative procedure starts to run from the moment an application is lodged. At that time, the applicant should be given a document which certifies his or her status as an applicant, and which should be valid for the duration of the his or her right to remain on the territory of the Member State responsible for examining the application.	(24) The lodging of the application is the act that formalises the application for international protection. The applicant should be given the necessary information as to how and where to lodge his or her application and he or she should be given an effective opportunity to do so. At this stage he or she is ***bound*** to submit all the elements at his or her disposal needed to substantiate and complete the application. The time-limit for the administrative procedure starts to run from the moment an application is lodged. At that time, the applicant should be given a document which certifies his or her status as an applicant, and which should be valid for the duration of the his or her right to remain on the territory of the Member State responsible for examining the application.

Or. en

Amendment 273
Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova

Proposal for a regulation
Recital 24 a (new)

Text proposed by the Commission	*Amendment*
	(24a) Different categories of applicants have differing information needs and information will therefore have to be provided in different ways and be adapted to these needs. It is particularly important to ensure that minors have access to

child-friendly information that is specific to their needs and situation. Providing accurate, high quality information to both accompanied and unaccompanied minors in a child friendly environment can play an essential part both in providing a good environment for the minor but also in order to identify cases of suspected trafficking in human beings.

Or. en

Justification

Improved provision of information, the provision mirrors a suggestion in the Dublin regulation

Amendment 274
Marina Albiol Guzmán

Proposal for a regulation
Recital 25

Text proposed by the Commission	*Amendment*
(25) The applicant should be informed properly of his or her rights and obligations in a timely ***manner and in a language that he or she understands or is reasonably meant to understand. Having regard to the fact that where, for instance, the applicant refuses to cooperate with the national authorities by not providing the elements necessary for the examination of the application and by not providing his or her fingerprints or facial image, or fails to lodge his or her application within the set time limit, the application could be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations***.	(25) The applicant should be informed properly of his or her rights and obligations in a timely***, concise and easily accessible manner, in clear and simple language, and in a language that he or she understands***.

Or. en

Amendment 275
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 25

Text proposed by the Commission	*Amendment*
(25) The applicant should be informed properly of his or her rights and obligations in a timely manner and in a language that he or she understands ***or is reasonably meant to understand. Having regard to the fact that where, for instance, the applicant refuses to cooperate with the national authorities by not providing the elements necessary for the examination of the application and by not providing his or her fingerprints or facial image, or fails to lodge his or her application within the set time limit, the application could be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations***.	(25) The applicant should be informed properly of his or her rights and obligations in a timely manner and in a language that he or she understands ***in a concise, transparent, intelligible and easily accessible form, using clear and plain language. Children should be provided information in a child-friendly manner and in a language they understand by appropriately trained staff***.

Or. en

Amendment 276
Péter Niedermüller

Proposal for a regulation
Recital 25

Text proposed by the Commission	*Amendment*
(25) The applicant should be informed properly of his or her rights and obligations ***in a timely manner*** and in a language that he or she understands ***or is reasonably meant to understand***. Having regard to the fact that where, for instance, the applicant refuses to cooperate with the national authorities by not providing the elements	(25) The applicant should be informed properly of his or her rights and obligations ***at the moment when the application for international protection is registered*** and in a language that he or she understands***. Information should be provided in a concise, transparent, intelligible and easily accessible form, using clear and***

necessary for the examination of the application and by not providing his or her fingerprints or facial image, or fails to lodge his or her application within the set time limit, the application could be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations.	***plain language***. Having regard to the fact that where, for instance, the applicant refuses to cooperate with the national authorities by not providing the elements necessary for the examination of the application and by not providing his or her fingerprints or facial image, or fails to lodge his or her application within the set time limit, the application could be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations.

Or. en

Justification

In line with Article 8.

Amendment 277
Jeroen Lenaers

Proposal for a regulation
Recital 25

Text proposed by the Commission	*Amendment*
(25) The applicant should be informed properly of his or her rights and obligations in a timely manner and in a language that he or she understands or is reasonably meant to understand. ***Having regard to the fact that where, for instance, the applicant*** refuses to cooperate with the national authorities by not providing the elements necessary for the examination of the application and by not providing his or her ***fingerprints or facial image***, or fails to lodge his or her application within the set time limit, the ***application could*** be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations.	(25) The applicant should be informed properly of his or her rights and obligations in a timely manner and in a language that he or she understands or is reasonably meant to understand. ***Where the applicant has been properly informed of his or her obligations referred to in this regulation and the consequences deriving from not adhering to these obligations, and*** refuses to cooperate with the national authorities by not providing the elements necessary for the examination of the application and by not providing his or her ***biometric data***, or fails to lodge his or her application within the set time limit, the ***applications should*** be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations.

Or. en

Amendment 278
Monika Hohlmeier, Heinz K. Becker

Proposal for a regulation
Recital 25

Text proposed by the Commission	*Amendment*
(25) The applicant should be informed properly of his or her rights and obligations in a timely manner and in a language that he or she understands or is reasonably meant to understand. Having regard to the fact that where, for instance, the applicant refuses to cooperate with the national authorities by not providing the elements necessary for the examination of the application and by not providing his or her fingerprints or facial image, or fails to lodge his or her application within the set time limit, the application could be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations.	(25) The applicant should be informed properly of his or her rights and obligations in a timely manner and in a language that he or she understands or is reasonably meant to understand***, and where possible using simple language***. Having regard to the fact that where, for instance, the applicant refuses to cooperate with the national authorities by not providing the elements necessary for the examination of the application and by not providing his or her fingerprints or facial image, or fails to lodge his or her application within the set time limit, the application could be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations.

Or. en

Amendment 279
Jussi Halla-aho

Proposal for a regulation
Recital 25

Text proposed by the Commission	*Amendment*
(25) The applicant should be informed properly of his or her rights and obligations in a timely manner and in a language that he or she understands or is reasonably meant to understand. Having regard to the fact that where, for instance, the applicant refuses to cooperate with the national	(25) The applicant should be informed properly of his or her rights and obligations in a timely manner and in a language that he or she understands or is reasonably meant to understand. Having regard to the fact that where, for instance, the applicant refuses to cooperate with the national

authorities by not providing the elements necessary for the examination of the application and by not providing his or her fingerprints or facial image, or fails to lodge his or her application within the set time limit, the application ***could*** be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations.	authorities by not providing ***all*** the elements necessary for the examination of the application and by not providing his or her fingerprints or facial image, or fails to lodge his or her application within the set time limit, the application ***should*** be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations.

Or. en

Amendment 280
Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar

Proposal for a regulation
Recital 25

Text proposed by the Commission	*Amendment*
(25) The applicant should be informed properly of his or her rights and obligations in a timely manner and in a language that he or she understands ***or is reasonably meant to understand***. Having regard to the fact that where, for instance, the applicant refuses to cooperate with the national authorities by not providing the elements necessary for the examination of the application and by not providing his or her fingerprints or facial image, or fails to lodge his or her application within the set time limit, the application could be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations.	(25) The applicant should be informed properly of his or her rights and obligations in a timely manner and in a language that he or she understands. Having regard to the fact that where, for instance, the applicant refuses to cooperate with the national authorities by not providing the elements necessary for the examination of the application and by not providing his or her fingerprints or facial image, or fails to lodge his or her application within the set time limit, the application could be rejected as abandoned, it is necessary that the applicant be informed of the consequences for not complying with those obligations.

Or. en

Justification

The clarification intends to ensure that all applicants are appropriately informed.

Amendment 281
Marina Albiol Guzmán

Proposal for a regulation
Recital 26

Text proposed by the Commission	*Amendment*
(26) To be able to fulfil their obligations under this ***Regulation, the*** personnel of the authorities responsible for receiving and registering applications should ***have appropriate*** knowledge and should receive the necessary training in the field of international protection, including with the support of the European Union Agency for Asylum. They should also be given the appropriate means and instructions to effectively perform their tasks.	(26) To be able to fulfil their obligations under this ***Directive, the NGO or individual providing legal aid will have the right to be present throughout the procedure, and the*** personnel of the authorities responsible for receiving and registering applications should ***be recruited based on qualifications and experience through open procedures, have adequate*** knowledge and should receive the necessary training in the field of international protection, including with the support of the European Union Agency for Asylum. They should also be given the appropriate means and instructions to effectively perform their tasks ***in line with fundamental rights***.

Or. en

Amendment 282
Jussi Halla-aho

Proposal for a regulation
Recital 26

Text proposed by the Commission	*Amendment*
(26) To be able to fulfil their obligations under this Regulation, the personnel of the authorities responsible for receiving and registering applications should have appropriate knowledge and should receive the necessary training in the field of international protection, including with the support of the European Union Agency for Asylum. They should also be given the appropriate means and instructions to	(26) To be able to fulfil their obligations under this Regulation, the personnel of the authorities responsible for receiving and registering applications should have appropriate knowledge and should receive the necessary training in the field of international protection, including ***when necessary*** with the support of the European Union Agency for Asylum. They should also be given the appropriate means and

effectively perform their tasks.

instructions to effectively perform their tasks.

Or. en

Amendment 283
Brice Hortefeux

Proposal for a regulation
Recital 26

Text proposed by the Commission	*Amendment*
(26) To be able to fulfil their obligations under this ***Regulation***, the personnel of the authorities responsible for receiving and registering applications should have appropriate knowledge and should receive the necessary training in the field of international protection, including with the support of the European Union Agency for Asylum. They should also be given the appropriate means and instructions to effectively perform their tasks.	(26) To be able to fulfil their obligations under this ***Directive***, the personnel of the authorities responsible for receiving and registering applications should have appropriate knowledge and should receive the necessary training in the field of international protection, including with the support of the European Union Agency for Asylum. They should also be given the appropriate means and instructions to effectively perform their tasks.

Or. fr

Amendment 284
Marina Albiol Guzmán

Proposal for a regulation
Recital 27

Text proposed by the Commission	*Amendment*
(27) In order to facilitate access to the procedure at border crossing points and in detention facilities, information should be made available on the possibility to apply for international protection. Basic communication necessary to enable the competent authorities to understand if persons declare their wish to receive international protection should be ensured	(27) In order to facilitate access to the procedure at border crossing points and in detention facilities, ***NGOs providing legal aid should be given access and*** information should be made available on the possibility to apply for international protection. Basic communication necessary to enable the competent authorities to understand if persons declare their wish to

through interpretation arrangements.	receive international protection should be ensured through interpretation arrangements. ***Staff who provide interpretation services should have appropriate knowledge and should have received the necessary training on international protection and human rights guarantees.***

Or. en

Amendment 285
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Bodil Valero, Judith Sargentini

Proposal for a regulation
Recital 27

Text proposed by the Commission	*Amendment*
(27) In order to facilitate access to the procedure at border crossing points and in detention facilities, information should be made available on the possibility to apply for international protection. Basic communication necessary to enable the competent authorities to understand if persons declare their wish to receive international protection should be ensured through interpretation arrangements.	(27) In order to facilitate access to the procedure at border crossing points and in detention facilities, information should be made available on the possibility to apply for international protection. Basic communication necessary to enable the competent authorities to understand if persons declare their wish to receive international protection should be ensured through interpretation arrangements. ***Legal representatives and civil society organisations providing legal services or counselling or psychological counselling should always be allowed to access detention facilities, border crossing points and transit zones.***

Or. en

Amendment 286
Sergei Stanishev

Proposal for a regulation

Recital 28

Text proposed by the Commission	*Amendment*
(28) This Regulation should provide ***for the possibility that applicants lodge an application on behalf of their spouse, partner in a stable and durable relationship, dependant adults and minors. This option allows for the joint examination of those*** applications***. The right of each individual to seek*** international protection ***is guaranteed by the fact that if the applicant does not apply on behalf of the spouse, partner, dependant adult or minor within the set time-limit for lodging an application, the spouse or partner may still do in his or her own name, and the dependant adult or minor should be assisted by the determining authority. However, if a separate application is not justified, it should be considered as inadmissible***.	(28) This Regulation should provide ***Member States with the possibility of examining*** applications ***for*** international protection ***of applicants jointly with applications of their family members, provided that they are on the territory of the Member States***.

Or. en

Justification

The right of asylum is personal and the personal declaration of intention should not be superseded. Provisions for submitting applications on behalf of other persons may lead to misuse by human trafficking networks. The regulation should envisage a possibility for Member States to examine applications of family members jointly, which is the underlying intention of the text proposed by the Commission.

Amendment 287
Emil Radev

Proposal for a regulation
Recital 28

Text proposed by the Commission	*Amendment*
(28) This Regulation should provide for the possibility that applicants lodge an application on behalf of ***their spouse, partner in a stable and durable relationship,*** dependant adults and minors.	(28) This Regulation should provide for the possibility that applicants lodge an application on behalf of dependant adults and ***children who are*** minors. This option allows for the joint examination of those

This option allows for the joint examination of those applications. The right of each individual to seek international protection is guaranteed by the fact that if the applicant does not apply on behalf of the ***spouse, partner,*** dependant adult or minor within the set time-limit for lodging an application, ***the spouse or partner may still do in his or her own name, and*** the dependant adult or minor should be assisted by the determining authority. However, if a separate application is not justified, it should be considered as inadmissible.

applications. The right of each individual to seek international protection is guaranteed by the fact that if the applicant does not apply on behalf of the dependant adult or minor within the set time-limit for lodging an application, the dependant adult or minor should be assisted by the determining authority. However, if a separate application is not justified, it should be considered as inadmissible.

Or. bg

Amendment 288
Jeroen Lenaers

Proposal for a regulation
Recital 28

Text proposed by the Commission	*Amendment*
(28) This Regulation should provide for the possibility that applicants lodge an application on behalf of ***their spouse, partner in a stable and durable relationship,*** dependant adults and minors. This option allows for the joint examination of those applications. The right of each individual to seek international protection is guaranteed by the fact that if the applicant does not apply on behalf of the spouse, partner, dependant adult or minor within the set time-limit for lodging an application, ***the spouse or partner may still do in his or her own name, and*** the dependant adult or minor should be assisted by the determining authority. However, if a separate application is not justified, it should be considered as inadmissible.	(28) This Regulation should provide for the possibility that applicants lodge an application on behalf of dependant adults and minors. This option allows for the joint examination of those applications. The right of each individual to seek international protection is guaranteed by the fact that if the applicant does not apply on behalf of the spouse, partner, dependant adult or minor within the set time-limit for lodging an application, the dependant adult or minor should be assisted by the determining authority. However, if a separate application is not justified, it should be considered as inadmissible.

Or. en

Amendment 289
Marina Albiol Guzmán

Proposal for a regulation
Recital 28

Text proposed by the Commission	*Amendment*
(28) This ***Regulation*** should provide for the possibility that applicants lodge an application on behalf of their spouse, partner in a stable and durable relationship, dependant adults and minors. This option allows for the joint examination of those applications. The right of each individual to seek international protection is guaranteed by the fact that if the applicant does not apply on behalf of the spouse, partner, dependant adult or minor within the set time-limit for lodging an application, the spouse or partner may still do in his or her own name, and the dependant adult or minor should be assisted by the determining authority. ***However, if a separate application is not justified, it should be considered as inadmissible.***	(28) This ***Directive*** should provide for the possibility that applicants lodge an application on behalf of their spouse, partner in a stable and durable relationship, dependant adults and minors. This option allows for the joint examination of those applications. The right of each individual to seek international protection is guaranteed by the fact that if the applicant does not apply on behalf of the spouse, partner, dependant adult or minor within the set time-limit for lodging an application, the spouse or partner may still do in his or her own name, and the dependant adult or minor should be assisted by the determining authority.

Or. en

Amendment 290
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 28

Text proposed by the Commission	*Amendment*
(28) This Regulation should provide for the possibility that applicants lodge an application on behalf of their spouse, partner in a stable and durable relationship,	(28) This Regulation should provide for the possibility that applicants lodge an application on behalf of their spouse, partner in a stable and durable relationship,

dependant adults and minors. This option allows for the joint examination of those applications. The right of each individual to seek international protection is guaranteed by the fact that if the applicant does not apply on behalf of the spouse, partner, dependant adult or minor within the set time-limit for lodging an application, the spouse or partner may still do in his or her own name, and the dependant adult or minor should be assisted by the determining authority. ***However, if a separate application is not justified, it should be considered as inadmissible.***

dependant adults and minors. This option allows for the joint examination of those applications. The right of each individual to seek international protection is guaranteed by the fact that if the applicant does not apply on behalf of the spouse, partner, dependant adult or minor within the set time-limit for lodging an application, the spouse or partner may still do in his or her own name, and the dependant adult or minor should be assisted by the determining authority.

Or. en

Amendment 291
Brice Hortefeux

Proposal for a regulation
Recital 28

Text proposed by the Commission	*Amendment*
(28) This ***Regulation*** should provide for the possibility that applicants lodge an application on behalf of their spouse, partner in a stable and durable relationship, dependant adults and minors. This option allows for the joint examination of those applications. The right of each individual to seek international protection is guaranteed by the fact that if the applicant does not apply on behalf of the spouse, partner, dependant adult or minor within the set time-limit for lodging an application, the spouse or partner may still do in his or her own name, and the dependant adult or minor should be assisted by the determining authority. However, if a separate application is not justified, it should be considered as inadmissible.	(28) This ***Directive*** should provide for the possibility that applicants lodge an application on behalf of their spouse, partner in a stable and durable relationship, dependant adults and minors. This option allows for the joint examination of those applications. The right of each individual to seek international protection is guaranteed by the fact that if the applicant does not apply on behalf of the spouse, partner, dependant adult or minor within the set time-limit for lodging an application, the spouse or partner may still do in his or her own name, and the dependant adult or minor should be assisted by the determining authority. However, if a separate application is not justified, it should be considered as inadmissible.

Amendment 292
Marina Albiol Guzmán

Proposal for a regulation
Recital 29

Text proposed by the Commission	*Amendment*
(29) To ensure that unaccompanied minors have effective access to the procedure, they should always be appointed a guardian. The guardian should be a person or a representative of an organisation appointed to assist and guide the minor through the procedure with a view to safeguard the best interests of the child as well his or her general well-being. Where necessary, the guardian should exercise legal capacity for the minor. In order to provide effective support to the unaccompanied minors, guardians should not be placed in charge of a disproportionate number of unaccompanied minors at the same time. Member States should appoint entities or persons responsible for the support, supervision and monitoring of the guardians in the performance of their tasks. An unaccompanied minor should lodge an application in his or her own name or through the guardian. In order to safeguard the rights and procedural guarantees of an unaccompanied minor, the time-limit for him or her to lodge an application should start to run from when his or her guardian is appointed and they meet. Where the guardian does not lodge the application within the set time limit, the unaccompanied minor should be given an opportunity to lodge the application on his or her name with the assistance of the determining authority. The fact that an unaccompanied minor chooses to lodge an application in his or her own name should	(29) To ensure that unaccompanied minors have effective access to the procedure, they should always be appointed a guardian. The guardian should be a person or a representative of an organisation appointed to assist and guide the minor through the procedure with a view to safeguard the best interests of the child as well his or her general well-being. Where necessary, the guardian should exercise legal capacity for the minor. In order to provide effective support to the unaccompanied minors, guardians should not be placed in charge of a disproportionate number of unaccompanied minors at the same time***, and in any event that number should not be more than 10***. Member States should appoint entities or persons responsible for the support, supervision and monitoring ***at regular intervals*** of the guardians in the performance of their tasks ***in a satisfactory manner. The supervision and monitoring of the guardians by NGOs shall be granted and facilitated. Those entities or persons shall also have the competence to review complaints lodged by unaccompanied minors against their guardians. To this end, unaccompanied minors shall be given information in a concise, transparent, intelligible and easily accessible form, using clear and plain language both orally and in a visual form, in a child-friendly manner and in a language they understand, about who these entities or persons are and how to***

not preclude him or her from being assigned a guardian.

file complaints against their guardians in confidence and safety. An unaccompanied minor should lodge an application in his or her own name or through the guardian. In order to safeguard the rights and procedural guarantees of an unaccompanied minor, the time-limit for him or her to lodge an application should start to run from when his or her guardian is appointed and they meet. Where the guardian does not lodge the application within the set time limit, the unaccompanied minor should be given an opportunity to lodge the application on his or her name with the assistance of the determining authority. The fact that an unaccompanied minor chooses to lodge an application in his or her own name should not preclude him or her from being assigned a guardian.

Or. en

Amendment 293
Jeroen Lenaers

Proposal for a regulation
Recital 29

Text proposed by the Commission	*Amendment*
(29) To ensure that unaccompanied minors have effective access to the procedure, they should always be appointed a guardian. The guardian should be a person or a representative of an organisation appointed to assist and guide the minor through the procedure with a view to safeguard the best interests of the child as well his or her general well-being. Where necessary, the guardian should exercise legal capacity for the minor. In order to provide effective support to the unaccompanied minors, guardians should not be placed in charge of a disproportionate number of unaccompanied	(29) To ensure that unaccompanied minors have effective access to the procedure, they should always be appointed a guardian. The guardian should be a person or a representative of an organisation appointed to assist and guide the minor through the procedure with a view to safeguard the best interests of the child as well his or her general well-being. Where necessary, the guardian should exercise legal capacity for the minor. In order to provide effective support to the unaccompanied minors, guardians should not be placed in charge of a disproportionate number of unaccompanied

minors at the same time. Member States should appoint entities or persons responsible for the support, supervision and monitoring of the guardians in the performance of their tasks. An unaccompanied minor should lodge an application in his or her own name or through the guardian. In order to safeguard the rights and procedural guarantees of an unaccompanied minor, the time-limit for him or her to lodge an application should start to run from when his or her guardian is appointed and they meet. Where the guardian does not lodge the application within the set time limit, the unaccompanied minor should be given an opportunity to lodge the application on his or her name with the assistance of the determining authority. The fact that an unaccompanied minor chooses to lodge an application in his or her own name should not preclude him or her from being assigned a guardian.	minors ***and in any case no more than 20*** at the same time. Member States should appoint entities or persons responsible for the support, supervision and monitoring of the guardians in the performance of their tasks. An unaccompanied minor should lodge an application in his or her own name or through the guardian. In order to safeguard the rights and procedural guarantees of an unaccompanied minor, the time-limit for him or her to lodge an application should start to run from when his or her guardian is appointed and they meet. Where the guardian does not lodge the application within the set time limit, the unaccompanied minor should be given an opportunity to lodge the application on his or her name with the assistance of the determining authority. The fact that an unaccompanied minor chooses to lodge an application in his or her own name should not preclude him or her from being assigned a guardian.

Or. en

Amendment 294
Brice Hortefeux, Rachida Dati

Proposal for a regulation
Recital 29

Text proposed by the Commission	*Amendment*
(29) To ensure that unaccompanied minors have effective access to the procedure, they should always be appointed a guardian. The guardian should be a person or a representative of an organisation appointed to assist and guide the minor through the procedure with a view to safeguard the best interests of the child as well his or her general well-being. Where necessary, the guardian should exercise legal capacity for the minor. In order to provide effective support to the	(29) To ensure that unaccompanied minors have effective access to the procedure, they should always be appointed a guardian. The guardian should be a person or a representative of an organisation appointed to assist and guide the minor through the procedure with a view to safeguard the best interests of the child as well his or her general well-being. Where necessary, the guardian should exercise legal capacity for the minor. In order to provide effective support to the

unaccompanied minors, guardians should ***not*** be placed in charge of a ***disproportionate*** number of unaccompanied minors at the same time. Member States should appoint entities or persons responsible for the support, supervision and monitoring of the guardians in the performance of their tasks. An unaccompanied minor should lodge an application in his or her own name or through the guardian. In order to safeguard the rights and procedural guarantees of an unaccompanied minor, the time-limit for him or her to lodge an application should start to run from when his or her guardian is appointed and they meet. Where the guardian does not lodge the application within the set time limit, the unaccompanied minor should be given an opportunity to lodge the application on his or her name with the assistance of the determining authority. The fact that an unaccompanied minor chooses to lodge an application in his or her own name should not preclude him or her from being assigned a guardian.	unaccompanied minors, guardians should be placed in charge of a ***limited*** number of unaccompanied minors at the same time. Member States should appoint entities or persons responsible for the support, supervision and monitoring of the guardians in the performance of their tasks. An unaccompanied minor should lodge an application in his or her own name or through the guardian. In order to safeguard the rights and procedural guarantees of an unaccompanied minor, the time-limit for him or her to lodge an application should start to run from when his or her guardian is appointed and they meet. Where the guardian does not lodge the application within the set time limit, the unaccompanied minor should be given an opportunity to lodge the application on his or her name with the assistance of the determining authority. The fact that an unaccompanied minor chooses to lodge an application in his or her own name should not preclude him or her from being assigned a guardian.

Or. fr

Amendment 295
Jussi Halla-aho

Proposal for a regulation
Recital 29

Text proposed by the Commission	*Amendment*
(29) To ensure that unaccompanied minors have effective access to the procedure, they should always be appointed a guardian. The guardian should be a ***person or a representative of an organisation*** appointed to assist and guide the minor through the procedure with a view to safeguard the best interests of the child as well his or her general well-being.	(29) To ensure that unaccompanied minors have effective access to the procedure, they should always be appointed a guardian. The guardian should be a ***natural person*** appointed to assist and guide the minor through the procedure with a view to safeguard the best interests of the child as well his or her general well-being. Where necessary, the guardian should

Where necessary, the guardian should exercise legal capacity for the minor. In order to provide effective support to the unaccompanied minors, guardians should not be placed in charge of a disproportionate number of unaccompanied minors at the same time. Member States should appoint entities or persons responsible for the support, supervision and monitoring of the guardians in the performance of their tasks. An unaccompanied minor should lodge an application in his or her own name or through the guardian. In order to safeguard the rights and procedural guarantees of an unaccompanied minor, the time-limit for him or her to lodge an application should start to run from when his or her guardian is appointed and they meet. Where the guardian does not lodge the application within the set time limit, the unaccompanied minor should be given an opportunity to lodge the application on his or her name with the assistance of the determining authority. The fact that an unaccompanied minor chooses to lodge an application in his or her own name should not preclude him or her from being assigned a guardian.

exercise legal capacity for the minor. In order to provide effective support to the unaccompanied minors, guardians should not be placed in charge of a disproportionate number of unaccompanied minors at the same time. Member States should appoint entities or persons responsible for the support, supervision and monitoring of the guardians in the performance of their tasks. An unaccompanied minor should lodge an application in his or her own name or through the guardian. In order to safeguard the rights and procedural guarantees of an unaccompanied minor, the time-limit for him or her to lodge an application should start to run from when his or her guardian is appointed and they meet. Where the guardian does not lodge the application within the set time limit, the unaccompanied minor should be given an opportunity to lodge the application on his or her name with the assistance of the determining authority. The fact that an unaccompanied minor chooses to lodge an application in his or her own name should not preclude him or her from being assigned a guardian.

Or. en

Amendment 296
Marina Albiol Guzmán

Proposal for a regulation
Recital 30

Text proposed by the Commission	*Amendment*
(30) In order to guarantee the rights of the applicants, decisions on all applications for international protection should be taken on the basis of the facts, objectively, impartially and on an individual basis after a thorough examination which takes into	(30) In order to guarantee the rights of the applicants, decisions on all applications for international protection should be taken on the basis of the facts, objectively, impartially and on an individual basis after a thorough examination which takes into

account all the elements provided by the applicant and the individual circumstances of the applicant. To ensure a rigorous examination of an application, the determining authority should take into account relevant, accurate and up-to-date information relating to the situation in the country of origin of the applicant obtained from the ***European Union Agency for Asylum and other sources such as the*** United Nations High Commissioner for Refugees***. The determining authority should also take into account any relevant common analysis of country of origin information developed by the European Union Agency for Asylum***. Any postponement of concluding the procedure should fully comply with the obligations of the Member States under Regulation (EU) No XXX/XXX (Qualification Regulation) and with the right to good administration, without prejudice to the ***efficiency and*** fairness of the procedure under this ***Regulation***.

account all the elements provided by the applicant and the individual circumstances of the applicant. To ensure a rigorous examination of an application, the determining authority should take into account relevant, accurate and up-to-date information relating to the situation in the country of origin of the applicant obtained from the United Nations High Commissioner for Refugees ***and other governmental and non-governmental organizations***. Any postponement of concluding the procedure should fully comply with the obligations of the Member States under Regulation (EU) No XXX/XXX (Qualification Regulation) and with the right to good administration, without prejudice to the fairness of the procedure under this ***Directive***.

Or. en

Amendment 297
Jussi Halla-aho

Proposal for a regulation
Recital 30

Text proposed by the Commission	*Amendment*
(30) In order to guarantee the rights of the applicants, decisions on all applications for international protection should be taken on the basis of the facts, objectively, impartially and on an individual basis after a thorough examination which takes into account all the elements provided by the applicant and the individual circumstances of the applicant. To ensure a rigorous examination of an application, the determining authority should take into	(30) In order to guarantee the rights of the applicants, decisions on all applications for international protection should be taken on the basis of the facts, objectively, impartially and on an individual basis after a thorough examination which takes into account all the elements provided by the applicant and the individual circumstances of the applicant. To ensure a rigorous examination of an application, the determining authority should take into

account relevant, accurate and up-to-date information relating to the situation in the country of origin of the applicant obtained from the European Union Agency for Asylum ***and other sources such as the United Nations High Commissioner for Refugees***. The determining authority should also take into account any relevant common analysis of country of origin information developed by the European Union Agency for Asylum. Any postponement of concluding the procedure should fully comply with the obligations of the Member States under Regulation (EU) No XXX/XXX (Qualification Regulation) and with the right to good administration, without prejudice to the efficiency and fairness of the procedure under this Regulation.	account relevant, accurate and up-to-date information relating to the situation in the country of origin of the applicant obtained from the European Union Agency for Asylum. The determining authority should also take into account any relevant common analysis of country of origin information developed by the European Union Agency for Asylum. Any postponement of concluding the procedure should fully comply with the obligations of the Member States under Regulation (EU) No XXX/XXX (Qualification Regulation) and with the right to good administration, without prejudice to the efficiency and fairness of the procedure under this Regulation.

Or. en

Amendment 298
Brice Hortefeux

Proposal for a regulation
Recital 30

Text proposed by the Commission	*Amendment*
(30) In order to guarantee the rights of the applicants, decisions on all applications for international protection should be taken on the basis of the facts, objectively, impartially and on an individual basis after a thorough examination which takes into account all the elements provided by the applicant and the individual circumstances of the applicant. To ensure a rigorous examination of an application, the determining authority should take into account relevant, accurate and up-to-date information relating to the situation in the country of origin of the applicant obtained from the European Union Agency for Asylum and other sources such as the	(30) In order to guarantee the rights of the applicants, decisions on all applications for international protection should be taken on the basis of the facts, objectively, impartially and on an individual basis after a thorough examination which takes into account all the elements provided by the applicant and the individual circumstances of the applicant. To ensure a rigorous examination of an application, the determining authority should take into account relevant, accurate and up-to-date information relating to the situation in the country of origin of the applicant obtained from the European Union Agency for Asylum and other sources such as the

United Nations High Commissioner for Refugees. The determining authority should also take into account any relevant common analysis of country of origin information developed by the European Union Agency for Asylum. Any postponement of concluding the procedure should fully comply with the obligations of the Member States under Regulation (EU) No XXX/XXX (Qualification Regulation) and with the right to good administration, without prejudice to the efficiency and fairness of the procedure under this ***Regulation***.	United Nations High Commissioner for Refugees. The determining authority should also take into account any relevant common analysis of country of origin information developed by the European Union Agency for Asylum. Any postponement of concluding the procedure should fully comply with the obligations of the Member States under Regulation (EU) No XXX/XXX (Qualification Regulation) and with the right to good administration, without prejudice to the efficiency and fairness of the procedure under this ***Directive***.
	Or. fr

Amendment 299
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 31

Text proposed by the Commission	*Amendment*
(31) In order to guarantee the rights of the applicant, a decision concerning his or her application should be given in writing. Where the decision does not grant international protection, the applicant should be given reasons for the decision and information on the consequences of the decision as well as the manner in which to challenge that decision. Without prejudice to the applicant's right to remain and to the principle of non-refoulement, such a decision may include, or may be issued together with, a return decision issued in accordance with Article 6 of Directive 2008/115/EC of the European Parliament and of the Council.[28]	(31) In order to guarantee the rights of the applicant, a decision concerning his or her application should be given in writing. Where the decision does not grant international protection, the applicant should be given reasons for the decision and information on the consequences of the decision as well as the manner in which to challenge that decision. Without prejudice to the applicant's right to remain***, including until the time limit within which to exercise their right to an effective remedy has expired and, when such a right has been exercised within the time limit, pending the outcome of the remedy,*** and to the principle of non-refoulement, such a decision may include, or may be issued together with, a return decision issued in accordance with Article 6 of Directive

2008/115/EC of the European Parliament and of the Council.[28]

[28] Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

[28] Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

Or. en

Amendment 300
Marina Albiol Guzmán

Proposal for a regulation
Recital 31

Text proposed by the Commission	*Amendment*
(31) In order to guarantee the rights of the applicant, a decision concerning his or her application should be given in writing. Where the decision does not grant international protection, the applicant should be given reasons for the decision and information on the consequences of the decision as well as the manner in which to challenge that decision. ***Without prejudice to*** the applicant's right to remain and to the principle of non-refoulement***, such a decision may include, or may be issued together with, a return decision issued in accordance with Article 6 of Directive 2008/115/EC of the European Parliament and of the Council.***[28]	(31) In order to guarantee the rights of the applicant, a decision concerning his or her application should be given in writing ***with a translation to a language that he or she understands***. Where the decision does not grant international protection, the applicant should be given reasons for the decision and information on the consequences of the decision as well as the manner in which to challenge that decision. The applicant's right to remain and to the principle of non-refoulement ***must be respected***.

[28] Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

Or. en

Amendment 301
Monika Hohlmeier, Heinz K. Becker

Proposal for a regulation
Recital 31 a (new)

Text proposed by the Commission	*Amendment*
	(31a) Having regard to the Malta Declaration of Heads of State or Government of 3 February 2017, which highlighted the need for a review of EU return policy based on an objective analysis of the way in which the legal, operational, financial and practical tools available at Union and national level are applied, the Commission shall propose a review of Directive 2008/115/EC of the European Parliament and the Council[31a].
	_____
	[31a] Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals

Or. en

Amendment 302
Jussi Halla-aho

Proposal for a regulation
Recital 32

Text proposed by the Commission	*Amendment*
(32) It is necessary that decisions on applications for international protection are taken by authorities whose personnel has the appropriate knowledge and has received the necessary training in the field	(32) It is necessary that decisions on applications for international protection are taken by authorities whose personnel has the appropriate knowledge and has received the necessary training in the field

of international protection, and that they perform their activities with due respect for the applicable ethical principles. This should apply to the personnel of authorities from other Member States and experts deployed by the European Union Agency for Asylum deployed to assist the determining authority of a Member State in the ***examination*** of applications for international protection.

of international protection, and that they perform their activities with due respect for the applicable ethical principles. This should apply to the personnel of authorities from other Member States and experts deployed by the European Union Agency for Asylum deployed to assist the determining authority of a Member State in the ***registration*** of applications for international protection.

Or. en

Amendment 303
Marina Albiol Guzmán

Proposal for a regulation
Recital 33

Text proposed by the Commission	*Amendment*
(33) Without prejudice to carrying out an adequate and complete examination of an application for international protection, it is in the interests of both Member States and applicants for a decision to be taken as soon as possible. Maximum time-limits for the duration of the administrative procedure as well as for the first level of appeal should be established to streamline the procedure for international protection. In this way, applicants should be able to receive a decision on their application within the least amount of time possible in all Member States thereby ensuring a speedy and efficient procedure.	(33) Without prejudice to carrying out an adequate and complete examination of an application for international protection, it is in the interests of both Member States and applicants for a decision to be taken as soon as possible. Maximum time-limits for the duration of the administrative procedure as well as for the first level of appeal should be established to streamline the procedure for international protection. In this way, applicants should be able to receive a decision on their application within the least amount of time possible in all Member States thereby ensuring a speedy and efficient procedure. ***The streamlining of the procedure should in no way have an adverse impact on the in-depth and individual examination of the merits of applications for protection.***

Or. en

Amendment 304

Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova

Proposal for a regulation
Recital 35

Text proposed by the Commission	*Amendment*
(35) Before determining the Member State responsible in accordance with Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Dublin Regulation),[29] the first Member State in which an application has been lodged should examine the admissibility of that application when a country which is not a Member State is considered as a first country of asylum or safe third country for the applicant. In addition, an application should be considered to be inadmissible when it is a subsequent applicant without new relevant elements or findings and when a separate application by a spouse, partner, dependent adult or minor is not considered to be justified.	***Deleted***

_____

[29] OJ L […], […], p. […].

Or. en

Justification

There should be no mandatory pre-Dublin admissibility procedures since this would place an unreasonable administrative responsibility on frontline Member States

Amendment 305
Sergei Stanishev

Proposal for a regulation
Recital 35

Text proposed by the Commission	*Amendment*
(35) Before determining the Member State responsible in accordance with Regulation (EU) No XXX/XXX of the	***deleted***

European Parliament and of the Council (Dublin Regulation),[29] the first Member State in which an application has been lodged should examine the admissibility of that application when a country which is not a Member State is considered as a first country of asylum or safe third country for the applicant. In addition, an application should be considered to be inadmissible when it is a subsequent applicant without new relevant elements or findings and when a separate application by a spouse, partner, dependent adult or minor is not considered to be justified.

_____

[29] OJ L […], […], p. […].

Or. en

Justification

An admissibility check should not be a requirement of the application procedures. Such provisions would put frontline Member States under disproportionate pressure and could lead to a delay in the procedures for international protection.

Amendment 306
Péter Niedermüller

Proposal for a regulation
Recital 35

Text proposed by the Commission	*Amendment*
(35) Before determining the Member State responsible in accordance with Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Dublin Regulation),[29] the first Member State in which an application has been lodged should examine the admissibility of that application when a country which is not a Member State is considered as a first country of asylum or safe third country for the applicant. In addition, an	***deleted***

application should be considered to be inadmissible when it is a subsequent applicant without new relevant elements or findings and when a separate application by a spouse, partner, dependent adult or minor is not considered to be justified.

_____

[29] OJ L […], […], p. […].

Or. en

Justification

The admissibility procedure should remain optional for the Member States in line with the current Asylum Procedures Directive.

Amendment 307
Marina Albiol Guzmán

Proposal for a regulation
Recital 35

Text proposed by the Commission	*Amendment*
(35) Before determining the Member State responsible in accordance with Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Dublin Regulation),[29] the first Member State in which an application has been lodged should examine the admissibility of that application when a country which is not a Member State is considered as a first country of asylum or safe third country for the applicant. In addition, an application should be considered to be inadmissible when it is a subsequent applicant without new relevant elements or findings and when a separate application by a spouse, partner, dependent adult or minor is not considered to be justified.	***deleted***

_____

[29] OJ L […], […], p. […].

Or. en

Amendment 308
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini, Jean Lambert

Proposal for a regulation
Recital 35

Text proposed by the Commission	*Amendment*
(35) Before determining the Member State responsible in accordance with Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Dublin Regulation),[29] the first Member State in which an application has been lodged should examine the admissibility of that application when a country which is not a Member State is considered as a first country of asylum or safe third country for the applicant. In addition, an application should be considered to be inadmissible when it is a subsequent applicant without new relevant elements or findings and when a separate application by a spouse, partner, dependent adult or minor is not considered to be justified.	***deleted***

_____

[29] OJ L […], […], p. […].

Or. en

Amendment 309
Emil Radev

Proposal for a regulation
Recital 35

Text proposed by the Commission	*Amendment*
(35) Before determining the Member State responsible in accordance with Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Dublin Regulation)[29], the first Member State in which an application has been lodged should examine the admissibility of that application when a country which is not a Member State is considered as a first country of asylum or safe third country for the applicant. In addition, an application should be considered to be inadmissible when it is a subsequent applicant without new relevant elements or findings and when a separate application by a spouse, partner, dependent adult or minor is not considered to be justified.	***deleted***
[29] OJ L […], […], p. […].	

Or. bg

Amendment 310
Jussi Halla-aho

Proposal for a regulation
Recital 35

Text proposed by the Commission	*Amendment*
(35) Before determining the Member State responsible in accordance with Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Dublin Regulation),[29] the first Member State in which an application has been lodged should examine the admissibility of that application when a country which is not a Member State is considered as a first country of asylum or safe third country for the applicant. In addition, an application should be considered to be inadmissible	(35) Before determining the Member State responsible in accordance with Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Dublin Regulation),[29] the first Member State in which an application has been lodged should examine the admissibility of that application when a country which is not a Member State is considered as a first country of asylum or safe third country for the applicant. In addition, an application should be considered to be inadmissible

when it is a subsequent ***applicant*** without new relevant elements or findings and when a separate application by a spouse, partner, dependent adult or minor is not considered to be justified.	when it is a subsequent ***application*** without new relevant elements or findings and when a separate application by a spouse, partner, dependent adult or minor is not considered to be justified.
[29] OJ L […], […], p. […].	[29] OJ L […], […], p. […].

Or. en

Amendment 311
Alessandra Mussolini, Salvatore Domenico Pogliese

Proposal for a regulation
Recital 35

Text proposed by the Commission	*Amendment*
(35) Before determining the Member State responsible in accordance with Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Dublin Regulation),[29] the first Member State in which an application has been lodged ***should*** examine the admissibility of that application when a country which is not a Member State is considered as a first country of asylum or safe third country for the applicant. In addition, an application should be considered to be inadmissible when it is a subsequent applicant without new relevant elements or findings and when a separate application by a spouse, partner, dependent adult or minor is not considered to be justified.	(35) Before determining the Member State responsible in accordance with Regulation (EU) No XXX/XXX of the European Parliament and of the Council (Dublin Regulation),[29] the first Member State in which an application has been lodged ***might*** examine the admissibility of that application when a country which is not a Member State is considered as a first country of asylum or safe third country for the applicant. In addition, an application should be considered to be inadmissible when it is a subsequent applicant without new relevant elements or findings and when a separate application by a spouse, partner, dependent adult or minor is not considered to be justified.
[29] OJ L […], […], p. […].	[29] OJ L […], […], p. […].

Or. en

Amendment 312
Marina Albiol Guzmán

Proposal for a regulation
Recital 36

Text proposed by the Commission	*Amendment*
(36) The concept of first country of asylum should be applied as a ground for inadmissibility where it can reasonably be assumed that another country would grant protection in accordance with the substantive standards of the Geneva Convention or the applicant would be provided sufficient protection in that country. In particular, the Member States should not examine the merits of an application where a first country of asylum has granted the applicant refugee status or otherwise sufficient protection. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant has enjoyed and will continue to enjoy protection in that country in accordance with the Geneva Convention or has otherwise enjoyed and will continue to enjoy sufficient protection, particularly as regards the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards.	***deleted***

Or. en

Amendment 313
Jussi Halla-aho

Proposal for a regulation
Recital 36

Text proposed by the Commission	*Amendment*
(36) The concept of first country of asylum should be applied as a ground for inadmissibility where it can reasonably be assumed that another country would grant protection in accordance with the substantive standards of the Geneva Convention or the applicant would be provided sufficient protection in that country. In particular, the Member States should not examine the merits of an application where a first country of asylum has granted the applicant refugee status or otherwise sufficient protection. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant has enjoyed and will continue to enjoy protection in that country in accordance with the Geneva Convention or has otherwise enjoyed and will continue to enjoy sufficient protection***, particularly as regards the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards***.	(36) The concept of first country of asylum should be applied as a ground for inadmissibility where it can reasonably be assumed that another country would grant protection in accordance with the substantive standards of the Geneva Convention or the applicant would be provided sufficient protection in that country. In particular, the Member States should not examine the merits of an application where a first country of asylum has granted the applicant refugee status or otherwise sufficient protection. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant has enjoyed and will continue to enjoy protection in that country in accordance with the Geneva Convention or has otherwise enjoyed and will continue to enjoy sufficient protection.

Or. en

Amendment 314
Péter Niedermüller

Proposal for a regulation
Recital 36

Text proposed by the Commission	*Amendment*
(36) ***The concept of first country of asylum should be applied as a ground for inadmissibility*** where it can reasonably be assumed that another country would grant protection ***in accordance with the***	(36) ***Member States should retain the possibility to apply the concept of first country of asylum,*** where it can reasonably be assumed that another country would grant protection ***under*** the Geneva

substantive standards of the Geneva Convention or the applicant would be provided ***sufficient*** protection in that country***. In particular, the*** Member States should ***not examine the merits of an application*** where a first country of asylum has granted the applicant refugee status or ***otherwise sufficient*** protection. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant has enjoyed and will continue to enjoy protection in that country in accordance with the Geneva Convention or has otherwise enjoyed and will continue to enjoy ***sufficient*** protection, particularly as regards the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards.

Convention or the applicant would be provided ***effective*** protection in that country ***equivalent to the protection granted to refugees.*** Member States should ***be entitled to apply the concept*** where a first country of asylum has granted the applicant refugee status or ***effective*** protection. Member States should ***be entitled to*** proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant has enjoyed and will continue to enjoy protection in that country in accordance with the Geneva Convention or has otherwise enjoyed and will continue to enjoy ***effective*** protection, particularly as regards the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards***, with no risk of refoulement to another third country or arbitrary deprivation of liberty***.

Or. en

Justification

Amendment tabled for consistency with later amendments on the concept of country of first asylum

Amendment 315
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 36

Text proposed by the Commission	*Amendment*
(36) The concept of first country of asylum ***should be applied as a ground for inadmissibility*** where it can reasonably be	(36) ***Member States may apply*** the concept of first country of asylum ***during the examination of an application only***

assumed that another country would grant protection in accordance with ***the substantive standards of*** the Geneva Convention ***or*** the applicant would be provided ***sufficient*** protection in that country. ***In particular, the Member States should not examine the merits of an application where a first country of asylum has granted the applicant refugee status or otherwise sufficient protection.*** Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant has enjoyed and will continue to enjoy protection in that country in accordance with the Geneva Convention ***or has otherwise enjoyed and will continue to enjoy sufficient protection, particularly as regards*** the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards.

where it can reasonably be assumed that another country would grant protection in accordance with the Geneva Convention ***and*** the applicant would be provided ***effective*** protection in that country. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, ***and on reports by independent organisations,*** that the applicant has enjoyed and will continue to enjoy protection in that country in accordance with the Geneva Convention ***particularly as regards the principle of non-refoulement, the right to liberty and due process,*** the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, ***means of subsistence sufficient to maintain an adequate standard of living, privacy*** and the right to family reunification in accordance with international human rights standards.

Or. en

Amendment 316
Marina Albiol Guzmán

Proposal for a regulation
Recital 37

Text proposed by the Commission	*Amendment*
(37) The concept of safe third country should be applied as a ground for inadmissibility where the applicant, due to a connection to the third country including one through which he or she has transited, can reasonably be expected to seek protection in that country, and there are grounds for considering that the applicant will be admitted or readmitted to	***deleted***

that country. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant will have the possibility to receive protection in accordance with the substantive standards of the Geneva Convention or will enjoy sufficient protection, particularly as regards the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards.

Or. en

Amendment 317
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini, Jean Lambert, Bodil Valero

Proposal for a regulation
Recital 37

Text proposed by the Commission	*Amendment*
(37) The concept of safe third country ***should be applied as a ground for inadmissibility*** where the applicant, due to a connection to the third country ***including one through which he or she has transited***, can reasonably be expected to seek protection in that country, and there are grounds for considering that the applicant will be admitted or readmitted to that country. Member States ***should*** proceed on that basis only where they are satisfied including, ***where necessary or appropriate, based on*** assurances obtained from the third country concerned, that the applicant will have the possibility to receive protection in accordance with the ***substantive standards of the Geneva***	(37) ***Member States may apply*** the concept of safe third country ***during the examination of an application only*** where the applicant, due to a ***meaningful*** connection to the third country ***following the existence of family ties or previous long-term residence and integration in the territory of a third country***, can reasonably be expected to seek protection in that country, and there are grounds for considering that the applicant will be admitted or readmitted to that country. ***Such a link may not be derived from the mere fact that the applicant has transited through the country concerned.*** Member States ***might*** proceed on that basis only where they are satisfied including, ***based***

Convention or will enjoy sufficient protection, particularly as regards the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards.

on individual and specific assurances obtained from the third country concerned, that the applicant will have the possibility to receive protection in accordance with the ***1951Geneva Convention, particularly as regards the principle of non-refoulement, the right to liberty and due process,*** the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, ***means of subsistence sufficient to maintain an adequate standard of living, privacy*** and the right to family reunification in accordance with international human rights standards.

Or. en

Amendment 318
Jussi Halla-aho

Proposal for a regulation
Recital 37

Text proposed by the Commission	*Amendment*
(37) The concept of safe third country should be applied as a ground for inadmissibility where the applicant, due to a connection to the third country including one through which he or she has transited, can reasonably be expected to seek protection in that country, and there are grounds for considering that the applicant will be admitted or readmitted to that country. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant will have the possibility to receive protection in accordance with the substantive standards of the Geneva Convention or will enjoy sufficient protection***, particularly as regards the right of legal residence, appropriate***	(37) The concept of safe third country should be applied as a ground for inadmissibility where the applicant, due to a connection to the third country including one through which he or she has transited, can reasonably be expected to seek protection in that country, and there are grounds for considering that the applicant will be admitted or readmitted to that country. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant will have the possibility to receive protection in accordance with the substantive standards of the Geneva Convention or will enjoy sufficient protection.

access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards.

Or. en

Amendment 319
Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar

Proposal for a regulation
Recital 37

Text proposed by the Commission	*Amendment*
(37) The concept of safe third country ***should*** be applied as a ground for inadmissibility where the applicant, due to a connection to the third country ***including one through which he or she has transited***, can reasonably be expected to seek protection in that country, and there are grounds for considering that the applicant will be admitted or readmitted to that country. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant will have the possibility to receive protection in accordance with ***the substantive standards of*** the Geneva Convention ***or will enjoy sufficient protection, particularly as regards the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards***.	(37) The concept of safe third country ***may*** be applied as a ground for inadmissibility where the applicant, due to a ***meaningful*** connection to the third country, can reasonably be expected to seek protection in that country, and there are grounds for considering that the applicant will be admitted or readmitted to that country. ***The mere fact that the applicant has transited through that third country should not in itself be sufficient to assume such a meaningful link.*** Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant will have the possibility to receive protection in accordance with the Geneva Convention.

Or. en

Amendment 320
Péter Niedermüller

Proposal for a regulation
Recital 37

Text proposed by the Commission	*Amendment*
(37) ***The concept of safe third country should be applied as a ground for inadmissibility*** where the applicant, due to a connection to the third country ***including one through which he or she has transited***, can reasonably be expected to seek protection in that country, and there are grounds for considering that the applicant will be admitted or readmitted to that country. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant will ***have the possibility to*** receive protection in accordance with the ***substantive standards of*** the Geneva Convention or will enjoy ***sufficient*** protection, particularly as regards the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards.	(37) ***Member States should be able to apply the concept of safe third country*** where the applicant, due to a ***meaningful*** connection to the third country, can reasonably be expected to seek protection in that country, and there are grounds for considering that the applicant will be admitted or readmitted to that country. Member States should proceed on that basis only where they are satisfied including, where necessary or appropriate, based on assurances obtained from the third country concerned, that the applicant will receive protection in accordance with the the Geneva Convention or will enjoy ***effective*** protection ***in that country equivalent to the protection granted to refugees***, particularly as regards the right of legal residence, appropriate access to the labour market, reception facilities, healthcare and education, and the right to family reunification in accordance with international human rights standards***, with no risk of refoulement to another third country or arbitrary deprivation of liberty***.

Or. en

Justification

Amendment tabled for consistency with later amendments on the concept of safe third country.

Amendment 321
Sergei Stanishev

Proposal for a regulation
Recital 38

Text proposed by the Commission	*Amendment*
(38) An application for international protection should be examined on its merits to determine whether an applicant qualifies for international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). ***There need not be an examination on the merits where an application should be declared as inadmissible in accordance with this Regulation. However, where from a prima facie assessment it is clear that an application may be rejected as manifestly unfounded, the application may be rejected on that ground without examining its admissibility.***	(38) An application for international protection should be examined on its merits to determine whether an applicant qualifies for international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation).

Or. en

Justification

In line with previous amendments to remove admissibility checks as a requirement before applying the Dublin Regulation.

Amendment 322
Marina Albiol Guzmán

Proposal for a regulation
Recital 38

Text proposed by the Commission	*Amendment*
(38) An application for international protection should be examined on its merits to determine whether an applicant qualifies for international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). ***There need not be an examination on the merits where an application should be declared as inadmissible in accordance with this Regulation. However, where from a prima facie assessment it is clear that an application may be rejected as manifestly unfounded, the application***	(38) An application for international protection should be examined on its merits to determine whether an applicant qualifies for international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation).

may be rejected on that ground without examining its admissibility.

Or. en

Amendment 323
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 38

Text proposed by the Commission	*Amendment*
(38) An application for international protection should be examined on its merits to determine whether an applicant qualifies for international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). There need not be an examination on the merits where an application should be declared as inadmissible in accordance with this Regulation. ***However, where from a prima facie assessment it is clear that an application may be rejected as manifestly unfounded, the application may be rejected on that ground without examining its admissibility.***	(38) An application for international protection should be examined on its merits to determine whether an applicant qualifies for international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). There need not be an examination on the merits where an application should be declared as inadmissible in accordance with this Regulation.

Or. en

Amendment 324
Péter Niedermüller

Proposal for a regulation
Recital 38

Text proposed by the Commission	*Amendment*
(38) An application for international protection should be examined on its merits to determine whether an applicant	(38) An application for international protection should be examined on its merits to determine whether an applicant

qualifies for international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). There need not be an examination on the merits where an application should be declared as inadmissible in accordance with this Regulation. ***However, where from a prima facie assessment it is clear that an application may be rejected as manifestly unfounded, the application may be rejected on that ground without examining its admissibility.***	qualifies for international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation). There need not be an examination on the merits where an application should be declared as inadmissible in accordance with this Regulation.

Or. en

Justification

Amendment tabled for consistency with later amendments.

Amendment 325
Marina Albiol Guzmán

Proposal for a regulation
Recital 39

Text proposed by the Commission	*Amendment*
(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is manifestly unfounded because it is an abusive claim, including where an applicant comes from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are serious national security or public concerns, where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member	***deleted***

State without a residence document is taken back under the Dublin Regulation. In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations. Furthermore, an accelerated examination procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.

Or. en

Amendment 326
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 39

Text proposed by the Commission	*Amendment*
(39) The examination of an application ***should*** be accelerated and completed within a maximum of two months in those instances where an application is ***manifestly unfounded because it is an abusive claim, including where an applicant comes from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are serious national security or public concerns, where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where***	(39) The examination of an application ***may*** be accelerated and completed within a maximum of two months in those instances where an application is ***likely to be well-founded. An accelerated*** examination ***procedure may be not applied to unaccompanied minors except where an application is likely to be well founded.***

an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation. In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations. Furthermore, an accelerated examination procedure may be applied to unaccompanied minors ***only within the limited circumstances set out in this Regulation***.

Or. en

Amendment 327
Péter Niedermüller

Proposal for a regulation
Recital 39

Text proposed by the Commission	*Amendment*
(39) The examination of an application ***should be accelerated and completed*** within a maximum of two months in those instances where an application is manifestly unfounded because it is an abusive claim, including where an applicant ***comes*** from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are serious national security or public concerns***, where the applicant does not apply for international protection in***	(39) ***It should be possible for determining authorities to accelerate*** the examination of an application ***and complete that application*** within a maximum of two months in those instances where an application is manifestly unfounded because it is an abusive claim, including where an applicant ***might come*** from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are serious national security or public

the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation. In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations. Furthermore, an accelerated examination procedure ***may*** be applied to unaccompanied minors ***only within the limited circumstances set out in this Regulation***.

concerns. Furthermore, an accelerated examination procedure ***should not*** be applied to unaccompanied minors.

Or. en

Justification

Amendment tabled for consistency with later amendments.

Amendment 328
Emil Radev

Proposal for a regulation
Recital 39

Text proposed by the Commission	*Amendment*
(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is manifestly unfounded because it is an abusive claim, including where an applicant comes from a safe country of	(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is manifestly unfounded because it is an abusive claim, including where an applicant comes from a safe country of

origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are serious national security or public concerns***, where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation. In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations***. Furthermore, an accelerated examination procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.

origin or where there are serious national security or public concerns. Furthermore, an accelerated examination procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.

Or. bg

Amendment 329
Jussi Halla-aho

Proposal for a regulation
Recital 39

Text proposed by the Commission	*Amendment*
(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is manifestly unfounded because it is an	(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is manifestly unfounded because it is an

abusive claim, including where an applicant comes from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are ***serious*** national security or public concerns, where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation. ***In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations. Furthermore, an accelerated examination procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.***	abusive claim, including where an applicant comes from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are national security or public concerns, where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation.

Or. en

Amendment 330
Rachida Dati, Brice Hortefeux

Proposal for a regulation
Recital 39

Text proposed by the Commission	*Amendment*
(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is	(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is

manifestly unfounded because it is an abusive claim, including where an applicant comes from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are serious national security or public concerns, where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation. In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations. Furthermore, an accelerated examination procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.	manifestly unfounded because it is an abusive claim, including where an applicant comes from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are serious national security or public concerns, ***such as membership of a criminal or terrorist organisation,*** where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation. In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations. Furthermore, an accelerated examination procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation. ***This accelerated examination should ensure swift return of third country nationals who are declared ineligible for international protection.***
	Or. fr

Amendment 331
Elly Schlein

Proposal for a regulation
Recital 39

Text proposed by the Commission	*Amendment*
(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is manifestly unfounded because it is an abusive claim, including where an applicant comes from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are serious national security or public concerns, where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation. In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations. ***Furthermore, an accelerated examination procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.***	(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is manifestly unfounded because it is an abusive claim, including where an applicant comes from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are serious national security or public concerns, where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation. In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations.

Or. en

Amendment 332
Jeroen Lenaers

Proposal for a regulation
Recital 39

Text proposed by the Commission	*Amendment*
(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is manifestly unfounded because it is an abusive claim, including where an applicant comes from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where there are serious national security or public concerns, where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation. In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations. Furthermore, an accelerated examination procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.	(39) The examination of an application should be accelerated and completed within a maximum of two months in those instances where an application is manifestly unfounded because it is an abusive claim, including where an applicant comes from a safe country of origin or an applicant is making an application merely to delay or frustrate the enforcement of a removal decision, or where ***relevant information or documents where destroyed or disposed of, or where*** there are serious national security or public concerns, where the applicant does not apply for international protection in the first Member State of entry or in the Member State of legal residence or where an applicant whose application is under examination and who made an application in another Member State or who is on the territory of another Member State without a residence document is taken back under the Dublin Regulation. In the latter case, the examination of the application should not be accelerated if the applicant is able to provide substantiated justifications for having left to another Member State without authorisation, for having made an application in another Member State or for having otherwise been unavailable to the competent authorities, such as for instance that he or she was not informed adequately and in a timely manner of his or her obligations. Furthermore, an accelerated examination procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.

Or. en

Amendment 333
Marina Albiol Guzmán

Proposal for a regulation
Recital 40

Text proposed by the Commission	*Amendment*
(40) Many applications for international protection are made at the border or in a transit zone of a Member State ***prior to a decision on the entry of the applicant. Member States should be able to provide for an examination on admissibility or an examination on the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than four weeks and after that period*** applicants ***should*** be allowed entry to the territory of the Member State***. It is only where a disproportionate number of applicants lodge their applications at the borders or in a transit zone, that the border procedure may be applied at locations in proximity to the border or transit zone. A border procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation***.	(40) Many applications for international protection are made at the border or in a transit zone of a Member State***. In compliance with the principle of non-refoulement, upon a claim to ask for international protection, the*** applicants ***shall*** be allowed entry to the territory of the Member State ***and apply for asylum on the territory of the Member State, receiving sufficient resources to guarantee a decent living***.

Or. en

Amendment 334
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 40

Text proposed by the Commission	*Amendment*
(40) Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant.	(40) Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant.

Member States should be able to provide for an examination on admissibility or an examination on the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than ***four*** weeks and after that period applicants should be allowed entry to the territory of the Member State. ***It is only where a disproportionate number of applicants lodge their applications at the borders or in a transit zone, that the*** border procedure may ***be applied at locations in proximity to the border or transit zone. A border procedure may*** be applied to unaccompanied minors ***only within the limited circumstances set out in this Regulation***.

Member States should be able to provide for an examination on admissibility or an examination on the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than ***two*** weeks and after that period applicants should be allowed entry to the territory of the Member State. ***A*** border procedure may ***not*** be applied to unaccompanied minors.

Or. en

Amendment 335
Jussi Halla-aho

Proposal for a regulation
Recital 40

Text proposed by the Commission	*Amendment*
(40) Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant. Member States should be able to provide for an examination on admissibility or an examination on the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than ***four*** weeks ***and after that period applicants should be allowed entry to the territory of the Member State***. It is only where a disproportionate number of applicants lodge their applications at the borders or in	(40) Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant. Member States should be able to provide for an examination on admissibility or an examination on the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than ***eight*** weeks. It is only where a disproportionate number of applicants lodge their applications at the borders or in a transit zone, that the border procedure may be applied at locations in proximity to the

a transit zone, that the border procedure may be applied at locations in proximity to the border or transit zone. ***A border procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.***	border or transit zone.

Or. en

Amendment 336
Péter Niedermüller

Proposal for a regulation
Recital 40

Text proposed by the Commission	*Amendment*
(40) Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant. Member States should be able to provide for an examination on admissibility or an examination on the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than four weeks and after that period applicants should be allowed entry to the territory of the Member State. It is only where a disproportionate number of applicants lodge their applications at the borders or in a transit zone, that the border procedure may be applied at locations in proximity to the border or transit zone. A border procedure ***may*** be applied to unaccompanied minors ***only within the limited circumstances set out in this Regulation***.	(40) Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant. Member States should be able to provide for an examination on admissibility or an examination on the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than four weeks and after that period applicants should be allowed entry to the territory of the Member State. It is only where a disproportionate number of applicants lodge their applications at the borders or in a transit zone, that the border procedure may be applied at locations in proximity to the border or transit zone. A border procedure ***shall not*** be applied to unaccompanied minors.

Or. en

Justification

Amendment tabled for consistency with later amendments.

Amendment 337
Sergei Stanishev

Proposal for a regulation
Recital 40

Text proposed by the Commission	*Amendment*
(40) Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant. Member States should be able to provide for an examination on ***admissibility or an examination on*** the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than four weeks and after that period applicants should be allowed entry to the territory of the Member State. It is only where a disproportionate number of applicants lodge their applications at the borders or in a transit zone, that the border procedure may be applied at locations in proximity to the border or transit zone. A border procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.	(40) Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant. Member States should be able to provide for an examination on the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than four weeks and after that period applicants should be allowed entry to the territory of the Member State. It is only where a disproportionate number of applicants lodge their applications at the borders or in a transit zone, that the border procedure may be applied at locations in proximity to the border or transit zone. A border procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.

Or. en

Justification

In line with previous amendments to remove admissibility checks as a requirement before applying the Dublin Regulation.

Amendment 338
Alessandra Mussolini, Salvatore Domenico Pogliese

Proposal for a regulation
Recital 40

Text proposed by the Commission	*Amendment*
(40) Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant. Member States should be able to provide for an examination on admissibility or an examination on the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than ***four*** weeks and after that period applicants should be allowed entry to the territory of the Member State. It is only where a disproportionate number of applicants lodge their applications at the borders or in a transit zone, that the border procedure may be applied at locations in proximity to the border or transit zone. A border procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.	(40) Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant. Member States should be able to provide for an examination on admissibility or an examination on the merits which would make it possible for such applications to be decided upon at those locations in well-defined circumstances. The border procedure should not take longer than ***two*** weeks and after that period applicants should be allowed entry to the territory of the Member State. It is only where a disproportionate number of applicants lodge their applications at the borders or in a transit zone, that the border procedure may be applied at locations in proximity to the border or transit zone. A border procedure may be applied to unaccompanied minors only within the limited circumstances set out in this Regulation.

Or. en

Amendment 339
Marina Albiol Guzmán

Proposal for a regulation
Recital 41

Text proposed by the Commission	*Amendment*
(41) The notion of public order may, inter alia, cover a conviction of having committed a serious crime.	***deleted***

Or. en

Amendment 340
Rachida Dati, Brice Hortefeux

Proposal for a regulation
Recital 41

Text proposed by the Commission	*Amendment*
(41) The notion of public order may, inter alia, cover a conviction of having committed a serious crime.	(41) The notion of public order may, inter alia, cover a conviction of having committed a serious crime. ***The notions of national security and public order also covers serious crimes, such association with a criminal organisation, acts of terrorism, and trafficking in human beings.***

Or. fr

Amendment 341
Péter Niedermüller

Proposal for a regulation
Recital 42

Text proposed by the Commission	*Amendment*
(42) ***As long as an applicant can show good cause, the*** lack of documents on entry or the use of forged documents should not ***per se*** entail an automatic recourse to an accelerated examination procedure or a border procedure.	(42) ***A*** lack of documents on entry or the use of forged documents should not entail an automatic recourse to an accelerated examination procedure or a border procedure.

Or. en

Justification

An applicant's lack of documentation should not undermine his or her application for international protection.

Amendment 342
Jussi Halla-aho

Proposal for a regulation
Recital 42

Text proposed by the Commission	*Amendment*
(42) As long as an applicant can ***show good cause,*** the lack of documents on entry ***or the use of forged documents*** should not per se entail an automatic recourse to an accelerated examination procedure or a border procedure.	(42) As long as an applicant can ***demonstrate a satisfactory explanation as to*** the lack of documents on entry should not per se entail an automatic recourse to an accelerated examination procedure or a border procedure.

Or. en

Amendment 343
Marina Albiol Guzmán

Proposal for a regulation
Recital 42

Text proposed by the Commission	*Amendment*
(42) ***As long as an applicant can show good cause,*** the lack of documents on entry or the use of forged documents should not per se entail an automatic recourse to an accelerated examination procedure or a border procedure.	(42) The lack of documents on entry or the use of forged documents should not per se entail an automatic recourse to an accelerated examination procedure or a border procedure.

Or. en

Amendment 344
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 42

Text proposed by the Commission	*Amendment*
(42) ***As long as an applicant can show good cause,*** the lack of documents on entry ***or*** the use of forged documents should not	(42) The lack of documents on entry**,** the use of forged documents ***or the refusal to carry out a medical examination*** should

per se entail ***an automatic recourse to an accelerated examination procedure or a border procedure***.	not per se entail ***a negative determination on the application for international protection***.

Or. en

Amendment 345
Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar

Proposal for a regulation
Recital 43

Text proposed by the Commission	*Amendment*
(43) Where an applicant either explicitly withdraws his or her application of his or her own motion, or does not comply with the obligations arising from this Regulation, Regulation (EU) No XXX/XXX (Dublin Regulation) or Directive XXX/XXX/EU (Reception Conditions Directive) thereby implicitly withdraws his or her application, the application should not be further examined and it should be rejected as explicitly withdrawn or abandoned, and any application in the Member States by the same applicant further after that decision should be considered to be a subsequent application. However, the implicit withdrawal should not be automatic but the applicant should be allowed the opportunity to report to the determining authority and demonstrate that the failure to comply with those obligations was due to circumstances beyond his control.	***deleted***

Or. en

Justification

The use of the concept of implicit withdrawals should be considerably narrowed in order not to jeopardize legal certainty and give cause for a large number of costly appeals

Amendment 346
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 43

Text proposed by the Commission	*Amendment*
(43) Where an applicant ***either*** explicitly withdraws his or her application of his or her own motion, ***or does not comply with the obligations arising from this Regulation, Regulation (EU) No XXX/XXX (Dublin Regulation) or Directive XXX/XXX/EU (Reception Conditions Directive) thereby implicitly withdraws his or her application,*** the application should not be further examined and it should be rejected as explicitly withdrawn ***or abandoned, and any application in the Member States by the same applicant further after that decision should be considered to be a subsequent application. However, the implicit withdrawal should not be automatic but the applicant should be allowed the opportunity to report to the determining authority and demonstrate that the failure to comply with those obligations was due to circumstances beyond his control***.	(43) Where an applicant explicitly withdraws his or her application of his or her own motion, the application should not be further examined and it should be rejected as explicitly withdrawn.

Or. en

Amendment 347
Marina Albiol Guzmán

Proposal for a regulation
Recital 43

Text proposed by the Commission	*Amendment*
(43) Where an applicant either explicitly withdraws his or her application of his or her own motion***, or does not comply with***	(43) Where an applicant either explicitly withdraws his or her application of his or her own motion the application should not

the obligations arising from this Regulation, Regulation (EU) No XXX/XXX (Dublin Regulation) or Directive XXX/XXX/EU (Reception Conditions Directive) thereby implicitly withdraws his or her application, the application should not be further examined and it should be rejected as explicitly withdrawn ***or abandoned, and any application in the Member States by the same applicant further after that decision should be considered to be a subsequent application. However, the implicit withdrawal should not be automatic but the applicant should be allowed the opportunity to report to the determining authority and demonstrate that the failure to comply with those obligations was due to circumstances beyond his control***.

be further examined and it should be rejected as explicitly withdrawn.

Or. en

Amendment 348
Péter Niedermüller

Proposal for a regulation
Recital 43

Text proposed by the Commission	*Amendment*
(43) Where an applicant either explicitly withdraws his or her application of his or her own motion, or ***does not comply with the obligations arising from this Regulation, Regulation (EU) No XXX/XXX (Dublin Regulation) or Directive XXX/XXX/EU (Reception Conditions Directive) thereby*** implicitly withdraws his or her application, the application should not be further examined and it should be rejected as explicitly withdrawn or ***abandoned***, and any application in the Member States by the same applicant further after that decision should be considered to be a subsequent application. However, the ***implicit***	(43) Where an applicant either explicitly withdraws his or her application of his or her own motion, or implicitly withdraws his or her application, the application should not be further examined and it should be rejected as explicitly withdrawn or ***implicitly withdrawn***, and any application in the Member States by the same applicant further after that decision should be considered to be a subsequent application. However, the applicant should be allowed the opportunity to report to the determining authority and demonstrate that ***any implicit withdrawal*** was due to circumstances beyond his control.

withdrawal should not be automatic but the applicant should be allowed the opportunity to report to the determining authority and demonstrate that ***the failure to comply with those obligations*** was due to circumstances beyond his control.

Or. en

Justification

Amendment tabled for consistency with later amendments.

Amendment 349
Jeroen Lenaers

Proposal for a regulation
Recital 43

Text proposed by the Commission	*Amendment*
(43) Where an applicant either explicitly withdraws his or her application of his or her own motion, or does not comply with the obligations arising from this Regulation, Regulation (EU) No XXX/XXX (Dublin Regulation) or Directive XXX/XXX/EU (Reception Conditions Directive) ***thereby implicitly withdraws*** his or her application, the application should not be further examined and it should be rejected as explicitly withdrawn or abandoned, and any application in the Member States by the same applicant further after that decision should be considered to be a subsequent application. However, the implicit withdrawal should not be automatic but the applicant should be allowed the opportunity to report to the determining authority and demonstrate that the failure to comply with those obligations was due to circumstances beyond his control.	(43) Where an applicant either explicitly withdraws his or her application of his or her own motion, or does not comply with the obligations arising from this Regulation, Regulation (EU) No XXX/XXX (Dublin Regulation) or Directive XXX/XXX/EU (Reception Conditions Directive)***,*** his or her application ***will be regarded as implicitly withdrawn***, the application should not be further examined and it should be rejected as explicitly withdrawn or abandoned, and any application in the Member States by the same applicant further after that decision should be considered to be a subsequent application. However, the implicit withdrawal should not be automatic but the applicant should be allowed the opportunity to report to the determining authority and demonstrate that the failure to comply***, on more than one occasion,*** with those obligations was due to circumstances beyond his control.

Or. en

Amendment 350
Marina Albiol Guzmán

Proposal for a regulation
Recital 44

Text proposed by the Commission	*Amendment*
(44) Where an applicant makes a subsequent application without presenting new evidence or findings which significantly increase his or her likelihood of qualifying as a beneficiary of international protection or which relate to the reasons for which the previous application was rejected as inadmissible, that subsequent application should not be subject to a new full examination procedure. In those cases, following a preliminary examination, applications should be dismissed as inadmissible or as manifestly unfounded where the application is so clearly without substance or abusive that it has no tangible prospect of success, in accordance with the res judicata principle. The preliminary examination shall be carried out on the basis of written submissions and a personal interview however the personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly without substance and has no tangible prospect of success. In case of subsequent applications, exceptions may be made to the individual's right to remain on the territory of a Member State after a subsequent application is rejected as inadmissible or unfounded, or in the case of a second or further subsequent applications, as soon as an application is made in any Member States following a final decision which had rejected a previous subsequent application as	***deleted***

inadmissible, unfounded or manifestly unfounded.

Or. en

Amendment 351
Jussi Halla-aho

Proposal for a regulation
Recital 44

Text proposed by the Commission	*Amendment*
(44) Where an applicant makes a subsequent application without presenting new evidence or findings which significantly increase his or her likelihood of qualifying as a beneficiary of international protection or which relate to the reasons for which the previous application was rejected as inadmissible, that subsequent application should not be subject to a new full examination procedure. In those cases, following a preliminary examination, applications should be dismissed as inadmissible or as manifestly unfounded where the application is so clearly without substance or abusive that it has no tangible prospect of success, in accordance with the res judicata principle. The preliminary examination shall be carried out on the basis of written submissions and a personal interview however the personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly without substance and has no tangible prospect of success. ***In case of subsequent applications, exceptions may be made to the individual's right to remain on the territory of a Member State after a subsequent application is rejected as inadmissible or unfounded, or in the case of a second or further subsequent***	(44) Where an applicant makes a subsequent application without presenting new evidence or findings which significantly increase his or her likelihood of qualifying as a beneficiary of international protection or which relate to the reasons for which the previous application was rejected as inadmissible, that subsequent application should not be subject to a new full examination procedure. In those cases, following a preliminary examination, applications should be dismissed as inadmissible or as manifestly unfounded where the application is so clearly without substance or abusive that it has no tangible prospect of success, in accordance with the res judicata principle. The preliminary examination shall be carried out on the basis of written submissions and a personal interview however the personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly without substance and has no tangible prospect of success.

applications, as soon as an application is made in any Member States following a final decision which had rejected a previous subsequent application as inadmissible, unfounded or manifestly unfounded.

Or. en

Amendment 352
Jeroen Lenaers

Proposal for a regulation
Recital 44

Text proposed by the Commission	*Amendment*
(44) Where an applicant makes a subsequent application without presenting new evidence or findings which significantly increase his or her likelihood of qualifying as a beneficiary of international protection or which relate to the reasons for which the previous application was rejected as inadmissible, that subsequent application should not be subject to a new full examination procedure. In those cases, following a preliminary examination, applications should be dismissed as inadmissible or as manifestly unfounded where the application is ***so*** clearly ***without substance or abusive*** that it has no ***tangible*** prospect of success, in accordance with the res judicata principle. The preliminary examination shall be carried out on the basis of written submissions and a personal interview however the personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly ***without substance*** and has no ***tangible*** prospect of success. In case of subsequent applications, exceptions may be made to the individual's right to remain on	(44) Where an applicant makes a subsequent application without presenting new evidence or findings which significantly increase his or her likelihood of qualifying as a beneficiary of international protection or which relate to the reasons for which the previous application was rejected as inadmissible, that subsequent application should not be subject to a new full examination procedure. In those cases, following a preliminary examination, applications should be dismissed as inadmissible or as manifestly unfounded where the application is ***abusive or*** clearly ***lacking substantive elements*** that it has no prospect of success, in accordance with the res judicata principle. The preliminary examination shall be carried out on the basis of written submissions and a personal interview however the personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly ***lacking substantive elements*** and has no prospect of success***, or when the subsequent application is made shortly before the removal or flight and there are***

the territory of a Member State after a subsequent application is rejected as inadmissible or unfounded, or in the case of a second or further subsequent applications, as soon as an application is made in any Member States following a final decision which had rejected a previous subsequent application as inadmissible, unfounded or manifestly unfounded.	***indications that it is made merely to delay or frustrate the enforcement of a removal decision***. In case of subsequent applications, exceptions may be made to the individual's right to remain on the territory of a Member State after a subsequent application is rejected as inadmissible or unfounded, or in the case of a second or further subsequent applications, as soon as an application is made in any Member States following a final decision which had rejected a previous subsequent application as inadmissible, unfounded or manifestly unfounded.

Or. en

Amendment 353
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini

Proposal for a regulation
Recital 44

Text proposed by the Commission	*Amendment*
(44) Where an applicant makes a subsequent application without presenting new evidence or findings which significantly increase his or her likelihood of qualifying as a beneficiary of international protection or which relate to the reasons for which the previous application was rejected as inadmissible, that subsequent application should not be subject to a new full examination procedure. In those cases, following a preliminary examination, applications should be dismissed as inadmissible or as manifestly unfounded where the application is so clearly without substance or abusive that it has no tangible prospect of success, in accordance with the res judicata principle. The preliminary	(44) Where an applicant makes a ***second or further*** subsequent application without presenting new evidence or findings which significantly increase his or her likelihood of qualifying as a beneficiary of international protection or which relate to the reasons for which the previous application was rejected as inadmissible, that subsequent application should not be subject to a new full examination procedure. In those cases, following a preliminary examination, applications should be dismissed as inadmissible or as manifestly unfounded where the application is so clearly without substance or abusive that it has no tangible prospect of success, in accordance with the res judicata principle. The preliminary

examination shall be carried out on the basis of written submissions and a personal interview however the personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly without substance and has no tangible prospect of success. In case of subsequent applications, exceptions may be made to the individual's right to remain on the territory of a Member State after a subsequent application is rejected as inadmissible ***or unfounded, or in the case of a second or further subsequent applications, as soon as an application is made in any Member States following a final decision which had rejected a previous subsequent application as inadmissible, unfounded or manifestly unfounded***.	examination shall be carried out on the basis of written submissions and a personal interview however the personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly without substance and has no tangible prospect of success. In case of ***a second or further*** subsequent applications, exceptions may be made to the individual's right to remain on the territory of a Member State after a subsequent application is rejected as inadmissible.

Or. en

Amendment 354
Maria Grapini

Proposal for a regulation
Recital 44

Text proposed by the Commission	*Amendment*
(44) Where an applicant makes a subsequent application without presenting new evidence or findings which significantly increase his or her likelihood of qualifying as a beneficiary of international protection or which relate to the reasons for which the previous application was rejected as inadmissible, that subsequent application should not be subject to a new full examination procedure. In those cases, following a preliminary examination, applications should be dismissed as inadmissible or as manifestly unfounded where the	(44) Where an applicant makes a subsequent application without presenting new evidence or findings which significantly increase his or her likelihood of qualifying as a beneficiary of international protection or which relate to the reasons for which the previous application was rejected as inadmissible, that subsequent application should not be subject to a new full examination procedure. ***There is also a need to forestall repeated submissions of new applications in other Member States, without new elements or information being provided,***

application is so clearly without substance or abusive that it has no tangible prospect of success, in accordance with the res judicata principle. The preliminary examination shall be carried out on the basis of written submissions and a personal interview however the personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly without substance and has no tangible prospect of success. In case of subsequent applications, exceptions may be made to the individual's right to remain on the territory of a Member State after a subsequent application is rejected as inadmissible or unfounded, or in the case of a second or further subsequent applications, as soon as an application is made in any Member States following a final decision which had rejected a previous subsequent application as inadmissible, unfounded or manifestly unfounded.

so as to prevent abuses of the procedure. In those cases, following a preliminary examination, applications should be dismissed as inadmissible or as manifestly unfounded where the application is so clearly without substance or abusive that it has no tangible prospect of success, in accordance with the res judicata principle. The preliminary examination shall be carried out on the basis of written submissions and a personal interview however the personal interview may be dispensed with in those instances where, from the written submissions, it is clear that the application does not give rise to relevant new elements or findings or that it is clearly without substance and has no tangible prospect of success. In case of subsequent applications, exceptions may be made to the individual's right to remain on the territory of a Member State after a subsequent application is rejected as inadmissible or unfounded, or in the case of a second or further subsequent applications, as soon as an application is made in any Member States following a final decision which had rejected a previous subsequent application as inadmissible, unfounded or manifestly unfounded.

Or. ro

Amendment 355
Marina Albiol Guzmán

Proposal for a regulation
Recital 44 a (new)

Text proposed by the Commission	*Amendment*
	(44a) Given the individual nature of the right to asylum as described in international legislation, including the Geneva Convention on the Status of Refugees, asylum applications must be

individually analysed independently from the country of origin of the applicant. Therefore, the concept of safe country of origin cannot be applied.

Or. en

Amendment 356
Marina Albiol Guzmán

Proposal for a regulation
Recital 45

Text proposed by the Commission	*Amendment*
(45) A key consideration as to whether an application for international protection is well-founded is the safety of the applicant in his or her country of origin. Having regard to the fact that Regulation (EU) No XXX/XXX (Qualification Regulation) aims to achieve a high level of convergence on the qualification of third-country nationals and stateless persons as beneficiaries of international protection, this Regulation establishes common criteria for designating third countries as safe countries of origin and, in view of the need to strengthen the application of the safe country of origin concept as an essential tool to support the swift processing of applications that are likely to be unfounded, this Regulation sets out an EU common list of safe countries of origin.	***deleted***

Or. en

Amendment 357
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation

Recital 45

Text proposed by the Commission	*Amendment*
(45) A key consideration as to whether an application for international protection is well-founded is the safety of the applicant in his or her country of origin. Having regard to the fact that Regulation (EU) No XXX/XXX (Qualification Regulation) aims to achieve a high level of convergence on the qualification of third-country nationals and stateless persons as beneficiaries of international protection, this Regulation establishes common criteria for designating third countries as safe countries of origin and, in view of the need to strengthen the application of the safe country of origin concept as an essential tool to support the swift processing of applications that are likely to be unfounded, this Regulation sets out an EU common list of safe countries of origin.	***deleted***

Or. en

Amendment 358
Rachida Dati

Proposal for a regulation
Recital 45

Text proposed by the Commission	*Amendment*
(45) A key consideration as to whether an application for international protection is well-founded is the safety of the applicant in his or her country of origin. Having regard to the fact that Regulation (EU) No XXX/XXX (Qualification Regulation) aims to achieve a high level of convergence on the qualification of third-country nationals and stateless persons as beneficiaries of international protection, this Regulation establishes common	(45) A key consideration as to whether an application for international protection is well-founded is the safety of the applicant in his or her country of origin. Having regard to the fact that Regulation (EU) No XXX/XXX (Qualification Regulation) aims to achieve a high level of convergence on the qualification of third-country nationals and stateless persons as beneficiaries of international protection, this Regulation establishes common

criteria for designating third countries as safe countries of origin and, in view of the need to strengthen the application of the safe country of origin concept as an essential tool to support the swift processing of applications that are likely to be unfounded, this Regulation sets out an EU common list of safe countries of origin.	criteria for designating third countries as safe countries of origin and, in view of the need to strengthen the application of the safe country of origin concept as an essential tool to support the swift processing of applications that are likely to be unfounded, this Regulation sets out an EU common list of safe countries of origin. ***This list will increase the efficiency of the asylum systems of the Member States as regards applications for international protection that are liable to be unfounded, and will remedy certain discrepancies between Member States' national lists of safe countries of origin.***

Or. fr

Amendment 359
Péter Niedermüller, Sylvie Guillaume

Proposal for a regulation
Recital 45

Text proposed by the Commission	*Amendment*
(45) A key consideration as to whether an application for international protection is well-founded is the safety of the applicant in his or her country of origin. Having regard to the fact that Regulation (EU) No XXX/XXX (Qualification Regulation) aims to achieve a high level of convergence on the qualification of third-country nationals and stateless persons as beneficiaries of international protection, this Regulation establishes common criteria for designating third countries as safe countries of origin and, ***in view of the need to strengthen the application of the safe country of origin concept as an essential tool to support the swift processing of applications that are likely to be unfounded, this Regulation*** sets out an EU common list of safe countries of origin.	(45) A key consideration as to whether an application for international protection is well-founded is the safety of the applicant in his or her country of origin. Having regard to the fact that Regulation (EU) No XXX/XXX (Qualification Regulation) aims to achieve a high level of convergence on the qualification of third-country nationals and stateless persons as beneficiaries of international protection, this Regulation establishes common criteria for designating third countries as safe countries of origin and, sets out an EU common list of safe countries of origin.

Or. en

Amendment 360
Brice Hortefeux

Proposal for a regulation
Recital 45

Text proposed by the Commission	*Amendment*
(45) A key consideration as to whether an application for international protection is well-founded is the safety of the applicant in his or her country of origin. Having regard to the fact that Regulation (EU) No XXX/XXX (Qualification Regulation) aims to achieve a high level of convergence on the qualification of third-country nationals and stateless persons as beneficiaries of international protection, this ***Regulation*** establishes common criteria for designating third countries as safe countries of origin and, in view of the need to strengthen the application of the safe country of origin concept as an essential tool to support the swift processing of applications that are likely to be unfounded, this ***Regulation*** sets out an EU common list of safe countries of origin.	(45) A key consideration as to whether an application for international protection is well-founded is the safety of the applicant in his or her country of origin. Having regard to the fact that Regulation (EU) No XXX/XXX (Qualification Regulation) aims to achieve a high level of convergence on the qualification of third-country nationals and stateless persons as beneficiaries of international protection, this ***Directive*** establishes common criteria for designating third countries as safe countries of origin and, in view of the need to strengthen the application of the safe country of origin concept as an essential tool to support the swift processing of applications that are likely to be unfounded, this ***Directive*** sets out an EU common list of safe countries of origin.

Or. fr

Amendment 361
Udo Voigt

Proposal for a regulation
Recital 46

Text proposed by the Commission	*Amendment*
(46) The fact that a third country is on the EU common list of safe countries of origin cannot establish an absolute guarantee of safety for nationals of that country and therefore does not dispense	***deleted***

with the need to conduct an appropriate individual examination of the application for international protection. By its very nature, the assessment underlying the designation can only take into account the general, civil, legal and political circumstances in that country and whether actors of persecution, torture or inhuman or degrading treatment or punishment are subject to sanction in practice when found liable in that country. For this reason, where an applicant shows that there are serious reasons to consider the country not to be safe in his or her particular circumstances, the designation of the country as safe can no longer be considered relevant for him or her.

Or. de

Amendment 362
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 46

Text proposed by the Commission	*Amendment*
(46) The fact that a third country is on the EU common list of safe countries of origin cannot establish an absolute guarantee of safety for nationals of that country and therefore does not dispense with the need to conduct an appropriate individual examination of the application for international protection. By its very nature, the assessment underlying the designation can only take into account the general, civil, legal and political circumstances in that country and whether actors of persecution, torture or inhuman or degrading treatment or punishment are subject to sanction in	***deleted***

practice when found liable in that country. For this reason, where an applicant shows that there are serious reasons to consider the country not to be safe in his or her particular circumstances, the designation of the country as safe can no longer be considered relevant for him or her.

Or. en

Amendment 363
Jussi Halla-aho

Proposal for a regulation
Recital 46

Text proposed by the Commission	*Amendment*
(46) The fact that a third country is on the EU common list of safe countries of origin cannot establish an absolute guarantee of safety for nationals of that country and therefore does not dispense with the need to conduct an appropriate individual examination of the application for international protection. By its very nature, the assessment underlying the designation can only take into account the general, civil, legal and political circumstances in that country and whether actors of persecution, torture or inhuman or degrading treatment or punishment are subject to sanction in practice when found liable in that country. ***For this reason***, where an applicant shows that there are serious reasons to consider the country not to be safe in his or her particular circumstances, the designation of the country as safe ***can*** no longer be considered relevant for him or her.	(46) The fact that a third country is on the EU common list of safe countries of origin cannot establish an absolute guarantee of safety for nationals of that country and therefore does not dispense with the need to conduct an appropriate individual examination of the application for international protection. By its very nature, the assessment underlying the designation can only take into account the general, civil, legal and political circumstances in that country and whether actors of persecution, torture or inhuman or degrading treatment or punishment are subject to sanction in practice when found liable in that country. ***Exceptionally***, where an applicant shows that there are serious reasons to consider the country not to be safe in his or her particular circumstances, the designation of the country as safe ***may*** no longer be considered relevant for him or her.

Or. en

Amendment 364
Péter Niedermüller

Proposal for a regulation
Recital 46

Text proposed by the Commission	*Amendment*
(46) The fact that a third country is on the EU common list of safe countries of origin cannot establish an absolute guarantee of safety for nationals of that country and therefore does not dispense with the need to conduct an appropriate individual examination of the application for international protection. By its very nature, the assessment underlying the designation can only take into account the general, civil, legal and political circumstances in that country and whether actors of persecution, torture or inhuman or degrading treatment or punishment are subject to sanction in practice when found liable in that country. For this reason, where an applicant shows that there are ***serious*** reasons to consider the country not to be safe in his or her particular circumstances, the designation of the country as safe can no longer be considered relevant for him or her.	(46) The fact that a third country is on the EU common list of safe countries of origin cannot establish an absolute guarantee of safety for nationals of that country and therefore does not dispense with the need to conduct an appropriate individual examination of the application for international protection. By its very nature, the assessment underlying the designation can only take into account the general, civil, legal and political circumstances in that country and whether actors of persecution, torture or inhuman or degrading treatment or punishment are subject to sanction in practice when found liable in that country. For this reason, where an applicant shows that there are reasons to consider the country not to be safe in his or her particular circumstances, the designation of the country as safe can no longer be considered relevant for him or her.

Or. en

Amendment 365
Marina Albiol Guzmán

Proposal for a regulation
Recital 47

Text proposed by the Commission	*Amendment*
(47) As regards the designation of safe third countries at Union level, this Regulation provides for having such a designation. Third countries should be designated as safe third countries at	***deleted***

Union level by means of an amendment to this Regulation based on the conditions set out in this Regulation and after carrying out a detailed evidence-based assessment involving substantive research and broad consultation with Member States and relevant stakeholders.

Or. en

Amendment 366
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini, Jean Lambert

Proposal for a regulation
Recital 47

Text proposed by the Commission	*Amendment*
(47) As regards the designation of safe third countries at Union level, this Regulation provides for having such a designation. Third countries should be designated as safe third countries at Union level by means of an amendment to this Regulation based on the conditions set out in this Regulation and after carrying out a detailed evidence-based assessment involving substantive research and broad consultation with Member States and relevant stakeholders.	***deleted***

Or. en

Amendment 367
Péter Niedermüller

Proposal for a regulation
Recital 47

Text proposed by the Commission	*Amendment*
(47) As regards the designation of safe	***deleted***

third countries at Union level, this Regulation provides for having such a designation. Third countries should be designated as safe third countries at Union level by means of an amendment to this Regulation based on the conditions set out in this Regulation and after carrying out a detailed evidence-based assessment involving substantive research and broad consultation with Member States and relevant stakeholders.

Or. en

Justification

Amendment tabled for consistency with later amendments.

Amendment 368
Rachida Dati

Proposal for a regulation
Recital 47

Text proposed by the Commission	*Amendment*
(47) As regards the designation of safe third countries at Union level, this Regulation provides for having such a designation. Third countries should be designated as safe third countries at Union level by means of an amendment to this Regulation based on the conditions set out in this Regulation and after carrying out a detailed evidence-based assessment involving substantive research and broad consultation with Member States and relevant stakeholders.	(47) As regards the designation of safe third countries at Union level, this Regulation provides for having such a designation. Third countries should be designated as safe third countries at Union level by means of an amendment to this Regulation based on the conditions set out in this Regulation and after carrying out a detailed evidence-based assessment involving substantive research and broad consultation with Member States***, the EU Agency for Asylum*** and relevant stakeholders.

Or. fr

Amendment 369
Brice Hortefeux

Proposal for a regulation
Recital 47

Text proposed by the Commission	*Amendment*
(47) As regards the designation of safe third countries at Union level, this ***Regulation*** provides for having such a designation. Third countries should be designated as safe third countries at Union level by means of an amendment to this ***Regulation*** based on the conditions set out in this Regulation and after carrying out a detailed evidence-based assessment involving substantive research and broad consultation with Member States and relevant stakeholders.	(47) As regards the designation of safe third countries at Union level, this ***Directive*** provides for having such a designation. Third countries should be designated as safe third countries at Union level by means of an amendment to this ***Directive*** based on the conditions set out in this Regulation and after carrying out a detailed evidence-based assessment involving substantive research and broad consultation with Member States and relevant stakeholders.

Or. fr

Amendment 370
Jussi Halla-aho

Proposal for a regulation
Recital 47

Text proposed by the Commission	*Amendment*
(47) As regards the designation of safe third countries at Union level, this Regulation provides for having such a designation. Third countries should be designated as safe third countries at Union level by means of an amendment to this Regulation based on the conditions set out in this Regulation and after carrying out a detailed evidence-based assessment involving substantive research and broad consultation with Member States ***and relevant stakeholders***.	(47) As regards the designation of safe third countries at Union level, this Regulation provides for having such a designation. Third countries should be designated as safe third countries at Union level by means of an amendment to this Regulation based on the conditions set out in this Regulation and after carrying out a detailed evidence-based assessment involving substantive research and broad consultation with Member States.

Or. en

Amendment 371
Marina Albiol Guzmán

Proposal for a regulation
Recital 48

Text proposed by the Commission	*Amendment*
(48) The establishment of an EU common list of safe countries of origin and an EU common list for safe third countries should address some of the existing divergences between Member States' national lists of safe countries. While Member States should retain the right to apply or introduce legislation that allows for the national designation of third countries other than those designated as safe third countries at Union level or appearing on the EU common list as safe countries of origin, the establishment of such common designation or list should ensure that the concept is applied by all Member States in a uniform manner in relation to applicants whose countries of origin are on the common list or who have a connection with a safe third country. This should facilitate convergence in the application of procedures and thereby also deter secondary movements of applicants for international protection. For that reason, the possibility of using national lists or designations should come to an end within a period of five years from entry into force of this Regulation.	***deleted***

Or. en

Amendment 372
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Bodil Valero

Proposal for a regulation
Recital 48

Text proposed by the Commission	*Amendment*
(48) The establishment of an EU common list of safe countries of origin and an EU common list for safe third countries should address some of the existing divergences between Member States' national lists of safe countries. While Member States should retain the right to apply or introduce legislation that allows for the national designation of third countries other than those designated as safe third countries at Union level or appearing on the EU common list as safe countries of origin, the establishment of such common designation or list should ensure that the concept is applied by all Member States in a uniform manner in relation to applicants whose countries of origin are on the common list or who have a connection with a safe third country. This should facilitate convergence in the application of procedures and thereby also deter secondary movements of applicants for international protection. For that reason, the possibility of using national lists or designations should come to an end within a period of five years from entry into force of this Regulation.	***deleted***

Or. en

Amendment 373
Rachida Dati

Proposal for a regulation
Recital 48

Text proposed by the Commission	*Amendment*
(48) The establishment of an EU common list of safe countries of origin and an EU common list for safe third countries should address some of the existing	(48) The establishment of an EU common list of safe countries of origin and an EU common list for safe third countries should address some of the existing

divergences between Member States' national lists of safe countries. While Member States should retain the right to apply or introduce legislation that allows for the national designation of third countries other than those designated as safe third countries at Union level or appearing on the EU common list as safe countries of origin, the establishment of such common designation or list should ensure that the concept is applied by all Member States in a uniform manner in relation to applicants whose countries of origin are on the common list or who have a connection with a safe third country. This should facilitate convergence in the application of procedures and thereby also deter secondary movements of applicants for international protection. For the that reason, the possibility of using national lists or designations should come to an end within a period of five years from entry into force of this Regulation.	divergences between Member States' national lists of safe countries. While Member States should retain the right to apply or introduce legislation that allows for the national designation of third countries other than those designated as safe third countries at Union level or appearing on the EU common list as safe countries of origin, the establishment of such common designation or list should ensure that the concept is applied by all Member States in a uniform manner in relation to applicants whose countries of origin are on the common list or who have a connection with a safe third country. This should facilitate convergence in the application of procedures and thereby also deter secondary movements of applicants for international protection. For that reason, the possibility of using national lists or designations should come to an end within a period of five years from entry into force of this Regulation. ***During that harmonising period, Member States should make sure that the national lists of safe countries of origin and the EU common list are consistent with one another. A country suspended or deleted from the EU common list must not be considered a safe country of origin at national level.***
	Or. fr

Amendment 374
Péter Niedermüller

Proposal for a regulation
Recital 48

Text proposed by the Commission	*Amendment*
(48) The establishment of an EU common list of safe countries of origin ***and an EU common list for safe third countries*** should address some of the	(48) The establishment of an EU common list of safe countries of origin should address some of the existing divergences between Member States'

existing divergences between Member States' national lists of safe countries. While Member States should retain the right to apply or introduce legislation that allows for the national designation of third countries ***other than those designated as safe third countries at Union level or appearing on the EU common list*** as safe countries of origin, the establishment of such ***common designation or*** list should ensure that the concept is applied by all Member States in a uniform manner in relation to applicants whose countries of origin are on the common list ***or who have a connection with a safe third country***. This should facilitate convergence in the application of procedures and thereby also deter secondary movements of applicants for international protection. For that reason, the possibility of using national lists ***or designations*** should come to an end within a period of ***five*** years from entry into force of this Regulation.

national lists of safe countries ***of origin***. While Member States should retain the right to apply or introduce legislation that allows for the national designation of third countries as safe countries of origin, the establishment of such ***a common*** list should ensure that the concept is applied by all Member States in a uniform manner in relation to applicants whose countries of origin are on the common list. This should facilitate convergence in the application of procedures and thereby also deter secondary movements of applicants for international protection. For that reason, the possibility of using national lists ***of safe countries of origin*** should come to an end within a period of ***three*** years from entry into force of this Regulation.

Or. en

Justification

Amendment tabled for consistency with later amendments

Amendment 375
Maria Grapini

Proposal for a regulation
Recital 48

Text proposed by the Commission	*Amendment*
(48) The establishment of an EU common list of safe countries of origin and an EU common list for safe third countries should address some of the existing divergences between Member States' national lists of safe countries. While Member States should retain the right to apply or introduce legislation that allows	(48) The establishment of an EU common list of safe countries of origin and an EU common list for safe third countries should address some of the existing divergences between Member States' national lists of safe countries ***and support the rapid processing of requests***. While Member States should retain the right to

for the national designation of third countries other than those designated as safe third countries at Union level or appearing on the EU common list as safe countries of origin, the establishment of such common designation or list should ensure that the concept is applied by all Member States in a uniform manner in relation to applicants whose countries of origin are on the common list or who have a connection with a safe third country. This should facilitate convergence in the application of procedures and thereby also deter secondary movements of applicants for international protection. For that reason, the possibility of using national lists or designations should come to an end within a period of five years from entry into force of this Regulation.

apply or introduce legislation that allows for the national designation of third countries other than those designated as safe third countries at Union level or appearing on the EU common list as safe countries of origin, the establishment of such common designation or list should ensure that the concept is applied by all Member States in a uniform manner in relation to applicants whose countries of origin are on the common list or who have a connection with a safe third country. This should facilitate convergence in the application of procedures and thereby also deter secondary movements of applicants for international protection. ***This EU mechanism needs to co-exist on a transitional basis with the national lists.*** For that reason, the possibility of using national lists or designations should come to an end within a period of five years from entry into force of this Regulation.

Or. ro

Amendment 376
Jussi Halla-aho

Proposal for a regulation
Recital 48

Text proposed by the Commission	*Amendment*
(48) The establishment of an EU common list of safe countries of origin and an EU common list for safe third countries should address some of the existing divergences between Member States' national lists of safe countries. While Member States should retain the right to apply or introduce legislation that allows for the national designation of third countries other than those designated as safe third countries at Union level or appearing on the EU common list as safe countries of origin, the establishment of such common designation or list should ensure that the concept is applied by all	(48) The establishment of an EU common list of safe countries of origin and an EU common list for safe third countries should address some of the existing divergences between Member States' national lists of safe countries. While Member States should retain the right to apply or introduce legislation that allows for the national designation of third countries other than those designated as safe third countries at Union level or appearing on the EU common list as safe countries of origin, the establishment of such common designation or list should ensure that the concept is applied by all

Member States in a uniform manner in relation to applicants whose countries of origin are on the common list or who have a connection with a safe third country. This should facilitate convergence in the application of procedures and thereby also deter secondary movements of applicants for international protection. ***For that reason, the possibility of using national lists or designations should come to an end within a period of five years from entry into force of this Regulation.***	Member States in a uniform manner in relation to applicants whose countries of origin are on the common list or who have a connection with a safe third country. This should facilitate convergence in the application of procedures and thereby also deter secondary movements of applicants for international protection.

Or. en

Amendment 377
Rachida Dati

Proposal for a regulation
Recital 48 a (new)

Text proposed by the Commission	*Amendment*
	(48a) With a view to harmonisation of national lists of safe countries of origin, the Commission shall regularly examine the situation in third states so as to make sure that the common list of safe countries of origin is comprehensive and effective. Where necessary, the Commission should then draw up a proposal to extend the EU common list of safe countries of origin. The Member States must also be able to submit proposals to the Commission with a view to adding third countries to that common list of safe countries of origin. The Commission should then examine these proposals within six months in the light of a set of information sources at its disposal and, where appropriate, make a proposal to extend the common list of safe countries of origin. The Commission must ensure that, for every third country on the EU common list of safe countries of origin, there is an efficient EU return

policy with effective readmission agreements that must be complied with fully in order for EU aid to be sent to those countries.

Or. fr

Amendment 378
Péter Niedermüller, Sylvie Guillaume

Proposal for a regulation
Recital 48 a (new)

Text proposed by the Commission	*Amendment*
	(48a) The EU's common list of safe countries of origin should not have the aim of reducing the number of asylum seekers from countries which combine a large number of applications with a low recognition rate. The designation of a third country as a safe country of origin should be based solely on an assessment of whether that country's situation conforms to the common criteria for designating third countries as safe countries of origin that are laid down in this Regulation.

Or. en

Amendment 379
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 49

Text proposed by the Commission	*Amendment*
(49) The Commission, assisted by the European Union Agency for Asylum, should regularly review the situation in	***deleted***

third countries designated as safe third countries at Union level or that are on the EU common list of safe countries of origin. In case of sudden change for the worse in the situation of such a third country, the Commission should be able to suspend the designation of that third country as safe third country at Union level or the presence of that third country from the EU common list of safe countries of origin for a limited period of time by means of a delegated act in accordance with Article 290 of the Treaty on the Functioning of the European Union. Moreover, in this case, the Commission should propose an amendment for the third country not to be designated as a safe third country at Union level any longer or to remove that third country from the EU common list of safe country of origin within 3 months of the adoption of delegated act suspending the third country.

Or. en

Amendment 380
Jussi Halla-aho

Proposal for a regulation
Recital 49

Text proposed by the Commission	*Amendment*
(49) The Commission, assisted by the European Union Agency for Asylum, should regularly review the situation in third countries designated as safe third countries at Union level or that are on the EU common list of safe countries of origin. In case of sudden change for the worse in the situation of such a third country, the Commission should be able to suspend the designation of that third country as safe third country at Union level or the presence of that third country from the EU common	(49) The Commission, assisted by the European Union Agency for Asylum, should regularly review the situation in third countries designated as safe third countries at Union level or that are on the EU common list of safe countries of origin ***and monitor the situation in prospective new countries with the aim of designating them as safe third countries at Union level or adding them to the EU common list of safe countries of origin***. In case of sudden change for the worse in the situation of

list of safe countries of origin for a limited period of time by means of a delegated act in accordance with Article 290 of the Treaty on the Functioning of the European Union. Moreover, in this case, the Commission should propose an amendment for the third country not to be designated as a safe third country at Union level any longer or to remove that third country from the EU common list of safe country of origin within 3 months of the adoption of delegated act suspending the third country.

such a third country, the Commission should be able to suspend the designation of that third country as safe third country at Union level or the presence of that third country from the EU common list of safe countries of origin for a limited period of time by means of a delegated act in accordance with Article 290 of the Treaty on the Functioning of the European Union. Moreover, in this case, the Commission should propose an amendment for the third country not to be designated as a safe third country at Union level any longer or to remove that third country from the EU common list of safe country of origin within 3 months of the adoption of delegated act suspending the third country.

Or. en

Amendment 381
Rachida Dati

Proposal for a regulation
Recital 49

Text proposed by the Commission	*Amendment*
(49) The Commission, assisted by the European Union Agency for Asylum, should regularly review the situation in third countries designated as safe third countries at Union level or that are on the EU common list of safe countries of origin. In case of sudden change for the worse in the situation of such a third country, the Commission should be able to suspend the designation of that third country as safe third country at Union level or the presence of that third country from the EU common list of safe countries of origin for a limited period of time by means of a delegated act in accordance with Article 290 of the Treaty on the Functioning of the European Union. Moreover, in this case, the Commission should propose an	(49) The Commission, assisted by the European Union Agency for Asylum, should regularly review the situation in third countries designated as safe third countries at Union level or that are on the EU common list of safe countries of origin. In case of sudden change for the worse in the situation of such a third country, the Commission should be able to suspend the designation of that third country as safe third country at Union level or the presence of that third country from the EU common list of safe countries of origin for a limited period of time by means of a delegated act in accordance with Article 290 of the Treaty on the Functioning of the European Union. Moreover, in this case, the Commission should propose an

amendment for the third country not to be designated as a safe third country at Union level any longer or to remove that third country from the EU common list of safe country of origin within 3 months of the adoption of delegated act suspending the third country.

amendment for the third country not to be designated as a safe third country at Union level any longer or to remove that third country from the EU common list of safe country of origin within 3 months of the adoption of ***the*** delegated act suspending the third country. ***If no such amendment has been submitted within that time limit, the delegated act should cease to have effect.***

Or. fr

Amendment 382
Marina Albiol Guzmán

Proposal for a regulation
Recital 49

Text proposed by the Commission	*Amendment*
(49) The Commission, assisted by the European Union Agency for Asylum, should regularly review the situation in third countries designated as safe third countries at Union level or that are on the EU common list of safe countries of origin. In case of sudden change for the worse in the situation of such a third country, the Commission should be able to suspend the designation of that third country as safe third country at Union level or the presence of that third country from the EU common list of safe countries of origin ***for a limited period of time by means of a delegated act in accordance with Article 290 of the Treaty on the Functioning of the European Union***. Moreover, in this case, the Commission should propose an amendment for the third country not to be designated as a safe third country at Union level any longer or to remove that third country from the EU common list of safe country of origin within 3 months of the adoption of delegated act suspending the third country.	(49) The Commission, assisted by the European Union Agency for Asylum, should regularly review the situation in third countries designated as safe third countries at Union level or that are on the EU common list of safe countries of origin. In case of sudden change for the worse in the situation of such a third country, the Commission should be able to suspend the designation of that third country as safe third country at Union level or the presence of that third country from the EU common list of safe countries of origin. Moreover, in this case, the Commission should propose an amendment for the third country not to be designated as a safe third country at Union level any longer or to remove that third country from the EU common list of safe country of origin within 3 months of the adoption of delegated act suspending the third country.

Or. en

Amendment 383
Péter Niedermüller, Sylvie Guillaume

Proposal for a regulation
Recital 49

Text proposed by the Commission	*Amendment*
(49) The Commission, assisted by the European Union Agency for Asylum, should regularly review the situation in third countries designated as safe third countries at Union level or that are on the EU common list of safe countries of origin. In case of sudden change for the worse in the situation of such a third country, the Commission should be able to suspend the designation of that third country as safe third country at Union level or the presence of that third country from the EU common list of safe countries of origin for a limited period of time by means of a delegated act in accordance with Article 290 of the Treaty on the Functioning of the European Union. Moreover, in this case, the Commission should propose an amendment for the third country not to be designated as a safe third country at Union level any longer or to remove that third country from the EU common list of safe country of origin within ***3*** months of the adoption of delegated act suspending the third country.	(49) The Commission, assisted by the European Union Agency for Asylum, should regularly review the situation in third countries designated as safe third countries at Union level or that are on the EU common list of safe countries of origin. In case of sudden change for the worse in the situation of such a third country, the Commission should be able to suspend the designation of that third country as safe third country at Union level or the presence of that third country from the EU common list of safe countries of origin for a limited period of time by means of a delegated act in accordance with Article 290 of the Treaty on the Functioning of the European Union. Moreover, in this case, the Commission should propose an amendment for the third country not to be designated as a safe third country at Union level any longer or to remove that third country from the EU common list of safe country of origin within ***6*** months of the adoption of delegated act suspending the third country.

Or. en

Amendment 384
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation

Recital 50

Text proposed by the Commission	*Amendment*
(50) For the purpose of this substantiated assessment, the Commission should take into consideration a range of sources of information at its disposal including in particular, its Annual Progress Reports for third countries designated as candidate countries by the European Council, regular reports from the European External Action Service and the information from Member States, the European Union Agency for Asylum, the United Nations High Commissioner for Refugees, the Council of Europe and other relevant international organisations. The Commission should be able to extend the suspension of the designation of a third country as a safe third country at Union level or the presence of a third country from the EU common list of safe country of origin for a period of six months, with a possibility to renew that extension once. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.	***deleted***

Or. en

Amendment 385
Jussi Halla-aho

Proposal for a regulation
Recital 50

Text proposed by the Commission	*Amendment*

(50) For the purpose of this substantiated assessment, the Commission should take into consideration a range of sources of information at its disposal including in particular, its Annual Progress Reports for third countries designated as candidate countries by the European Council, regular reports from the European External Action Service and the information from Member States, the European Union Agency for Asylum***, the United Nations High Commissioner for Refugees, the Council of Europe and other relevant international organisations***. The Commission should be able to extend the suspension of the designation of a third country as a safe third country at Union level or the presence of a third country from the EU common list of safe country of origin for a period of ***six*** months, with a possibility to renew that extension once. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.	(50) For the purpose of this substantiated assessment, the Commission should take into consideration a range of sources of information at its disposal including in particular, its Annual Progress Reports for third countries designated as candidate countries by the European Council, regular reports from the European External Action Service and the information from Member States, the European Union Agency for Asylum. The Commission should be able to extend the suspension of the designation of a third country as a safe third country at Union level or the presence of a third country from the EU common list of safe country of origin for a period of ***three*** months, with a possibility to renew that extension once. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Or. en

Amendment 386
Marina Albiol Guzmán

Proposal for a regulation
Recital 50

Text proposed by the Commission	*Amendment*
(50) For the purpose of this substantiated assessment, the Commission should take into consideration a range of sources of information at its disposal including in particular, its Annual Progress	(50) For the purpose of this substantiated assessment, the Commission should take into consideration a range of sources of information at its disposal including in particular, its Annual Progress

Reports for third countries designated as candidate countries by the European Council, regular reports from the European External Action Service and the information from ***Member States, the European Union Agency for Asylum,*** the United Nations High Commissioner for Refugees, the Council of Europe and other relevant international organisations. The Commission should be able to extend the suspension of the designation of a third country as a safe third country at Union level or the presence of a third country from the EU common list of safe country of origin for a period of six months, with a possibility to renew that extension once. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.	Reports for third countries designated as candidate countries by the European Council, regular reports from the European External Action Service and the information from the United Nations High Commissioner for Refugees, the Council of Europe and other relevant international ***governmental and non-governmental*** organisations. The Commission should be able to extend the suspension of the designation of a third country as a safe third country at Union level or the presence of a third country from the EU common list of safe country of origin for a period of six months, with a possibility to renew that extension once. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Or. en

Amendment 387
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 51

Text proposed by the Commission	*Amendment*
(51) When the period of validity of the delegated act and its extensions expires, without a new delegated act being adopted, the designation of the third country as safe third country at Union level or from the EU common list of safe countries of origin should no longer be suspended. This shall be without	***deleted***

prejudice to any proposed amendment for the removal of the third country from the lists.

Or. en

Amendment 388
Marina Albiol Guzmán

Proposal for a regulation
Recital 51

Text proposed by the Commission	*Amendment*
(51) When the period of validity of the delegated act and its extensions expires, without a new delegated act being adopted, the designation of the third country as safe third country at Union level or from the EU common list of safe countries of origin should no longer be suspended. This shall be without prejudice to any proposed amendment for the removal of the third country from the lists.	***deleted***

Or. en

Amendment 389
Udo Voigt

Proposal for a regulation
Recital 52

Text proposed by the Commission	*Amendment*
(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries, including where a Member State notifies the Commission that it considers, based	***deleted***

on a substantiated assessment, that, following changes in the situation of that third country, it fulfils again the conditions set out in this Regulation for being designated as safe. In such a case, Member States could only designate that third country as a safe country of origin or a safe third country at the national level as long as the Commission does not raise objections to that designation. Where the Commission considers that these conditions are fulfilled, it may propose an amendment to the designation of safe third countries at Union level or to the EU common list of safe countries of origin so as to add the third country.

Or. de

Amendment 390
Marina Albiol Guzmán

Proposal for a regulation
Recital 52

Text proposed by the Commission	*Amendment*
(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries, including where a Member State notifies the Commission that it considers, based on a substantiated assessment, that, following changes in the situation of that third country, it fulfils again the conditions set out in this Regulation for being designated as safe. In such a case, Member States could only designate that third country as a safe country of origin or a safe third country at the national level as long as the Commission does not raise objections to that designation. Where the Commission considers that these conditions are fulfilled, it may propose an amendment to the designation	***deleted***

of safe third countries at Union level or to the EU common list of safe countries of origin so as to add the third country.

Or. en

Amendment 391
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 52

Text proposed by the Commission	*Amendment*
(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries, including where a Member State notifies the Commission that it considers, based on a substantiated assessment, that, following changes in the situation of that third country, it fulfils again the conditions set out in this Regulation for being designated as safe. In such a case, Member States could only designate that third country as a safe country of origin or a safe third country at the national level as long as the Commission does not raise objections to that designation. Where the Commission considers that these conditions are fulfilled, it may propose an amendment to the designation of safe third countries at Union level or to the EU common list of safe countries of origin so as to add the third country.	***deleted***

Or. en

Amendment 392

Jussi Halla-aho

Proposal for a regulation
Recital 52

Text proposed by the Commission	*Amendment*
(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries, including where a Member State notifies the Commission that it considers, based on a substantiated assessment, that, following changes in the situation of that third country, it fulfils ***again*** the conditions set out in this Regulation for being designated as safe. In such a case, Member States could only designate that third country as a safe country of origin or a safe third country at the national level ***as long as the Commission does not raise objections to that designation***. Where the Commission considers that these conditions are fulfilled, it ***may*** propose an amendment to the designation of safe third countries at Union level or to the EU common list of safe countries of origin so as to add the third country.	(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries ***and the prospective new such countries***, including where a Member State notifies the Commission that it considers, based on a substantiated assessment, that, following changes in the situation of that third country, it fulfils the conditions set out in this Regulation for being designated as safe. In such a case, Member States could only designate that third country as a safe country of origin or a safe third country at the national level. Where the Commission considers that these conditions are fulfilled, it ***should*** propose an amendment to the designation of safe third countries at Union level or to the EU common list of safe countries of origin so as to add the third country. ***In the case of a sudden change for the better in a prospective third country, the Commission could apply the procedure of a delegated act and propose a subsequent amendment to this Regulation in order to speed up the procedure.***

Or. en

Amendment 393
Péter Niedermüller, Sylvie Guillaume

Proposal for a regulation
Recital 52

Text proposed by the Commission	*Amendment*
(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries***,*** ***including*** where a ***Member State notifies the Commission that it considers, based on a substantiated assessment,*** that, following changes in the situation of that third country, it ***fulfils*** again ***the conditions*** set out in this Regulation for being ***designated as safe. In such a case, Member States could only designate that third country as a safe country of origin or a safe third country at the national level as long as the Commission does not raise objections to that designation. Where the Commission considers that these conditions are fulfilled, it may propose an amendment to the designation of safe third countries at Union level or to the EU common list of safe countries*** of origin ***so as to add the third country***.	(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries***.*** Where a ***third country has been removed from the EU common list of safe countries of origin, a Member State may notify the Commission where it considers*** that, following changes in the situation of that third country, it ***once*** again ***fulfils the criteria*** set out in ***Annex 1 to*** this Regulation for being ***included in the EU common list of safe countries of origin. The Commission shall examine any such notification by a Member State and if appropriate, submit a proposal to the European Parliament and to the Council to amend the EU common list of safe countries of origin accordingly. If the Commission decides not to submit such a proposal, Member States shall not designate that country as a safe country*** of origin ***at national level***.

Or. en

Amendment 394
Rachida Dati

Proposal for a regulation
Recital 52

Text proposed by the Commission	*Amendment*
(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries, including where a Member State notifies the Commission that it considers, based on	(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries, including where a Member State notifies the Commission that it considers, based on

a substantiated assessment, that, following changes in the situation of that third country, it fulfils again the conditions set out in this Regulation for being designated as safe. In such a case, Member States could only designate that third country as a safe country of origin or a safe third country at the national level as long as the Commission does not raise objections to that designation. Where the Commission considers that these conditions are fulfilled, it ***may*** propose an amendment to the designation of safe third countries at Union level or to the EU common list of safe countries of origin so as to add the third country.	a substantiated assessment, that, following changes in the situation of that third country, it fulfils again the conditions set out in this Regulation for being designated as safe. In such a case, Member States could only designate that third country as a safe country of origin or a safe third country at the national level as long as the Commission does not raise objections to that designation. Where the Commission considers that these conditions are fulfilled, it ***should*** propose an amendment to the designation of safe third countries at Union level or to the EU common list of safe countries of origin so as to add the third country.

Or. fr

Amendment 395
Brice Hortefeux

Proposal for a regulation
Recital 52

Text proposed by the Commission	*Amendment*
(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries, including where a Member State notifies the Commission that it considers, based on a substantiated assessment, that, following changes in the situation of that third country, it fulfils again the conditions set out in this ***Regulation*** for being designated as safe. In such a case, Member States could only designate that third country as a safe country of origin or a safe third country at the national level as long as the Commission does not raise objections to that designation. Where the Commission considers that these conditions are fulfilled,	(52) The Commission, with the assistance of the European Union Agency for Asylum, should regularly review the situation in third countries that have been removed from the EU common list of safe countries of origin or safe third countries, including where a Member State notifies the Commission that it considers, based on a substantiated assessment, that, following changes in the situation of that third country, it fulfils again the conditions set out in this ***Directive*** for being designated as safe. In such a case, Member States could only designate that third country as a safe country of origin or a safe third country at the national level as long as the Commission does not raise objections to that designation. Where the Commission considers that these conditions are fulfilled,

it may propose an amendment to the designation of safe third countries at Union level or to the EU common list of safe countries of origin so as to add the third country.	it may propose an amendment to the designation of safe third countries at Union level or to the EU common list of safe countries of origin so as to add the third country.

Or. fr

Amendment 396
Marina Albiol Guzmán

Proposal for a regulation
Recital 53

Text proposed by the Commission	*Amendment*
(53) As regards safe countries of origin, following the conclusions of the Justice and Home Affairs Council of 20 July 2015, at which Member States agreed that priority should be given to an assessment by all Member States of the safety of the Western Balkans, the European Union Agency for Asylum organised an expert-level meeting with the Member States on 2 September 2015, where a broad consensus was reached that Albania, Bosnia and Herzegovina, Kosovo*,[30] the former Yugoslav Republic of Macedonia, Montenegro and Serbia should be considered as safe countries of origin within the meaning of this Regulation.	***deleted***
[30] * This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.	

Or. en

Amendment 397
Ska Keller

on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 53

Text proposed by the Commission	*Amendment*
(53) As regards safe countries of origin, following the conclusions of the Justice and Home Affairs Council of 20 July 2015, at which Member States agreed that priority should be given to an assessment by all Member States of the safety of the Western Balkans, the European Union Agency for Asylum organised an expert-level meeting with the Member States on 2 September 2015, where a broad consensus was reached that Albania, Bosnia and Herzegovina, Kosovo*,[30] the former Yugoslav Republic of Macedonia, Montenegro and Serbia should be considered as safe countries of origin within the meaning of this Regulation.	***deleted***

_____

[30] * This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

Or. en

Amendment 398
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 54

Text proposed by the Commission	*Amendment*
(54) Based on a range of sources of information, including in particular	***deleted***

reporting from the European External Action Service and information from Member States, the European Union Agency for Asylum, the United Nations High Commissioner for Refugees, the Council of Europe and other relevant international organisations, a number of third countries are considered to qualify as safe countries of origin.

Or. en

Amendment 399
Marina Albiol Guzmán

Proposal for a regulation
Recital 54

Text proposed by the Commission	*Amendment*
(54) Based on a range of sources of information, including in particular reporting from the European External Action Service and information from Member States, the European Union Agency for Asylum, the United Nations High Commissioner for Refugees, the Council of Europe and other relevant international organisations, a number of third countries are considered to qualify as safe countries of origin.	***deleted***

Or. en

Amendment 400
Jussi Halla-aho

Proposal for a regulation
Recital 54

Text proposed by the Commission	*Amendment*
(54) Based on a range of sources of information, including in particular	(54) Based on a range of sources of information, including in particular

reporting from the European External Action Service and information from Member States**,** the European Union Agency for Asylum***, the United Nations High Commissioner for Refugees, the Council of Europe and other relevant international organisations***, a number of third countries are considered to qualify as safe countries of origin.	reporting from the European External Action Service and information from Member States ***and*** the European Union Agency for Asylum, a number of third countries are considered to qualify as safe countries of origin.

Or. en

Amendment 401
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 55

Text proposed by the Commission	*Amendment*
(55) As regards Albania, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in four out of 150 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member	***deleted***

States considered that 7,8 % (1040) of asylum applications of citizens from Albania were well-founded. At least eight Member States have designated Albania as a safe country of origin. Albania has been designated as a candidate country by the European Council. At the time of designation, the assessment was that Albania fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities and Albania will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

Or. en

Amendment 402
Marina Albiol Guzmán

Proposal for a regulation
Recital 55

Text proposed by the Commission	*Amendment*
(55) As regards Albania, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in four out of 150 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or	***deleted***

freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 7,8 % (1040) of asylum applications of citizens from Albania were well-founded. At least eight Member States have designated Albania as a safe country of origin. Albania has been designated as a candidate country by the European Council. At the time of designation, the assessment was that Albania fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities and Albania will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

Or. en

Amendment 403
Emil Radev

Proposal for a regulation
Recital 55

Text proposed by the Commission	*Amendment*
(55) As regards Albania, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in four out of 150 applications. There are no indications of	(55) As regards Albania, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in four out of 150 applications. There are no indications of

any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, ***sexual orientation,*** membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 7,8 % (1040) of asylum applications of citizens from Albania were well-founded. At least eight Member States have designated Albania as a safe country of origin. Albania has been designated as a candidate country by the European Council. At the time of designation, the assessment was that Albania fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities and Albania will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 7,8 % (1040) of asylum applications of citizens from Albania were well-founded. At least eight Member States have designated Albania as a safe country of origin. Albania has been designated as a candidate country by the European Council. At the time of designation, the assessment was that Albania fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities and Albania will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

Or. bg

Amendment 404
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 56

Text proposed by the Commission	*Amendment*
(56) As regards Bosnia and	***deleted***

Herzegovina, its Constitution provides the basis for the sharing of powers between the country's constituent peoples. The legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in five out of 1196 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 4,6 % (330) of asylum applications of citizens from Bosnia and Herzegovina were well-founded. At least nine Member States have designated Bosnia and Herzegovina as a safe country of origin.

Or. en

Amendment 405
Marina Albiol Guzmán

Proposal for a regulation
Recital 56

Text proposed by the Commission	*Amendment*
(56) As regards Bosnia and Herzegovina, its Constitution provides the basis for the sharing of powers between	***deleted***

the country's constituent peoples. The legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in five out of 1196 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 4,6 % (330) of asylum applications of citizens from Bosnia and Herzegovina were well-founded. At least nine Member States have designated Bosnia and Herzegovina as a safe country of origin.

Or. en

Amendment 406
Emil Radev

Proposal for a regulation
Recital 56

Text proposed by the Commission	*Amendment*
(56) As regards Bosnia and Herzegovina, its Constitution provides the basis for the sharing of powers between the country's constituent peoples. The legal basis for protection against persecution and	(56) As regards Bosnia and Herzegovina, its Constitution provides the basis for the sharing of powers between the country's constituent peoples. The legal basis for protection against persecution and

mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in five out of 1196 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, ***sexual orientation,*** membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 4,6 % (330) of asylum applications of citizens from Bosnia and Herzegovina were well-founded. At least nine Member States have designated Bosnia and Herzegovina as a safe country of origin.	mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in five out of 1196 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 4,6 % (330) of asylum applications of citizens from Bosnia and Herzegovina were well-founded. At least nine Member States have designated Bosnia and Herzegovina as a safe country of origin.

Or. bg

Amendment 407
Marina Albiol Guzmán

Proposal for a regulation
Recital 57

Text proposed by the Commission	*Amendment*
(57) As regards the former Yugoslav Republic of Macedonia, the legal basis for protection against persecution and mistreatment is adequately provided by principle substantive and procedural human rights and anti-discrimination legislation, including membership of all	***deleted***

major international human rights treaties. In 2014, the European Court of Human Rights found violations in six out of 502 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 0,9 % (70) of asylum applications of citizens of the former Yugoslav Republic of Macedonia were well-founded. At least seven Member States have designated the former Yugoslav Republic of Macedonia as a safe country of origin. The former Yugoslav Republic of Macedonia has been designated as a candidate country by the European Council. At the time of designation, the assessment was that the former Yugoslav Republic of Macedonia fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. The former Yugoslav Republic of Macedonia will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

Or. en

Amendment 408
Ska Keller

on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 57

Text proposed by the Commission	*Amendment*
(57) As regards the former Yugoslav Republic of Macedonia, the legal basis for protection against persecution and mistreatment is adequately provided by principle substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in six out of 502 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 0,9 % (70) of asylum applications of citizens of the former Yugoslav Republic of Macedonia were well-founded. At least seven Member States have designated the former Yugoslav Republic of Macedonia as a safe country of origin. The former Yugoslav Republic of Macedonia has been designated as a candidate country by the European Council. At the time of designation, the assessment was that the former Yugoslav Republic of Macedonia fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of	***deleted***

institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. The former Yugoslav Republic of Macedonia will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

Or. en

Amendment 409
Emil Radev

Proposal for a regulation
Recital 57

Text proposed by the Commission	*Amendment*
(57) As regards the former Yugoslav Republic of Macedonia, the legal basis for protection against persecution and mistreatment is adequately provided by principle substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in six out of 502 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, ***sexual orientation,*** membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 0,9 % (70) of asylum applications of citizens of the former	(57) As regards the former Yugoslav Republic of Macedonia, the legal basis for protection against persecution and mistreatment is adequately provided by principle substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in six out of 502 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 0,9 % (70) of asylum applications of citizens of the former Yugoslav Republic of

Yugoslav Republic of Macedonia were well-founded. At least seven Member States have designated the former Yugoslav Republic of Macedonia as a safe country of origin. The former Yugoslav Republic of Macedonia has been designated as a candidate country by the European Council. At the time of designation, the assessment was that the former Yugoslav Republic of Macedonia fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. The former Yugoslav Republic of Macedonia will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

Macedonia were well-founded. At least seven Member States have designated the former Yugoslav Republic of Macedonia as a safe country of origin. The former Yugoslav Republic of Macedonia has been designated as a candidate country by the European Council. At the time of designation, the assessment was that the former Yugoslav Republic of Macedonia fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. The former Yugoslav Republic of Macedonia will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

Or. bg

Amendment 410
Marina Albiol Guzmán

Proposal for a regulation
Recital 58

Text proposed by the Commission	*Amendment*
(58) As regards Kosovo*, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation. The non-accession of Kosovo* to relevant international human rights instruments such as the ECHR results from the lack of international consensus regarding its status as a sovereign State. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected	***deleted***

to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 6,3 % (830) of asylum applications of citizens of Kosovo* were well-founded. At least six Member States have designated Kosovo* as a safe country of origin.

Or. en

Amendment 411
Ska Keller
on behalf of the Verts/ALE Group
Judith Sargentini, Jean Lambert

Proposal for a regulation
Recital 58

Text proposed by the Commission	*Amendment*
(58) As regards Kosovo*, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation. The non-accession of Kosovo* to relevant international human rights instruments such as the ECHR results from the lack of international consensus regarding its status as a sovereign State. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account	***deleted***

of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 6,3 % (830) of asylum applications of citizens of Kosovo* were well-founded. At least six Member States have designated Kosovo* as a safe country of origin.

Or. en

Amendment 412
Emil Radev

Proposal for a regulation
Recital 58

Text proposed by the Commission	*Amendment*
(58) As regards Kosovo*, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation. The non-accession of Kosovo* to relevant international human rights instruments such as the ECHR results from the lack of international consensus regarding its status as a sovereign State. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, ***sexual orientation,*** membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member	(58) As regards Kosovo*, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation. The non-accession of Kosovo* to relevant international human rights instruments such as the ECHR results from the lack of international consensus regarding its status as a sovereign State. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 6,3 %

States considered that 6,3 % (830) of asylum applications of citizens of Kosovo* were well-founded. At least six Member States have designated Kosovo* as a safe country of origin.

(830) of asylum applications of citizens of Kosovo* were well-founded. At least six Member States have designated Kosovo* as a safe country of origin.

Or. bg

Amendment 413
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 59

Text proposed by the Commission	*Amendment*
(59) This Regulation is without prejudice to Member States' position on the status of Kosovo, which will be decided in accordance with their national practice and international law. In addition, none of the terms, wording or definitions used in this Regulation constitute recognition of Kosovo by the Union as an independent State nor does it constitute recognition by individual Member States of Kosovo in that capacity where they have not taken such a step. In particular, the use of the term "countries" does not imply recognition of statehood.	***deleted***

Or. en

Amendment 414
Brice Hortefeux

Proposal for a regulation
Recital 59

Text proposed by the Commission	*Amendment*
(59) This ***Regulation*** is without	(59) This ***Directive*** is without prejudice

prejudice to Member States' position on the status of Kosovo, which will be decided in accordance with their national practice and international law. In addition, none of the terms, wording or definitions used in this ***Regulation*** constitute recognition of Kosovo by the Union as an independent State nor does it constitute recognition by individual Member States of Kosovo in that capacity where they have not taken such a step. In particular, the use of the term "countries" does not imply recognition of statehood.

to Member States' position on the status of Kosovo, which will be decided in accordance with their national practice and international law. In addition, none of the terms, wording or definitions used in this ***Directive*** constitute recognition of Kosovo by the Union as an independent State nor does it constitute recognition by individual Member States of Kosovo in that capacity where they have not taken such a step. In particular, the use of the term "countries" does not imply recognition of statehood.

Or. fr

Amendment 415
Marina Albiol Guzmán

Proposal for a regulation
Recital 59

Text proposed by the Commission	*Amendment*
(59) This ***Regulation*** is without prejudice to Member States' position on the status of Kosovo, which will be decided in accordance with their national practice and international law. In addition, none of the terms, wording or definitions used in this ***Regulation*** constitute recognition of Kosovo by the Union as an independent State nor does it constitute recognition by individual Member States of Kosovo in that capacity where they have not taken such a step. In particular, the use of the term "countries" does not imply recognition of statehood.	(59) This ***Directive*** is without prejudice to Member States' position on the status of Kosovo, which will be decided in accordance with their national practice and international law. In addition, none of the terms, wording or definitions used in this ***Directive*** constitute recognition of Kosovo by the Union as an independent State nor does it constitute recognition by individual Member States of Kosovo in that capacity where they have not taken such a step. In particular, the use of the term "countries" does not imply recognition of statehood.

Or. en

Amendment 416
Ska Keller
on behalf of the Verts/ALE Group
Jean Lambert, Judith Sargentini

Proposal for a regulation
Recital 60

Text proposed by the Commission	*Amendment*
(60) As regards Montenegro, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in one out of 447 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 3,0 % (40) of asylum applications of citizens of Montenegro were well-founded. At least nine Member States have designated Montenegro as a safe country of origin. Montenegro has been designated as a candidate country by the European Council and negotiations have been opened. At the time of designation, the assessment was that Montenegro fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. Montenegro will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the	***deleted***

Annual Progress Report.

Or. en

Amendment 417
Marina Albiol Guzmán

Proposal for a regulation
Recital 60

Text proposed by the Commission	*Amendment*
(60) As regards Montenegro, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in one out of 447 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, sexual orientation, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 3,0 % (40) of asylum applications of citizens of Montenegro were well-founded. At least nine Member States have designated Montenegro as a safe country of origin. Montenegro has been designated as a candidate country by the European Council and negotiations have been opened. At the time of designation, the assessment was that Montenegro fulfilled	***deleted***

the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. Montenegro will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

Or. en

Amendment 418
Emil Radev

Proposal for a regulation
Recital 60

Text proposed by the Commission	*Amendment*
(60) As regards Montenegro, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in one out of 447 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, ***sexual orientation,*** membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 3,0 % (40) of asylum applications of citizens of Montenegro were well-founded. At least nine Member	(60) As regards Montenegro, the legal basis for protection against persecution and mistreatment is adequately provided by substantive and procedural human rights and anti-discrimination legislation, including membership of all major international human rights treaties. In 2014, the European Court of Human Rights found violations in one out of 447 applications. There are no indications of any incidents of expulsion, removal or extradition of own citizens to third countries where, inter alia, there is a serious risk that they would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where their lives or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion, or from which there is a serious risk of an expulsion, removal or extradition to another third country. In 2014, Member States considered that 3,0 % (40) of asylum applications of citizens of Montenegro were well-founded. At least nine Member States have designated

States have designated Montenegro as a safe country of origin. Montenegro has been designated as a candidate country by the European Council and negotiations have been opened. At the time of designation, the assessment was that Montenegro fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. Montenegro will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

Montenegro as a safe country of origin. Montenegro has been designated as a candidate country by the European Council and negotiations have been opened. At the time of designation, the assessment was that Montenegro fulfilled the criteria established by the Copenhagen European Council of 21-22 June 1993 relating to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. Montenegro will have to continue to fulfil those criteria, for becoming a member in line with the recommendations provided in the Annual Progress Report.

Or. bg