**European Parliament**
2014-2019

*Committee on Civil Liberties, Justice and Home Affairs*

**2016/0224(COD)**

26.6.2017

# AMENDMENTS
# 761 - 1117

**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 761**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***The provision of free legal assistance and representation in the appeal procedure may be excluded where:*** | ***deleted*** |
| ***(a) the applicant has sufficient resources;*** | |
| ***(b) the appeal is considered as not having any tangible prospect of success;*** | |
| ***(c) the appeal or review is at a second level of appeal or higher as provided for under national law, including re-hearings or reviews of appeal.*** | |

Or. en

**Amendment 762**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The provision of free legal assistance and representation in the appeal procedure ***may*** be excluded where: | The provision of free legal assistance and representation in the appeal procedure ***shall*** be excluded where: |

Or. en

**Amendment 763**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 1 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(b) the appeal is considered as not having any tangible prospect of success;*** | ***deleted*** |

Or. en

**Amendment 764**
**Péter Niedermüller, Kati Piri, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 1 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(b) the appeal is considered as not having any tangible prospect of success;*** | ***deleted*** |

Or. en

*Justification*

*This is in line with Parliament's position adopted in the Reception Conditions Directive.*

**Amendment 765**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 1 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(b) the appeal is considered as not having any tangible prospect of success;*** | ***deleted*** |

Or. en

*Justification*

*This provision would run the risk of being interpreted in a too far reaching way by authorities and should be deleted*

**Amendment 766**

**Jeroen Lenaers**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 1 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) the appeal is ***considered as not having any*** tangible prospect of success; | (b) the appeal is ***so clearly without substance or abusive that it has no*** tangible prospect of success ***and is lodged merely to delay the enforcement of a decision resulting in his or her removal from the territory of a Member State***; |

Or. en

**Amendment 767**
**Péter Niedermüller, Kati Piri, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 1 – point c**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (c) the appeal or review is at a second level of appeal or higher as provided for under national law, including re-hearings or reviews of appeal. | (c) the appeal or review is at a second level of appeal or higher as provided for under national law, including re-hearings or reviews of appeal***, and that second level of appeal is considered to have no tangible prospect of success***. |

Or. en

*Justification*

*This is in line with Parliament's position adopted in the Reception Conditions Directive.*

**Amendment 768**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Where a decision not to grant free legal assistance and representation is taken by an authority which is not a court or tribunal on ground that the appeal is considered as having no tangible prospect of success, the applicant shall have the right to an effective remedy before a court or tribunal against that decision, and for that purpose he or she shall be entitled to request free legal assistance and representation.*** | ***deleted*** |

Or. en

**Amendment 769**
**Péter Niedermüller, Kati Piri, Marju Lauristin, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Where a decision not to grant free legal assistance and representation is taken by an authority which is not a court or tribunal on ground that the appeal is considered as having no tangible prospect of success, the applicant shall have the right to an effective remedy before a court or tribunal against that decision, and for that purpose he or she shall be entitled to request free legal assistance and representation. | Where a decision not to grant free legal assistance and representation is taken by an authority which is not a court or tribunal on ground that the appeal is considered as having no tangible prospect of success, the applicant shall have the right to an effective remedy before a court or tribunal against that decision, and for that purpose he or she shall be entitled to request free legal assistance and representation. ***In the application of this paragraph, 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.*** |

Or. en

**Amendment 770**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Where a decision not to grant free legal assistance and representation is taken by an authority which is not a court or tribunal on ground that the appeal is considered as having no tangible prospect of success, the applicant shall have the right to an effective remedy before a court or tribunal against that decision***, *and for that purpose he or she shall be entitled to request free legal assistance and representation***. | Where a decision not to grant free legal assistance and representation is taken by an authority which is not a court or tribunal on ground that the appeal is considered as having no tangible prospect of success, the applicant shall have the right to an effective remedy before a court or tribunal against that decision. |

Or. en

**Amendment 771**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 15 – paragraph 5 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Where a decision not to grant free legal assistance and representation is taken by an authority which is not a court or tribunal ***on ground that the appeal is considered as having no tangible prospect of success***, the applicant shall have the right to an effective remedy before a court or tribunal against that decision, and for that purpose he or she shall be entitled to request free legal assistance and representation. | Where a decision not to grant free legal assistance and representation is taken by an authority which is not a court or tribunal, the applicant shall have the right to an effective remedy before a court or tribunal against that decision, and for that purpose he or she shall be entitled to request free legal assistance and representation. |

Or. en

**Amendment 772**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 16 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. A legal adviser ***or other counsellor*** admitted or permitted as such under national law, who assists or represents an applicant under the terms of national law, shall be granted access to the information in the applicant's file upon the basis of which a decision is or shall be made. | 1. A legal adviser admitted or permitted as such under national law, who assists or represents an applicant under the terms of national law, shall be granted access to the information in the applicant's file upon the basis of which a decision is or shall be made. |

Or. en

**Amendment 773**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 16 – paragraph 2 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***The determining authority may deny access to the information in the applicant's file where the disclosure of information or sources would jeopardise national security, the security of the organisations or persons providing the information or the security of the persons to whom the information relates or where the investigative interests relating to the examination of applications for international protection by the competent authorities of the Member States or the international relations of the Member States would be compromised. In those cases, the determining authority shall:*** | ***deleted*** |
| ***(a) make access to such information or sources available to the courts or tribunals in the appeal procedure; and*** | |

***(b) ensure that the applicant's right of defence is respected.***

Or. en

**Amendment 774**
**Péter Niedermüller, Kati Piri, Josef Weidenholzer, Ana Gomes, Caterina Chinnici**

**Proposal for a regulation**
**Article 16 – paragraph 2 – subparagraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The determining authority may deny access to the information in the applicant's file where the disclosure of information or sources would jeopardise national security, the security of the organisations or persons providing the information or the security of the persons to whom the information relates ***or where the investigative interests relating to the examination of applications for international protection by the competent authorities of the Member States or the international relations of the Member States would be compromised***. In those cases, the determining authority shall: | The determining authority may deny access to the information in the applicant's file where the disclosure of information or sources would jeopardise national security, the security of the organisations or persons providing the information or the security of the persons to whom the information relates. In those cases, the determining authority shall: |

Or. en

*Justification*

*As it is imperative that the applicant's legal adviser has access to the applicant's file in order to provide appropriate advice on the application, any derogation from access to that file must be very limited. The deleted text is too broad and vague, and allows for a general exclusion of access to the file.*

**Amendment 775**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 16 – paragraph 2 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| As regards point (b), the determining authority ***shall***, in particular, grant access to information or sources to a legal adviser or other counsellor who has undergone a security check, insofar as the information is relevant for examining the application or for taking a decision to withdraw international protection. | As regards point (b), the determining authority ***may***, in particular, grant access to information or sources to a legal adviser or other counsellor who has undergone a security check, insofar as the information is relevant for examining the application or for taking a decision to withdraw international protection. |

Or. en

**Amendment 776**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 16 – paragraph 2 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| As regards point (b), the determining authority shall, in particular, grant access to information or sources to a legal adviser ***or other counsellor*** who has undergone a security check, insofar as the information is relevant for examining the application or for taking a decision to withdraw international protection. | As regards point (b), the determining authority shall, in particular, grant access to information or sources to a legal adviser who has undergone a security check, insofar as the information is relevant for examining the application or for taking a decision to withdraw international protection. |

Or. en

**Amendment 777**
**Kinga Gál**

**Proposal for a regulation**
**Article 16 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. The legal ***adviser or other counsellor*** who assists or represents an applicant shall have access to closed areas, such as detention facilities and transit | 3. The legal ***representative*** who assists or represents an applicant shall have access to closed areas, such as detention facilities and transit zones, for the purpose |

| | |
|---|---|
| zones, for the purpose of consulting that applicant, in accordance with Directive XXX/XXX/EU (Reception Conditions Directive). | of consulting that applicant, in accordance with Directive XXX/XXX/EU (Reception Conditions Directive). |

Or. hu

**Amendment 778**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 16 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. The legal adviser ***or other counsellor*** who assists or represents an applicant ***shall*** have access to closed areas, such as detention facilities and transit zones, for the purpose of consulting that applicant, in accordance with Directive XXX/XXX/EU (Reception Conditions Directive). | 3. The legal adviser who assists or represents an applicant ***may*** have access to closed areas, such as detention facilities and transit zones, for the purpose of consulting that applicant, in accordance with Directive XXX/XXX/EU (Reception Conditions Directive). |

Or. en

**Amendment 779**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 16 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. An applicant shall be allowed to bring to a personal interview a legal adviser ***or other counsellor*** admitted or permitted as such under national law. ***The legal adviser or other counsellor shall be authorised to intervene during the personal interview.*** | 4. An applicant shall be allowed to bring to a personal interview a legal adviser admitted or permitted as such under national law. |

Or. en

**Amendment 780**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 16 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. The determining authority may require the presence of the applicant at the personal interview, even if he or she is represented under the terms of national law by a legal adviser ***or counsellor***, and may require the applicant to respond in person to the questions asked. | 5. The determining authority may require the presence of the applicant at the personal interview, even if he or she is represented under the terms of national law by a legal adviser, and may require the applicant to respond in person to the questions asked. |

Or. en

**Amendment 781**
**Péter Niedermüller, Birgit Sippel, Marju Lauristin, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 16 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. Without prejudice to Article 22(5), the absence of a legal adviser or other counsellor shall not prevent the determining authority from conducting a personal interview with the applicant. | 6. Without prejudice to Article 22(5), the absence of a legal adviser or other counsellor shall not prevent the determining authority from conducting a personal interview with the applicant***, provided that the applicant has been informed of his or her right to legal assistance and representation – including free legal assistance and representation where appropriate – and has chosen not to exercise that right***. |

Or. en

*Justification*

*A personal interview should normally be carried out in the presence of the legal adviser. If it is to take place without the legal adviser, the applicant must be clearly informed in advance of his or her right to legal assistance and representation.*

**Amendment 782**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 16 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. ***Without prejudice to Article 22(5),*** the absence of a legal adviser or other counsellor shall ***not*** prevent the determining authority from conducting a personal interview with the applicant. | 6. The absence of a legal adviser or other counsellor shall prevent the determining authority from conducting a personal interview with the applicant***, unless the applicant is informed of his or her right to receive legal counsel and rejects it***. |

Or. en

**Amendment 783**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 16 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. Without prejudice to Article 22(5), the absence of a legal adviser ***or other counsellor*** shall not prevent the determining authority from conducting a personal interview with the applicant. | 6. Without prejudice to Article 22(5), the absence of a legal adviser shall not prevent the determining authority from conducting a personal interview with the applicant. |

Or. en

**Amendment 784**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 17 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Free legal assistance and representation shall be provided by legal advisers ***or other counsellors*** permitted under national law to assist or represent the applicants ***or non-governmental organisations accredited under national law to provide advisory services or representation***. | 1. Free legal assistance and representation shall be provided by legal advisers permitted under national law to assist or represent the applicants. |

Or. en

**Amendment 785**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 17 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. Member States shall lay down specific procedural rules concerning the modalities for filing and processing requests for the provision of free legal assistance and representation in relation to applications for international protection or they shall apply the existing rules for domestic claims of a similar nature, provided that those rules do not render access to free legal assistance and representation impossible or excessively difficult. | 2. Member States shall lay down specific procedural rules concerning the modalities for filing and processing requests for the provision of free legal assistance and representation in relation to applications for international protection or they shall apply the existing rules for domestic claims of a similar nature, provided that those rules do not render access to free legal assistance and representation impossible or excessively difficult. ***The applicant shall always be informed about these rules.*** |

Or. en

**Amendment 786**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 17 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. Member States shall lay down specific procedural rules concerning the modalities for filing and processing requests for the provision of free legal assistance and representation in relation to applications for international protection ***or they shall apply*** the existing rules for domestic claims of a similar nature, provided that those rules do not render access to free legal assistance and representation impossible or excessively difficult. | 2. Member States shall lay down specific procedural rules concerning the modalities for filing and processing requests for the provision of free legal assistance and representation in relation to applications for international protection ***which shall not be more restrictive than*** the existing rules for domestic claims of a similar nature, provided that those rules do not render access to free legal assistance and representation impossible or excessively difficult. |

Or. en

**Amendment 787**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 17 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***3. Member States may also impose monetary limits or time limits on the provision of free legal assistance and representation, provided that such limits do not arbitrarily restrict access to free legal assistance and representation. As regards fees and other costs, the treatment of applicants shall not be less favourable than the treatment generally given to their nationals in matters pertaining to legal assistance.*** | ***deleted*** |

Or. en

**Amendment 788**

**Jussi Halla-aho**

**Proposal for a regulation**
**Article 17 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Member States ***may*** also impose monetary limits ***or*** time limits on the provision of free legal assistance and representation***, provided that such limits do not arbitrarily restrict access to free legal assistance and representation***. As regards fees and other costs, the treatment of applicants shall not be ***less*** favourable than the treatment generally given to their nationals in matters pertaining to legal assistance. | 3. Member States ***shall*** also impose monetary limits ***and*** time limits on the provision of free legal assistance and representation. As regards fees and other costs, the treatment of applicants shall not be ***more*** favourable than the treatment generally given to their nationals in matters pertaining to legal assistance. |

Or. en

**Amendment 789**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 17 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Member States may also impose monetary limits or time limits on the provision of free legal assistance and representation, provided that such limits do not ***arbitrarily*** restrict access to free legal assistance and representation. As regards fees and other costs, the treatment of applicants shall not be less favourable than the treatment generally given to their nationals in matters pertaining to legal assistance. | 3. Member States may also impose monetary limits or time limits on the provision of free legal assistance and representation, provided that such limits ***are not arbitrary and*** do not ***unduly*** restrict access to free legal assistance and representation. As regards fees and other costs, the treatment of applicants shall not be less favourable than the treatment generally given to their nationals in matters pertaining to legal assistance. |

Or. en

*Justification*

*The provision proposed by the commission would have enabled Member States to enact any limits to the provision of free legal assistance so long as such limitations were not arbitrary, it should be clarified that any restrictions should not unduly restrict the access to free legal assistance and representation.*

**Amendment 790**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 17 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***4. Member States may request total or partial reimbursement of any costs made if and when the applicant's financial situation considerably improves or where the decision to make such costs was taken on the basis of false information supplied by the applicant.*** | ***deleted*** |

Or. en

**Amendment 791**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 17 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Member States may ***request total or partial reimbursement of any costs made*** if and when the applicant's financial situation considerably improves ***or*** where the decision to make such costs was taken on the basis of false information supplied by the applicant. | 4. ***With due respect of the provisions of Article 14*** Member States may ***end the provision of free legal assistance in accordance with Article 15(3)b and 15(5)b*** if and when the applicant's financial situation considerably improves***. Member States may request total or partial reimbursement of any costs made*** where the decision to make such costs was taken on the basis of false information supplied by the applicant ***if it can be established*** |

***that the applicant has sufficient resources***.

Or. en

*Justification*

*It would not seem appropriate to retroactively ask for the re-imbursement of costs for legal assistance that the Member States have agreed to cover, but it should be able to stop the provision of free legal assistance if the financial situation of the applicant significantly improves. If an applicant with sufficient resources has received free legal aid on the basis of false claims it should be possible for the MS to request a reimbursement of the costs from the applicant.*

**Amendment 792**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 17 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Member States may request total or partial reimbursement of any costs made if and when the applicant's financial situation ***considerably improves*** or where the decision to make such costs was taken on the basis of false information supplied by the applicant. | 4. Member States may request total or partial reimbursement of any costs made if and when the applicant's financial situation ***improves in such a way that he or she now has sufficient financial resources*** or where the decision to make such costs was taken on the basis of false information supplied by the applicant. |

Or. en

**Amendment 793**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 17 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Member States may request total or partial reimbursement of any costs made ***if*** | 4. Member States may request total or partial reimbursement of any costs made |

| | |
|---|---|
| ***and when the applicant's financial situation considerably improves or*** where the decision to make such costs was taken on the basis of false information supplied by the applicant. | where the decision to make such costs was taken on the basis of false information supplied by the applicant. |

Or. en

**Amendment 794**
**Péter Niedermüller, Kati Piri, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 17 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Member States may request total or partial reimbursement of any costs ***made if and when the applicant's financial situation considerably improves or*** where the decision to ***make such costs was*** taken on the basis of false information supplied by the applicant. | 4. Member States may request total or partial reimbursement of any costs ***incurred*** where the decision to ***provide free legal assistance and representation*** taken on the basis of false information supplied by the applicant. |

Or. en

*Justification*

*This is in line with the text adopted by the Parliament in the Reception Conditions Directive. The applicant should be required to reimburse the costs of free legal assistance only where it later becomes clear that the free legal assistance was granted on the basis of false information provided by the applicant.*

**Amendment 795**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 17 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Member States ***may*** request total or partial reimbursement of any costs made if and when the applicant's financial situation considerably improves or where the | 4. Member States ***shall*** request total or partial reimbursement of any costs made if and when the applicant's financial situation considerably improves or where |

| | |
|---|---|
| decision to make such costs was taken on the basis of false information supplied by the applicant. | the decision to make such costs was taken on the basis of false information supplied by the applicant. |

Or. en

**Amendment 796**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 18**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Article 18*** | ***deleted*** |
| ***The role of the United Nations High Commissioner for Refugees*** | |
| ***1. Member States shall allow the United Nations High Commissioner for Refugees:*** | |
| ***(a) to have access to applicants, including those in reception centres, detention, at the border and in transit zones;*** | |
| ***(b) to have access to information on individual applications for international protection, on the course of the procedure and on the decisions taken, subject to the consent of the applicant;*** | |
| ***(c) to present its views, in the exercise of its supervisory responsibilities under Article 35 of the Geneva Convention, to any competent authorities regarding individual applications for international protection at any stage of the procedure.*** | |
| ***2. Paragraph 1 shall also apply to an organisation which is working in the territory of the Member State concerned on behalf of the United Nations High Commissioner for Refugees pursuant to an agreement with that Member State.*** | |

Or. en

**Amendment 797**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 18 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The role of the United Nations High Commissioner for Refugees | The role of the United Nations High Commissioner for Refugees ***and relevant NGOs*** |

Or. en

**Amendment 798**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 18 – paragraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Member States shall allow the United Nations High Commissioner for Refugees: | 1. Member States shall allow the United Nations High Commissioner for Refugees ***and relevant NGOs***: |

Or. en

**Amendment 799**
**Beatrix von Storch**

**Proposal for a regulation**
**Article 18 – paragraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Member States ***shall*** allow the United Nations High Commissioner for Refugees: | 1. Member States ***may*** allow the United Nations High Commissioner for Refugees: |

Or. en

**Amendment 800**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 18 – paragraph 1 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) to have access to information on individual applications for international protection, on the course of the procedure and on the decisions taken, subject to the consent of the applicant; | (b) to have access to information on individual applications for international protection, on the course of the ***whole*** procedure and on the decisions taken, subject to the consent of the applicant; |

Or. en

**Amendment 801**
**Beatrix von Storch**

**Proposal for a regulation**
**Article 18 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***2. Paragraph 1 shall also apply to an organisation which is working in the territory of the Member State concerned on behalf of the United Nations High Commissioner for Refugees pursuant to an agreement with that Member State.*** | ***deleted*** |

Or. en

**Amendment 802**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Chapter 2 – section 4 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Special*** Guarantees | ***Specific*** Guarantees |

Or. en

*Justification*

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

**Amendment 803**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 19 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Applicants in need of ***special*** procedural guarantees | Applicants in need of ***specific*** procedural guarantees |

Or. en

*Justification*

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

**Amendment 804**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 19 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The determining authority shall systematically assess whether an individual applicant is in need of special procedural guarantees. That assessment may be integrated into existing national procedures or into the assessment referred to in Article | The determining authority shall systematically ***and as early as possible after the application has been made*** assess whether an individual applicant is in need of special procedural guarantees. That assessment may be integrated into existing |

| | |
|---|---|
| 21 of Directive XXX/XXX/EU (Reception Conditions Directive) and need not take the form of an administrative procedure. | national procedures or into the assessment referred to in Article 21 of Directive XXX/XXX/EU (Reception Conditions Directive) and need not take the form of an administrative procedure. |

Or. en

**Amendment 805**
**Péter Niedermüller, Marju Lauristin, Kati Piri, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 19 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The determining authority shall systematically assess whether an individual applicant is in need of special procedural guarantees. That assessment ***may*** be integrated into existing national procedures or into the assessment referred to in Article 21 of Directive XXX/XXX/EU (Reception Conditions Directive) ***and need not take the form of an administrative procedure.*** | The determining authority shall systematically ***and individually*** assess whether an individual applicant is in need of special procedural guarantees ***with the assistance of a qualified interpreter where needed***. That assessment ***shall*** be integrated into existing national procedures or into the assessment referred to in Article 21 of Directive XXX/XXX/EU (Reception Conditions Directive) |

Or. en

*Justification*

*The wording is aligned with the text adopted in Reception Conditions Directive on specifc reception needs, since that text calls for both assessments to be integrated.*

**Amendment 806**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 19 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The determining authority shall systematically assess whether an individual | The determining authority shall systematically assess whether an individual |

| | |
|---|---|
| applicant is in need of ***special*** procedural guarantees. That assessment may be integrated into existing national procedures or into the assessment referred to in Article 21 of Directive XXX/XXX/EU (Reception Conditions Directive) and need not take the form of an administrative procedure. | applicant is in need of ***specific*** procedural guarantees. That assessment may be integrated into existing national procedures or into the assessment referred to in Article 21 of Directive XXX/XXX/EU (Reception Conditions Directive) and need not take the form of an administrative procedure. |

Or. en

*Justification*

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

**Amendment 807**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 19 – paragraph 1 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| For the purpose of that assessment, the determining authority shall respect the general principles for the assessment of ***special*** procedural needs set out in Article 20. | For the purpose of that assessment, the determining authority shall respect the general principles for the assessment of ***specific*** procedural needs set out in Article 20. |

Or. en

*Justification*

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

**Amendment 808**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 19 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| 2. Where applicants have been identified as applicants in need of special procedural guarantees, they shall be provided with adequate support allowing them to benefit from the rights and comply with the obligations under this ***Regulation*** throughout the duration of the procedure for international protection. | 2. Where applicants have been identified as applicants in need of special procedural guarantees, they shall be provided with adequate support allowing them to benefit from the rights and comply with the obligations under this ***Directive*** throughout the duration of the procedure for international protection***, including making an interpreter, a cultural mediator, and a legal adviser available to them***. |

Or. en

**Amendment 809**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 19 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. Where applicants have been identified as applicants in need of ***special*** procedural guarantees, they shall be provided with adequate support allowing them to benefit from the rights and comply with the obligations under this Regulation throughout the duration of the procedure for international protection. | 2. Where applicants have been identified as applicants in need of ***specific*** procedural guarantees, they shall be provided with adequate support allowing them to benefit from the rights and comply with the obligations under this Regulation throughout the duration of the procedure for international protection. |

Or. en

*Justification*

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

**Amendment 810**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 19 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. ***Where that*** adequate support ***cannot*** be provided within the framework of the accelerated examination procedure referred to in Article 40 or the border procedure referred to in Article 41***, in particular where the determining authority considers that the applicant is in need of special procedural guarantees as a result of torture, rape or other serious forms of psychological, physical, sexual violence or gender-based violence, the determining authority shall not apply, or shall cease to apply those procedures to the applicant***. | 3. ***Reasonable,*** adequate support ***shall*** be provided within the framework of the accelerated examination procedure referred to in Article 40 or the border procedure referred to in Article 41. |

Or. en

**Amendment 811**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 19 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where ***that adequate support cannot be provided within the framework of the accelerated examination procedure referred to in Article 40 or the border procedure referred to in Article 41, in particular where the determining authority considers that the*** applicant ***is*** in need of special procedural guarantees as a result of torture, rape or other serious forms of psychological, physical, sexual violence or gender-based violence, the determining authority shall not apply***,*** or shall cease to apply ***those procedures*** to the applicant. | 3. Where ***an applicant has been identified as*** applicant in need of special procedural guarantees***,*** as a result of torture, rape or other serious forms of psychological, physical, sexual violence or gender-based violence, the determining authority shall not apply or shall cease to apply ***the accelerated examination procedure referred to in Article 40 or the border procedure referred to in Article 41*** to the applicant. |

Or. en

**Amendment 812**
**Péter Niedermüller, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 19 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where that adequate support cannot be provided within the framework of the accelerated examination procedure referred to in Article 40 or the border procedure referred to in Article 41, ***in particular*** where the determining authority considers that the applicant is in need of special procedural guarantees as a result of torture, rape or other serious forms of psychological, physical, sexual violence or gender-based violence, the determining authority shall not apply, or shall cease to apply those procedures to the applicant. | 3. Where that adequate support cannot be provided within the framework of the accelerated examination procedure referred to in Article 40 or the border procedure referred to in Article 41, ***or*** where the determining authority considers that the applicant is in need of special procedural guarantees as a result ***with particular attention to victims*** of torture, rape or other serious forms of psychological, physical, sexual violence or gender-based violence, the determining authority shall not apply, or shall cease to apply those procedures to the applicant . |

Or. en

*Justification*

*Aligned with the text adopted by the Parliament in the Regulation on a European Union Asylum Agency on the vulnerable groups.*

**Amendment 813**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 19 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where that adequate support cannot be provided within the framework of the accelerated examination procedure referred to in Article 40 or the border procedure referred to in Article 41, in particular where the determining authority considers that the applicant is in need of ***special*** | 3. Where that adequate support cannot be provided within the framework of the accelerated examination procedure referred to in Article 40 or the border procedure referred to in Article 41, in particular where the determining authority considers that the applicant is in need of ***specific*** |

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|---|---|
| procedural guarantees as a result of torture, rape or other serious forms of psychological, physical, sexual violence or gender-based violence, the determining authority shall not apply, or shall cease to apply those procedures to the applicant. | procedural guarantees as a result of torture, rape or other serious forms of psychological, physical, sexual violence or gender-based violence, the determining authority shall not apply, or shall cease to apply those procedures to the applicant. |

Or. en

*Justification*

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

**Amendment 814**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 19 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***4. The Commission may specify the details and specific measures for assessing and addressing the special procedural needs of applicants, including of unaccompanied minors, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58.*** | ***deleted*** |

Or. en

**Amendment 815**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 19 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The Commission may specify the details and specific measures for assessing and addressing the ***special*** procedural | 4. The Commission may specify the details and specific measures for assessing and addressing the ***specific*** procedural |

| | |
|---|---|
| needs of applicants, including of unaccompanied minors, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58. | needs of applicants, including of unaccompanied minors, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58. |

Or. en

*Justification*

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

**Amendment 816**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 19 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The Commission ***may specify*** the details and specific measures for assessing and addressing the special procedural needs of applicants, including of unaccompanied minors***, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58***. | 4. The Commission ***is empowered to adopt delegated acts in accordance with Article 59 specifying*** the details and specific measures for assessing and addressing the special procedural needs of applicants, including of unaccompanied minors. |

Or. en

**Amendment 817**
**Péter Niedermüller**

**Proposal for a regulation**
**Article 19 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| 4. The Commission ***may specify*** the details and specific measures for assessing and addressing the special procedural needs of applicants, including of unaccompanied minors***, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58***. | 4. The Commission ***is empowered to adopt delegated acts in accordance with Article 59 specifying*** the details and specific measures for assessing and addressing the special procedural needs of applicants, including of unaccompanied minors. |

Or. en

*Justification*

*How determining authorities address special procedural needs is a key procedural right for applicants. Given its importance, it is imperative that the co-legislators agree on any act further specifying the details and specific measures available to applicants. With that in mind, only a delegated act can be used in these circumstances.*

**Amendment 818**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 20 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| General principles for the assessment of ***special*** procedural needs | General principles for the assessment of ***specific*** procedural needs |

Or. en

*Justification*

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

**Amendment 819**
**Péter Niedermüller, Birgit Sippel, Kati Piri, Caterina Chinnici, Elly Schlein, Cécile Kashetu Kyenge, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 20 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The process of identifying applicants with special procedural needs shall be initiated by authorities responsible for receiving and registering applications as soon as an application is made and shall be continued by the determining authority once the application is lodged. | 1. The process of identifying applicants with special procedural needs shall be initiated by authorities responsible for receiving and registering applications as soon as an application is made and shall be continued by the determining authority once the application is lodged. ***The assessment shall in any event be initiated no later than 15 days after an application is made and shall be completed within 30 days.*** |

Or. en

*Justification*

*Aligned with the text adopted by the Parliament in the Reception Conditions Directive on specific reception needs.*

**Amendment 820**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 20 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The process of identifying applicants with ***special*** procedural needs shall be initiated by authorities responsible for receiving and registering applications as soon as an application is made and shall be continued by the determining authority once the application is lodged. | 1. The process of identifying applicants with ***specific*** procedural needs shall be initiated by authorities responsible for receiving and registering applications as soon as an application is made and shall be continued by the determining authority once the application is lodged. |

Or. en

*Justification*

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

**Amendment 821**

**Emil Radev**

**Proposal for a regulation**
**Article 20 – paragraph 2 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The personnel of the authorities responsible for receiving and registering applications shall, when registering the application, indicate whether or not an applicant presents ***first*** indications of vulnerability which may require special procedural guarantees and may be inferred from physical signs or from the applicant's statements or behaviour. | The personnel of the authorities responsible for receiving and registering applications shall, when registering the application, indicate whether or not an applicant presents ***obvious*** indications of vulnerability which may require special procedural guarantees and may be inferred from physical signs or from the applicant's statements or behaviour. |

Or. bg

**Amendment 822**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 20 – paragraph 2 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The personnel of the authorities responsible for receiving and registering applications shall, when registering the application, indicate whether or not an applicant presents first indications of vulnerability which may require ***special*** procedural guarantees and may be inferred from physical signs or from the applicant's statements or behaviour. | The personnel of the authorities responsible for receiving and registering applications shall, when registering the application, indicate whether or not an applicant presents first indications of vulnerability which may require ***specific*** procedural guarantees and may be inferred from physical signs or from the applicant's statements or behaviour. |

Or. en

*Justification*

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

**Amendment 823**

**Péter Niedermüller, Josef Weidenholzer, Ana Gomes, Caterina Chinnici**

**Proposal for a regulation**
**Article 20 – paragraph 2 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The information that an applicant presents first signs of vulnerability shall be included in the applicant's file together with the description of the signs of vulnerability presented by the applicant that could require special procedural guarantees. | The information that an applicant presents first signs of vulnerability shall be included in the applicant's file together with the description of the signs of vulnerability presented by the applicant that could require special procedural guarantees ***and the applicant's observations on the need to benefit from special procedural support***. |

Or. en

*Justification*

*Wording aligned with the wording adopted in the Reception Conditions Directive on special reception needs.*

**Amendment 824**
**Emil Radev**

**Proposal for a regulation**
**Article 20 – paragraph 2 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The information that an applicant presents ***first*** signs of vulnerability shall be included in the applicant's file together with the description of the signs of vulnerability presented by the applicant that could require special procedural guarantees. | The information that an applicant presents ***obvious*** signs of vulnerability shall be included in the applicant's file together with the description of the signs of vulnerability presented by the applicant that could require special procedural guarantees. |

Or. bg

**Amendment 825**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 20 – paragraph 2 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The information that an applicant presents first signs of vulnerability shall be included in the applicant's file together with the description of the signs of vulnerability presented by the applicant that could require ***special*** procedural guarantees. | The information that an applicant presents first signs of vulnerability shall be included in the applicant's file together with the description of the signs of vulnerability presented by the applicant that could require ***specific*** procedural guarantees. |

Or. en

*Justification*

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

**Amendment 826**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 20 – paragraph 2 – subparagraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Member States shall ensure that the personnel of the authorities referred to in Article 5 is trained to detect first signs of vulnerability of applicants that could require ***special*** procedural guarantees and that it shall receive instructions for that purpose. | Member States shall ensure that the personnel of the authorities referred to in Article 5 is trained to detect first signs of vulnerability of applicants that could require ***specific*** procedural guarantees and that it shall receive instructions for that purpose. |

Or. en

*Justification*

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

**Amendment 827**
**Emil Radev**

**Proposal for a regulation**
**Article 20 – paragraph 2 – subparagraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Member States shall ensure that the personnel of the authorities referred to in Article 5 is trained to detect ***first*** signs of vulnerability of applicants that could require special procedural guarantees and that it shall receive instructions for that purpose. | Member States shall ensure that the personnel of the authorities referred to in Article 5 is trained to detect ***obvious*** signs of vulnerability of applicants that could require special procedural guarantees and that it shall receive instructions for that purpose. |

Or. bg

**Amendment 828**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 20 – paragraph 3 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Where there are indications that applicants may have been victim of torture, rape or of another serious form of psychological, physical, sexual or gender-based violence and that this could adversely affect their ability to participate effectively in the procedure***, the determining authority ***shall*** refer the applicants to a doctor or a psychologist for further assessment of their psychological and physical state. | ***When necessary***, the determining authority ***may*** refer the applicants to a doctor or a psychologist for further assessment of their psychological and physical state. |

Or. en

**Amendment 829**
**Péter Niedermüller, Birgit Sippel, Kati Piri, Caterina Chinnici, Marju Lauristin, Josef Weidenholzer, Ana Gomes, Cécile Kashetu Kyenge, Elly Schlein**

**Proposal for a regulation**
**Article 20 – paragraph 3 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Where there are indications that applicants may have been victim of torture, rape or of another serious form of psychological, physical, sexual or gender-based violence and that this could adversely affect their ability to participate effectively in the procedure, the determining authority shall refer the applicants to a doctor or a psychologist for further assessment of their psychological and physical state. | Where there are indications that applicants may have been victim of torture, rape or of another serious form of psychological, physical, sexual or gender-based violence and that this could adversely affect their ability to participate effectively in the procedure, the determining authority shall refer the applicants to a doctor or a psychologist for further assessment of their psychological and physical state. ***In such cases, the doctor or psychologist shall be trained in carrying out such assessments and be supported by a qualified interpreter.*** |

Or. en

*Justification*

*Wording aligned with the wording adopted in the Reception Conditions Directive on special reception needs.*

**Amendment 830**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 20 – paragraph 3 – subparagraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***That examination shall be without prejudice to the medical examination referred to in Article 23 and Article 24.*** | ***deleted*** |

Or. en

**Amendment 831**
**Péter Niedermüller, Kati Piri, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 20 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The responsible authorities shall address the need for special procedural guarantees as set out in this Article even where that need becomes apparent at a later stage of the procedure, without having to restart the procedure for international protection. | 4. The responsible authorities shall address the need for special procedural guarantees as set out in this Article even where that need becomes apparent at a later stage of the procedure, ***or if the applicant expresses a reasoned request to have his or her special procedural needs reassessed,*** without having to restart the procedure for international protection. |

Or. en

*Justification*

*The wording is aligned with the wording adopted in the Reception Conditions Directive on specific reception needs.*

**Amendment 832**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 20 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The responsible authorities shall address the need for special procedural guarantees as set out in this Article ***even*** where that need becomes apparent at a later stage of the procedure, without having to restart the procedure for international protection. | 4. The responsible authorities shall address the need for special procedural guarantees as set out in this Article ***also*** where that need becomes apparent ***or is raised*** at a later stage of the procedure, without having to restart the procedure for international protection. |

Or. en

**Amendment 833**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 20 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The responsible authorities shall address the need for ***special*** procedural guarantees as set out in this Article even where that need becomes apparent at a later stage of the procedure, without having to restart the procedure for international protection. | 4. The responsible authorities shall address the need for ***specific*** procedural guarantees as set out in this Article even where that need becomes apparent at a later stage of the procedure, without having to restart the procedure for international protection. |

Or. en

*Justification*

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

**Amendment 834**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 21 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The best interests of the child shall be a primary consideration for Member States when applying this ***Regulation***. | 1. The best interests of the child shall be a primary consideration for Member States when applying this ***Directive***. |

Or. en

**Amendment 835**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 21 – paragraph 2 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The determining authority shall provide a minor the opportunity of a personal interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is manifestly not in the | The determining authority shall provide a minor the opportunity of a personal interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article |

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| best interests of the child. ***In that case, the determining authority shall give reasons for the decision not to provide a minor with the opportunity of a personal interview.*** | 32(1), unless this is manifestly not in the best interests of the child. |

Or. en

**Amendment 836**
**Miltiadis Kyrkos**

**Proposal for a regulation**
**Article 21 – paragraph 2 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The determining authority shall provide a minor the opportunity of a personal interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is manifestly not in the best interests of the child. In that case, the determining authority shall give reasons for the decision not to provide a minor with the opportunity of a personal interview. | The determining authority shall provide a minor the opportunity of a personal interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is manifestly not in the best interests of the child ***or when the minor is at such an early age that a personal interview would not be meaningful***. In that case, the determining authority shall give reasons for the decision not to provide a minor with the opportunity of a personal interview. |

Or. en

**Amendment 837**
**Ska Keller**
on behalf of the Verts/ALE Group
**Jean Lambert, Judith Sargentini, Bodil Valero**

**Proposal for a regulation**
**Article 21 – paragraph 2 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The determining authority shall provide a minor the opportunity of a personal | The determining authority shall ***ensure minors' right to be heard and*** provide a |

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|---|---|
| interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is ***manifestly*** not in the best interests of the child. In that case, the determining authority shall give reasons for the decision not to provide a minor with the opportunity of a personal interview. | minor the opportunity of a personal interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is not in the best interests of the child. In that case, the determining authority shall give reasons for the decision not to provide a minor with the opportunity of a personal interview. |

Or. en

**Amendment 838**
**Maria Grapini**

**Proposal for a regulation**
**Article 21 – paragraph 2 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The determining authority shall provide a minor the opportunity of a personal interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is manifestly not in the best interests of the child. In that case, the determining authority shall give reasons for the decision not to provide a minor with the opportunity of a personal interview. | The determining authority shall provide a minor the opportunity of a personal interview ***under conditions suitable to him or her***, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is manifestly not in the best interests of the child. In that case, the determining authority shall give reasons for the decision not to provide a minor with the opportunity of a personal interview. |

Or. ro

**Amendment 839**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi, Carlos Coelho**

**Proposal for a regulation**
**Article 21 – paragraph 2 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| The determining authority shall provide a minor ***the opportunity of*** a personal interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is manifestly not in the best interests of the child. In that case, the determining authority shall give reasons for the decision not to provide a minor with ***the opportunity of*** a personal interview. | The determining authority shall provide a minor ***with*** a personal interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is manifestly not in the best interests of the child. In that case, the determining authority shall give reasons for the decision not to provide a minor with a personal interview. |

Or. en

**Amendment 840**
**Péter Niedermüller, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 21 – paragraph 2 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The determining authority shall provide a minor the opportunity of a personal interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is ***manifestly*** not in the best interests of the child. In that case, the determining authority shall give reasons for the decision not to provide a minor with the opportunity of a personal interview. | The determining authority shall provide a minor the opportunity of a personal interview, including where an application is made on his or her own behalf in accordance with Article 31(6) and Article 32(1), unless this is not in the best interests of the child. In that case, the determining authority shall give reasons for the decision not to provide a minor with the opportunity of a personal interview. |

Or. en

*Justification*

*The best interests of the child should be paramount.If a personal interview is not in the best interests of the child, it should not take place.*

**Amendment 841**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi**

**Proposal for a regulation**

**Article 21 – paragraph 2 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Any such personal interview shall be conducted ***by a*** person ***who has*** the necessary knowledge of the rights and special needs of minors and ***it*** shall ***be conducted in a child-sensitive and context-appropriate manner.*** | Any such personal interview shall be conducted ***in language they understand, in a child-sensitive and context-appropriate manner. The*** person ***conducting the personal interview shall have*** the necessary knowledge of the rights and special needs of minors and shall ***not wear military or law enforcement uniform*** |

Or. en

**Amendment 842**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 21 – paragraph 2 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Any such personal interview shall be conducted by a person who has the necessary knowledge of the rights and ***special*** needs of minors and it shall be conducted in a child-sensitive and context-appropriate manner. | Any such personal interview shall be conducted by a person who has the necessary knowledge of the rights and ***specific*** needs of minors and it shall be conducted in a child-sensitive and context-appropriate manner. |

Or. en

*Justification*

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

**Amendment 843**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 21 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| 3. The decision on the application of a minor shall be prepared by personnel of the determining authority who have the necessary knowledge of the rights and ***special*** needs of minors. | 3. The decision on the application of a minor shall be prepared by personnel of the determining authority who have the necessary knowledge of the rights and ***specific*** needs of minors. |

Or. en

*Justification*

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

**Amendment 844**
**Kinga Gál**

**Proposal for a regulation**
**Article 21 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. The decision on the application of a minor shall be ***prepared*** by personnel of the determining authority who have the necessary knowledge of the rights and special needs of minors. | 3. The decision on the application of a minor shall be ***taken*** by personnel of the determining authority who have the necessary knowledge of the rights and special needs of minors. |

Or. hu

**Amendment 845**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 21 – paragraph 3 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***3 a. In assessing the best interests of the child the determining authority shall, in particular, take due account of the following factors*** |
| | ***a) the minor's well-being and social development, taking into particular consideration his or her ethnic, religious,*** |

***cultural and linguistic background and the need for stability and continuity in the minor's care and custodial arrangements and access to health and education services;***

***b) safety and security considerations, in particular where there is a risk of the minor being a victim of any form of violence and exploitation, including trafficking in human beings;***
***c) the views of the minor, in accordance with his or her age and maturity.***
***d) the information provided by the guardian in the Member State where the minor is present.***

Or. en

*Justification*

*The Dublin regulation includes provisions aiming at clarifying best interest assessments, it would be logical to mirror these in the APR*

**Amendment 846**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 22 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Special*** guarantees for unaccompanied minors | ***Specific*** guarantees for unaccompanied minors |

Or. en

*Justification*

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

**Amendment 847**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 22 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall, as soon as possible and not later than five working days from the moment when an unaccompanied minor makes an application, appoint a person or an organisation as a guardian. | ***1.*** The responsible authorities shall, as soon as possible ***after the arrival on the territory of the Union*** and not later than five working days from the moment when an unaccompanied minor makes an application, appoint a person or an organisation as a guardian. |

Or. en

**Amendment 848**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 22 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall, as soon as possible ***and not later than five working days from the moment when*** an unaccompanied minor makes an application, appoint a person ***or an organisation*** as a guardian. | The responsible authorities shall, as soon as possible ***after*** an unaccompanied minor makes an application, appoint a person as a guardian. |

Or. en

**Amendment 849**
**Alessandra Mussolini, Salvatore Domenico Pogliese**

**Proposal for a regulation**
**Article 22 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall, as soon as possible and not later than five ***working*** days from the moment when an unaccompanied minor ***makes an*** | The responsible authorities shall, as soon as possible and not later than five days from the moment when an unaccompanied minor ***disembarks in the territory of the*** |

| | |
|---|---|
| ***application***, appoint a person or an organisation as a guardian. | ***European Union***, appoint a person or an organisation as a guardian. |

Or. en

**Amendment 850**
**Péter Niedermüller, Birgit Sippel, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 22 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall, ***as soon as possible and not later than five working days*** from the moment when an unaccompanied minor makes an application, appoint a person or an organisation as a guardian. | The responsible authorities shall, from the moment when an unaccompanied minor makes an application, ***take measures to*** appoint a person or an organisation as a guardian. |

Or. en

*Justification*

*Aligned with the text adopted in Parliament on the Reception Conditions Directive*

**Amendment 851**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 22 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall, as soon as possible and not later than ***five*** working days from the moment when an unaccompanied minor makes an application, appoint a person or an organisation as a guardian. | The responsible authorities shall, as soon as possible and not later than ***two*** working days from the moment when an unaccompanied minor makes an application, appoint a person or an organisation as a guardian. |

Or. en

**Amendment 852**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi, Carlos Coelho**

**Proposal for a regulation**
**Article 22 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall, as soon as possible and not later than five ***working*** days from the moment ***when*** an unaccompanied minor ***makes an application***, appoint a person or an organisation as a guardian. | The responsible authorities shall, as soon as possible and not later than five days from the moment an unaccompanied minor ***arrives in the Member State***, appoint a person or an organisation as a guardian. |

Or. en

**Amendment 853**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 22 – paragraph 1 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Where an organisation is appointed as a representative, it shall designate a person responsible for carrying out the duties of a guardian.*** | ***deleted*** |

Or. en

**Amendment 854**
**Alessandra Mussolini, Salvatore Domenico Pogliese**

**Proposal for a regulation**
**Article 22 – paragraph 1 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Where an organisation is appointed as a representative, it shall designate a person | Where an organisation is appointed as a representative, it shall designate a person responsible for carrying out the duties of a guardian***, in respect of the unaccompanied*** |

| | |
|---|---|
| responsible for carrying out the duties of a guardian. | ***minor, in accordance with this Regulation***. |

Or. en

**Amendment 855**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 22 – paragraph 1 – subparagraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The determining authority shall inform the unaccompanied minor ***immediately*** of the appointment of his or her guardian. | The determining authority shall inform the unaccompanied minor ***without undue delay*** of the appointment of his or her guardian. |

Or. en

**Amendment 856**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 22 – paragraph 1 – subparagraph 3 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***Procedural time limits shall not start before the appointment of a guardian*** |

Or. en

*Justification*

*It is crucial that the minor receives the assistance of his or her guardian and thus time-limits should not start until the guardian is assisting the minor.*

**Amendment 857**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**

**Article 22 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The determining authority shall inform the guardian of all relevant facts, procedural steps and time-limits pertaining to the unaccompanied minor. | 2. The determining authority shall inform the guardian of all relevant facts, procedural steps and time-limits pertaining to the unaccompanied minor. ***The guardian shall further have access to the content of the relevant documents in the applicants file including the specific information materials for unaccompanied minors.*** |

Or. en

*Justification*

*Clarification in order to ensure that the guardian has access to all relevant information in order to support the minor, mirrors provisions in the Dublin regulation.*

**Amendment 858**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 22 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The determining authority shall inform the guardian of all relevant facts, procedural steps and time-limits pertaining to the unaccompanied minor. | 2. The determining authority shall inform the guardian ***and the minor*** of all relevant facts, procedural steps and time-limits pertaining to the unaccompanied minor. |

Or. en

**Amendment 859**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 22 – paragraph 3 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| (a) represent and assist the unaccompanied minor during the procedures provided for in this ***Regulation*** and | (a) represent and assist the unaccompanied minor during the procedures provided for in this ***Directive*** and |

Or. en

**Amendment 860**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 22 – paragraph 3 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) enable the unaccompanied minor to benefit from the rights and comply with the obligations under this ***Regulation***. | (b) enable the unaccompanied minor to benefit from the rights and comply with the obligations under this ***Directive***. |

Or. en

**Amendment 861**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi**

**Proposal for a regulation**
**Article 22 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The guardian shall perform his or her duties in accordance with the principle of the best interests of the child, shall have the necessary expertise, and shall not have a verified record of child-related crimes or offences. | The guardian shall perform his or her duties in accordance with the principle of the best interests of the child, shall have the necessary ***qualifications and*** expertise ***and receive regular and appropriate training***, and shall not have a verified ***criminal*** record***, with particular regard to any*** of child-related crimes or offences. ***After his or her appointment, the guardian's criminal record shall be regularly reviewed by the competent authorities to identify potential incompatibilities with his or her role.*** |

Or. en

**Amendment 862**
**Péter Niedermüller, Birgit Sippel, Josef Weidenholzer, Ana Gomes, Kati Piri**

**Proposal for a regulation**
**Article 22 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The guardian shall perform his or her duties in accordance with the principle of the best interests of the child, shall have the necessary expertise, and shall not have a ***verified*** record ***of*** child-related crimes or offences. | The guardian shall perform his or her duties in accordance with the principle of the best interests of the child, shall have the necessary ***qualifications and*** expertise, and shall not have a ***criminal*** record***, in particular as regards any*** child-related crimes or offences. ***The responsible authorities shall regularly review the criminal records of appointed guardians in order to identify potential incompatibilities with their role.*** |

Or. en

*Justification*

*Aligned with the text adopted in Parliament on the Reception Conditions Directive*

**Amendment 863**
**Ska Keller**
on behalf of the Verts/ALE Group
**Jean Lambert, Judith Sargentini, Bodil Valero**

**Proposal for a regulation**
**Article 22 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The guardian shall perform his or her duties in accordance with the principle of the best interests of the child, shall have the necessary expertise, and shall not have a verified record of ***child-related*** crimes or offences. | The guardian shall perform his or her duties in accordance with the principle of the best interests of the child, shall have the ***independence, and the*** necessary ***qualifications and*** expertise, and shall not have a verified record of crimes or |

offences. ***Guardians shall receive regular training to undertake their tasks.***

Or. en

**Amendment 864**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 22 – paragraph 4 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The person acting as guardian shall be changed only when the responsible authorities consider that he or she has not adequately performed his or her tasks as a guardian. ***Organisations or*** individuals whose interests conflict or could potentially conflict with those of the unaccompanied minor shall not be appointed as guardian. | The person acting as guardian shall be changed only when the responsible authorities consider that he or she has not adequately performed his or her tasks as a guardian. Individuals whose interests conflict or could potentially conflict with those of the unaccompanied minor shall not be appointed as guardian. |

Or. en

**Amendment 865**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 22 – paragraph 5 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall ***not place*** a guardian in charge of a disproportionate number of unaccompanied minors at the same time***, which*** would render him or her unable to perform his or her tasks effectively. | The responsible authorities shall ***ensure that*** a guardian ***is not placed*** in charge of a disproportionate number of unaccompanied minors at the same time ***that*** would render him or her unable to perform his or her tasks effectively***, and in any case of no more than 20***. |

Or. en

**Amendment 866**
**Alessandra Mussolini, Salvatore Domenico Pogliese**

**Proposal for a regulation**
**Article 22 – paragraph 5 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall not place a guardian in charge of a disproportionate number of unaccompanied minors at the same time, which would render him or her unable to perform his or her tasks effectively. | The responsible authorities shall not place a guardian in charge of a disproportionate number of unaccompanied minors at the same time, which would render him or her unable to perform his or her tasks effectively***, and in any case of no more than 20***. |

Or. en

**Amendment 867**
**Péter Niedermüller, Marju Lauristin, Birgit Sippel, Caterina Chinnici, Kati Piri, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 22 – paragraph 5 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall not place a guardian in charge of a disproportionate number of unaccompanied minors at the same time, which would render him or her unable to perform his or her tasks effectively. | The responsible authorities shall not place a guardian in charge of a disproportionate number of unaccompanied minors at the same time, ***and in any event no more than 20,*** which would render him or her unable to perform his or her tasks effectively. |

Or. en

*Justification*

*Aligned with the text adopted in Parliament on theReception Conditions Directive.*

**Amendment 868**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 22 – paragraph 5 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall not place a guardian in charge of a disproportionate number of unaccompanied minors at the same time**,** which would render him or her unable to perform his or her tasks effectively. | The responsible authorities shall not place a guardian in charge of a disproportionate number of unaccompanied minors***, and in any event no more than 10,*** at the same time which would render him or her unable to perform his or her tasks effectively. |

Or. en

**Amendment 869**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi, Carlos Coelho**

**Proposal for a regulation**
**Article 22 – paragraph 5 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The responsible authorities shall ***not*** place a guardian in charge of ***a disproportionate*** number of unaccompanied minors at the same time, which would render him or her unable to perform his or her tasks effectively. | The responsible authorities shall place a guardian in charge of ***an adequate and limited*** number of unaccompanied minors at the same time, which would render him or her ***to ensure he or she is*** unable to perform his or her tasks effectively.″ |

Or. en

**Amendment 870**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 22 – paragraph 5 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Member States shall appoint entities or persons responsible for ***the performance of guardians' tasks and for supervising and*** monitoring at regular intervals that guardians perform their tasks in a satisfactory manner. Those entities or persons shall review complaints lodged by | Member States shall appoint entities or persons responsible for monitoring at regular intervals that guardians perform their tasks in a satisfactory manner. Those entities or persons shall ***also have the competence to*** review complaints lodged by unaccompanied minors against their |

| | |
|---|---|
| unaccompanied minors against their guardian. | guardian. ***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 file complaints against their guardians in confidence and safety.*** |

Or. en

**Amendment 871**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi, Barbara Kudrycka, Carlos Coelho**

**Proposal for a regulation**
**Article 22 – paragraph 5 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Member States shall appoint entities or persons responsible for the performance of guardians' tasks and for supervising and monitoring at regular intervals that guardians perform their tasks in a satisfactory manner. Those entities or persons shall review complaints lodged by unaccompanied minors against their guardian. | Member States shall appoint entities or persons responsible for the performance of guardians' tasks and for supervising and monitoring at regular intervals that guardians perform their tasks in a satisfactory manner. Those entities or persons shall review complaints lodged by unaccompanied minors against their guardian.<br>***Unaccompanied minors shall be informed, in a child-friendly manner and in a language that they understand, about who these entities or persons are and which are the grievance mechanisms in place to report complaints against their guardians in confidence and safety.*** |

Or. en

**Amendment 872**
**Alessandra Mussolini, Salvatore Domenico Pogliese**

**Proposal for a regulation**
**Article 22 – paragraph 5 – subparagraph 2 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***The responsible entities or persons shall assess the performance of the guardian within the first month after his/her appointment, and regularly thereafter.*** |

Or. en

**Amendment 873**
**Péter Niedermüller, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 22 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. The guardian shall inform the unaccompanied minor about the meaning and possible consequences of the personal interview and, where appropriate, about how to prepare himself or herself for the personal interview. The guardian and***,*** ***where applicable,*** a legal adviser or other counsellor admitted or permitted as such under national law, shall be present at that interview and have an opportunity to ask questions or make comments, within the framework set by the person who conducts the interview. The determining authority may require the presence of the unaccompanied minor at the personal interview, even if the guardian is present. | 6. The guardian shall inform the unaccompanied minor about the meaning and possible consequences of the personal interview and, where appropriate, about how to prepare himself or herself for the personal interview. The guardian and a legal adviser or other counsellor admitted or permitted as such under national law, shall be present at that interview and have an opportunity to ask questions or make comments, within the framework set by the person who conducts the interview. The determining authority may require the presence of the unaccompanied minor at the personal interview, even if the guardian is present. |

Or. en

*Justification*

*The right of the lawyer to be present is laid downin Article 16(4).That right should not be reduced because of the appointmentof a guardian.*

**Amendment 874**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 23 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Medical examination | Medical ***and psychological*** examination |

Or. en

**Amendment 875**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 23 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. ***Where the determining authority deems it relevant for the assessment of an application for international protection in accordance with Regulation (EU) No XXX/XXX (Qualification Regulation), and subject to the applicant's*** consent***, it shall arrange for a medical examination of the applicant concerning*** signs and symptoms ***that might*** indicate ***past persecution or serious harm***. | 1. ***The applicant can*** consent ***to undergo medical and psychological examinations of*** signs and symptoms ***which could*** indicate ***persecutions, serious injuries suffered, inhuman treatment***. |

Or. en

**Amendment 876**
**Beatrix von Storch**

**Proposal for a regulation**
**Article 23 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The medical examination shall be carried out by qualified medical professionals. Member States may designate the medical professionals who | 2. The medical examination shall be carried out by qualified medical professionals. Member States may designate the medical professionals who |

| | |
|---|---|
| may carry out such medical examinations. Those medical examinations shall be paid for from public funds. | may carry out such medical examinations. Those medical examinations shall be paid for from public funds ***unless the applicant has sufficient resources***. |

Or. en

**Amendment 877**
**Elissavet Vozemberg-Vrionidi**

**Proposal for a regulation**
**Article 23 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The medical examination shall be carried out by qualified medical professionals. Member States may designate the medical professionals who may carry out such medical examinations. Those medical examinations shall be ***paid for from public funds***. | 2. The medical examination shall be carried out by qualified medical professionals. Member States may designate the medical professionals who may carry out such medical examinations. Those medical examinations shall be ***free for applicants***. |

Or. en

*Justification*

*In some Member States this is not provided under the national law.*

**Amendment 878**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 23 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The medical examination shall be carried out by qualified ***medical*** professionals. Member States may designate the ***medical*** professionals who may carry out such ***medical*** examinations. Those ***medical*** examinations shall be paid for from public funds. | 2. The medical ***and psychological*** examination shall be carried out by qualified professionals. Member States may designate the professionals who may carry out such examinations. Those examinations shall be paid for from public funds. |

Or. en

**Amendment 879**
**Miltiadis Kyrkos**

**Proposal for a regulation**
**Article 23 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The medical examination shall be carried out by qualified medical professionals. Member States may designate the medical professionals who may carry out such medical examinations. Those medical examinations shall be ***paid for from public funds***. | 2. The medical examination shall be carried out by qualified medical professionals. Member States may designate the medical professionals who may carry out such medical examinations. Those medical examinations shall be ***free***. |

Or. en

**Amendment 880**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 23 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***3. When no medical examination is carried out in accordance with paragraph 1, the determining authority shall inform applicants that they may, on their own initiative and at their own cost, arrange for a medical examination concerning signs and symptoms that might indicate past persecution or serious harm.*** | ***deleted*** |

Or. en

**Amendment 881**
**Marina Albiol Guzmán**

**Proposal for a regulation**

**Article 23 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The results of the medical examination shall be submitted to the determining authority as soon as possible and shall be assessed by the determining authority along with the other elements of the application. | 4. The results of the medical examination shall be submitted to the determining authority ***and to the applicant*** as soon as possible and shall be assessed by the determining authority along with the other elements of the application. |

Or. en

**Amendment 882**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 23 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. ***An applicant's refusal to undergo a medical examination shall not prevent*** the determining authority ***from taking a decision on the application for international protection***. | 5. ***Medical examinations shall be used as a last resource and*** the determining authority ***shall inform in writing about the reason for the decision***. |

Or. en

**Amendment 883**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 24 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Medical examination of unaccompanied minors | Medical ***and psychosocial*** examination of unaccompanied minors |

Or. en

**Amendment 884**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 24 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Medical*** examination of unaccompanied minors | Examination of unaccompanied minors |

Or. en

**Amendment 885**
**Monika Hohlmeier, Heinz K. Becker**

**Proposal for a regulation**
**Article 24 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Medical examination of unaccompanied*** minors | ***Age assessment of*** minors |

Or. en

**Amendment 886**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi, Carlos Coelho**

**Proposal for a regulation**
**Article 24 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Medical examinations may be used to determine the age of unaccompanied minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including a psychosocial assessment, there are ***doubts*** as to whether or not the applicant is under the age of 18. Where the result of the medical examination is not conclusive, or | 1. Medical examinations may be used***, as a measure of last resort,*** to determine the age of unaccompanied minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including a psychosocial assessment, there are ***grounds for serious doubt*** as to whether or not the applicant is under the age of 18 ***and other approaches, such as*** |

| | |
|---|---|
| includes an age-range below 18 years, Member States shall assume that the applicant is a minor. | ***attempts to gather documentary evidence, and other age assessment procedures that Member States may have decided to undertake have failed to determine the age of the applicant***. Where the result of the medical examination is not conclusive, or includes an age-range below 18 years, Member States shall assume that the applicant is a minor. |

Or. en

**Amendment 887**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 24 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. ***Medical examinations may be used to determine the age of unaccompanied minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including*** a psychosocial assessment***, there are doubts as to whether or not the applicant is under the age of 18***. Where the result of the ***medical examination*** is not conclusive, or includes an age-range below 18 years, Member States shall assume ***that*** the applicant is a minor. | 1. ***Where, following statements by the applicant or with documentary evidence available, there are doubts as to whether or not an unaccompanied minor is under the age of 18, the determining authorities may order*** a psychosocial assessment ***to be carried out by qualified professionals to determine the applicant's age within the framework of the examination of an application***.<br>***The age evaluation must not be based solely on the applicant's physical appearance or behaviour.***<br>Where the result of the ***psychosocial assessment*** is not conclusive, or includes an age-range below 18 years, Member States shall assume the applicant is a minor. |

Or. en

**Amendment 888**
**Beatrix von Storch**

**Proposal for a regulation**
**Article 24 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Medical examinations may be used to determine the age of unaccompanied minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including a psychosocial assessment, there are doubts as to whether or not the applicant is under the age of 18. ***Where the result of the medical examination is not conclusive, or includes an age-range below 18 years, Member States shall assume that the applicant is a minor.*** | 1. Medical examinations may be used to determine the age of unaccompanied minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including a psychosocial assessment, there are doubts as to whether or not the applicant is under the age of 18. |

Or. en

**Amendment 889**
**Elly Schlein**

**Proposal for a regulation**
**Article 24 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Medical examinations may be used to determine the age of unaccompanied minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including a psychosocial assessment, there are doubts as to whether or not the applicant is under the age of 18. Where the result of the medical examination is not conclusive, or includes an age-range below 18 years, Member States shall assume that the applicant is a minor. | 1. Medical examinations may be used to determine the age of unaccompanied minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including a psychosocial assessment, there are doubts as to whether or not the applicant is under the age of 18. Where the result of the medical examination is not conclusive, or includes an age-range below 18 years, Member States shall assume that the applicant is a minor. ***The applicant has the right to an effective remedy against the decision on the age assessment.*** |

Or. en

**Amendment 890**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 24 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Medical examinations ***may*** be used to determine the age of unaccompanied minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including a psychosocial assessment, there are doubts as to whether or not the applicant is under the age of 18. Where the result of the medical examination is not conclusive, or includes an age-range below 18 years, Member States shall assume that the applicant is a minor. | 1. Medical examinations ***shall*** be used to determine the age of unaccompanied minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including ***a physical and*** a psychosocial assessment, there are doubts as to whether or not the applicant is under the age of 18. Where the result of the medical examination is not conclusive, or includes an age-range below 18 years, Member States shall assume that the applicant is a minor. |

Or. en

**Amendment 891**
**Monika Hohlmeier, Heinz K. Becker**

**Proposal for a regulation**
**Article 24 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Medical examinations may be used to determine the age of ***unaccompanied*** minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including a psychosocial assessment, there are doubts as to whether or not the applicant is under the age of 18. Where the result of the medical examination is not conclusive, or includes an age-range below 18 years, | 1. Medical examinations may***, as a standard procedure,*** be used to determine the age of minors within the framework of the examination of an application where, following statements by the applicant or other relevant indications including a psychosocial assessment, there are doubts as to whether or not the applicant is under the age of 18. Where the result of the medical examination is not conclusive, or includes an age-range below 18 years, |

| | |
|---|---|
| Member States shall assume that the applicant is a minor. | Member States shall assume that the applicant is a minor. |

Or. en

**Amendment 892**
**Ska Keller**
on behalf of the Verts/ALE Group
**Jean Lambert, Judith Sargentini**

**Proposal for a regulation**
**Article 24 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. ***Medical examinations may be used to determine the age of*** unaccompanied ***minors within the framework of the examination of an application where***, following statements by the applicant or other relevant indications ***including*** a psychosocial assessment***, there are doubts as to whether or not the applicant is under*** the age of ***18. Where the result*** of the ***medical*** examination ***is not conclusive, or includes an age-range below 18 years, Member States shall assume that the applicant is a minor***. | 1. ***Where there are doubts as to whether or not an*** unaccompanied ***minor is under the age of 18***, following statements by the applicant***, available documentary evidence*** or other relevant indications***, Member States may order*** a psychosocial assessment ***by qualified professionals to determine*** the age of ***the applicant in the framework*** of the examination ***of an application. The age assessment shall not be solely based on the applicant's physical appearance or demeanour***. |

Or. en

**Amendment 893**
**Péter Niedermüller, Marju Lauristin, Caterina Chinnici, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 24 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. ***Medical examinations may be used to determine the age of*** unaccompanied ***minors within the framework of the examination of an application where***, | 1. ***Where there are doubts as to whether or not an*** unaccompanied ***minor is under the age of 18***, following statements by the applicant***, available*** |

following statements by the applicant or other relevant indications ***including*** a psychosocial assessment***, there are doubts as to whether or not the applicant is under*** the age of ***18. Where the result*** of the ***medical*** examination ***is not conclusive, or includes an age-range below 18 years, Member States shall assume that the applicant is a minor***.

***documentary evidence*** or other relevant indications***, Member States may order*** a psychosocial assessment ***by qualified professionals to determine*** the age of ***applicant within the framework*** of the examination ***of an application. The age assessment shall not be based solely on the applicant's physical appearance or demeanour***.

Or. en

*Justification*

*The medical examination should be a measure of last resort to determine the age of unaccompanied minors.*

**Amendment 894**
**Péter Niedermüller, Birgit Sippel, Marju Lauristin, Caterina Chinnici, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 24 – paragraph 1 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***1 a. Where doubts over an unaccompanied minor's age persist following the procedure set out in paragraph 1, medical examinations may be used as a measure of last resort to determine the age of unaccompanied minors within the framework of the examination of an application. Where, taking into account the margin of error of the method employed - the result of the medical examination is not conclusive, or includes an age-range below 18 years, Member States shall assume that the applicant is a minor.*** |

Or. en

*Justification*

*The benefit of the doubt should always be in favour of the minor.*

**Amendment 895**
**Ska Keller**
on behalf of the Verts/ALE Group
**Jean Lambert, Judith Sargentini**

**Proposal for a regulation**
**Article 24 – paragraph 1 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***1 a. Where doubts over an unaccompanied minor's age persist following the procedure set out in paragraph 1, medical examinations may be used as a measure of last resort to determine the age of unaccompanied minors within the framework of the examination of an application.Where the result of the medical examination is not conclusive, or includes an age-range below 18 years, Member States shall assume that the applicant is a minor.*** |

Or. en

**Amendment 896**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 24 – paragraph 1 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***1 a. Any Medical examinations pursuant to paragraph 1 shall be based on scientifically proven methods*** |

Or. en

*Justification*

*It is important to ensure that any medical examinations used to determine the age of a minor are based on scientifically proven methods.*

**Amendment 897**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini, Jean Lambert**

**Proposal for a regulation**
**Article 24 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The medical examination to determine the age of unaccompanied minors shall not be carried out without their consent ***or*** the consent of their guardians. | 2. The medical examination to determine the age of unaccompanied minors shall not be carried out without their consent ***and*** the consent of their guardians. |

Or. en

**Amendment 898**
**Monika Hohlmeier, Heinz K. Becker**

**Proposal for a regulation**
**Article 24 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The medical examination to determine the age of ***unaccompanied*** minors shall not be carried out without their consent or the consent of their guardians. | 2. The medical examination to determine the age of minors shall not be carried out without their consent or the consent of their guardians. |

Or. en

**Amendment 899**
**Monika Hohlmeier, Heinz K. Becker**

**Proposal for a regulation**
**Article 24 – paragraph 2 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

***2 a. In extraordinary circumstances, as a last resort, medical examinations may be enforced.***

Or. en

**Amendment 900**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 24 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Any medical examination shall be performed with full respect for the individual's dignity, shall be the least invasive examination and shall be carried out by qualified medical professionals allowing for the most reliable result possible. | 3. Any medical examination shall be performed with full respect for the individual's dignity, shall be the least invasive examination and shall be carried out by qualified medical professionals allowing for the most reliable result possible***, specifying in writing the margin of error of the method used.***<br>***Medical examination shall always be used as a last resource, and the determining authority shall explain in writing the reasons for it. If a medical examination has been performed, all documents relating to the medical examination shall be included in the applicant's file***. |

Or. en

**Amendment 901**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi, Carlos Coelho**

**Proposal for a regulation**
**Article 24 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Any medical examination shall be performed with full respect for the individual's dignity, shall be the least | 3. Any medical examination shall be performed with full respect for the individual's dignity, shall be the least |

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| invasive examination and shall be carried out by qualified medical professionals allowing for the most reliable result possible. | invasive examination and shall be carried out by ***independent, trained and*** qualified medical professionals ***who are familiar with the applicant's ethnic and cultural background and in cooperation with a multi-disciplinary team with expertise in child rights, psychology and development, thereby*** allowing for the most reliable result possible. |

Or. en

**Amendment 902**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 24 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Any medical examination shall be performed with full respect for the individual's dignity***, shall be the least invasive examination*** and shall be carried out by qualified medical professionals allowing for the most reliable result possible. | 3. Any medical examination shall be performed with full respect for the individual's dignity and shall be carried out by qualified medical professionals allowing for the most reliable result possible. |

Or. en

**Amendment 903**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 24 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. ***Where medical examinations are used to determine the age of*** unaccompanied minors***, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their*** | 4. Unaccompanied minors ***have the right to an effective remedy against a decision determining*** their age. |

***application for international protection, and in a language that they understand or are reasonably meant to understand, of the possibility that*** their age ***be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination***.

Or. en

**Amendment 904**
**Ska Keller**
on behalf of the Verts/ALE Group
**Jean Lambert, Judith Sargentini**

**Proposal for a regulation**
**Article 24 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Where medical examinations are used to determine the age of unaccompanied minors, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand ***or are reasonably meant to understand***, of the possibility that their age be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. | 4. Where medical examinations are used to determine the age of unaccompanied minors, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand, of the possibility that their age be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, ***including the right to appeal the decision on the medical examination,*** as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo |

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|---|---|
| | the medical examination. ***All documents concerning the medical examination shall be entered in the applicant's file.*** |

Or. en

**Amendment 905**
**Péter Niedermüller, Marju Lauristin, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 24 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Where medical examinations are used to determine the age of unaccompanied minors, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand ***or are reasonably meant to understand***, of the possibility that their age be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. | 4. Where medical examinations are used to determine the age of unaccompanied minors, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand, of the possibility that their age be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, ***including the right to appeal the decision on the medical examination,*** as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. ***All documents concerning the medical examination shall be added to the applicant's file.*** |

Or. en

**Amendment 906**
**Jussi Halla-aho**

**Proposal for a regulation**

**Article 24 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. ***Where medical examinations are used to determine the age of unaccompanied minors,*** the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand or are reasonably meant to understand, of the possibility that their age be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the ***possibility and*** consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. | 4. The determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand or are reasonably meant to understand, of the possibility that their age be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. |

Or. en

**Amendment 907**
**Monika Hohlmeier, Heinz K. Becker**

**Proposal for a regulation**
**Article 24 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Where medical examinations are used to determine the age of unaccompanied minors, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand or are reasonably meant to understand, of the possibility that their age be determined by medical examination. This shall include information on the method of examination | 4. Where medical examinations are used to determine the age of unaccompanied minors, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand or are reasonably meant to understand, ***and where possible using simple language,*** of the possibility that their age be determined by medical examination. This shall include |

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| and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. | information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. |

Or. en

**Amendment 908**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi, Barbara Kudrycka, Carlos Coelho**

**Proposal for a regulation**
**Article 24 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Where medical examinations are used to determine the age of unaccompanied minors, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand ***or are reasonably meant to understand***, of the possibility that their age be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. | 4. Where medical examinations are used to determine the age of unaccompanied minors, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand ***and a child-friendly and age appropriate manner***, of the possibility that their age be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. |

Or. en

**Amendment 909**

**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 24 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Where medical examinations are used to determine the age of unaccompanied minors, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand ***or are reasonably meant to understand***, of the possibility that their age be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. | 4. Where medical examinations are used to determine the age of unaccompanied minors, the determining authority shall ensure that unaccompanied minors are informed, prior to the examination of their application for international protection, and in a language that they understand, of the possibility that their age be determined by medical examination. This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the possibility and consequences of a refusal on the part of the unaccompanied minor, or of his or her guardian, to undergo the medical examination. |

Or. en

*Justification*

*Clarification in order to improve the provision of information*

**Amendment 910**
**Monika Hohlmeier, Heinz K. Becker**

**Proposal for a regulation**
**Article 24 – paragraph 4 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***4 a. Where medical examinations are used to determine the age of accompanied minors, the determining authority shall ensure that the accompanying adult family members are informed, prior to the examination of the minor's application*** |

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|---|---|
| | ***for international protection, and in a language that they understand or are reasonably meant to understand, and if possible using simple language, of the possibility that the age of the accompanied minor be determined by medical examination.This shall include information on the method of examination and possible consequences which the result of the medical examination may have for the examination of the application, as well as on the possibility and consequences of a refusal on the part of the accompanying adult family members for the minor to undergo the medical examination.*** |

Or. en

**Amendment 911**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 24 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***5. The refusal by the unaccompanied minors or their guardians to carry out the medical examination may only be considered as a rebuttable presumption that the applicant is not a minor and it shall not prevent the determining authority from taking a decision on the application for international protection.*** | ***deleted*** |

Or. en

**Amendment 912**
**Monika Hohlmeier, Heinz K. Becker**

**Proposal for a regulation**
**Article 24 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. The refusal by the unaccompanied minors or their guardians to carry out the medical examination ***may only*** be considered as a ***rebuttable*** presumption that the applicant is not a minor and it shall not prevent the determining authority from taking a decision on the application for international protection. | 5. The refusal by the unaccompanied minors or their guardians***, respectively by the accompanying family members*** to carry out the medical examination ***shall*** be considered as a presumption that the applicant is not a minor and it shall not prevent the determining authority from taking a decision on the application for international protection. ***The refusal for consent to the medical examination can furthermore be considered as a refusal to cooperate by not providing information necessary for the examination of the application.*** |

Or. en

**Amendment 913**
**Péter Niedermüller, Birgit Sippel, Marju Lauristin, Josef Weidenholzer, Ana Gomes, Caterina Chinnici**

**Proposal for a regulation**
**Article 24 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. The refusal by the unaccompanied minors or their guardians to carry out the medical examination may ***only be considered as a rebuttable*** presumption that the applicant is not a minor ***and it*** shall not prevent the determining authority from taking a decision on the application for international protection. | 5. The refusal by the unaccompanied minors or their guardians to carry out the medical examination may ***not lead to the*** presumption that the applicant is not a minor***. A refusal to carry out the medical examination*** shall not prevent the determining authority from taking a decision on the application for international protection***, however a decision to reject an application for international protection by an unaccompanied minor who refused to undergo a medical examination shall not be based solely on that refusal***. |

Or. en

*Justification*

*The text has been aligned with the existing Asylum Procedures Directive. In particular, there can be no assumption about the age of the applicant on the basis of his or her refusal to undergo a medical examination. The refusal to undergo a medical examination should also never form the basis of a decision to reject an application for international protection.*

**Amendment 914**
**Beatrix von Storch**

**Proposal for a regulation**
**Article 24 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. The refusal by the unaccompanied minors or their guardians to carry out the medical examination may ***only*** be considered as a rebuttable presumption that the applicant is not a minor and it shall not prevent the determining authority from taking a decision on the application for international protection. | 5. The refusal by the unaccompanied minors or their guardians to carry out the medical examination may be considered as a rebuttable presumption that the applicant is not a minor and it shall not prevent the determining authority from taking a decision on the application for international protection. |

Or. en

**Amendment 915**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini, Jean Lambert**

**Proposal for a regulation**
**Article 24 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. The refusal by the unaccompanied minors or their guardians to carry out the medical examination may only be considered as a rebuttable presumption that the applicant is not a minor and it shall not ***prevent the determining authority from taking a decision on the*** application for international protection. | 5. The refusal by the unaccompanied minors or their guardians to carry out the medical examination may only be considered as a rebuttable presumption that the applicant is not a minor and it shall not ***be the sole reason for rejecting an*** application for international protection. |

Or. en

**Amendment 916**
**Ska Keller**
on behalf of the Verts/ALE Group
**Jean Lambert, Judith Sargentini**

**Proposal for a regulation**
**Article 24 – paragraph 5 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***5 a. Unaccompanied minors shall be granted the right to an effective remedy against a decision determining their age.*** |

Or. en

**Amendment 917**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 24 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***6. A Member State shall recognise age assessment decisions taken by other Member States on the basis of a medical examination carried out in accordance with this Article and based on methods which are recognised under its national law.*** | ***deleted*** |

Or. en

**Amendment 918**
**Monika Hohlmeier, Heinz K. Becker**

**Proposal for a regulation**
**Article 24 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. A Member State ***shall*** recognise age assessment decisions taken by other Member States on the basis of a medical examination carried out in accordance with this Article and based on methods which are recognised under its national law. | 6. A Member State ***may*** recognise age assessment decisions taken by other Member States on the basis of a medical examination carried out in accordance with this Article and based on methods which are recognised under its national law. |

Or. en

**Amendment 919**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 25 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Making an application for international protection | Making ***and registering*** an application for international protection |

Or. en

**Amendment 920**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 25 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| An application for international protection shall be made when a third-country national or stateless person expresses a wish for international protection to ***officials of the determining authority or*** other authorities ***referred to in Article 5(3) or (4)***. | An application for international protection shall be made when a third-country national or stateless person expresses a wish for international protection to***:***<br>***(a) border guards;***<br>***(b) police;***<br>***(c) immigration authorities;***<br>***(d) authorities responsible for detention facilities;***<br>***(e)*** other authorities ***that have been entrusted by the Member States with those tasks***. |

Or. en

**Amendment 921**
**Miltiadis Kyrkos**

**Proposal for a regulation**
**Article 25 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| An application for international protection shall be made when a third-country national or stateless person expresses a wish for international protection to officials of the determining authority or other authorities referred to in Article 5(3) or (4). | An application for international protection shall be made when a third-country national or stateless person expresses a wish for international protection ***orally or in written form or asks not to be deported or returned to a third country because of fear of persecution or risk of serious harm*** to officials of the determining authority or other authorities referred to in Article 5(3) or (4). |

Or. en

**Amendment 922**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 25 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| An application for international protection shall be made when a third-country national or stateless person expresses a wish for international protection to officials of the determining authority or other authorities referred to in Article 5(3) or (4). | An application for international protection shall be ***considered as*** made when a third-country national or stateless person expresses a wish for international protection to officials of the determining authority or other authorities referred to in Article 5(3) or (4). |

Or. en

**Amendment 923**
**Miltiadis Kyrkos**

**Proposal for a regulation**
**Article 25 – paragraph 1 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Where those officials have doubt as to whether a certain declaration is to be construed as an application, they shall ask the person expressly whether he or she wishes to receive international protection.*** | ***deleted*** |

Or. en

**Amendment 924**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 25 – paragraph 2 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***2 a. The authorities responsible for receiving and registering applications shall:*** |
| | ***(a) inform the applicants of their rights and obligations set out, in particular, in Articles 28 and 31 as regards the lodging of applications, Article 7 as regards the obligations of applicants and consequences of non-compliance with such obligations, Article 9 as regards the right of applicants to remain on the territory of the Member State responsible, and Article 8 as regards the general guarantees for applicants;*** |
| | ***(b) register the application immediately. They shall register also the following information:*** |
| | ***(i) the name, date of birth, gender, nationality and other personal details of the applicant;*** |

***(ii) the type and number of any identity or travel document of the applicant;***

***(iii) the date of the application, place where the application is made and the authority with which the application is made;***

***(iv) inform the applicant as to where and how an application for international protection is to be lodged;***

***(v) inform the authorities responsible for the reception conditions pursuant to Directive XXX/XXX/EU (Reception Conditions Directive) of the application.***

***2.The Commission may specify the content of the information to be provided to applicants when an application is made by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58.***

***3.Where simultaneous applications for international protection by a disproportionate number of third-country nationals or stateless persons make it difficult in practice to register applications immediately when the application is made, the authorities of the Member State may extend that time-limit to ten working days.***

Or. en

**Amendment 925**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 26**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Article 26*** | ***deleted*** |
| ***Tasks of the responsible authorities when an application is made*** | |

***1. The authorities responsible for receiving and registering applications shall:***

***(a) inform the applicants of their rights and obligations set out, in particular, in Articles 27, 28 and 31 as regards the registration and lodging of applications, Article 7 as regards the obligations of applicants and consequences of non-compliance with such obligations, Article 9 as regards the right of applicants to remain on the territory of the Member State responsible, and Article 8 as regards the general guarantees for applicants;***

***(b) register the application in accordance with Article 27;***

***(c) upon registration, inform the applicant as to where and how an application for international protection is to be lodged;***

***(d) inform the authorities responsible for the reception conditions pursuant to Directive XXX/XXX/EU (Reception Conditions Directive) of the application.***

***2. The Commission may specify the content of the information to be provided to applicants when an application is made by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58.***

Or. en

**Amendment 926**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 26 – paragraph 1 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (a) inform the applicants of their rights and obligations set out, in particular, in Articles 27, 28 and 31 as regards the | (a) inform the applicants ***in a language they can understand*** of their rights and obligations set out, in particular, in Articles |

registration and lodging of applications, Article 7 as regards the obligations of applicants and consequences of non-compliance with such obligations, Article 9 as regards the right of applicants to remain on the territory of the Member State responsible, and Article 8 as regards the general guarantees for applicants;

27, 28 and 31 as regards the registration and lodging of applications, Article 7 as regards the obligations of applicants and consequences of non-compliance with such obligations, Article 9 as regards the right of applicants to remain on the territory of the Member State responsible, and Article 8 as regards the general guarantees for applicants;

Or. en

**Amendment 927**
**Péter Niedermüller**

**Proposal for a regulation**
**Article 26 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The Commission ***may specify*** the content of the information to be provided to applicants when an application is made ***by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58***. | 2. The Commission ***is empowered to adopt delegated acts in accordance with Article 59 specifying*** the content of the information to be provided to applicants when an application is made. |

Or. en

*Justification*

*The provision of information to applicants is a key procedural right for applicants. Given its importance, it is imperative that the co-legislators agree on any act further specifying the information to be provided to applicants. With that in mind, only a delegated act can be used in these circumstances.*

**Amendment 928**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 27**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| ***Article 27*** | ***deleted*** |
| ***Registering applications for international protection*** | |
| ***1.*** | |
| ***The authorities responsible for receiving and registering applications for international protection shall register an application promptly, and not later than three working days from when it is made. They shall register also the following information:*** | |
| ***(a) the name, date of birth, gender, nationality and other personal details of the applicant;*** | |
| ***(b) the type and number of any identity or travel document of the applicant;*** | |
| ***(c) the date of the application, place where the application is made and the authority with which the application is made.*** | |
| ***Where the data referred to in points (a) and (b) has already been obtained by the Member States before the application is made, it shall not to be requested again.*** | |
| ***2. Where the information is collected by the determining authority or by another authority assisting it for the purpose of examining the application, additional data necessary for the examination of the application may also be collected at the time of registration.*** | |
| ***3. Where simultaneous applications for international protection by a disproportionate number of third-country nationals or stateless persons make it difficult in practice to register applications within three working days from when the application is made, the authorities of the Member State may extend that time-limit to ten working days.*** | |
| ***4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected*** | |

| | |
|---|---|
| ***under paragraph 2, for ten years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship.*** | |

Or. en

**Amendment 929**
**Elissavet Vozemberg-Vrionidi**

**Proposal for a regulation**
**Article 27 – paragraph 1 – subparagraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The authorities responsible for receiving and registering applications for international protection shall register an application promptly, and not later than ***three*** working days from when it is made. They shall register also the following information: | The authorities responsible for receiving and registering applications for international protection shall register an application promptly, and not later than ***ten*** working days from when it is made. They shall register also the following information: |

Or. en

*Justification*

*Three days is not a realistic time limit in situation of mass influx.*

**Amendment 930**
**Miltiadis Kyrkos**

**Proposal for a regulation**
**Article 27 – paragraph 1 – subparagraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The authorities responsible for receiving and registering applications for international protection shall register an | The authorities responsible for receiving and registering applications for international protection shall register an |

application promptly, and not later than ***three working*** days from when it is made. They shall register also the following information:

application promptly, and not later than ***ten*** days from when it is made. They shall register also the following information:

Or. en

**Amendment 931**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 27 – paragraph 1 – subparagraph 1 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (a) the name, date of birth, gender, nationality and other personal details of the applicant; | (a) the name, date of birth, gender, nationality and other personal details of the applicant***, including, where relevant, the gender identity of the applicant***; |

Or. en

**Amendment 932**
**Miltiadis Kyrkos**

**Proposal for a regulation**
**Article 27 – paragraph 1 – subparagraph 1 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (a) the name, date of birth, gender, nationality ***and other personal details of the applicant;*** | (a) the name, date of birth, gender, nationality***, family status*** |

Or. en

**Amendment 933**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini, Jean Lambert**

**Proposal for a regulation**

**Article 27 – paragraph 1 – subparagraph 1 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (a) the name, date of birth, gender, nationality ***and other personal details of the applicant***; | (a) the name, date of birth, gender, nationality ***or statelessness***; |

Or. en

**Amendment 934**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 27 – paragraph 1 – subparagraph 1 – point a a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(a a) other personal details of the applicant such as family status and health;*** |

Or. en

**Amendment 935**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 27 – paragraph 1 – subparagraph 1 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) the type and number of any identity or travel document of the applicant; | (b) the type and number of any identity or travel document of the applicant ***if available***; |

Or. en

**Amendment 936**
**Alessandra Mussolini, Salvatore Domenico Pogliese**

**Proposal for a regulation**
**Article 27 – paragraph 1 – subparagraph 1 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***The determining Member State shall conduct a thorough security verification of each applicant as soon as possible following the registration of an application.*** |

Or. en

**Amendment 937**
**Ska Keller**
on behalf of the Verts/ALE Group
**Jean Lambert, Judith Sargentini**

**Proposal for a regulation**
**Article 27 – paragraph 1 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***1 a. Where an individual claims not to have a nationality this should be clearly registered, and the individual referred to a dedicated statelessness identification mechanism for confirmation of this status at an appropriate juncture.*** |

Or. en

**Amendment 938**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 27 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. Where the information is collected by the determining authority or by another | 2. Where the information is collected by the determining authority or by another |

| | |
|---|---|
| authority assisting it for the purpose of examining the application, additional data necessary for the examination of the application may also be collected at the time of registration. | authority assisting it for the purpose of examining the application, additional data necessary for the examination of the application may also be collected at the time of registration. ***The authorities of the Member State examining or determining the Member State responsible for the application shall have access to the Entry Exit data of the applicant referred to in Regulation (EU) No XXX/XXX (the Entry Exit System).*** |

Or. en

**Amendment 939**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 27 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where simultaneous applications for international protection by a disproportionate number of third-country nationals or stateless persons make it difficult in practice to register applications within three working days from when the application is made, the authorities of the Member State may extend that time-limit to ***ten*** working days. | 3. Where simultaneous applications for international protection by a disproportionate number of third-country nationals or stateless persons make it difficult in practice to register applications within three working days from when the application is made, the authorities of the Member State may extend that time-limit to ***five*** working days. |

Or. en

**Amendment 940**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 27 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| 3. Where simultaneous applications for international protection by a disproportionate number of third-country nationals or stateless persons make it difficult in practice to register applications within three working days from when the application is made, the authorities of the Member State may extend that time-limit to ***ten working*** days. | 3. Where simultaneous applications for international protection by a disproportionate number of third-country nationals or stateless persons make it difficult in practice to register applications within three working days from when the application is made, the authorities of the Member State may extend that time-limit to ***seven*** days. |

Or. en

**Amendment 941**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 27 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ten years from the date of a final decision. The data shall be erased upon expiry of that period ***or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship***. | 4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ten years from the date of a final decision. The data shall be erased upon expiry of that period. |

Or. en

**Amendment 942**
**Péter Niedermüller, Caterina Chinnici, Josef Weidenholzer, Ana Gomes, Birgit Sippel**

**Proposal for a regulation**
**Article 27 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| 4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ***ten years*** from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. | 4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ***one year*** from the date of a final decision ***on the application for international protection, including on all levels of appeal***. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. |

Or. en

*Justification*

*It is possible that, in the context of subsequent applications, recording the personal data of the applicant might be useful after a final decision on an application has been made.However, given the time limits for dealing with applications generally, and subsequent applications in particular,it is impossible to understand why that information would be retained for a period of ten years. One year after a final decision should be more than sufficient*

**Amendment 943**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 27 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ten years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon ***as the Member State becomes aware that*** the person concerned has acquired such citizenship. | 4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ten years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon the person concerned has acquired such citizenship. |

Or. en

**Amendment 944**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 27 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ***ten*** years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. | 4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ***five*** years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. |

Or. en

*Justification*

*The amendment seeks to align the data retention period to the five year period agreed in the EP position of the Eurodac proposal*

**Amendment 945**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 27 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ***ten*** years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has | 4. The responsible authorities shall store each set of data referred to in paragraph 1 and any other relevant data collected under paragraph 2, for ***two*** years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has |

| | |
|---|---|
| acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. | acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. |

Or. en

**Amendment 946**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 28 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The applicant shall lodge the application within ***ten*** working days from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit. | 1. The applicant shall lodge the application within ***20*** working days from the date when the application is registered ***or at the latest at the date of the appointment given in accordance with paragraph 5,*** provided that he or she is given an effective opportunity to do so within that time-limit. ***Where free legal assistance is requested, the time period for lodging the application shall start to run upon the appointment of a legal advisor or other counsellor, or where the provision of free legal assistance and representation is refused in accordance with Article 15(3).*** |

Or. en

**Amendment 947**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 28 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| 1. The applicant shall lodge the application within ***ten*** working days from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit. | 1. The applicant shall lodge the application within ***twenty*** working days from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit***., including access to translators and interpreters, and legal counsel.*** |

Or. en

**Amendment 948**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 28 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The applicant shall lodge the application within ***ten*** working days from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit. | 1. The applicant shall lodge the application within ***twenty*** working days from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit. |

Or. en

*Justification*

*It is better to ensure a complete, accurate and high quality application than trying to rush things in this stage since this could cause longer delays and additional administrative burdens later on with additional submissions.*

**Amendment 949**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 28 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The applicant shall lodge the application within ***ten*** working days from the date when the application is registered | 1. The applicant shall lodge the application within ***15*** working days from the date when the application is registered |

| | |
|---|---|
| provided that he or she is given an effective opportunity to do so within that time-limit. | provided that he or she is given an effective opportunity to do so within that time-limit. |

Or. en

**Amendment 950**
**Miltiadis Kyrkos**

**Proposal for a regulation**
**Article 28 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The applicant shall lodge the application within ***ten working days*** from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit. | 1. The applicant shall lodge the application within ***one month*** from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit. |

Or. en

**Amendment 951**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 28 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The applicant shall lodge the application within ***ten working*** days from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit. | 1. The applicant shall lodge the application within ***seven*** days from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit. |

Or. en

**Amendment 952**
**Elissavet Vozemberg-Vrionidi**

**Proposal for a regulation**
**Article 28 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The applicant shall lodge the application within ***ten working days*** from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit. | 1. The applicant shall lodge the application within ***one month*** from the date when the application is registered provided that he or she is given an effective opportunity to do so within that time-limit. |

Or. en

*Justification*

*It is not possible practically to apply these short time limits.*

**Amendment 953**
**Péter Niedermüller, Caterina Chinnici, Marju Lauristin, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 28 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The authority responsible for receiving and registering applications for international protection shall give the applicant an effective opportunity to lodge an application within the time-limit established in paragraph 1. | 2. The authority responsible for receiving and registering applications for international protection shall give the applicant an effective opportunity to lodge an application within the time-limit established in paragraph 1. ***In accordance with Article 14(1), the applicant shall have the right to legal assistance and representation to prepare the lodging of his or her application and shall be informed of that right, including the right to free legal assistance and representation where appropriate. Where free legal assistance is requested, the time limit for lodging the application shall start to run upon the appointment of a legal advisor or other counsellor.*** |

Or. en

*Justification*

*The right of the applicant to legal assistance and representation before the lodging of the application is very important and must be made clear. This amendment is consistent with amendments proposed to Articles 14(1) and 15(1) of the text.*

**Amendment 954**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 28 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where there is a disproportionate number of third-country nationals or stateless persons that apply simultaneously for international protection, making it difficult in practice to enable the application to be lodged within the time-limit established in paragraph 1, the responsible authority shall give the applicant an effective opportunity to lodge his or her application not later than ***one month*** from the date when the application is registered. | 3. Where there is a disproportionate number of third-country nationals or stateless persons that apply simultaneously for international protection, making it difficult in practice to enable the application to be lodged within the time-limit established in paragraph 1, the responsible authority shall give the applicant an effective opportunity to lodge his or her application not later than ***three weeks*** from the date when the application is registered. |

Or. en

**Amendment 955**
**Alessandra Mussolini, Salvatore Domenico Pogliese**

**Proposal for a regulation**
**Article 28 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where there is a disproportionate number of third-country nationals or stateless persons that apply simultaneously for international protection, making it difficult in practice to enable the application to be lodged within the time- | 3. Where there is a disproportionate number of third-country nationals or stateless persons that apply simultaneously for international protection, making it difficult in practice to enable the application to be lodged within the time- |

limit established in paragraph 1, the responsible authority shall give the applicant an effective opportunity to lodge his or her application not later than ***one month*** from the date when the application is registered.

limit established in paragraph 1, the responsible authority shall give the applicant an effective opportunity to lodge his or her application not later than ***two weeks*** from the date when the application is registered.

Or. en

**Amendment 956**
**Miltiadis Kyrkos**

**Proposal for a regulation**
**Article 28 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where there is a disproportionate number of third-country nationals or stateless persons that apply simultaneously for international protection, making it difficult in practice to enable the application to be lodged within the time-limit established in paragraph 1, the responsible authority shall give the applicant an effective opportunity to lodge his or her application ***not later than one month from the date when the application is registered.*** | 3. Where there is a disproportionate number of third-country nationals or stateless persons that apply simultaneously for international protection, making it difficult in practice to enable the application to be lodged within the time-limit established in paragraph 1, the responsible authority shall give the applicant an effective opportunity to lodge his or her application ***whenever this is possible and under priority*** |

Or. en

**Amendment 957**
**Alessandra Mussolini, Salvatore Domenico Pogliese**

**Proposal for a regulation**
**Article 28 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| When lodging an application, applicants ***are required to*** submit all the elements referred to in Article 4(1) of Regulation (EU) No XXX/XXX (Qualification | When lodging an application, applicants ***shall*** submit all the elements referred to in Article 4(1) of Regulation (EU) No XXX/XXX (Qualification Regulation) |

| | |
|---|---|
| Regulation) needed for substantiating their application. Following the lodging of their application, applicants shall be authorised to submit any additional elements relevant for its examination until a decision under the administrative procedure is taken on the application. | needed for substantiating their application***.*** ***He or she shall cooperate with the determining authority and shall remain present and available throughout the procedure***. Following the lodging of their application, applicants shall be authorised to submit any additional elements relevant for its examination until a decision under the administrative procedure is taken on the application. |

Or. en

**Amendment 958**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 28 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| When lodging an application, applicants are required to submit all the elements referred to in Article 4(1) of Regulation (EU) No XXX/XXX (Qualification Regulation) needed for substantiating their application. Following the lodging of their application, applicants shall be authorised to submit any additional elements relevant for its examination until a decision under the administrative procedure is taken on the application. | When lodging an application, applicants are required to submit all the elements ***in their possession*** referred to in Article 4(1) of Regulation (EU) No XXX/XXX (Qualification Regulation) needed for substantiating their application. Following the lodging of their application, applicants shall be authorised to submit any additional elements relevant for its examination until a decision under the administrative procedure is taken on the application. |

Or. en

**Amendment 959**
**Péter Niedermüller, Caterina Chinnici, Josef Weidenholzer, Ana Gomes, Birgit Sippel**

**Proposal for a regulation**
**Article 28 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| When lodging an application, applicants are required to submit all the elements referred to in Article ***4(1)*** of Regulation (EU) No XXX/XXX (Qualification Regulation) needed for substantiating their application. Following the lodging of their application, applicants shall be authorised to submit any additional elements relevant for its examination until a decision under the administrative procedure is taken on the application. | When lodging an application, applicants are required to submit all the elements referred to in Article ***4(2)*** of Regulation (EU) No XXX/XXX (Qualification Regulation) needed for substantiating their application. Following the lodging of their application, applicants shall be authorised to submit any additional elements relevant for its examination until a decision under the administrative procedure is taken on the application. |

Or. en

*Justification*

*The elements for submission are laid down in Article4(2) of the Qualifications Regulation.*

**Amendment 960**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 28 – paragraph 4 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The authority responsible for receiving and registering applications for international protection shall inform the applicant that after the decision is taken on the application he or she may bring forward only new elements which are relevant for the examination of his or her application ***and which he or she could not have been aware of at an earlier stage*** or which relate to changes to his or her situation. | The authority responsible for receiving and registering applications for international protection shall inform the applicant that after the decision is taken on the application he or she may bring forward only new elements which are relevant for the examination of his or her application or which relate to changes to his or her situation. |

Or. en

**Amendment 961**
**Péter Niedermüller, Birgit Sippel, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 28 – paragraph 4 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The authority responsible for receiving and registering applications for international protection shall inform the applicant that after the decision is taken on the application he or she may bring forward only new elements which are relevant for the examination of his or her application ***and which he or she could not have been aware of at an earlier stage*** or which relate to changes to his or her situation. | The authority responsible for receiving and registering applications for international protection shall inform the applicant that after the decision is taken on the application he or she may bring forward only new elements which are relevant for the examination of his or her application or which relate to changes to his or her situation. |

Or. en

*Justification*

*The applicant should have the right to bring forward new elements relevant to his or her application at all stages before a decision is taken.*

**Amendment 962**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 28 – paragraph 4 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The authority responsible for receiving and registering applications for international protection shall inform the applicant that after the decision is taken on the application he or she may bring forward ***only*** new elements which are relevant for the examination of his or her application and which he or she could not have been aware of at an earlier stage or which relate to changes to his or her situation. | The authority responsible for receiving and registering applications for international protection shall inform the applicant that after the decision is taken on the application he or she may bring forward ***any*** new elements which are relevant for the examination of his or her application and which he or she could not have been aware of ***or could have not provided*** at an earlier stage or which relate to changes to his or her situation. |

Or. en

**Amendment 963**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 28 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. The applications for international protection shall be lodged in person and at a designated place. For that purpose, when the application is registered, the applicant shall be given an appointment with the authorities competent for the lodging of the application. | 5. The applications for international protection shall be lodged in person and at a designated place. For that purpose, when the application is registered, the applicant shall be given an appointment with the authorities competent for the lodging of the application. ***The date of such appointment shall be set not earlier than ten working days from the date when the application is registered, unless the consent of the applicant is provided after receiving appropriate information on the obligation to lodge the application and the right to legal assistance and representation.*** |

Or. en

*Justification*

*The applicant must lodge his or her application within period of 15 working days from the date of registration but in order to lodge his or her application, the applicant needs an appointment. To ensure that the applicant is provided enough time to prepare the lodging of the application he or she should be given an appointment no sooner than 10 working days after registration, unless he or she consents to an earlier appointment.*

**Amendment 964**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 28 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. The applications for international protection shall be lodged in person and at a designated place. For that purpose, when the application is registered, the applicant | 5. The applications for international protection shall be lodged in person and at a designated place. ***The applicant will be able to lodge the*** |

shall be given an appointment with the authorities competent for the lodging of the application.

***application accompanied by an interpreter and/or a legal advisor.*** For that purpose, when the application is registered, the applicant shall be given an appointment with the authorities competent for the lodging of the application.

Or. en

**Amendment 965**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 28 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. The responsible authorities shall store the data referred to in paragraph 4 for ten years from the date of a final decision. The data shall be erased upon expiry of that period ***or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship***. | 6. The responsible authorities shall store the data referred to in paragraph 4 for ten years from the date of a final decision. The data shall be erased upon expiry of that period. |

Or. en

**Amendment 966**
**Péter Niedermüller, Josef Weidenholzer, Caterina Chinnici, Ana Gomes**

**Proposal for a regulation**
**Article 28 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. The responsible authorities shall store the data referred to in paragraph 4 for ***ten years*** from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any | 6. The responsible authorities shall store the data referred to in paragraph 4 for ***one year*** from the date of a final decision ***on the application for international protection, including on all levels of appeal***. The data shall be erased upon |

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|---|---|
| Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. | expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. |

Or. en

*Justification*

*Consistency with amendments tabled to Article 13(7) and Article 27(4).*

**Amendment 967**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 28 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. The responsible authorities shall store the data referred to in paragraph 4 for ten years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon ***as the Member State becomes aware that*** the person concerned has acquired such citizenship. | 6. The responsible authorities shall store the data referred to in paragraph 4 for ten years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon the person concerned has acquired such citizenship. |

Or. en

**Amendment 968**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 28 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. The responsible authorities shall store the data referred to in paragraph 4 for ***ten*** years from the date of a final decision. | 6. The responsible authorities shall store the data referred to in paragraph 4 for ***five*** years from the date of a final decision. |

| | |
|---|---|
| The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. | The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. |

Or. en

*Justification*

*Aligning with EP position on data retention in Eurodac*

**Amendment 969**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 28 – paragraph 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 6. The responsible authorities shall store the data referred to in paragraph 4 for ***ten*** years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. | 6. The responsible authorities shall store the data referred to in paragraph 4 for ***two*** years from the date of a final decision. The data shall be erased upon expiry of that period or where it is related to a person who has acquired citizenship of any Member State before expiry of that period as soon as the Member State becomes aware that the person concerned has acquired such citizenship. |

Or. en

**Amendment 970**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| 1. The authorities of the Member State where an application for international protection is made shall, upon registration, provide the applicant with a document ***certifying, in particular, that an application has been made and stating that the applicant may remain on the territory of that Member State for the purposes of lodging*** his or her ***application as provided for in this Regulation.*** | 1. The authorities of the Member State where an application for international protection is made shall, ***at the latest*** upon registration, provide the applicant with a document ***in*** his or her ***own name:*** |

Or. en

**Amendment 971**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 29 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The authorities of the Member State where an application for international protection is made shall, upon registration, provide the applicant with a document certifying, in particular, that an application has been made and stating that the applicant may remain on the territory of that Member State for the purposes of lodging his or her application as provided for in this ***Regulation***. | 1. The authorities of the Member State where an application for international protection is made shall, upon registration, provide the applicant with a document certifying, in particular, that an application has been made and stating that the applicant may remain on the territory of that Member State for the purposes of lodging his or her application as provided for in this ***Directive***. |

Or. en

**Amendment 972**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 1 – point a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

***(a) stating the identity of the applicant by including at least the data referred to in Article 27(1)(a) and (b), verified and updated where necessary, as well as a facial image of the applicant, signature and current place of residence;***

Or. en

**Amendment 973**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 1 – point b (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(b) stating the issuing authority, date and place of issue and period of validity of the document;*** |

Or. en

**Amendment 974**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 1 – point c (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(c) certifying the status of the individual as an applicant;*** |

Or. en

**Amendment 975**
**Ska Keller**

on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 1 – point d (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(d) stating that the applicant has the right to remain on the territory of that Member State and indicating whether the applicant is free to move within all or part of the territory of that Member State;*** |

Or. en

**Amendment 976**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 1 – point e (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(e) stating that the document is not a valid travel document and indicating that the applicant is not allowed to travel without authorisation to the territory of other Member States until the procedure for the determination of the Member State responsible for the examination of the application in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation) has taken place;*** |

Or. en

**Amendment 977**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 1 – point f (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(f) stating whether the applicant has permission to take up gainful employment.*** |

Or. en

**Amendment 978**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***2. The authorities of the Member State where the application is lodged shall, within three working days of the lodging of the application, provide the applicant with a document in his or her own name:*** | ***deleted*** |
| ***(a) stating the identity of the applicant by including at least the data referred to in Article 27(1)(a) and (b), verified and updated where necessary, as well as a facial image of the applicant, signature, current place of residence and the date of lodging of the application;*** | |
| ***(b) stating the issuing authority, date and place of issue and period of validity of the document;*** | |
| ***(c) certifying the status of the individual as an applicant;*** | |
| ***(d) stating that the applicant has the right to remain on the territory of that Member State and indicating whether the applicant is free to move within all or part of the territory of that Member State;*** | |

***(e) stating that the document is not a valid travel document and indicating that the applicant is not allowed to travel without authorisation to the territory of other Member States until the procedure for the determination of the Member State responsible for the examination of the application in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation) has taken place;***

***(f) stating whether the applicant has permission to take up gainful employment.***

Or. en

**Amendment 979**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 29 – paragraph 2 – point d**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (d) stating that the applicant has the right to remain on the territory of that Member State and indicating ***whether*** the applicant is free to move within all ***or part of*** the territory of that Member State; | (d) stating that the applicant has the right to remain on the territory of that Member State and indicating the applicant is free to move within all the territory of that Member State; |

Or. en

**Amendment 980**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 29 – paragraph 2 – point e**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (e) stating that the document is not a valid travel document and indicating that the applicant ***is not allowed to*** travel without authorisation to the territory of | (e) stating that the document is not a valid travel document and indicating that the applicant ***can*** travel without authorisation to the territory of other |

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|---|---|
| other Member States until the procedure for the determination of the Member State responsible for the examination of the application in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation) has taken place; | Member States ***as long as he or she can be contacted*** until the procedure for the determination of the Member State responsible for the examination of the application in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation) has taken place; |

Or. en

**Amendment 981**
**Péter Niedermüller, Kati Piri, Caterina Chinnici, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 29 – paragraph 2 – point f**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (f) stating ***whether*** the applicant has permission to take up gainful employment. | (f) stating ***from what date*** the applicant has permission to take up gainful employment. |

Or. en

*Justification*

*Under the Parliament's position in the ReceptionConditions Directive, the applicant has access to the labour market two months after making his or her application (if no decision has been reached).The registration document should therefore indicate simply the date on which the applicant is permitted to start working.*

**Amendment 982**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 29 – paragraph 2 – point f a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(f a) Where the data referred to in 27(1)(a) includes an applicant's gender identity that differs from their legal gender, the document shall mention the name, gender marker, and other gendered*** |

***data corresponding to the gender identity of the applicant.***

Or. en

**Amendment 983**
**Emil Radev**

**Proposal for a regulation**
**Article 29 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***3. Where, following a procedure of determination in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation), another Member State is designated as responsible for the examination of the application, the authorities of that Member State shall provide the applicant with a document referred to in paragraph 2 within three working days from the transfer of the applicant to that Member State.*** | ***deleted*** |

Or. bg

**Amendment 984**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where, following a procedure of determination in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation), another Member State is designated as responsible for the examination of the application, the authorities of that Member State shall | 3. Where, following a procedure of determination in accordance with Regulation (EU) No XXX/XXX (Dublin Regulation), another Member State is designated as responsible for the examination of the application, the authorities of that Member State shall |

| | |
|---|---|
| provide the applicant with a document referred to in paragraph ***2*** within three working days from the transfer of the applicant to that Member State. | provide the applicant with a document referred to in paragraph ***1*** within three working days from the transfer of the applicant to that Member State. |

Or. en

**Amendment 985**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 3 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***3 a. The determining authority shall provide the applicant with a document certifying that an application has been lodged in accordance with Article 28 and listing the elements submitted by the applicant, upon lodging the application.*** |

Or. en

**Amendment 986**
**Péter Niedermüller, Elly Schlein, Cécile Kashetu Kyenge, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 29 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The document referred to in paragraph 2 shall be valid for a period of six months ***which*** shall be renewed ***accordingly to ensure*** 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. | The document referred to in paragraph 2 shall 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

*Justification*

*It is important to ensure the automatic nature of the renewal of the document certifying the applicant's right to remain (in the absence of a final decision on the application).*

**Amendment 987**
**Miltiadis Kyrkos**

**Proposal for a regulation**
**Article 29 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The document referred to in paragraph 2 shall be valid for a period of ***six*** months which shall be renewed accordingly to ensure 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. | The document referred to in paragraph 2 shall be valid for a period of ***at least two weeks but no more than 12*** months which shall be renewed accordingly to ensure 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 988**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 29 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The document referred to in paragraph ***2*** shall be valid for a period of six months which shall be renewed accordingly to ensure that the validity of that document covers the period during which the | The document referred to in paragraph ***1*** shall be valid for a period of ***at least*** six months which shall be renewed accordingly to ensure that the validity of that document covers the period during which the applicant has a right to remain |

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|---|---|
| applicant has a right to remain on the territory of the Member State responsible. | on the territory of the Member State responsible. |

Or. en

**Amendment 989**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 29 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The document referred to in paragraph 2 shall be valid for a period of ***six*** months which shall be renewed accordingly to ensure 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. | The document referred to in paragraph 2 shall be valid for a period of ***twelve*** months which shall be renewed accordingly to ensure 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

*Justification*

*A short period of validity would imply additional work for our administrative authorities with regards to the continuous need to prolong these documents. A longer validity period should reduce the need for administrative work and would not give a more extensive right to remain if the right has been terminated or suspended as per the next paragraph.*

**Amendment 990**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 29 – paragraph 4 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The document referred to in paragraph 2 shall be valid for a period of ***six*** months which shall be renewed accordingly to ensure that the validity of that document covers the period during which the | The document referred to in paragraph 2 shall be valid for a period of ***five*** months which shall be renewed accordingly to ensure that the validity of that document covers the period during which the |

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|---|---|
| applicant has a right to remain on the territory of the Member State responsible. | applicant has a right to remain on the territory of the Member State responsible. |

Or. en

*Justification*

*Linked to the amendment to Article 34 shortening the time-limit for normal examination procedure from six to five months.*

**Amendment 991**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 29 – paragraph 4 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The period of validity indicated on the document ***does not constitute*** a right to remain ***where that right was terminated or suspended***. | The period of validity indicated on the document ***constitutes*** a right to remain. |

Or. en

**Amendment 992**
**Péter Niedermüller, Birgit Sippel, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 29 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. The Commission ***may*** specify the form and content of the documents to be given to the applicants at registration and lodging by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58. | 5. The Commission ***shall*** specify the form and content of the documents to be given to the applicants at registration and lodging by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58. |

Or. en

*Justification*

*If we want a harmonised approach to procedures, the Member States should issue similar documents certifying the right to remain. An implementing act laying down the form and content of such a document should therefore be adopted.*

**Amendment 993**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 30 – paragraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. ***Where there are indications that*** third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, ***may need international protection, the responsible authorities shall inform them*** of the possibility to apply for international protection, in particular, where: | 1. ***The responsible authorities shall inform*** third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, of the possibility to apply for international protection, in particular, where: |

Or. en

*Justification*

*Third country nationals who are in detention facilities or held at border crossing points should always be informed of their right to apply for international protection.*

**Amendment 994**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 30 – paragraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Where there are indications that third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, may need international protection, the responsible | 1. Where there are indications**,** ***including information from NGOs,*** that third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, may need |

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|---|---|
| authorities shall inform them ***of the*** possibility to apply for international protection, in particular, where: | international protection, the responsible authorities shall inform them ***and provide*** possibility to apply for international protection, in particular, where: |

Or. en

**Amendment 995**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 30 – paragraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. ***Where there are indications that*** third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders**,** may need international protection***, the responsible authorities shall inform them*** of the possibility to apply for international protection***, in particular, where:*** | 1. ***The responsible authorities shall inform all*** third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders ***and that*** may need international protection of the possibility to apply for international protection |

Or. en

*Justification*

*The information should be provided to all, not just the specified groups.*

**Amendment 996**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 30 – paragraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. ***Where there are indications that*** third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, ***may need*** international protection, the responsible | 1. ***Member States shall assess whether*** third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, ***are in need of*** international protection***. If so***, the |

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|---|---|
| authorities shall inform them of the possibility to apply for international protection, in particular, where: | responsible authorities shall inform them of the possibility to apply for international protection, in particular, where: |

Or. en

**Amendment 997**
**Brice Hortefeux, Rachida Dati**

**Proposal for a regulation**
**Article 30 – paragraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Where there are indications that third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, may need international protection, the responsible authorities shall inform them of the possibility to apply for international protection, in particular, where: | *(Does not affect the English version.)* |

Or. fr

**Amendment 998**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 30 – paragraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. ***Where there are indications that*** third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders***, may need international protection, the responsible authorities shall inform them*** of the | 1. ***The responsible authorities shall inform all*** third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders of the ***right*** to apply for international protection ***and promptly refer them to the competent asylum authorities.*** |

***possibility*** to apply for international protection***, in particular, where:***

Or. en

*Justification*

*All third country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders, shall be promptly informed by the competent authorities of their right to apply for international protection. Children and vulnerable persons shall not be placed in detention facilities or held at border or transit zones.*

**Amendment 999**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 30 – paragraph 1 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Where there are indications that third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, may need international protection, the responsible authorities shall inform them of the possibility to apply for international protection***, in particular, where:*** | 1. Where there are indications that third-country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, may need international protection, the responsible authorities shall inform them of the possibility to apply for international protection***.*** |

Or. en

**Amendment 1000**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 30 – paragraph 1 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(a) it is likely that the person is an unaccompanied minor;*** | ***deleted*** |

Or. en

**Amendment 1001**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 30 – paragraph 1 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(a) it is likely that the person is an unaccompanied minor;*** | ***deleted*** |

Or. en

*Justification*

*All third country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders, shall be promptly informed by the competent authorities of their right to apply for international protection. Children and vulnerable persons shall not be placed in detention facilities or held at border or transit zones.*

**Amendment 1002**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 30 – paragraph 1 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(a) it is likely that the person is an unaccompanied minor;*** | ***deleted*** |

Or. en

*Justification*

*Relates to the amendment on 30(1)*

**Amendment 1003**
**Jussi Halla-aho**

**Proposal for a regulation**

**Article 30 – paragraph 1 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(b) there are obvious indications that the person suffers from mental or other disorders that render him or her unable to ascertain a need for international protection;*** | ***deleted*** |

Or. en

**Amendment 1004**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 30 – paragraph 1 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(b) there are obvious indications that the person suffers from mental or other disorders that render him or her unable to ascertain a need for international protection;*** | ***deleted*** |

Or. en

*Justification*

*Relates to the amendment on 30(1)*

**Amendment 1005**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 30 – paragraph 1 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(b) there are obvious indications that the person suffers from mental or other disorders that render him or her unable to*** | ***deleted*** |

***ascertain a need for international protection;***

Or. en

*Justification*

*All third country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders, shall be promptly informed by the competent authorities of their right to apply for international protection. Children and vulnerable persons shall not be placed in detention facilities or held at border or transit zones.*

**Amendment 1006**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 30 – paragraph 1 – point c**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(c) the person has arrived from a specific country of origin and it is likely that he or she is in need of international protection due to a well-known situation in that third country.*** | ***deleted*** |

Or. en

**Amendment 1007**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 30 – paragraph 1 – point c**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(c) the person has arrived from a specific country of origin and it is likely that he or she is in need of international protection due to a well-known situation in that third country.*** | ***deleted*** |

Or. en

**Amendment 1008**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 30 – paragraph 1 – point c**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(c) the person has arrived from a specific country of origin and it is likely that he or she is in need of international protection due to a well-known situation in that third country.*** | ***deleted*** |

Or. en

*Justification*

*Relates to the amendment on 30(1)*

**Amendment 1009**
**Elissavet Vozemberg-Vrionidi**

**Proposal for a regulation**
**Article 30 – paragraph 3 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Organisations and persons providing advice and counselling shall have effective access to third-country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders. | Organisations and persons ***accredited under national law for*** providing advice and counselling shall have effective access to third-country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders. |

Or. en

*Justification*

*Need to clarify which organisations and persons have this access according to national law.*

**Amendment 1010**
**Miltiadis Kyrkos**

**Proposal for a regulation**
**Article 30 – paragraph 3 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Organisations and persons providing advice and counselling shall have effective access to third-country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders. | Organisations and persons ***accredited under national law for*** providing advice and counselling shall have effective access to third-country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders. |

Or. en

**Amendment 1011**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 30 – paragraph 3 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Organisations and*** persons providing advice ***and counselling shall have effective*** access to third-country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders. | Persons providing advice ***may be given*** access to third-country nationals held in detention facilities or present at border crossing points, including transit zones, at external borders. |

Or. en

**Amendment 1012**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 30 – paragraph 3 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Member States may impose limits to such access where, by virtue of national law,*** | ***deleted*** |

***they are necessary for the security, public order or administrative management of a border crossing point or of a detention facility, provided that access is not severely restricted or rendered impossible.***

Or. en

**Amendment 1013**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 30 – paragraph 3 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Member States may impose limits to such access where, by virtue of national law, they are necessary for the security**,** public order ***or administrative management*** of a border crossing point or of a detention facility, provided that access is not severely restricted or rendered impossible. | Member States may impose limits to such access where, by virtue of national law, they are necessary for the security ***or*** public order of a border crossing point or of a detention facility, provided that access is not severely restricted or rendered impossible. ***Access to legal representatives shall be ensured in all circumstances.*** |

Or. en

**Amendment 1014**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 30 – paragraph 3 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Member States may impose limits to such access where, by virtue of national law, they are necessary for the security**,** public order ***or administrative management*** of a border crossing point or of a detention facility, provided that access is not severely restricted or rendered impossible. | Member States may impose limits to such access where, by virtue of national law, they are necessary for the security ***or*** public order of a border crossing point or of a detention facility, provided that access is not severely restricted or rendered impossible. |

Or. en

*Justification*

*Access to detention facilities or border crossing points should not be limited on the grounds of "administrative management".*

**Amendment 1015**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 31 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Applications on behalf of a spouse, partner, minor or dependent adult*** | ***Joint examination of applications*** |

Or. en

*Justification*

*In line with previous amendments to provide a possibility for Member States for joint examination of applications.*

**Amendment 1016**
**Kinga Gál**

**Proposal for a regulation**
**Article 31 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Applications on behalf of a spouse, ***partner,*** minor or dependent adult | Applications on behalf of a spouse, minor or dependent adult |

Or. hu

**Amendment 1017**
**Emil Radev**

**Proposal for a regulation**
**Article 31 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Applications on behalf of a ***spouse, partner,*** minor or dependent adult | Applications on behalf of a minor or dependent adult |

Or. bg

**Amendment 1018**
**Filiz Hyusmenova**

**Proposal for a regulation**
**Article 31 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Applications on behalf of a ***spouse, partner,*** minor or dependent adult | Applications on behalf of a minor or dependent adult |

Or. en

*Justification*

*An application for international protection should be made in person from the applicants who have the legal capacity to do so. As regards to the family members of the applicant, the rules of family reunification should apply*

**Amendment 1019**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 31 – title**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Applications on behalf of a ***spouse, partner,*** minor or dependent adult | Applications on behalf of a minor or dependent adult |

Or. en

**Amendment 1020**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 31 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. ***An applicant may lodge*** an application ***on behalf of his or her spouse or partner in a stable and durable relationship, minors or dependent adults without legal capacity***. | 1. ***Member States may decide to examine*** an application ***for international protection of an applicant jointly with the applications of family members, provided that they are on the territory of the same Member State***. |

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 1021**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 31 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. An applicant may lodge an application on behalf of ***his or her spouse or partner in a stable and durable relationship,*** minors or dependent adults without legal capacity. | 1. An applicant may lodge an application on behalf of minors or dependent adults without legal capacity. |

Or. en

**Amendment 1022**
**Filiz Hyusmenova**

**Proposal for a regulation**
**Article 31 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. An applicant may lodge an application on behalf of ***his or her spouse or partner in a stable and durable relationship,*** minors or dependent adults without legal capacity. | 1. An applicant may lodge an application on behalf of minors or dependent adults without legal capacity. |

Or. en

*Justification*

*Relates to the modification of article 31 - title*

**Amendment 1023**
**Emil Radev**

**Proposal for a regulation**
**Article 31 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. An applicant may lodge an application on behalf of his or her ***spouse or partner in a stable and durable relationship, minors*** or dependent ***adults*** without legal capacity. | 1. An applicant may lodge an application on behalf of his or her ***children under the age of legal responsibility*** or dependent ***adult children*** without legal capacity. |

Or. bg

**Amendment 1024**
**Kinga Gál**

**Proposal for a regulation**
**Article 31 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. An applicant may lodge an application on behalf of his or her spouse ***or partner in a stable and durable relationship***, minors or dependent adults without legal capacity. | 1. An applicant may lodge an application on behalf of his or her spouse, minors or dependent adults without legal capacity. |

Or. hu

**Amendment 1025**
**Monika Hohlmeier, Heinz K. Becker**

**Proposal for a regulation**
**Article 31 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. An applicant may lodge an application on behalf of his or her spouse or partner in a stable and durable relationship, ***minors*** or dependent adults without legal capacity. | 1. An applicant may lodge an application on behalf of his or her spouse or partner in a stable and durable relationship, ***minor children*** or dependent adults without legal capacity. |

Or. en

**Amendment 1026**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 31 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***2. The spouse or partner referred to in paragraph 1 shall be informed in private of the relevant procedural consequences of having the application lodged on his or her behalf and of his or her right to make a separate application for international protection. Where the spouse or partner does not consent to the lodging of an application on his or her behalf, he or she shall be given an opportunity to lodge an application in his or her own name.*** | ***deleted*** |

Or. en

**Amendment 1027**
**Filiz Hyusmenova**

**Proposal for a regulation**
**Article 31 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***2. The spouse or partner referred to in paragraph 1 shall be informed in private of the relevant procedural consequences of having the application lodged on his or her behalf and of his or her right to make a separate application for international protection. Where the spouse or partner does not consent to the lodging of an application on his or her behalf, he or she shall be given an opportunity to lodge an application in his or her own name.*** | ***deleted*** |

Or. en

*Justification*

*Relates to the modification of art. 31 - title*

**Amendment 1028**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 31 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***2. The spouse or partner referred to in paragraph 1 shall be informed in private of the relevant procedural consequences of having the application lodged on his or her behalf and of his or her right to make a separate application for international protection. Where the spouse or partner does not consent to the lodging of an application on his or her behalf, he or she shall be given an opportunity to lodge an application in his or her own name.*** | ***deleted*** |

Or. en

**Amendment 1029**
**Emil Radev**

**Proposal for a regulation**
**Article 31 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***2. The spouse or partner referred to in paragraph 1 shall be informed in private of the relevant procedural consequences of having the application lodged on his or her behalf and of his or her right to make a separate application for international protection. Where the spouse or partner does not consent to the lodging of an application on his or her behalf, he or she shall be given an opportunity to lodge an application in his or her own name.*** | ***deleted*** |

Or. bg

**Amendment 1030**
**Péter Niedermüller, Birgit Sippel, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 31 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The spouse or partner referred to in paragraph 1 shall be informed in private of the relevant procedural consequences of having the application lodged on his or her behalf and of his or her right to make a separate application for international protection. Where the spouse or partner does not consent to the lodging of an application on his or her behalf, he or she shall be ***given an opportunity*** to lodge an application in his or her own name. | 2. The spouse or partner referred to in paragraph 1 shall be informed in private ***by the determining authority*** of the relevant procedural consequences of having the application lodged on his or her behalf and of his or her right to make a separate application for international protection. Where the spouse or partner does not consent to the lodging of an application on his or her behalf, he or she shall be ***entitled*** |

to lodge an application in his or her own name.

Or. en

*Justification*

*The Commission text does not explain on whom the obligation rests to inform the spouse or partner of the procedural consequences of allowing an application to be lodged on his or her behalf.We believe it must rest on the determining authority.*

**Amendment 1031**
**Kinga Gál**

**Proposal for a regulation**
**Article 31 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The spouse ***or partner*** referred to in paragraph 1 shall be informed in private of the relevant procedural consequences of having the application lodged on his or her behalf and of his or her right to make a separate application for international protection. Where the spouse ***or partner*** does not consent to the lodging of an application on his or her behalf, he or she shall be given an opportunity to lodge an application in his or her own name. | 2. The spouse referred to in paragraph 1 shall be informed in private of the relevant procedural consequences of having the application lodged on his or her behalf and of his or her right to make a separate application for international protection. Where the spouse does not consent to the lodging of an application on his or her behalf,he or she shall be given an opportunity to lodge an application in his or her own name. |

Or. hu

**Amendment 1032**
**Filiz Hyusmenova**

**Proposal for a regulation**
**Article 31 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ten working days*** | ***deleted*** |

***referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ten working-day period starting from the expiry of the first ten working-day period. Where the spouse or partner still does not lodge his or her application within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure laid down in Article 39.***

Or. en

*Justification*

*Relates to the modification of art. 31 - title*

**Amendment 1033**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 31 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ten working-day period starting from the expiry of the first ten working-day period. Where the spouse or partner still does not lodge his or her application within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure laid down in Article 39.*** | ***deleted*** |

Or. en

**Amendment 1034**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 31 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ten working-day period starting from the expiry of the first ten working-day period. Where the spouse or partner still does not lodge his or her application within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure laid down in Article 39.*** | ***deleted*** |

Or. en

**Amendment 1035**
**Emil Radev**

**Proposal for a regulation**
**Article 31 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ten working-day period starting from the expiry of the first ten working-day period. Where the spouse or partner still does not lodge his or her application within these further ten*** | ***deleted*** |

***working days, the application shall be rejected as abandoned in accordance with the procedure laid down in Article 39.***

Or. bg

**Amendment 1036**
**Péter Niedermüller, Birgit Sippel, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 31 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ***ten*** working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ***ten*** working-day period starting from the expiry of the first ***ten*** working-day period. ***Where the spouse or partner still does not lodge his or her application within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure laid down in Article 39.*** | 3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ***15*** working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ***15*** working-day period starting from the expiry of the first ***15*** working-day period. |

Or. en

*Justification*

*The rules for rejecting applications as abandoned are laid down in Article 39 and do not need to be repeated here.*

**Amendment 1037**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 31 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| 3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ***ten*** working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ***ten*** working-day period starting from the expiry of the first ***ten*** working-day period. ***Where the spouse or partner still does not lodge his or her application within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure laid down in Article 39.*** | 3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ***twenty*** working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ***twenty*** working-day period starting from the expiry of the first ***twenty*** working-day period. |

Or. en

**Amendment 1038**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 31 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ***ten*** working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ***ten*** working-day period starting from the expiry of the first ten working-day period. Where the spouse or partner still does not lodge his or her application within these further ***ten*** working days, the ***application shall be rejected as abandoned in accordance with the procedure laid down in Article 39***. | 3. Where an applicant does not lodge an application on behalf of his or her spouse or partner as referred to in paragraph 1 within the ***20*** working days referred to in Article 28(1), the spouse or partner shall be given an opportunity to lodge his or her application in his or her own name within another ***20*** working-day period starting from the expiry of the first ten working-day period. Where the spouse or partner still does not lodge his or her application within these further ***20*** working days, the ***examination of the application shall be discontinued***. |

Or. en

**Amendment 1039**
**Kinga Gál**

**Proposal for a regulation**
**Article 31 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where an applicant does not lodge an application on behalf of his or her spouse ***or partner*** as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the spouse ***or partner*** shall be given an opportunity to lodge his or her application in his or her own name within another ten working-day period starting from the expiry of the first ten working-day period. Where the spouse ***or partner*** still does not lodge his or her application within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure laid down in Article 39. | 3. Where an applicant does not lodge an application on behalf of his or her spouse as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the spouse shall be given an opportunity to lodge his or her application in his or her own name within another ten working-day period starting from the expiry of the first ten working-day period. Where the spouse still does not lodge his or her application within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure laid down in Article 39. |

Or. hu

**Amendment 1040**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 31 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***4. Where an applicant does not lodge an application on behalf of his or her dependent adult as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that dependent adult if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the*** | ***deleted*** |

***dependent adult may need international protection.***

Or. en

**Amendment 1041**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 31 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***4. Where an applicant does not lodge an application on behalf of his or her dependent adult as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that dependent adult if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the dependent adult may need international protection.*** | ***deleted*** |

Or. en

**Amendment 1042**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 31 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Where an applicant does not lodge an application on behalf of his or her dependent adult as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that dependent adult if, on the basis of an individual assessment of his or her | 4. Where an applicant does not lodge an application on behalf of his or her dependent adult as referred to in paragraph 1 within the ten working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of ***and with the consent of*** that dependent adult if, on the basis of an individual assessment of |

| | |
|---|---|
| personal situation, it is of the opinion that the dependent adult may need international protection. | his or her personal situation, it is of the opinion that the dependent adult may need international protection. |

Or. en

**Amendment 1043**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 31 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Where an applicant does not lodge an application on behalf of his or her dependent adult as referred to in paragraph 1 within the ***ten*** working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that dependent adult if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the dependent adult may need international protection. | 4. Where an applicant does not lodge an application on behalf of his or her dependent adult as referred to in paragraph 1 within the ***20*** working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that dependent adult if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the dependent adult may need international protection. |

Or. en

**Amendment 1044**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 31 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Where an applicant does not lodge an application on behalf of his or her dependent adult as referred to in paragraph 1 within the ***ten*** working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that | 4. Where an applicant does not lodge an application on behalf of his or her dependent adult as referred to in paragraph 1 within the ***15*** working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that |

| | |
|---|---|
| dependent adult if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the dependent adult may need international protection. | dependent adult if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the dependent adult may need international protection. |

Or. en

*Justification*

*Consistency with earlier amendments.*

**Amendment 1045**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 31 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Where an applicant does not lodge an application on behalf of his or her dependent adult as referred to in paragraph 1 within the ***ten*** working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that dependent adult if, on the basis of an individual assessment of his or her personal situation, ***it is of the opinion that*** the dependent adult may need international protection. | 4. Where an applicant does not lodge an application on behalf of his or her dependent adult as referred to in paragraph 1 within the ***twenty*** working days referred to in Article 28(1), the determining authority shall lodge an application on behalf of that dependent adult if, on the basis of an individual assessment of his or her personal situation, ***facts indicate*** the dependent adult may need international protection. |

Or. en

**Amendment 1046**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 31 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***5. Where a person has lodged an application on behalf of his or her spouse or partner in a stable and durable*** | ***deleted*** |

***relationship or dependent adults without legal capacity, each of those persons shall be given the opportunity of a personal interview.***

Or. en

**Amendment 1047**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 31 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***5. Where a person has lodged an application on behalf of his or her spouse or partner in a stable and durable relationship or dependent adults without legal capacity, each of those persons shall be given the opportunity of a personal interview.*** | ***deleted*** |

Or. en

**Amendment 1048**
**Filiz Hyusmenova**

**Proposal for a regulation**
**Article 31 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. Where a person has lodged an application on behalf of ***his or her spouse or partner in a stable and durable relationship or*** dependent adults without legal capacity, ***each of*** those persons shall be given the opportunity of a personal interview. | 5. Where a person has lodged an application on behalf of dependent adults without legal capacity, those persons shall be given the opportunity of a personal interview. |

Or. en

*Justification*

*Relates to the modification of art. 31 - title*

**Amendment 1049**
**Emil Radev**

**Proposal for a regulation**
**Article 31 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. Where a person has lodged an application on behalf of his or her ***spouse or partner in a stable and durable relationship or*** dependent ***adults*** without legal capacity, each of those persons shall be given the opportunity of a personal interview. | 5. Where a person has lodged an application on behalf of his or her dependent ***adult children*** without legal capacity, each of those persons shall be given the opportunity of a personal interview. |

Or. bg

**Amendment 1050**
**Kinga Gál**

**Proposal for a regulation**
**Article 31 – paragraph 5**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. Where a person has lodged an application on behalf of his or her spouse or ***partner in a stable and durable relationship or*** dependent adults without legal capacity, each of those persons shall be given the opportunity of a personal interview. | 5. Where a person has lodged an application on behalf of his or her spouse or dependent adults without legal capacity, each of those persons shall be given the opportunity of a personal interview. |

Or. hu

**Amendment 1051**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 31 – paragraph 7**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***7. In the case of an accompanied minor, the lodging of an application by the adult responsible for him or her as referred to in paragraph 6 shall also be considered to be the lodging of an application for international protection on behalf of the minor.*** | ***deleted*** |

Or. en

**Amendment 1052**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 31 – paragraph 8**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***8. Where the adult responsible for the accompanied minor does not make an application for himself or herself, the accompanied minor shall be clearly informed of the possibility and procedure for lodging an application in his or her own name at the time of the making of his or her application.*** | ***deleted*** |

Or. en

**Amendment 1053**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 31 – paragraph 8**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***8. Where the adult responsible for the accompanied minor does not make an application for himself or herself, the*** | ***deleted*** |

***accompanied minor shall be clearly informed of the possibility and procedure for lodging an application in his or her own name at the time of the making of his or her application.***

Or. en

**Amendment 1054**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi, Carlos Coelho**

**Proposal for a regulation**
**Article 31 – paragraph 8**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 8. Where the adult responsible for the accompanied minor does not make an application for himself or herself, the accompanied minor shall be clearly informed of the possibility and procedure for lodging an application in his or her own name at the time of the making of his or her application. | 8. Where the adult responsible for the accompanied minor does not make an application for himself or herself, the accompanied minor shall be clearly informed of the possibility and procedure for lodging an application in his or her own name at the time of the making of his or her application ***and given an effective opportunity to do so within the ten working days provided for in Article 28(1) if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not have the legal capacity to act in procedures according to the national law of the Member State concerned, the determining authority shall act on behalf of the minor, with due regard to his or her views*** |

Or. en

**Amendment 1055**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 31 – paragraph 8**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 8. Where the adult responsible for the accompanied minor does not make an application for himself or herself, the ***accompanied minor*** shall ***be*** clearly ***informed of the possibility and*** procedure for lodging an application in his or her own name at the time of the making of his or her application. | 8. Where the adult responsible for the accompanied minor does not make an application for himself or herself, the ***responsible authorities*** shall clearly ***inform the accompanied minor of the*** procedure for lodging an application in his or her own name at the time of the making of his or her application. |

Or. en

*Justification*

*The Commission text does not explain on whom the obligation rests to inform the accompanied minor. We believe it must rest on the determining authority. In addition, the reference to a possibility to lodge an application is misleading,as it is an obligation on the applicant to lodge the application.*

**Amendment 1056**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 31 – paragraph 9**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ten working days provided for in Article 28(1), the minor shall be informed of the possibility to lodge his or her application in his or her own name and given an opportunity to do so within a further ten working-day period starting from the expiry of the first ten working-day period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not lodge his or her application in his or her own name within these further ten working days, the application shall be*** | ***deleted*** |

***rejected as abandoned in accordance with the procedure referred to in Article 39.***

Or. en

**Amendment 1057**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 31 – paragraph 9**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ten working days provided for in Article 28(1), the minor shall be informed of the possibility to lodge his or her application in his or her own name and given an opportunity to do so within a further ten working-day period starting from the expiry of the first ten working-day period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not lodge his or her application in his or her own name within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure referred to in Article 39.*** | ***deleted*** |

Or. en

**Amendment 1058**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi, Carlos Coelho**

**Proposal for a regulation**
**Article 31 – paragraph 9**

*Text proposed by the Commission* *Amendment*

| | |
|---|---|
| 9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ten working days provided for in Article 28(1), the minor shall be informed of the possibility to lodge his or her application in his or her own name and given an opportunity to do so within a further ten working-day period starting from the ***expiry of the first ten working-day period*** if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not lodge his or her application in his or her own name within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure referred to in Article 39. | 9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ten working days provided for in Article 28(1), the minor shall be informed of the possibility ***and the procedure*** to lodge his or her application in his or her own name and given an ***effective*** opportunity to do so within a further ten working-day period starting from the ***moment the minor is informed*** if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not lodge his or her application in his or her own name within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure referred to in Article 39. ***Where the minor does not have the legal capacity to act in procedures according to the national law of the Member State concerned, the determining authority shall act on behalf of the minor, with due regard to his or her views.*** |

Or. en

**Amendment 1059**
**Péter Niedermüller, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 31 – paragraph 9**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ***ten*** working days provided for in Article 28(1), the minor shall be informed of the ***possibility to lodge*** his or her application in his or her own name and given an opportunity to do so within a further ***ten*** working-day period starting from the expiry of the first ***ten*** working- | 9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ***15*** working days provided for in Article 28(1), the minor shall be informed of the ***procedure for lodging*** his or her application in his or her own name and given an opportunity to do so within a further ***15*** working-day period starting from the expiry of the first ***15*** working-day |

| | |
|---|---|
| day period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. ***Where the minor does not lodge his or her application in his or her own name within these further ten working days, the application shall be rejected as abandoned in accordance with the procedure referred to in Article 39.*** | period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. |

Or. en

*Justification*

*Consistency with earlier amendments to this Article.*

**Amendment 1060**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 31 – paragraph 9**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ***ten*** working days provided for in Article 28(1), the minor shall be informed of the possibility to lodge his or her application in his or her own name and given an opportunity to do so within a further ***ten*** working-day period starting from the expiry of the first ***ten*** working-day period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not lodge his or her application in his or her own name within these further ***ten*** working days, the ***application shall be rejected as abandoned in accordance with the procedure referred to in Article 39***. | 9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ***twenty*** working days provided for in Article 28(1), the minor shall be informed of the possibility to lodge his or her application in his or her own name and given an opportunity to do so within a further ***twenty*** working-day period starting from the expiry of the first ***twenty*** working-day period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not lodge his or her application in his or her own name within these further ***twenty*** working days, the ***authority with responsibility under Article 5 shall lodge an application on behalf of the minor***. |

Or. en

**Amendment 1061**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 31 – paragraph 9**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ***ten*** working days provided for in Article 28(1), the minor shall be informed of the possibility to lodge his or her application in his or her own name and given an opportunity to do so within a further ***ten*** working-day period starting from the expiry of the first ***ten*** working-day period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not lodge his or her application in his or her own name within these further ***ten*** working days, the application shall be rejected as abandoned in accordance with the procedure referred to in Article 39. | 9. Where the adult responsible for the accompanied minor does not lodge an application on behalf of the minor within the ***20*** working days provided for in Article 28(1), the minor shall be informed of the possibility to lodge his or her application in his or her own name and given an opportunity to do so within a further ***20*** working-day period starting from the expiry of the first ***20*** working-day period if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned. Where the minor does not lodge his or her application in his or her own name within these further ***20*** working days, the application shall be rejected as abandoned in accordance with the procedure referred to in Article 39. |

Or. en

**Amendment 1062**
**Péter Niedermüller, Caterina Chinnici, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 31 – paragraph 10**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***10. For the purpose of taking a decision on the admissibility of an application in case of a separate application by a spouse, partner or minor*** | ***deleted*** |

***pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the spouse, partner or minor which justify a separate application.***

***Where there are facts relating to the situation of the spouse, partner or minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the spouse, partner or minor.***

Or. en

*Justification*

*This text is misleading. Each application must be considered individually. The rules governing admissibility procedures are laid down elsewhere. There is no need for such a paragraph. It is not present in the existing Asylum Procedures Directive.*

**Amendment 1063**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 31 – paragraph 10**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***10. For the purpose of taking a decision on the admissibility of an application in case of a separate application by a spouse, partner or minor pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the spouse, partner or minor which justify a separate application.*** | ***deleted*** |

***Where there are facts relating to the situation of the spouse, partner or minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the spouse, partner or minor.***

Or. en

*Justification*

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

**Amendment 1064**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 31 – paragraph 10 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***For the purpose of taking a decision on the admissibility of an application in case of a separate application by a spouse, partner or minor pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the spouse, partner or minor which justify a separate application.*** | ***deleted*** |

Or. en

**Amendment 1065**
**Emil Radev**

**Proposal for a regulation**
**Article 31 – paragraph 10 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| For the purpose of taking a decision on the admissibility of an application in case of a separate application by a ***spouse, partner or*** minor pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the ***spouse, partner or*** minor which justify a separate application. | For the purpose of taking a decision on the admissibility of an application in case of a separate application by a minor pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the minor which justify a separate application. |

Or. bg

**Amendment 1066**
**Filiz Hyusmenova**

**Proposal for a regulation**
**Article 31 – paragraph 10 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| For the purpose of taking a decision on the admissibility of an application in case of a separate application by a ***spouse, partner or*** minor pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the ***spouse, partner or*** minor which justify a separate application. | For the purpose of taking a decision on the admissibility of an application in case of a separate application by a minor pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the minor which justify a separate application. |

Or. en

*Justification*

*Relates to the modification of art. 31 - title*

**Amendment 1067**
**Kinga Gál**

**Proposal for a regulation**
**Article 31 – paragraph 10 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| For the purpose of taking a decision on the admissibility of an application in case of a separate application by a spouse***, partner*** or minor pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the spouse***, partner*** or minor which justify a separate application. | For the purpose of taking a decision on the admissibility of an application in case of a separate application by a spouse or minor pursuant to Article 36(1)(d), an application for international protection shall be subject to an initial examination as to whether there are facts relating to the situation of the spouse or minor which justify a separate application. |

Or. hu

**Amendment 1068**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 31 – paragraph 10 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Where there are facts relating to the situation of the spouse, partner or minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. ***If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the spouse, partner or minor.*** | Where there are facts relating to the situation of the spouse, partner or minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. |

Or. en

**Amendment 1069**
**Emil Radev**

**Proposal for a regulation**
**Article 31 – paragraph 10 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| Where there are facts relating to the situation of the ***spouse, partner or*** minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the ***spouse, partner or*** minor. | Where there are facts relating to the situation of the minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the minor. |

Or. bg

**Amendment 1070**
**Filiz Hyusmenova**

**Proposal for a regulation**
**Article 31 – paragraph 10 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Where there are facts relating to the situation of the ***spouse, partner or*** minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the ***spouse, partner or*** minor. | Where there are facts relating to the situation of the minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the minor. |

Or. en

*Justification*

*Relates to the modification of art. 31 - title*

**Amendment 1071**
**Kinga Gál**

**Proposal for a regulation**
**Article 31 – paragraph 10 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Where there are facts relating to the situation of the spouse***, partner*** or minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the spouse, partner or minor. | Where there are facts relating to the situation of the spouse or minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the spouse, partner or minor. |

Or. hu

**Amendment 1072**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 31 – paragraph 10 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Where there are facts relating to the situation of ***the spouse, partner or*** minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the spouse, partner or minor. | Where there are facts relating to the situation of minor which justify a separate application, that separate application shall be further examined to take a decision on its merits. If not, that separate application shall be rejected as inadmissible, without prejudice to the proper examination of any application lodged on behalf of the spouse, partner or minor. |

Or. en

**Amendment 1073**
**Péter Niedermüller, Birgit Sippel, Ana Gomes, Josef Weidenholzer, Caterina Chinnici**

**Proposal for a regulation**
**Article 32 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| 1. An unaccompanied minor shall lodge an application in his or her own name if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned, or his or her guardian shall lodge it on his or her behalf. The guardian shall assist and properly inform the unaccompanied minor of how and where an application is to be lodged. | 1. An unaccompanied minor shall lodge an application in his or her own name if he or she has the legal capacity to act in procedures according to the national law of the Member State concerned, or his or her guardian shall lodge it on his or her behalf. ***Without prejudice to the unaccompanied minors right to legal assistance and representation in accordance with Article 14 and 15,*** the guardian shall assist and properly inform the unaccompanied minor of how and where an application is to be lodged. |

Or. en

*Justification*

*All unaccompanied minors enjoy the same right to legalassistance and representation as any other applicant, including the right tofree legal assistance and representation.This should be available before thelodging of the application.*

**Amendment 1074**
**Emil Radev**

**Proposal for a regulation**
**Article 32 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. ***In the case of an unaccompanied minor, the ten working-day period for the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her.*** Where his or her guardian does not lodge an application on behalf of the unaccompanied minor ***within those ten working days***, the determining authority shall lodge an application on behalf of the unaccompanied minor if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the minor may need international protection. | 2. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor, the determining authority shall lodge an application on behalf of the unaccompanied minor if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the minor may need international protection. |

Or. bg

**Amendment 1075**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 32 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. In the case of an unaccompanied minor, the ***ten*** working-day period for the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those ***ten*** working days, the determining authority shall lodge an application on behalf of the unaccompanied minor ***if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the minor may need international protection***. | 2. In the case of an unaccompanied minor, the ***15*** working-day period for the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those ***15*** working days, the determining authority shall lodge an application on behalf of the unaccompanied minor. |

Or. en

*Justification*

*Consistency with earlier amendments. As this paragraph deals with the lodging of an application that has already been made, the determining authority cannot decide, at this stage, whether the minor needs international protection before the substantive examination of the application. Since the unaccompanied minor has already made the application, the application should be lodged on his or her behalf.*

**Amendment 1076**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi**

**Proposal for a regulation**
**Article 32 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. In the case of an unaccompanied minor, the ten working-day period for the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those ten working days, the determining authority shall lodge an application on behalf of the unaccompanied minor ***if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the minor may need international protection***. | 2. In the case of an unaccompanied minor, the ten working-day period for the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those ten working days, the determining authority shall lodge an application on behalf of the unaccompanied minor. |

Or. en

**Amendment 1077**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 32 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. In the case of an unaccompanied minor, the ***ten*** working-day period for the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those ***ten*** working days, the determining authority shall lodge an application on behalf of the unaccompanied minor ***if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the minor may need international protection***. | 2. In the case of an unaccompanied minor, the ***twenty*** working-day period for the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those ***twenty*** working days, the determining authority shall lodge an application on behalf of the unaccompanied minor. |

Or. en

**Amendment 1078**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 32 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. In the case of an unaccompanied minor, the ***ten*** working-day period for the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those ***ten*** working days, the determining authority shall lodge an application on behalf of the unaccompanied minor if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the minor may need international protection. | 2. In the case of an unaccompanied minor, the ***20*** working-day period for the lodging the application provided for in Article 28(1) shall only start to run from the moment a guardian of the unaccompanied minor is appointed and has met with him or her. Where his or her guardian does not lodge an application on behalf of the unaccompanied minor within those ***20*** working days, the determining authority shall lodge an application on behalf of the unaccompanied minor if, on the basis of an individual assessment of his or her personal situation, it is of the opinion that the minor may need international protection. |

Or. en

**Amendment 1079**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 32 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***3. The bodies referred to in Article 10 of Directive 2008/115/EC shall have the right to lodge an application for international protection on behalf of an unaccompanied minor if, on the basis of an individual assessment of his or her*** | ***deleted*** |

***personal situation, those bodies are of the opinion that the minor may need international protection.***

Or. en

**Amendment 1080**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 33 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***2. The determining authority shall take decisions on applications for international protection after an appropriate examination as to the admissibility or merits of an application. The determining authority shall examine applications objectively, impartially and on an individual basis. For the purpose of examining the application, it shall take the following into account:*** | ***deleted*** |
| ***(a) the relevant statements and documentation presented by the applicant including information on whether the applicant has been or may be subject to persecution or serious harm;*** | |
| ***(b) all relevant, accurate and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, as well as any other relevant information obtained from the European Union Agency for Asylum, from the United Nations High Commissioner for Refugees and relevant international human rights organisations, or from other sources;*** | |
| ***(c) the common analysis of the country of origin information referred to in Article*** | |

***10 of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation);***

***(d) the individual position and personal circumstances of the applicant, including factors such as background, gender, age, sexual orientation and gender identity so as to assess whether, on the basis of the applicant's personal circumstances, the acts to which the applicant has been or could be exposed would amount to persecution or serious harm;***

***(e) whether the activities that the applicant was engaged in since leaving the country of origin were carried out by the applicant for the sole or main purpose of creating the necessary conditions for applying for international protection, so as to assess whether those activities would expose the applicant to persecution or serious harm if returned to that country;***

***(f) whether the applicant could reasonably be expected to avail himself or herself of the protection of another country where he or she could assert citizenship.***

Or. en

**Amendment 1081**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 33 – paragraph 2 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. ***The determining authority shall take decisions on applications for international protection after an appropriate examination as to the admissibility or merits of an application.*** The determining authority shall examine applications objectively, impartially and on an individual basis. For the purpose of | 2. The determining authority shall examine applications objectively, impartially and on an individual basis. For the purpose of examining the application, it shall take the following into account: |

examining the application, it shall take the following into account:

Or. en

*Justification*

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

**Amendment 1082**
**Péter Niedermüller, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 33 – paragraph 2 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The determining authority shall take decisions on applications for international protection after an appropriate examination ***as to the admissibility or merits*** of an application. The determining authority shall examine applications objectively, impartially and on an individual basis. For the purpose of examining the application, it shall take the following into account: | 2. The determining authority shall take decisions on applications for international protection after an appropriate examination of an application. The determining authority shall examine applications objectively, impartially and on an individual basis. For the purpose of examining the application, it shall take the following into account: |

Or. en

*Justification*

*In line with our amendments to make the admissibility test purely optional, the determining authority is not obliged to examine the admissibility of each application.*

**Amendment 1083**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| (b) all relevant, accurate and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, as well as any other relevant information obtained from the European Union Agency for Asylum***, from the United Nations High Commissioner for Refugees and relevant international human rights organisations, or from other sources;*** | (b) all relevant, accurate and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, as well as any other relevant information obtained from the European Union Agency for Asylum**.** |

Or. en

**Amendment 1084**
**Anna Maria Corazza Bildt, Caterina Chinnici, Hilde Vautmans, Barbara Matera, Damiano Zoffoli, Michaela Šojdrová, Brando Benifei, Lara Comi, Barbara Kudrycka, Carlos Coelho**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) all relevant, accurate and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, as well as any other relevant information obtained from the European Union Agency for Asylum, from the United Nations High Commissioner for Refugees and relevant international human rights organisations, or from other sources; | (b) all relevant, accurate and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, as well as any other relevant information obtained from the European Union Agency for Asylum, from the United Nations High Commissioner for Refugees and relevant international human rights ***and child-focused*** organisations, or from other sources; |

Or. en

**Amendment 1085**

**Jussi Halla-aho**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point d**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (d) the individual position and personal circumstances of the applicant***, including factors such as background, gender, age, sexual orientation and gender identity*** so as to assess whether, on the basis of the applicant's personal circumstances, the acts to which the applicant has been or could be exposed would amount to persecution or serious harm; | (d) the individual position and personal circumstances of the applicant so as to assess whether, on the basis of the applicant's personal circumstances, the acts to which the applicant has been or could be exposed would amount to persecution or serious harm; |

Or. en

**Amendment 1086**
**Emil Radev**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point r**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (d) the individual position and personal circumstances of the applicant, including factors such as background, gender***, age, sexual orientation and gender identity*** so as to assess whether, on the basis of the applicant's personal circumstances, the acts to which the applicant has been or could be exposed would amount to persecution or serious harm; | (d) the individual position and personal circumstances of the applicant, including factors such as background, gender ***and age,*** so as to assess whether, on the basis of the applicant's personal circumstances, the acts to which the applicant has been or could be exposed would amount to persecution or serious harm; |

Or. bg

**Amendment 1087**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point e**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(e) whether the activities that the applicant was engaged in since leaving the country of origin were carried out by the applicant for the sole or main purpose of creating the necessary conditions for applying for international protection, so as to assess whether those activities would expose the applicant to persecution or serious harm if returned to that country;*** | ***deleted*** |

Or. en

*Justification*

*This provision assumes that applicants for international protections should be considered with suspicion for exercising fundamental freedoms that they have every right to enjoy even if they put them at risk. As such the provision should be deleted.*

**Amendment 1088**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point e**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(e) whether the activities that the applicant was engaged in since leaving the country of origin were carried out by the applicant for the sole or main purpose of creating the necessary conditions for applying for international protection, so as to assess whether those activities would expose the applicant to persecution or serious harm if returned to that country;*** | ***deleted*** |

Or. en

**Amendment 1089**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point e**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (e) whether ***the activities that the applicant was engaged in*** since leaving the country of origin ***were carried out by the applicant*** for the sole or main purpose of creating the necessary conditions for applying for international protection***, so as to assess whether those activities would expose the applicant to persecution or serious harm if returned to that country;*** | (e) Whether***,*** since leaving the country of origin***, the applicant was engaged in activities*** for the sole or main purpose of creating the necessary conditions for applying for international protection |

Or. en

**Amendment 1090**
**Péter Niedermüller, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point e**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (e) whether the activities that the applicant was engaged in since leaving the country of origin were carried out by the applicant for the sole ***or main*** purpose of ***creating the necessary conditions for applying for international protection, so as to assess whether those activities would expose*** the applicant ***to persecution or serious harm if returned to that*** country***;*** | (e) whether the activities that the applicant was engaged in since leaving the country of origin were carried out by the applicant for the sole purpose of ***being granted international protection. This shall exclude any circumstances independent of the applicant's will, including but not limited to his or her sexual orientation and religious beliefs, which*** the applicant ***may have concealed to various degrees while in the*** country ***of origin.*** |

Or. en

*Justification*

*Aligned with the wording adopted in the Qualifications Regulation.*

**Amendment 1091**
**Péter Niedermüller, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point f**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(f) whether the applicant could reasonably be expected to avail himself or herself of the protection of another country where he or she could assert citizenship.*** | ***deleted*** |

Or. en

*Justification*

*Union law should not encourage Member States to abdicate their responsibility to provide international protection to those in need.*

**Amendment 1092**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point f**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (f) whether ***the applicant*** could reasonably be expected ***to*** avail himself or herself of the protection of another country where he or she could assert citizenship. | (f) whether ***it*** could reasonably be expected ***of the applicant that he or she can*** avail himself or herself of the protection of another country where he or she could assert citizenship. |

Or. en

**Amendment 1093**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point f**

| *Text proposed by the Commission* | *Amendment* |
|---|---|

| | |
|---|---|
| (f) whether the applicant could reasonably be expected to avail himself or herself of the protection of another country where he or she could assert citizenship. | (f) whether the applicant could reasonably be expected to avail himself or herself of the protection of another country where he or she could assert citizenship ***or residence status***. |

Or. en

**Amendment 1094**
**Kinga Gál**

**Proposal for a regulation**
**Article 33 – paragraph 2 – point f**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (f) whether the applicant could reasonably be expected to avail himself or herself of the protection of another country ***where he or she could assert citizenship***. | (f) whether the applicant could reasonably be expected to avail himself or herself of the protection of another country. |

Or. hu

**Amendment 1095**
**Péter Niedermüller, Caterina Chinnici, Ana Gomes, Josef Weidenholzer, Claude Moraes**

**Proposal for a regulation**
**Article 33 – paragraph 2 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***2 a. Where, at any time before a final decision has been taken on application for international protection, the applicant is granted an EU Blue Card in accordance with Directive xxx/xxx (on the conditions of entry and residence of third country nationals for the purpose of highly skilled employment), that application shall be postponed. That postponement shall last until the EU Blue Card - and any renewal of the EU Blue Card - has expired and the applicant has returned to the Member State responsible for the application of*** |

***international protection.***
***All the relevant time-limits, in respect of that application for international protection, as laid down in this Regulation shall be postponed accordingly. Those time-limits shall start to run again only once the applicant has returned to the Member State responsible for the application for international protection. An applicant for international protection who is granted an EU Blue Card may explicitly withdraw his or her application for international protection at any time during the validity of the EU Blue Card in accordance with Article 38.The determining authority shall not consider an application for international protection to be implicitly withdrawn in accordance with Article 39 on the ground that the applicant has become an EU Blue Card holder.***

Or. en

*Justification*

*This amendment is designed to reflect the position adopted by the Parliament on the EU Blue Card Directive, opening up the possibility for those applicants for international protection who already have access to the labour market under the EU Asylum rules to apply for an EU Blue Card, and to be granted such a Blue Card if they fulfil all the conditions laid down in that Directive. For that purpose, it is necessary to establish that the application for international protection will not cease upon the granting of an EU Blue Card but shall not be further processed until such time as the EU Blue Card has expired.*

**Amendment 1096**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes, Caterina Chinnici**

**Proposal for a regulation**
**Article 33 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. The personnel examining applications and taking decisions shall have sufficient knowledge of the relevant standards applicable in the field of asylum | 3. The personnel examining applications and taking decisions shall have sufficient knowledge of the relevant standards applicable in the field of asylum |

| | |
|---|---|
| and refugee law**.** They shall have the possibility to seek advice, whenever necessary, from experts on particular issues, such as medical, cultural, religious and child-related or gender issues. Where necessary, they may submit queries to the European Union Agency for Asylum in accordance with Article 9(2)(b) of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation). | and refugee law ***and shall have completed the necessary training in accordance with Article 7 (3) Regulation (EU) XXX/XXX (EU Asylum Agency Regulation).***They shall have the possibility to seek advice, whenever necessary, from experts on particular issues, such as medical, cultural, religious***, mental health,*** and child-related or gender issues. Where necessary, they may submit queries to the European Union Agency for Asylum in accordance with Article 9(2)(b) of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation). |

Or. en

*Justification*

*It is crucial to ensure sufficient training as training has a key role to ensure in proper procedures.*

**Amendment 1097**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 33 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. The personnel examining applications and taking decisions shall have sufficient knowledge of the relevant standards applicable in the field of asylum and refugee law. They shall have the possibility to seek advice, whenever necessary, from experts on particular issues, such as medical, cultural, religious and child-related or gender issues. Where necessary, they may submit queries to the European Union Agency for Asylum in accordance with Article 9(2)(b) of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation). | 3. The personnel examining applications and taking decisions shall have sufficient knowledge of the relevant standards applicable in the field of asylum and refugee law ***and shall have completed the necessary training under Regulation (EU) XXX/XXX (EU Asylum Agency Regulation)***. They shall have the possibility to seek advice, whenever necessary, from experts on particular issues, such as medical, cultural, religious and child-related or gender issues. Where necessary, they may submit queries to the European Union Agency for Asylum in |

accordance with Article 9(2)(b) of Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation).

Or. en

**Amendment 1098**
**Ska Keller**
on behalf of the Verts/ALE Group
**Bodil Valero, Judith Sargentini**

**Proposal for a regulation**
**Article 33 – paragraph 5 – introductory part**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 5. An examination of an application for international protection may be prioritised in accordance with the basic principles and guarantees of Chapter II, in particular, where***:*** | 5. An examination of an application for international protection may be prioritised in accordance with the basic principles and guarantees of Chapter II, in particular, where ***the applicant has special reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of special procedural guarantees as referred to in Articles 19 to 22 of this Regulation.*** |

Or. en

**Amendment 1099**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 33 – paragraph 5 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(a) the application is likely to be well-founded;*** | ***deleted*** |

Or. en

**Amendment 1100**
**Marina Albiol Guzmán**

**Proposal for a regulation**
**Article 33 – paragraph 5 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(a) the application is likely to be well-founded;*** | ***deleted*** |

Or. en

**Amendment 1101**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 33 – paragraph 5 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (a) the application is likely to be well-founded; | (a) the application is ***prima facie regarded as*** likely to be well-founded; |

Or. en

**Amendment 1102**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 33 – paragraph 5 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(b) the applicant has special reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of special procedural guarantees, in*** | ***deleted*** |

***particular where he or she is an unaccompanied minor.***

Or. en

**Amendment 1103**
**Péter Niedermüller, Kati Piri, Caterina Chinnici, Ana Gomes, Josef Weidenholzer**

**Proposal for a regulation**
**Article 33 – paragraph 5 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) the applicant has ***special*** reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of special procedural guarantees, in particular where he or she is an unaccompanied minor. | (b) the applicant has ***specific*** reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of special procedural guarantees ***in accordance with Articles 19 to 22 of this Regulation***, in particular where he or she is an unaccompanied minor. |

Or. en

*Justification*

*Consistency with earlier amendments.*

**Amendment 1104**
**Jeroen Lenaers**

**Proposal for a regulation**
**Article 33 – paragraph 5 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) the applicant has special reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of special procedural guarantees, in particular where he or she is an unaccompanied minor. | (b) the applicant has special reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of special procedural guarantees ***as referred to in Articles 19 to 22 of this Regulation***, in particular where he or she is an unaccompanied minor. |

Or. en

**Amendment 1105**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 33 – paragraph 5 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) the applicant has special reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of special procedural guarantees***, in particular where he or she is an unaccompanied minor.*** | (b) the applicant has special reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of special procedural guarantees |

Or. en

**Amendment 1106**
**Cecilia Wikström, Sophia in 't Veld, Angelika Mlinar, Filiz Hyusmenova**

**Proposal for a regulation**
**Article 33 – paragraph 5 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) the applicant has ***special*** reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of ***special*** procedural guarantees, in particular where he or she is an unaccompanied minor. | (b) the applicant has ***specific*** reception needs within the meaning of Article 20 of Directive XXX/XXX/EU (Reception Conditions Directive), or is in need of ***specific*** procedural guarantees, in particular where he or she is an unaccompanied minor. |

Or. en

*Justification*

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

**Amendment 1107**
**Carlos Coelho**

**Proposal for a regulation**
**Article 33 – paragraph 5 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***5 a. The European Agency for Asylum shall be a centre for gathering relevant, reliable, objective, accurate and up-to date information on relevant third countries in a transparent and impartial manner, making use of relevant information, including child-specific and gender-specific information, as well as targeted information on persons belonging to vulnerable groups as provided in Articles 8 and 9 in the Regulation (EU) XXX/XXX (on the European Agency for Asylum).*** |

Or. en

**Amendment 1108**
**Carlos Coelho**

**Proposal for a regulation**
**Article 33 – paragraph 5 b (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***5 b. The European Agency for Asylum shall regularly review the situation in third countries which are included in the common EU list of safe countries of origin established by Regulation (EU) No XXX/XXX [SCO/APR] or designated as safe third countries at Union level in accordance with Regulation (EU) No XXX/XXX [APR], including those that have been suspended by the Commission and those that have been removed from that list.*** |

Or. en

**Amendment 1109**
**Sergei Stanishev**

**Proposal for a regulation**
**Article 34 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***1. The examination to determine the admissibility of an application in accordance with Article 36(1) shall not take longer than one month from the lodging of an application.*** | ***deleted*** |
| ***The time-limit for such examination shall be ten working days where, in accordance with Article 3(3)(a) of Regulation (EU) No XXX/XXX (Dublin Regulation), the Member State of first application applies the concept of first country of asylum or safe third country referred to in Article 36(1)(a) and (b).*** | |

Or. en

*Justification*

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

**Amendment 1110**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 34 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The examination to determine the admissibility of an application in accordance with Article 36(1) shall not take longer than one month from the lodging of an application. | The examination to determine the admissibility of an application in accordance with Article 36(1) shall not take longer than one month from the lodging of an application. ***Where the*** |

| | |
|---|---|
| | ***determining authority does not determine the admissibility of an application within one month, it shall continue the examination of the application in accordance with paragraph 2 and 3 and Article 37 and shall inform the applicant accordingly.*** |

Or. en

**Amendment 1111**
**Péter Niedermüller, Caterina Chinnici, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 34 – paragraph 1 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The examination to determine the admissibility of an application in accordance with Article 36(1) shall not take longer than one month from the lodging of an application. | ***Where applicable,*** the examination to determine the admissibility of an application in accordance with Article 36(1) shall not take longer than one month from the lodging of an application. |

Or. en

*Justification*

*In line with other amendments to make the admissibility test as optional. A time-limit on an admissibility test can apply only where such a test is actually used.*

**Amendment 1112**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 34 – paragraph 1 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***The time-limit for such examination shall be ten working days where, in accordance with Article 3(3)(a) of Regulation (EU) No XXX/XXX (Dublin Regulation), the Member State of first application applies the concept of first country of asylum or*** | ***deleted*** |

***safe third country referred to in Article 36(1)(a) and (b).***

Or. en

*Justification*

*Whatever reasons may exist for applying an admissibility test, it should incorporate an individual assessment of the application. Where an admissibility test is carried out, the deadline for completing such a test should be uniform.*

**Amendment 1113**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 34 – paragraph 1 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***The time-limit for such examination shall be ten working days where, in accordance with Article 3(3)(a) of Regulation (EU) No XXX/XXX (Dublin Regulation), the Member State of first application applies the concept of first country of asylum or safe third country referred to in Article 36(1)(a) and (b).*** | ***deleted*** |

Or. en

**Amendment 1114**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 34 – paragraph 1 – subparagraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| The time-limit for such examination shall be ten ***working*** days where, in accordance with Article 3(3)(a) of Regulation (EU) No XXX/XXX (Dublin Regulation), the Member State of first application applies | The time-limit for such examination shall be ten ***calendar*** days where, in accordance with Article 3(3)(a) of Regulation (EU) No XXX/XXX (Dublin Regulation), the Member State of first application applies |

| | |
|---|---|
| the concept of first country of asylum or safe third country referred to in Article 36(1)(a) and (b). | the concept of first country of asylum or safe third country referred to in Article 36(1)(a) and (b). |

Or. en

**Amendment 1115**
**Jussi Halla-aho**

**Proposal for a regulation**
**Article 34 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The determining authority shall ensure that an examination procedure on the merits is concluded as soon as possible and not later than ***six*** months from the lodging of the application, without prejudice to an adequate and complete examination. | 2. The determining authority shall ensure that an examination procedure on the merits is concluded as soon as possible and not later than ***five*** months from the lodging of the application, without prejudice to an adequate and complete examination. |

Or. en

**Amendment 1116**
**Péter Niedermüller, Josef Weidenholzer, Ana Gomes**

**Proposal for a regulation**
**Article 34 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. The determining authority shall ensure that an examination procedure ***on the merits*** is concluded as soon as possible and not later than six months from the lodging of the application, without prejudice to an adequate and complete examination. | 2. The determining authority shall ensure that an examination procedure is concluded as soon as possible and not later than six months from the lodging of the application, without prejudice to an adequate and complete examination. |

Or. en

**Amendment 1117**
**Ska Keller**
on behalf of the Verts/ALE Group
**Judith Sargentini**

**Proposal for a regulation**
**Article 34 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***3. The determining authority may extend that time-limit of six months by a period of not more than three months, where:*** | ***deleted*** |
| ***(a) a disproportionate number of third-country nationals or stateless persons simultaneously apply for international protection, making it difficult in practice to conclude the procedure within the six-month time limit;*** | |
| ***(b) complex issues of fact or law are involved.*** | |

Or. en