

## AMENDMENT FORM

### Suggestion for amendment of Article : 11

**By Members:** Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Karel De Gucht, Mr Peeter Kreitzberg, Mr Agirdas Gričius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; **and Alternate Members:** Ms Lone Dybkjaer, Mr Willem van Eekelen, Lord Robert MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Mrs Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Mr Gintautas Sivickas.

**Status :** Members and alternate members.

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#### 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.
2. For this purpose *the Union* shall adopt laws or framework laws to establish a common European asylum system comprising:
  - a uniform status of asylum for *third country nationals*, valid throughout the Union;
  - a uniform status of subsidiary protection for *third country nationals* who, without obtaining European asylum, are in need of international protection;
  - a uniform status of temporary protection for displaced persons in the event of a massive inflow;
  - common *procedures* for granting and withdrawing *asylum and subsidiary status* or temporary protection status;
  - criteria and mechanisms for determining which Member State is responsible for considering an application for asylum or subsidiary protection;
  - standards concerning the reception of applicants for asylum or subsidiary or temporary protection.
3. In the event of one or more Member States being confronted by an emergency situation characterised by a sudden inflow of *third country nationals*, 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.

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**Explanation:**

*As Article 25 of Part One provides, the norm is that the Union passes laws according to the legislative procedure involving the Parliament and the Council. It is not necessary to spell this out every time. The repetition is irritating and lengthy.*

*The formulation 'third country nationals' is the correct terminology.*

*In the fourth tiret there are two separate issues requiring two procedures, one involving asylum or subsidiary status, the other temporary status.*