

AMENDMENT FORM

Suggestion for amendment of Part Two, Article 11:

By: Edmund Wittbrodt,

Marta Fogler

Status: Member,

Alternate Member

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.

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:

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– a uniform status of asylum for nationals of third

countries, valid throughout the Union;

– a uniform status of subsidiary protection for nationals of third countries 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;

– a common procedure for granting and withdrawing asylum status or subsidiary 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 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.

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Explanation:

Para 2, 4th indent

It follows the EPP proposal