

## AMENDMENT FORM

**Suggestion for amendment of Article : 11 (part II of the Constitution)**

**Suggestion for protocol :**

**By Ms / Mr :     G.M de Vries  
                         T.J.A.M. de Bruijn**

**Status :     Members**

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

1. The Union shall develop a common policy on ~~asylum~~ international protection and on temporary protection with a view to offering appropriate status to any third-country national requiring international protection or temporary 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 as amended by~~ the New York Protocol of 31 January 1967 relating to the status of refugees and other relevant treaties, such as the European Convention for the Protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950. Cooperation with the UN High Commissioner for the Refugees (UNHCR) and cooperation with third countries shall be an integral part of the common policy on international protection.
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 inter alia:
  - a uniform status of ~~asylum~~ international protection 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 procedure and a uniform status of temporary protection for displaced persons in the event of a massive inflow;
- a common procedure for granting and withdrawing ~~asylum~~ the international protection-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~~ international protection;
- standards and conditions concerning the reception of applicants for ~~asylum or subsidiary or temporary~~ international 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 (if any) :**