

## AMENDMENT FORM

### Suggestion for amendment of Part Two, Article 11:

**By: BROK; SANTER; STYLIANIDIS; SZAJER; TUSEK; VAN DER LINDEN; ALMEIDA GARRETT; ALTMAIER; AZEVEDO; BASILE; BREJC; CUSHNAHAN; DEMETRIOU; FIGEL; FOGLER; FRENDON; GIANNAKOU; KAUPPI; KELAM; KELEMEN; KORHONEN; KRASTS; KROUPA; KUTZKOVA; LENNMARKER; MAIJ-WEGGEN; MLADENOV; NAZARE-PEREIRA; PIKS; RACK; VAN DIJK; WITTBRODT; ZIELENIEC; ZILE**

**on behalf of the EPP Convention Group**

**Status: Members and Alternates**

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*Text of the Praesidium*

*Proposed Amendments*

#### **Part Two: of the Constitution**

**Title ...: Area of freedom, security and justice**

**Chapter I: Policies on border checks, asylum and immigration**

#### **Article 11: [Asylum]**

1. The Union shall develop a common policy on asylum and temporary protection with a view to offering appropriate status to any third-country national requiring international protection and ensuring compliance with the principle of non-refoulement. This policy shall be in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and other relevant treaties.

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<p>2. For this purpose, the European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws or framework laws to establish a common European asylum system comprising:</p> <ul style="list-style-type: none"> <li>– a uniform status of asylum for nationals of third countries, valid throughout the Union;</li> <li>– a uniform status of subsidiary protection for nationals of third countries who, without obtaining European asylum, are in need of international protection;</li> <li>– a uniform status of temporary protection for displaced persons in the event of a massive inflow;</li> <li>– a common procedure for granting and withdrawing asylum status or subsidiary or temporary protection status;</li> <li>– criteria and mechanisms for determining which Member State is responsible for considering an application for asylum or subsidiary protection;</li> <li>– standards concerning the reception of applicants for asylum or subsidiary or temporary protection.</li> </ul> <p>3. In the event of one or more Member States being confronted by an emergency situation characterised by a sudden inflow of nationals of third countries, the Council, by a qualified majority, may adopt regulations or decisions comprising provisional measures for the benefit of the Member State(s) concerned. It shall act on a proposal from the Commission after consulting the European Parliament.</p>	<p>2. For this purpose, the European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws or framework laws to establish a common European asylum system comprising:</p> <ul style="list-style-type: none"> <li>– a uniform status of asylum for nationals of third countries, valid throughout the Union;</li> <li>– a uniform status of subsidiary protection for nationals of third countries who, without obtaining European asylum, are in need of international protection;</li> <li>– a uniform status of temporary protection for displaced persons in the event of a massive inflow;</li> <li>– a common procedure for granting and withdrawing <del>asylum</del> <b>refugee</b> status <del>or subsidiary or temporary protection status</del>;</li> <li>- <b><i>a common procedure for granting and withdrawing subsidiary or temporary protection status</i></b></li> <li>– criteria and mechanisms for determining which Member State is responsible for considering an application for asylum or subsidiary protection;</li> <li>– standards concerning the reception of applicants for asylum or subsidiary or temporary protection.</li> </ul> <p>3. In the event of one or more Member States being confronted by an emergency situation characterised by a sudden inflow of nationals of third countries, the Council, by a qualified majority, may adopt regulations or decisions comprising provisional measures for the benefit of the Member</p>
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***Explanation:***

***Para 2, 4th indent***

Asylum and subsidiary protection should not be treated in the same way.

Term Refugee according to Convention of Geneva.