

COUNCIL OF THE EUROPEAN UNION

Brussels, 20 June 2012

11466/12

Interinstitutional File: 2008/0244 (COD)

LIMITE

ASILE 97 CODEC 1686

NOTE

from: Presidency

to: Committee of Permanent Representatives

21 June 2012 On:

10979/12 ASILE 94 CODEC 1578 No. prev. doc.: No. Cion prop.: 11214/11 ASILE 46 CODEC 981

Subject: Amended proposal for a Directive of the European Parliament and of the Council

laying down standards for the reception of asylum seekers (recast) [First reading]

- Outcome of the trilogue

On 19 June 2012, the fourth informal trilogue with the European Parliament took place on above mentioned recast of the Reception Conditions Directive. The Presidency has conducted the negotiations on the basis of the negotiating mandate the Committee of Permanent Representatives endorsed on 21 March 2012 and in light of the further guidance given on 14 June. The result of the trilogue is reflected in the fourth column of the table which appears in the annex. This table has been examined by the Justice and Home Affairs Counsellors on 20 June. In light of this examination, the Presidency made one amendment in the table in recital (21).

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In the trilogues, solutions have been found on many issues where both Council and the European Parliament have been accommodated. Discussions have been particularly fruitful on the Articles on detention (Articles 8-11 - with the number of detention grounds in Article 8(3) still pending), issues related to material reception conditions (Articles 17(5) and 20), free legal assistance and representation (Articles 9 and 26), documentation (Article 6 (6)), minors (Articles 14, 23 and 24), vulnerable persons (Article 25) and health care (Article 19).

A conclusion of the negotiations in the fourth trilogue within the mandate was not possible and therefore agreement could not be reached. Against that background the representatives of the Parliament and the Commission and the Presidency have agreed to conduct a last trilogue under the Danish Presidency with a view to reaching agreement.

In conclusion, the remaining outstanding issues evolve around four main issues:

- 1. the grounds for detention as stipulated in Article 8 (3);
- 2. the assessment of special reception needs of vulnerable persons in Article 22 and the related Article 11;
- 3. the wording on judicial review of an administrative decision to detain an applicant for asylum in Article 9 (2):
- 4. access to the labour market in Article 15.

The Presidency invites delegations to prepare the Committee of Permanent Representatives on 21 June 2012, in particular on above mentioned main issues, with a view to enabling agreement on a compromise package in the fifth and final informal trilogue between the Council and the European Parliament.

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DG D 1B **LIMITE EN**

Amended proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down standards for the reception of asylum seekers (Recast)

The columns of the table reflect respectively:

- 1. the amended Commission proposal of 7 June 2011.
- 2. the "European Parliament's additional considerations" which are based upon its first reading position on the <u>initial</u> Commission proposal and the amendments of the approach of the LIBE rapporteur and the shadow rapporteurs on the <u>amended</u> Commission proposal. The differences between the EP additional considerations and the amended Commission proposal are indicated in *bold italics* whereby lawyer-linguistic changes are indicated in *italics* only.
- 3. the Council position on the amended Commission proposal as endorsed by the Committee of Permanent Representatives on 21 March 2012. New text is indicated by <u>underlining</u> the insertion and including it within Council tags: ______; deleted text is indicated within underlined square brackets as follows: ________.
- 4. the result of the fourth trilogue on 19 June 2012 (changes to the Council Position are indicated in **bold**).

Amended proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down standards for the reception of asylum seekers (Recast)

Commission Proposal	EP text	Council Position	Result 4th trilogue
revised Com proposal (doc 11214/11)			
2008/0244 (COD)		2008/0244 (COD)	
Amended proposal for a		Amended proposal for a	Identical
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL		DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	
laying down standards for the reception of asylum seekers (Recast)		laying down minimum standards for the reception of asylum seekers (Recast)	

			Identical
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the	
Functioning of the European Union, and	Having regard to the Treaty on	Functioning of the European	
in particular point 2(f) of	the Functioning of the	Union⊠, and in particular ⊠point	
Article 78 thereof,	European Union, and in	2(f) of Article 78⊠ thereof,	
Having regard to the proposal from the	particular point 2(f) of Article	Having regard to the proposal from	
European Commission,	78 thereof,	the European Commission,	
Having regard to the opinion of the	Having regard to the proposal	Having regard to the opinion of the	
European Economic and Social	from the European	European Economic and Social	
Committee ¹ ,	Commission, Having regard to the opinion	Committee ³ ,	
Having regard to the opinion of the	of the European Economic and	Having regard to the opinion of the	
Committee of the Regions ² ,	Social Committee,	Committee of the Regions ⁴ ,	
Acting in accordance with the ordinary	Having regard to the opinion	Acting in accordance with the	
legislative procedure,	of the Committee of the	ordinary legislative procedure,	
Whereas:	Regions,		

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OJ C , , p. . OJ C , , p. . OJ C , , p. . OJ C , , p. .

		Acting in accordance with the ordinary legislative procedure, Whereas:	Whereas:	
(1)	A number of substantive changes are to be made to Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers ¹ . In the interests of clarity, that Directive should be recast.	(1) A number of substantive changes are to be made to Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers. In the interests of clarity, that Directive should be recast.	changes are to be made to Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers ² . In the interests of clarity, that Directive should be recast.	Identical
(2)	A common policy on asylum, including a Common European Asylum System, is a constituent part of the European Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the including a Common Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the including a Common European Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the objective open to those who, forced by circumstances, legitimately seek protection in the objective open to those who, forced by circumstances, legitimately seek protection in the objective open to those who, forced by circumstances, legitimately seek protection in the objective open to those who, forced by circumstances, legitimately seek protection in the objective open to those open to those who, forced by circumstances, legitimately seek protection in the objective open to those ope	asylum, including a	(2) A common policy on asylum, including a Common European Asylum System, is a constituent part of the European Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the ⊠ European Union ⊠ Community. ➡ It should be governed by the principle of	Identical

OJ L 31, 6.2.2003, p. 18. OJ L 31, 6.2.2003, p. 18.

responsibility, including its financial implications, between the Member States. ←	legitimately seek protection in the European Union. It should be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States.	solidarity and fair sharing of responsibility, including its financial implications, between the Member States.	
(3) At its special meeting in Tampere on 15 and 16 October 1999, the European Council agreed to work towards establishing a Common European Asylum System, based on the full and inclusive application of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as supplemented by the New York Protocol of 31 January 1967, thus maintaining the principle of non-refoulement. ➡ The first phase of a Common European Asylum System was achieved through the adoption of relevant legal instruments foreseen in the Treaties, including Directive 2003/9/EC. ⇐	in Tampere on 15 and 16 October 1999, the European Council agreed to work towards establishing a Common European Asylum System, based on the full and inclusive application of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as supplemented by the New York Protocol of 31 January 1967, thus maintaining the principle of non-refoulement. The first phase of a Common European Asylum	At its special meeting in Tampere on 15 and 16 October 1999, the European Council agreed to work towards establishing a Common European Asylum System, based on the full and inclusive application of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as supplemented by the New York Protocol of 31 January 1967, thus maintaining the principle of non-refoulement. ➡ The first phase of a Common European Asylum System was achieved through the adoption of relevant legal instruments foreseen in the Treaties, including Directive	Identical

	System was achieved through the adoption of relevant legal instruments foreseen in the Treaties, including Directive 2003/9/EC.	2003/9/EC. ←	
The Tampere Conclusions provide that a Common European Asylum System should include, in the short term, common minimum conditions of reception of asylum seekers.		The Tampere Conclusions provide that a Common European Asylum System should include, in the short term, common minimum conditions of reception of asylum seekers.	
The establishment of minimum standards for the reception of asylum seekers is a further step towards a European asylum policy.		The establishment of minimum standards for the reception of asylum seekers is a further step towards a European asylum policy.	
(4) The European Council, at its meeting of 4 November 2004, adopted The Hague Programme which set the objectives to be implemented in the area of freedom, security and justice in	(4) The European Council, at its meeting of 4 November 2004, adopted The Hague Programme which set the objectives to be	(4) The European Council, at its meeting of 4 November 2004, adopted The Hague Programme which set the objectives to be implemented in the area of freedom, security	Identical

	the period 2005-2010. In this respect, The Hague Programme invited the European Commission to conclude the evaluation of the first-phase instruments and to submit the second-phase instruments and measures to the Council and the European Parliament.	implemented in the area of freedom, security and justice in the period 2005-2010. In this respect, The Hague Programme invited the European Commission to conclude the evaluation of the first-phase instruments and to submit the second-phase instruments and measures to the Council and the European Parliament.	and justice in the period 2005-2010. In this respect, The Hague Programme invited the European Commission to conclude the evaluation of the first-phase instruments and to submit the second-phase instruments and measures to the Council and the European Parliament.	
(5)	The European Council at its meeting of 10-11 December 2009 adopted the Stockholm programme which reconfirmed the commitment to establishing a common area of protection and solidarity based on a common asylum procedure and a uniform status for those granted international protection based on high protection standards and fair and effective procedures by 2012. The Stockholm Programme further provides that it is crucial that individuals, regardless of the Member State in which their application for asylum is made,	(5) The European Council at its meeting of 10-11 December 2009 adopted the Stockholm programme which reconfirmed the commitment to establishing a common area of protection and solidarity based on a common asylum procedure and a uniform status for those granted international protection based on high protection standards and fair and	(5) The European Council at its meeting of 10-11 December 2009 adopted the Stockholm programme which reconfirmed the commitment to establishing a common area of protection and solidarity based on a common asylum procedure and a uniform status for those granted international protection based on high protection standards and fair and effective procedures by 2012. The Stockholm Programme further provides that it is crucial that individuals, regardless of the Member State in which their	Identical

are offered an equivalent level of treatment as regards reception conditions.	1	application for asylum is made, are offered an equivalent level of treatment as regards reception conditions.	
Refugee Fund and of the European Asylum Support Office, established by Regulatio (EU) No 439/2010 of the European Parliament and of the Council ¹ , should be mobilised the provide adequate support to the Member States' efforts relating the implementation of the standards set in the second phase of the Common European Asylum System, in particular the those Member States which are faced with specific and disproportionate pressures of	European Refugee Fund and of the European Asylum Support Office, established by Regulation (EU) No 439/2010 of the European Parliament and of the Council, should be mobilised to provide adequate support to the Member States' efforts relating to the implementation	Refugee Fund and of the European Refugee Fund and of the European Asylum Support Office, established by Regulation (EU) No 439/2010 of the European Parliament and of the Council ² , should be mobilised to provide adequate support to the Member States' efforts relating to the implementation of the standards set in the second phase of the Common European Asylum System, in particular to those Member States which are faced with	Identical

OJ L 132, 29.5.2010, p.11. OJ L 132, 29.5.2010, p.11.

their asylum systems, due in particular to their geographical or demographic situation.	the second phase of the Common European Asylum System, in particular to those Member States which are faced with specific and disproportionate pressures on their asylum systems, due in particular to their geographical or demographic situation.	specific and disproportionate pressures on their asylum systems, due in particular to their geographical or demographic situation.	
	(6a) In order to cover improvements in standards for the reception of asylum seekers there should be a proportionate increase in the funds made available by the European Union in order to provide adequate support for the costs of such improvements, especially in the case of Member States which are facing specific and disproportionate pressures on their asylum systems, due in		EP AM not included

	particular to their geographical or demographic situation.		
	(6b) Article 80 of the Treaty on the Functioning of the European Union provides that the policies of the Union set out in the Chapter on border checks, asylum and immigration and their implementation are to be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States, and that, whenever necessary, Union acts under the said Chapter are to contain appropriate measures to give effect to that principle.		EP AM not included
(7) In the light of the results of the evaluations undertaken on the implementation of the first phase instruments, it is appropriate, at	(7) In the light of the results of the evaluations undertaken on the implementation	(7) In the light of the results of the evaluations undertaken on the implementation of the first phase instruments, it is	Identical

	this stage, to confirm the principles underlying Directive 2003/9/EC with a view to ensuring improved reception conditions for asylum seekers.	of the first phase instruments, it is appropriate, at this stage, to confirm the principles underlying Directive 2003/9/EC with a view to ensuring improved reception conditions for asylum seekers.	appropriate, at this stage, to confirm the principles underlying Directive 2003/9/EC with a view to ensuring improved reception conditions for asylum seekers.	
(8)	In order to ensure equal treatment of asylum seekers throughout the Union, this Directive should apply during all stages and types of procedures concerning applications for international protection and in all locations and facilities hosting asylum seekers.	(8) In order to ensure equal treatment of asylum seekers throughout the Union, this Directive should apply during all stages and types of procedures concerning applications for international protection and in all locations and facilities hosting asylum seekers.	treatment of asylum seekers throughout the Union, this Directive should apply □[] □ □ as long as applicants are allowed to remain on the territory as asylum seekers.	treatment of asylum seekers throughout the Union, this Directive should apply during all stages and types of procedures concerning applications for international protection and in all locations and facilities hosting asylum seekers and. □ [] □ as long as applicants are allowed to remain on the territory as asylum seekers.
(9)	Member States should seek to ensure full compliance with the principles of the best interests of	(9) Member States should seek to ensure full compliance with the	(9) Member States should seek to ensure full compliance with the principles of the best interests	Identical

	the child and the importance of family unity, in the application of this Directive, in line with the Charter of Fundamental Rights of the European Union, the 1989 United Nations Convention on the Rights of the Child and the European Convention for the Protection of Human Rights and Fundamental Freedoms respectively.		principles of the best interests of the child and the importance of family unity, in the application of this Directive, in line with the Charter of Fundamental Rights of the European Union, the 1989 United Nations Convention on the Rights of the Child and the European Convention for the Protection of Human Rights and Fundamental Freedoms respectively.		of the child and the importance of family unity, in the application of this Directive, in line with the Charter of Fundamental Rights of the European Union, the 1989 United Nations Convention on the Rights of the Child and the European Convention for the Protection of Human Rights and Fundamental Freedoms respectively.	
(10)	With respect to the treatment of persons falling within the scope of this Directive, Member States are bound by obligations under instruments of international law to which they are party and which prohibit discrimination.	(10)	With respect to the treatment of persons falling within the scope of this Directive, Member States are bound by obligations under instruments of international law to which they are party.	(10)	With respect to the treatment of persons falling within the scope of this Directive, Member States are bound by obligations under instruments of international law to which they are party and which prohibit discrimination.	Identical
(11)	Minimum Sstandards for the reception of asylum seekers that will normally suffice to ensure them a dignified standard of		Standards for the reception of asylum seekers that will suffice to ensure them a	(11)	Minimum Setandards for the reception of asylum seekers that will normally suffice to ensure them a dignified	Identical

	living and comparable living conditions in all Member States should be laid down.	dignified standard living and comparal living conditions in Member States show be laid down.	le .ll	standard of living and comparable living conditions in all Member States should be laid down.	
(12)	The harmonisation of conditions for the reception of asylum seekers should help to limit the secondary movements of asylum seekers influenced by the variety of conditions for their reception.	\ /	ne m do ry m by of	The harmonisation of conditions for the reception of asylum seekers should help to limit the secondary movements of asylum seekers influenced by the variety of conditions for their reception.	Identical
(13)	In view of ensuring equal treatment amongst all applicants for international protection as well as in order to guarantee consistency with current EU asylum acquis, in particular with Directive [//EU] [the Qualification Directive], it is appropriate to extend the scope of this Directive in order to include applicants for subsidiary protection.	equal treatment amo all applicants international protecti as well as in order ensure consistency we current EU asylvacquis, in particular with Directi 2011/95/EU of European Parliame and of the Council 13 December 2011	eg por pon to	In view of ensuring equal treatment amongst all applicants for international protection as well as in order to guarantee consistency with current EU asylum acquis, in particular with Directive [//EU] [the Qualification Directive], it is appropriate to extend the scope of this Directive in order to include applicants for subsidiary protection.	of ensuring equal treatment amongst all applicants for international protection as well as in order to guarantee consistency with current EU asylum acquis, in particular with Directive [//EU] [the Qualification Directive], it is appropriate to extend the scope of this

	country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted ¹ , it		Directive in order to include applicants for subsidiary protection.
	is appropriate to extend the scope of this Directive in order to include applicants for subsidiary protection.		Related to Article 22.
and monitoring of persons ⇔ Reception of groups ⇒ reception ⇔ needs should be ⇒ a primary concern of national authorities in order to ensure that their reception is ⇔ specifically designed to meet ☒ their special reception ☒ those needs.	identification and monitoring of persons with special reception needs should be a primary concern of national authorities in order to ensure that their reception conditions are specifically designed to meet their special reception needs.	Peception of groups Reception of groups Reception of groups with special ⇒ reception ⇔ needs should be ⇒ a primary concern of national authorities in order to ensure that their reception is ⇔ specifically designed to meet Existence the special reception ⟨x⟩ their special reception (x) their special reception (x) their special reception (x) their special reception (x) their special recep	To be discussed

¹ OJ L 337 of 20.12.2011, p. 9.

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- Detention of asylum seekers (15)should be applied in line with the underlying principle that a person should not be held in detention for the sole reason that are seeking international protection, notably in accordance with Article 31 of the Geneva Convention relating to the Status of Refugees of 28 July 1951. In particular, Member States should not impose penalties on asylum seekers on account of illegal entry or presence and any restrictions to movement should be necessary. In this respect, detention of asylum seekers should only be possible under very clearly defined exceptional circumstances laid down in this Directive and subject to the principle of necessity and proportionality with regard both to the manner and to the purpose of such detention. Where an asylum seeker is held in detention he/she should be able to have effective access to the necessary procedural guarantees such as iudicial remedy before a national court.
- Detention of asylum should be seekers applied in line with the underlying principle that a person should not be held in detention for the sole reason that seeking he/she is international protection, notably in accordance with the international legal obligations of the Member States, and particularly Article 31 the Geneva Convention relating to the Status of Refugees of 28 July 1951. In Member particular, States should not impose penalties asylum seekers account of illegal entry or presence and anv restrictions onmovement should be necessary. In this respect, detention of asylum seekers should only be possible under very clearly defined exceptional laid circumstances

(15)

- Detention of asylum seekers (15)should be applied in line with the underlying principle that a person should not be held in detention for the sole reason that are seeking international protection, notably accordance with Article 31 of Geneva Convention relating to the Status of Refugees of 28 July 1951. $\supset [...] \subset \supset Detention \subset of$ asylum seekers should only be possible under very clearly defined exceptional circumstances laid down in this Directive and subject to the principle of necessity and proportionality with regard both to the manner and to the purpose of such detention. Where an asylum seeker is held in detention he/she should be able to have effective access to the necessary procedural guarantees such as judicial remedy before a national court.
- Detention of asylum (15)should be seekers applied in line with the underlying principle that a person should not be held in detention for the sole reason that are seeking international protection, notably in accordance with the international legal obligations of the Member States, and particularly Article 31 the Geneva Convention relating to the Status of Refugees of 28 July 1951. ⊃ [...] € → Detention asylum seekers should only be possible under very clearly defined exceptional circumstances laid down in this Directive and subject to the principle of necessity proportionality and with regard both to the manner and to the of purpose such

detention. Where an

	down in this Directive	asylum seeker is held in
	and subject to the	detention he/she should
	principles of necessity	be able to have
	and proportionality	effective access to the
	with regard both to the	necessary procedural
	manner and to the	guarantees such as
	purpose of such	judicial remedy before
	detention. Where	a national court.
	asylum seekers are held	
	in detention <i>they</i> should	
	be able to have	
	effective access to the	
	necessary procedural	
	guarantees such as	
	judicial remedy before	
	a national court.	
(15a)	With regards to	(15a) With regards to
	administrative	administrative
	procedures related to	procedures related to
	the grounds for	the grounds for
	detention set out in	
	detention set out in	detention set out in
	Article 8(3), the notion	Article 8(3), the
	Article 8(3), the notion	Article 8(3), the
	Article 8(3), the notion of 'due diligence' at	Article 8(3), the notion of 'due
	Article 8(3), the notion of 'due diligence' at least requires that	Article 8(3), the notion of 'due diligence' at least
	Article 8(3), the notion of 'due diligence' at least requires that Member States take	Article 8(3), the notion of 'due diligence' at least requires that Member States take concrete
	Article 8(3), the notion of 'due diligence' at least requires that Member States take concrete and	Article 8(3), the notion of 'due diligence' at least requires that Member
	Article 8(3), the notion of 'due diligence' at least requires that Member States take concrete and meaningful steps to	Article 8(3), the notion of 'due diligence' at least requires that Member States take concrete and meaningful steps
	Article 8(3), the notion of 'due diligence' at least requires that Member States take concrete and meaningful steps to ensure that the time needed to verify the	Article 8(3), the notion of 'due diligence' at least requires that Member States take concrete and meaningful steps to ensure that the time
	Article 8(3), the notion of 'due diligence' at least requires that Member States take concrete and meaningful steps to ensure that the time	Article 8(3), the notion of 'due diligence' at least requires that Member States take concrete and meaningful steps to ensure that the time needed to verify the

		prospect exists that such verification can be carried out successfully in the shortest possible time		prospect exists that such verification can be carried out successfully in the shortest possible time. Detention shall not exceed the time reasonably needed to complete the relevant procedures
			set out in this Directive are without prejudice to other grounds for detention applicable in the national legal order unrelated to the third country national's or stateless person's application for international protection.	detention set out in this Directive are without prejudice to other grounds for detention, including detention grounds in the framework of criminal proceedings, applicable in the national legal order unrelated to the third country national's or stateless person's application for international protection.
(16)	Reception of <u>aA</u> pplicants who are in detention ⇒ should be treated with full respect of human dignity	(16) Applicants who are in detention should be treated with full respect	(16) Reception of <u>aA</u> pplicants who are in detention ⇒ should be treated with full respect of	(16) Reception of <u>⊕Applicants</u> who are in detention ⇒ should be

	and their reception ⇔ should be specifically designed to meet their needs in that situation. ⇒ In particular, Member States should ensure that Article 37 of the 1989 UN Convention on the Rights of the Child is applied. ⇔		for human dignity and their reception conditions should be specifically designed to meet their needs in that situation. In particular, Member States should		human dignity and their reception ⇔ should be specifically designed to meet their needs in that situation. ➡ In particular, Member States should ensure that Article 37 of the 1989 UN Convention on	treated with full respect of human dignity and their reception should be specifically designed to meet their needs in that situation. □ In particular,
			ensure compliance with		the Rights of the Child is	Member States should
			Article 37 of the 1989		applied. ←	ensure that Article 37
			UN Convention on the			of the 1989 UN
			Rights of the Child.			Convention on the
						Rights of the Child is
						applied.
		[]				Take Council text
(17)	There may be cases where it is			(17)	There may be cases where it is	
	not possible in practice to				not possible in practice to	
	immediately ensure certain				immediately ensure certain	
	reception guarantees in detention,				reception guarantees in	
	for example due to the				detention, for example due to	
	geographic location or the specific structure of the detention				the geographic location or the specific structure of the	
	facility. However any derogation				detention facility. However	
	to these guarantees should be of a				any derogation to these	
	temporary nature and applied				guarantees should be of a	
	only under the circumstances set				temporary nature and applied	
	out in this Directive. Derogations				only under the circumstances	
	should only be applied in				set out in this Directive.	
	exceptional circumstances; they				Derogations should only be	
	should be duly justified, taking				applied in exceptional	
	into consideration the				circumstances; they should be	
	circumstances of each case				duly justified, taking into	

including the level of severity of the derogation applied, its duration and its impact on the concerned individual.		consideration the circumstances of each case including the level of severity of the derogation applied, its duration and its impact on the concerned individual.	
	(17a) In most cases alternatives to detention are available which can better ensure asylum seekers' physical and psychological integrity and which are less costly for Member States. Member States shall lay down a presumption against detention of asylum seekers into national law, leaving it as an option only to be taken in the last resort, after all non-custodial alternative measures to detention have been exhausted. Non-custodial alternative measures to detention may include regular reporting to the authorities, deposit of		(17a) Detention of asylum seekers should be a measure of last resort and may be applied only after all non-custodial alternative measures to detention have been duly examined in order to better ensure the asylum seeker's physical and psychological integrity. Any alternative measure to detention must respect the fundamental human rights of asylum seekers.

			a financial guarantee, obligation to stay at an assigned residence, and assignment to community supervision. Any alternative measure to detention must respect the fundamental human rights of asylum seekers. Such alternatives to detention should be further explored and data should be made available about Member States' current practices in this regard.			
(18)	In order to ensure compliance with the minimum procedural guarantees consisting in the opportunity to contact organisations or groups of persons that provide legal assistance, information should be provided on such organisations and groups of persons.	(18)	In order to ensure compliance with the procedural safeguards consisting in the opportunity to contact organisations or groups of persons that provide legal assistance, information should be provided on such organisations and groups of persons.	(18)	In order to ensure compliance with the minimum procedural guarantees consisting in the opportunity to contact organisations or groups of persons that provide legal assistance, information should be provided on such organisations and groups of persons.	EP suggestions for linguistic changes not admissible

(18a) When deciding on housing arrangements, Member States should take due account of the best interests of the child, as well as of the particular circumstances of the dependency on the applicant for international protection of close relatives who are already present in the Member State and who are not family members of that applicant. In exceptional circumstances, where the close relative of the applicant for international protection is a married minor but not accompanied by his or her spouse, the best interests of the minor may be seen to lie with his or her original family.	Related to Article 2(c), 18(4a) and 23(5). (18a). When deciding on housing arrangements, Member States should take due account of the best interests of the child, as well as of the particular circumstances of the applicant if he/she is dependent on family members or other close relatives such as unmarried minor siblings already present in the Member State.
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seekers' self-sufficiency and to limit wide discrepancies between Member States, it is essential to provide clear rules on the access of asylum seekers to the labour market. These rules should be consistent with the rules on the duration of the examination procedure as stipulated in Directive [//EU/] [Asylum Procedures Directive].	asylum-seekers' self-sufficiency and to limit wide discrepancies between Member States, it is essential to provide clear rules on the access of asylum seekers to the labour market. These rules should be consistent with the rules on the duration of the examination procedure as stipulated in Directive [//EU/] [Asylum Procedures Directive].	seekers' self-sufficiency and to limit wide discrepancies between Member States, it is essential to provide clear rules on the access of asylum seekers to the labour market.	To be discussed.
support provided to asylum seekers is in line with the principles set out in this Directive, it is necessary that Member States determine the level of such support on the basis of relevant and measurable points of reference.	(20) To ensure that the material support provided to asylum seekers is in line with the principles set out in this Directive, it is necessary that Member States determine the level of such support on the basis of relevant and measurable points of reference which ensure an adequate and dignified standard of living. The process	support provided to asylum seekers is in line with the principles set out in this Directive, it is necessary that Member States determine the level of such support on the basis of relevant references .	Related to Article 17(5). (20) To ensure that the material support provided to asylum seekers is in line with the principles set out in this Directive, it is necessary that Member States determine the level of such support on the basis of relevant

			of determining the level of support and the points of reference should be transparent and publicly accessible.			not entail that the amount granted should be the same as for nationals. Member States may grant less favourable treatment to asylum seekers compared to nationals as specified in this Directive.
(21)	The possibility of abuse of the reception system should be restricted by ⊠ specifying the circumstances in which ⊠ laying down cases for the reduction or withdrawal of reception conditions for asylum seekers ⊠ may be reduced or such reception withdrawn ⊠ ➡ while at the same time ensuring a dignified standard of living for all asylum seekers ⇐.	(21)	The possibility of abuse of the reception system should be restricted by specifying the circumstances in which reception conditions for asylum seekers may be reduced or such reception withdrawn while at the same time ensuring a dignified standard of living for all asylum seekers.	(21)	The possibility of abuse of the reception system should be restricted by ⊠ specifying the circumstances in which ⊠ laying down eases for the reduction or withdrawal of reception conditions for asylum seekers ⊠ may be reduced or such reception withdrawn ⊠ ➡ while at the same time ensuring a dignified standard of living for all asylum seekers ⇔.	

(22)	The efficiency of national reception systems and cooperation among Member States in the field of reception of asylum seekers should be secured.	national reception systems and	(22)	The efficiency of national reception systems and cooperation among Member States in the field of reception of asylum seekers should be secured.	ensuring a dignified standard of living for all asylum seekers . Identical.
(23)	Appropriate coordination should be encouraged between the competent authorities as regards the reception of asylum seekers, and harmonious relationships between local communities and accommodation centres should therefore be promoted.	coordination should be encouraged between the competent authorities as regards	(23)	Appropriate coordination should be encouraged between the competent authorities as regards the reception of asylum seekers, and harmonious relationships between local communities and accommodation centres should therefore be promoted.	Identical.
(24)	It is in the very nature of minimum standards that Member States ⊠ should ⊠ have the power to introduce or maintain more favourable provisions for third-country nationals and	(24) Member States should have the power to introduce or maintain more favourable provisions for third-country nationals and	(24)	It is in the very nature of minimum standards that Member States ⋈ should ⋈ have the power to introduce or maintain more favourable provisions for third-country	Identical

	stateless persons who ask for international protection from a Member State.	stateless persons who ask for international protection from a Member State.	nationals and stateless persons who ask for international protection from a Member State.	
(25)	In this spirit, Member States are also invited to apply the provisions of this Directive in connection with procedures for deciding on applications for forms of protection other than that emanating from ➡ Directive [//EU] [The Qualification Directive] ➡ the — Geneva Convention for third country nationals and stateless persons.	(25) In this spirit, Member States are also invited to apply the provisions of this Directive in connection with procedures for deciding on applications for forms of protection other than those applicable under Directive 2011/95/EU.	(25) In this spirit, Member States are also invited to apply the provisions of this Directive in connection with procedures for deciding on applications for forms of protection other than that emanating from □ Directive [//EU] [The Qualification Directive] □ the Geneva Convention for third country nationals and stateless persons.	(25) In this spirit, Member States are also invited to apply the provisions of this Directive in connection with procedures for deciding on applications for forms of protection other than that emanating from ⇒ Directive [//EU] [The Qualification Directive] ⇔ the Geneva Convention for third country nationals and stateless persons.
(26)	The implementation of this Directive should be evaluated at regular intervals.	(26) The implementation of this Directive should be evaluated at regular intervals.	(26) The implementation of this Directive should be evaluated at regular intervals.	Identical
(27)	Since the objectives of the proposed action, namely to establish minimum standards on the reception of asylum seekers in Member States, cannot be sufficiently achieved by the	(27) Since the <i>objective</i> of <i>this Directive</i> , namely to establish standards on the reception of asylum seekers in Member States, cannot	(27) Since the objectives of the proposed action, namely to establish minimum standards on the reception of asylum seekers in Member States, cannot be sufficiently achieved	EP suggestions for linguistic changes not admissible.

Member States and can therefore, by reason of the scale and effects of the proposed action, be better achieved by the ⊠ Union ⊠ Community, the ⊠ Union ⊠ Community may adopt measures in accordance with the principles of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the proposed action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.	by the Member States and can therefore, by reason of the scale and effects of the proposed action, be better achieved by the 🖾 Union 🖾 Community, the 🖾 Union 🖾 Community may adopt measures in accordance with the principles of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	
		Joint Political Declaration of Member States and the Commission on explanatory documents of 28 September 2011, Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship	Take Council text.

	between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified.	
In accordance with Article 3 of the	In accordance with Article 3 of the	
Protocol on the position of the United	Protocol on the position of the United	
Kingdom and Ireland, annexed to the	Kingdom and Ireland, annexed to the	
Treaty on European Union and to the	Treaty on European Union and to the	
Treaty establishing the European	Treaty establishing the European	
Community, the United Kingdom gave	Community, the United Kingdom	
notice, by letter of 18 August 2001, of its	gave notice, by letter of 18 August	
wish to take part in the adoption and	2001, of its wish to take part in the	
application of this Directive.	adoption and application of this	
	Directive.	
In accordance with Article 1 of the said	In accordance with Article 1 of the	
Protocol Ireland, is not participating in	said Protocol Ireland, is not	
the adoption of this Directive.	participating in the adoption of this	
Consequently, and without prejudice to	Directive. Consequently, and without	
Article 4 of the aforementioned Protocol,	prejudice to Article 4 of the	
the provisions of this Directive do not	aforementioned Protocol, the	

apply	to Ireland.		provisions of this Directive do not	
			apply to Ireland.	
(28)	In accordance with Article 4a(1) of Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union, and to the Treaty on the Functioning of the European Union and without prejudice to paragraph 2 of that Article, so long as the United Kingdom has not notified its wish to accept this measure, in accordance with Article 4 of that Protocol, it is not bound by it and continues to be bound by Directive 2003/9/EC.	Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union, and to the Treaty on the Functioning of the European Union and without prejudice to	In accordance with □ [] □ Articles 1, 2 and □ Article □ 4a(1) of Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union, and to the Treaty on the Functioning of the European Union □, □ and without prejudice to □ [] □ Article 4 of that Protocol, □ the United Kingdom is not taking part in the adoption of this Directive and □ □ [] □ is not bound by it □ or subject to its application □ □ [] □.	Take Council text
(29)	In accordance with Article 1 of the said Protocol, <u>Ireland</u> is not taking part in the adoption of this Directive. Without prejudice to	Article 1 of the said Protocol, Ireland is not	(29) In accordance with Article 1 of the said Protocol, <u>Ireland</u> is not taking part in the adoption of this Directive. Without	Identical

	Article 4 of that Protocol, Ireland is therefore not bound by this Directive.		adoption of this Directive. Without prejudice to Article 4 of that Protocol, Ireland is therefore not bound by this Directive.		prejudice to Article 4 of that Protocol, Ireland is therefore not bound by this Directive.	
(30)	In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union establishing the European Community, Denmark does not take part in the adoption of this Directive and is not bound by it or subject to its application.	(30)	In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not take part in the adoption of this Directive and is not bound by it or subject to its application.	(30)	In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union establishing the European Community, Denmark does not take part in the adoption of this Directive and is not bound by it or subject to its application.	Identical
(31)	This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for human dignity and to promote the application of Articles $1 \Rightarrow 6, 7, \Rightarrow \text{and} 18 \Rightarrow 21, 24 \text{ and } 47 \Rightarrow \text{of the said}$	(31)	This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the Charter). In particular, this Directive seeks to ensure full respect for	(31)	This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for human dignity and to promote the application of Articles 1 ⇒, 6, 7, ⇔ and 18 ⇒, 21, 24	the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for human dignity and to

	Charter ⇒ and has to be implemented accordingly ⇔.		human dignity and to promote the application of Articles 1, 4, 6, 7, 18, 21, 24 and 47 of the Charter and should be implemented accordingly.		and 47 ⇔ of the said Charter ⇒ and has to be implemented accordingly ⇔.	promote the application of Articles $1 \Rightarrow 4, 6, 6, 7, \Leftrightarrow \frac{\text{and}}{2} = 18 \Rightarrow 21, 24$ and $47 \Leftrightarrow 6$ of the said Charter \Rightarrow and has to be implemented accordingly \Leftrightarrow .
(32)	The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive change as compared with the earlier Directive. The obligation to transpose the provisions which are unchanged arises under the earlier Directive.	(32)	The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive change as compared with the earlier Directive. The obligation to transpose the provisions which are unchanged arises under the earlier Directive.	(32)	The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive change as compared with the earlier Directive. The obligation to transpose the provisions which are unchanged arises under the earlier Directive.	Identical
(33)	This Directive should be without prejudice to the obligations of the Member States relating to the time-limit for transposition into national law of the Directive set out in Annex II, Part B.	(33)	This Directive should be without prejudice to the obligations of the Member States relating to the time-limit for transposition into national law of <i>this</i> Directive set out in Annex II, Part B.	(33)	This Directive should be without prejudice to the obligations of the Member States relating to the time-limit for transposition into national law of the Directive set out in Annex II, Part B.	Identical

HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	
CHAPTER I	CHAPTER I	CHAPTER I	
PURPOSE, DEFINITIONS AND SCOPE	PURPOSE, DEFINITIONS AND SCOPE	PURPOSE, DEFINITIONS AND SCOPE	
Article 1	Article 1	Article 1	
Purpose	Purpose	Purpose	
The purpose of this Directive is to lay down minimum standards for the reception of asylum seekers in Member States.	The purpose of this Directive is to lay down standards for the reception of asylum seekers in Member States.	The purpose of this Directive is to lay down minimum standards for the reception of asylum seekers in Member States.	Identical
Article 2	Article 2	Article 2	
Definitions	Definitions	Definitions	
For the purposes of this Directive:	For the purposes of this	For the purposes of this Directive:	Identical

	Directive:		
(a) "Geneva Convention" shall		(a) "Geneva Convention" shall	
mean the Convention of 28 July		mean the Convention of 28	
1951 relating to the status of		July 1951 relating to the	
refugees, as amended by the		status of refugees, as	
New York Protocol of 31		amended by the New York	
January 1967;		Protocol of 31 January 1967;	
(b) "application for asylum" shall		(b) "application for asylum" shall	
mean the application made by a		mean the application made by	
third-country national or a		a third-country national or a	
stateless person which can be		stateless person which can be	
understood as a request for		understood as a request for	
international protection from a		international protection from	
Member State, under the		a Member State, under the	
Geneva Convention. Any		Geneva Convention. Any	
application for international		application for international	
protection is presumed to be an		protection is presumed to be	
application for asylum unless a		an application for asylum	
third-country national or a		unless a third-country	
stateless person explicitly		national or a stateless person	
requests another kind of		explicitly requests another	

	protection that can be applied for separately;				kind of protection that can be applied for separately;	
(a)	"application for international protection" means an application for international protection as defined in point (h) of Article 2 of Directive [//EU] [the Qualification Directive];	(a)	"application for international protection" means an application for international protection as defined in point (h) of Article 2 of Directive 2011/95/EU;	(a)	"application for international protection" means an application for international protection as defined in point (h) of Article 2 of Directive [//EU] [the Qualification Directive];	Identical
<u>(b)(e)</u>	"applicant" ⊠, "applicant for international protection" ⊠ or "asylum seeker" shall mean ⊠ means ⊠ a third country national or a stateless person who has made an application for asylum ⇒ international protection ⇔ in respect of which a final decision has not	(b)	"applicant", "applicant for international protection" or "asylum seeker" means a third country national or a stateless person who has made an application for international protection in respect	<u>(b)(e)</u>	"applicant" ▷, "applicant for international protection" ☒ or "asylum seeker" shall mean ☒ a third country national or a stateless person who has made an application for asylum ▷ international protection ⇨ in respect of which a final decision has not	Identical

	yet been taken;		of which a final decision has not yet been taken;		yet been taken;		
(c)(d)	"family members" shall mean in means in so far as the family already existed in the country of origin, the following members of the applicant's family who are present in the same Member State in relation to the application for asylum international international protection in the protection in the same international inter	(c)	"family members" means, in so far as the family already existed in the country of origin, the following members of the applicant's family who are present in the same Member State in relation to the application for international protection:	(c) (d)	"family members" shall mean implication for asylum international protection implication to the application for asylum international international international	with A	2(c) in combination rticle 18 (4a) and 23 ital (18a). "family members" shall mean ital mean means (x), in so far as the family already existed in the country of origin, the following members of the applicant's family who are present in the same Member State in relation to the application for asylum international protection (□:

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	[]	<u>⊃[]</u> C	<u>⊃[]</u> C
the spouse of the asylum	- the spouse of	⊕ _ the spouse of the	<u> the spouse of</u>
seeker or his or her	the asylum	asylum seeker or his or	the asylum
unmarried partner in a	seeker or his or	her unmarried partner	seeker or his or
stable relationship, where	her unmarried	in a stable relationship,	her unmarried
the legislation or practice	partner in a	where the legislation or	partner in a
of the Member State	stable	practice of the Member	stable
concerned treats	relationship,	State concerned treats	relationship,
unmarried couples in a	where the	unmarried couples in a	where the
way comparable to	legislation or	way comparable to	legislation or
married couples under its	practice of the	married couples under	practice of the
law relating to aliens	Member State	its law relating to aliens	Member State
third country	concerned treats	third country	concerned treats
nationals ⋘ ;	unmarried	nationals ⋘ ;	unmarried
	couples in a way		couples in a way
	comparable to		comparable to
	married couples		married couples
	under its law		under its law
	relating to third		relating to aliens
	country		⋈ third

	nationals;		country
			nationals ⋘ ;
(ii) the minor children of the	- the minor	(ii) = the minor children of	(ii) the minor
couple ⊠ couples ⊠	children of	the couple	children of the
referred to in the first	couples referred	⋉ couples ⟨ referred	couple
<u>indent</u> point (i) or of the	to in the first	to in the first indent	⊠ couples ⊠
applicant, on condition	indent or of the	point (i) or of the	referred to in <u>the</u>
that they are unmarried	applicant, on	applicant ⊃ <u>for</u>	<u>first indent</u> point
and dependent and	condition that	international	(i) or of the
regardless of whether they	they are	protection C , on	applicant ⊃ <u>for</u>
were born in or out of	unmarried and	condition that they are	<u>international</u>
wedlock or adopted as	regardless of	unmarried and	<u>protection</u> C , on
defined under the national	whether they	dependent and	condition that
law;	were born in or	regardless of whether	they are
	out of wedlock	they were born in or out	unmarried and
	or adopted as	of wedlock or adopted	dependent and
	defined under	as defined under the	regardless of
	the national law;	national law;	whether they
			were born in or
			out of wedlock
			or adopted as

			defined under the national law;
the married minor children of couples referred to in the first indent of point (i) or of the applicant, regardless of whether they were born in or out of wedlock or adopted as defined under the national law, provided they are not accompanied by their spouses and it is in their best interests to consider them as family members;	- the married minor children of couples referred to in the first indent of point (i) above or of the applicant, regardless of whether they were born in or out of wedlock or adopted as defined under the national law, provided they are not accompanied by their spouses and it is in their best interests to consider them as family members;		⊃_[]_C
(ii) when the applicant is an unmarried minor:	[]	⊃ <u>[]</u> €	<u>⊃[]</u> C

the father, mother the father, mother, the father, mother, or the father, mother regardless of whether the another adult **⊃** [...] **C**or **⊃**[...] **C**or applicant was born in or another C **⊃** another **⊂** responsible for the out of wedlock or adopted ⊃ [...] Cadult ⊃ [...] Cadult applicant for as defined under the international protection responsible for the responsible for the national law, or the adult whether by law or by applicant **1** for applicant **⊃** for responsible for the the practice of the international international Member State protection **C** whether protection **C** whether by applicant whether by law by law or by the or by the national practice concerned, when the law or by the national of the Member State national practice of the practice of the Member latter is a minor and concerned; Member State State concerned **3**, unmarried; concerned **3**, when the when the latter is a minor and unmarried. latter is a minor and unmarried.

- the minor siblings of the	[]	⊃ <u>[]</u> C	<u>⊃[]</u> C
applicant, regardless of			
whether they were born in			
or out of wedlock or			
adopted as defined under			
the national law, provided			
they are unmarried or			
married but not			
accompanied by their			
spouses and it is in their			
best interests to be			
considered family			
members;			
	(vi) dependent adults with		EP AM withdrawn
	special needs;		
	-		D [] C
(iii) when the applicant is a	[]	<u>⊃[]</u> C	<u> </u>
married minor, the			
persons referred to in			
point (ii) provided the			
applicant is not			

accompanied by his/her spouse and it is in the best interests of the applicant or his/her siblings to consider the persons referred to in point (ii) as family members.		
(e) "refugee" shall mean a person who fulfils the requirements of Article 1(A) of the Geneva Convention;	(e) "refugee" shall mean a person who fulfils the requirements of Article 1(A) of the Geneva Convention;	
(f) "refugee status" shall mean the status granted by a Member State to a person who is a refugee and is admitted as such to the territory of that Member State;	(f) "refugee status" shall mean the status granted by a Member State to a person who is a refugee and is admitted as such to the territory of that Member State;	
(g) "procedures" and "appeals", shall means the procedures and	(g) "procedures" and "appeals", shall means the procedures	

	appeals established by Member States in their national law;				and appeals established by Member States in their national law;	
(d)	"minor" means a third-country national or stateless person below the age of 18 years;	(d)	"minor" means a third-country national or stateless person below the age of 18 years;	(d)	"minor" means a third- country national or stateless person below the age of 18 years;	Identical
(<u>e</u>) (h)	"unaccompanied minor shall mean ⊠ means ⊠ ⇒ a minor ⇔ persons below the age of eighteen who arrive ⊠ arrives ⊠ in the territory of the Member States unaccompanied by an adult responsible for them him/her whether by law or by ⇔ the national practice of the Member State concerned ⇔ custom, and for as long as they are ⊠ he/she is ⊠ not effectively	(e)	"unaccompanied minor" means a minor who arrives in the territory of the Member States unaccompanied by an adult responsible for him/her whether by law or by the national practice of the Member State concerned, and for as long as he/she is not	(e) (h)	"unaccompanied minor " shall mean	Identical

<u>(f)(i)</u>	taken into the care of such a person; it shall include minors includes a minor who is are left unaccompanied after they have he/she has entered the territory of Member States; "reception conditions" shall mean mean mean mean mean the full set of measures that Member States grant to asylum seeker in	(f)	effectively taken into the care of such a person; it includes a minor who is left unaccompanied after he/she has entered the territory of the Member States; "reception conditions" means the full set of measures that Member States apply	<u>(f)(i)</u>	effectively taken into the care of such a person; it shall include minors ☒ includes a minor ☒ who ☒ is ☒ are left unaccompanied after they have ☒ he/she has ☒ entered the territory of Member States; "reception conditions" shall mean ☒ means ☒ the full set of measures that Member States grant to asylum seeker	EP suggestion for linguistic change not admissible
	accordance with this Directive;		to asylum <i>seekers</i> in accordance with this Directive;		in accordance with this Directive;	
(g) (j)	"material reception conditions" shall mean ⋈ means ⋈ the reception conditions that include housing, food and clothing provided in kind, or as financial allowances or in	(g)	"material reception conditions" means the reception conditions that include housing, food and clothing provided in kind, or as	(g) (j)	"material reception conditions" shall mean i means i the reception conditions that include housing, food and clothing provided in kind, or as	Identical

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	vouchers, ⇒ or a combination of the three ⇐, and a daily expenses allowance;		financial allowances or in vouchers, or a combination of the three, and a daily expense allowance;		financial allowances or in vouchers, ⇒ or a combination of the three ⇐, and a daily expenses allowance;	
(h) (k)	"detention" shall mean i means i confinement of an asylum seeker by a Member State within a particular place, where the applicant is deprived of his or her freedom of movement;	(h)	"detention" means confinement of an asylum seeker by a Member State within a particular place, where the applicant is deprived of his or her freedom of movement;	(h) (k)	"detention" shall mean i means i confinement of an asylum seeker by a Member State within a particular place, where the applicant is deprived of his or her freedom of movement;	Identical
(<u>i</u>) (<u>l</u>)	"accommodation centre" shall mean ☒ means ☒ any place used for collective housing of asylum seekers;	(i)	"accommodation centre" means any place used for collective housing of asylum seekers;	<u>(i)(1)</u>	"accommodation centre" shall mean ⊠ means ⊠ any place used for collective housing of asylum seekers:	Identical Article 2(j) in combination
(j)	"representative" means a	(j)	"representative"	(j)	"representative" means a	Article 2(j) ill combination

person or an organisation appointed by the competent bodies to act as a legal guardian in order to assist and represent an unaccompanied minor in procedures provided for in this Directive with a view to ensuring the child's best interests and exercising legal capacity for the minor where necessary. Where an organisation acts as a representative, it shall appoint a person responsible for carrying out the duties of the legal guardian in respect of the minor, in accordance with this Directive:

means a person or an organisation appointed by the competent bodies to act as a legal guardian in order to assist and represent an unaccompanied minor in procedures provided for in this Directive with a view to ensuring the child's best interests and exercising legal capacity for the minor where necessary. Where an organisation acts as a representative, it shall appoint a person responsible for carrying out the duties

person or an organisation appointed by the competent bodies **⊃** […] **⊂** in order to assist and represent an unaccompanied minor in procedures provided for in this Directive with a view to ensuring the child's best interests and exercising legal capacity for the minor where necessary. Where an organisation ⊃ is appointed C \supset [...] Cas a representative, it shall ⇒ designate ⊂ ⇒ [...] ⊂a person responsible for carrying out the duties of this organisation **C** \bigcirc [...] Cin respect of the minor, in accordance with this Directive;

with Article 24(1). "representative" means a person or an organisation appointed by the competent bodies **⊃** [...] **C** in order to assist and represent an unaccompanied minor in procedures provided for in this Directive with a view to ensuring the child's best interests and exercising legal capacity for the minor where necessary. Where an organisation ⊃ is appointed **C ⊃** [...] **C**as a representative, it shall **⇒** designate **⇐**

(j)

			of the legal guardian in respect of the minor, in accordance with this Directive. The organisation must ensure that the "representative" has sufficient resources to represent the minor and has the chance to develop a relationship based on mutual trust with the minor;			responsible for carrying out the duties of this organisation conganisation the minor, in accordance with this Directive;
(k)	"applicant with special reception needs" means a vulnerable applicant, in line with Article 21, who is in need of special guarantees in order to benefit from the rights and comply with the obligations	(k)	"applicant with special reception needs" means a vulnerable applicant, in line with Article 21, who is in need of special guarantees in	(k)	"applicant with special reception needs" means a vulnerable applicant, in line with Article 21, who is in need of special guarantees in order to benefit from the rights and comply with the	Identical

	provided for in this Directive.		order to benefit from the rights and comply with the obligations provided for in this Directive.		obligations provided for in this Directive.	
	Article 3		Article 3		Article 3	
	Scope		Scope		Scope	
1.	This Directive shall apply to all third country nationals and stateless persons who make an application for asylum ⇒ international protection ⇔ at the border, or in the territory. ⇒ including at the border, ≪ ⇒ in the territorial waters or in the transit zones, ⇔ of a Member State, as long as they are allowed to remain on the territory as asylum seekers, as	1.	This Directive shall apply to all third country nationals and stateless persons who make an application for international protection in the territory, including at the border, in the territorial waters or in the transit zones, of a Member State, as long	1.	This Directive shall apply to all third country nationals and stateless persons who make an application for asylum ⇒ international protection ⇔ at the border, or in the territory. ऒ including at the border, ओ in the territorial waters or in the territorial waters or in the transit zones, ⇔ of a Member State, as long as they are allowed to remain on the	EP suggestion for linguistic change not admissible.

well as to family members, if they are covered by such application for ⇒ international protection ⇔ asylum according to the national law.	as they are allowed to remain on the territory as asylum seekers, as well as to family members, if they are covered by such application for international protection according to the <i>applicable</i> national law.	territory as asylum seekers, as well as to family members, if they are covered by such application for ⇒ international protection ⇔ asylum according to the national law.	
2. This Directive shall not apply in cases of requests for diplomatic or territorial asylum submitted to representations of Member States.	2. This Directive shall not apply <i>to</i> requests for diplomatic or territorial asylum submitted to representations of Member States.	2. This Directive shall not apply in cases of requests for diplomatic or territorial asylum submitted to representations of Member States.	EP suggestion for linguistic change not admissible.
3. This Directive shall not apply when the provisions of Council	3. This Directive shall not apply when the	3. This Directive shall not apply when the provisions of	Identical

	Directive 2001/55/EC of 20 July		provisions of Council		Council Directive	
	2001 on minimum standards for		Directive 2001/55/EC		2001/55/EC of 20 July 2001	
	giving temporary protection in		of 20 July 2001 on		on minimum standards for	
	the event of a mass influx of		minimum standards		giving temporary protection	
	displaced persons and on		for giving temporary		in the event of a mass influx	
	measures promoting a balance		protection in the event		of displaced persons and on	
	of efforts between Member		of a mass influx of		measures promoting a	
	States in receiving such persons		displaced persons and		balance of efforts between	
	and bearing the consequences		on measures		Member States in receiving	
	thereof ¹ are applied.		promoting a balance		such persons and bearing the	
			of efforts between		consequences thereof ² are	
			Member States in		applied.	
			receiving such			
			persons and bearing			
			the consequences			
			thereof are applied.			
4	M 1 G	4	N 1 Co :	4	M. 1. G	EP suggestion on "those
4.	Member States may decide to	4.	Member States may	4.	Member States may decide to	applicable" not admissible.
	apply this Directive in		decide to apply this		apply this Directive in	applicable not admissible.
	connection with procedures for		Directive in		connection with procedures	
		*				

OJ L 212, 7.8.2001, p. 12. OJ L 212, 7.8.2001, p. 12.

			T
deciding on applications for	connection with	for deciding on applications	
kinds of protection other than	procedures for	for kinds of protection other	
that emanating from	deciding on	than that emanating from	
⇒ Directive [//EU] [the	applications for kinds	⇒ Directive [//EU] [the	
Qualification Directive]	of protection other	Qualification Directive]	
Geneva Convention for third-	than those applicable	the Geneva Convention for	
country nationals or stateless	under Directive	third-country nationals or	
persons who are found not to be	2011/95/EU.	stateless persons who are	
refugees .		found not to be refugees.	
Article 4	Article 4	Article 4	
Mana farrannahla muaniniana	Mana farrannahla muanisiana	Mana farrannahla muanisi ang	
More favourable provisions	More favourable provisions	More favourable provisions	
Member States may introduce or retain	Member States may introduce	Member States may introduce or	Identical
more favourable provisions in the field	or retain more favourable	retain more favourable provisions in	
of reception conditions for asylum	provisions in the field of	the field of reception conditions for	
seekers and other close relatives of the	reception conditions for	asylum seekers and other close	
applicant who are present in the same	asylum seekers and other close	relatives of the applicant who are	
Member State when they are dependent	relatives of asylum seekers	present in the same Member State	
on him or for humanitarian reasons	who are present in the same	when they are dependent on him or for	
insofar as these provisions are	Member State when they are	humanitarian reasons insofar as these	
1	T .		1

compatible with this Directive.	dependent on <i>the asylum</i> seeker or for humanitarian reasons insofar as those provisions are compatible with	provisions are compatible with this Directive.	
	this Directive.		
CHAPTER II	CHAPTER II	CHAPTER II	
GENERAL PROVISIONS ON RECEPTION CONDITIONS	GENERAL PROVISIONS ON RECEPTION CONDITIONS	GENERAL PROVISIONS ON RECEPTION CONDITIONS	
Article 5	Article 5	Article 5	
Information	Information	Information	
Member States shall inform asylum seekers, within a reasonable time not exceeding fifteen days after they have lodged their application for	Member States shall inform asylum seekers, within a reasonable time not exceeding fifteen days	1. Member States shall inform asylum seekers, within a reasonable time not exceeding fifteen days after they have lodged their	Identical

⇒ international protection ←	after they have lodged	application for	
asylum with the competent	their application for	⇒ international protection ⇔	
authority, of at least any	international	asylum with the competent	
established benefits and of the		7	
	protection, of at least	authority, of at least any	
obligations with which they	any established	established benefits and of	
must comply relating to	benefits and of the	the obligations with which	
reception conditions.	obligations with	they must comply relating to	
	which they must	reception conditions.	
	comply relating to		
	reception conditions.		
	1		
Member States shall ensure that	Member States shall	Member States shall ensure	Identical
applicants are provided with	ensure that applicants	that applicants are provided	
information on organisations or	are provided with	with information on	
groups of persons that provide	information on	organisations or groups of	
specific legal assistance and	organisations or	persons that provide specific	
organisations that might be able	groups of persons that	legal assistance and	
to help or inform them	provide specific legal	organisations that might be	
concerning the available	assistance and	able to help or inform them	
reception conditions, including	organisations that	concerning the available	
health care.	might be able to help	reception conditions,	
	or inform them	including health care.	
		C	

	concerning the available reception conditions, including health care.		
2. Member States shall ensure that the information referred to in paragraph 1 is in writing and, as far as possible, in a language that the applicants ⇒ understand or ⇔ may ⋈ are ⋈ reasonably be supposed to understand. Where appropriate, this information may also be supplied orally.	2. Member States shall ensure that the information referred to in paragraph 1 is in writing and, in a language that the applicants understand or <i>may</i> reasonably <i>be presumed</i> to understand. Where appropriate, this information may also be supplied orally.	2. Member States shall ensure that the information referred to in paragraph 1 is in writing and, as far as possible, in a language that the applicants ⇒ understand or ⇔ may ⇒ are ⋈ reasonably be supposed to understand. Where appropriate, this information may also be supplied orally.	Take Council text

	Article 6	Article 6	Article 6		
	Documentation	Documentation	Documenta	tion	
1.	Member States shall ensure that,	1. Member States shall	1. Member States	shall ensure Identical	
	within three days after an	ensure that, within	that, within thr	ee days after	
	application	three days after an	an application	⇒ for	
	protection ← is lodged with the	application for	international pr	rotection \Leftarrow is	
	competent authority , the	international	lodged with the	e competent	
	applicant is provided with a	protection is lodged,	authority , the a	pplicant is	
	document issued in his or her	the applicant is	provided with	a document	
	own name certifying his or her	provided with a	issued in his or	her own name	
	status as an asylum seeker or	document issued in	certifying his o	or her status as	
	testifying that he or she is	his or her own name	an asylum seek	ter or testifying	
	allowed to stay in the territory	certifying his or her	that he or she is	s allowed to	
	of the Member State while his	status as an asylum	stay in the terri	tory of the	
	or her application is pending or	seeker or testifying	Member State	while his or	
	being examined.	that he or she is	her application	is pending or	
		allowed to stay in the	being examine	d.	
		territory of the			
		Member State while			

	If the helder is not force		his or her application is pending or being examined.		If the health with most force to	EP suggestions for linguistic
	If the holder is not free to move within all or a part of the territory of the Member State, the document shall also certify this fact.		If the holder of the document referred to in the first subparagraph is not free to move within all or a part of the territory of the Member State, the document shall also certify this fact.		If the holder is not free to move within all or a part of the territory of the Member State, the document shall also certify this fact.	change not admissible.
2.	Member States may exclude application of this Article when the asylum seeker is in detention and during the examination of an application for ⇒ international protection ⇔ asylum made at the border or within the context of a	2.	Member States may exclude application of this Article when an asylum seeker is in detention and during the examination of an application for international	2.	Member States may exclude application of this Article when the asylum seeker is in detention and during the examination of an application for ⇒ international protection ⇔ asylum made at the border or within the	EP suggestion for linguistic change not admissible.

	procedure to decide on the right		protection made at the		context of a procedure to	
	of the applicant legally to enter		border or within the		decide on the right of the	
	the territory of a Member State.		context of a procedure		applicant legally to enter the	
	In specific cases, during the		to decide on the right		territory of a Member State.	
	examination of an application		of the applicant to		In specific cases, during the	
	for international protection □		enter the territory of a		examination of an application	
	asylum, Member States may		Member State. In		for international	
	provide applicants with other		specific cases, during		protection	
	evidence equivalent to the		the examination of an		Member States may provide	
	document referred to in		application for		applicants with other	
	paragraph 1.		international		evidence equivalent to the	
			protection, Member		document referred to in	
			States may provide		paragraph 1.	
			applicants with other			
			evidence equivalent to			
			the document referred			
			to in paragraph 1.			
2	TTT 1	2	TTI 1	2		Identical
3.	The document referred to in	3.	The document	3.	The document referred to in	
	paragraph 1 need not certify the		referred to in		paragraph 1 need not certify	
	identity of the asylum seeker.		paragraph 1 need not		the identity of the asylum	
			certify the identity of		seeker.	
				l		

			the asylum seeker.			
4.	Member States shall adopt the necessary measures to provide asylum seekers with the document referred to in paragraph 1, which must be valid for as long as they are authorised to remain in the territory of the Member State concerned or at the border thereof.	4.	Member States shall adopt the necessary measures to provide asylum seekers with the document referred to in paragraph 1, which must be valid for as long as they are authorised to remain in the territory <i>or at the border</i> of the Member State concerned.	4.	Member States shall adopt the necessary measures to provide asylum seekers with the document referred to in paragraph 1, which must be valid for as long as they are authorised to remain in the territory of the Member State concerned or at the border thereof:	Take Council text
5.	Member States may provide asylum seekers with a travel document when serious humanitarian reasons arise that require their presence in another State.	5.	Member States may provide asylum seekers with a travel document when serious humanitarian reasons arise that require their presence	5.	Member States may provide asylum seekers with a travel document when serious humanitarian reasons arise that require their presence in another State.	Identical

			in another State.			
6.	Member States shall not impose	6.	Member States shall	<u>⊃[]</u> C	6.	Member States shall
	any documentation or other		not impose any			not impose any
	administrative requirements on		documentation or			unnecessary or
	asylum seekers before granting		other administrative			disproportionate
	the rights to which they are		requirements on			documentation or
	entitled under this Directive for		asylum seekers before			other administrative
	the sole reason that they are		granting the rights to			requirements on
	applicants for international		which they are			asylum seekers before
	protection.		entitled under this			granting the rights to
			Directive for the sole			which they are
			reason that they are			entitled under this
			applicants for			Directive for the sole
			international			reason that they are
			protection.			applicants for
						international
						protection.

Article 7	Article 7	Article 7	
Residence and freedom of movement	Residence and freedom of movement	Residence and freedom of movement	
1. Asylum seekers may move freely within the territory of the host Member State or within an area assigned to them by that Member State. The assigned area shall not affect the unalienable sphere of private life and shall allow sufficient scope for guaranteeing access to all benefits under this Directive.	1. Asylum seekers may move freely within the territory of the host Member State or within an area assigned to them by that Member State. The assigned area shall not affect the unalienable sphere of private life and shall allow sufficient scope for <i>ensuring</i> access to all benefits under this Directive.	1. Asylum seekers may move freely within the territory of the host Member State or within an area assigned to them by that Member State. The assigned area shall not affect the unalienable sphere of private life and shall allow sufficient scope for guaranteeing access to all benefits under this Directive.	Take Council text.
2. Member States may decide on	2. Member States may	2. Member States may decide	Identical

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3.4. Member States may make	3. Member States may	3.4. Member States may make	Identical
3. When it proves necessary, for example for legal reasons or reasons of public order, Member States may confine an applicant to a particular place in accordance with their national law.		3. When it proves necessary, for example for legal reasons or reasons of public order, Member States may confine an applicant to a particular place in accordance with their national law.	
the residence of the asylum seeker for reasons of public interest, public order or, when necessary, for the swift processing and effective monitoring of his or her application ⇒ for international protection ⇔.	decide on the residence of the asylum seeker for reasons of public interest, public order or, when necessary, for the swift processing and effective monitoring of his or her application for international protection.	on the residence of the asylum seeker for reasons of public interest, public order or, when necessary, for the swift processing and effective monitoring of his or her application ⇒ for international protection ⇔.	

	,		
provision of the material	make provision of the	provision of the material	
reception conditions subject to	material reception	reception conditions subject	
actual residence by the	conditions subject to	to actual residence by the	
applicants in a specific place, to	actual residence by	applicants in a specific place,	
be determined by the Member	the applicants in a	to be determined by the	
States. Such a decision, which	specific place, to be	Member States. Such a	
may be of a general nature, shall	determined by the	decision, which may be of a	
be taken individually and	Member States. Such	general nature, shall be taken	
established by national	a decision, which may	individually and established	
legislation.	be of a general nature,	by national legislation.	
	shall be taken		
	individually and		
	established by		
	national legislation.		
	4. When it proves		EP AM not taken up EP given
	1		provisions on detention.
	necessary, for		
	example for legal		
	reasons or reasons of		
	public policy,		
	Member States may		
	confine an applicant		
I .		1	

		to a specific place in accordance with their national law.			
4. 5.	Member States shall provide for the possibility of granting applicants temporary permission to leave the place of residence mentioned in paragraphs 2 and 43 and/or the assigned area mentioned in paragraph 1. Decisions shall be taken individually, objectively and impartially and reasons shall be given if they are negative.	4. Member States shall provide for the possibility of granting applicants temporary permission to leave the place of residence referred to in paragraphs 2 and 3 and/or the assigned area referred to in paragraph 1. Decisions shall be taken individually, objectively and impartially and reasons shall be given if they are negative.	<u>4</u> . <u>5.</u>	Member States shall provide for the possibility of granting applicants temporary permission to leave the place of residence mentioned in paragraphs 2 and 43 and/or the assigned area mentioned in paragraph 1. Decisions shall be taken individually, objectively and impartially and reasons shall be given if they are negative.	EP suggestions for linguistic changes not admissible.
	The applicant shall not require	The applicant shall		The applicant shall not	Identical

permission to keep appointments with authorities and courts if his or her appearance is necessary. 5.6 Member States shall require applicants to inform the competent authorities of their current address and notify any change of address to such authorities as soon as possible.	not require permission to keep appointments with authorities and courts if his or her appearance is necessary. 5. Member States shall require applicants to inform the competent authorities of their current address and notify any change of address to such authorities as soon as possible.	require permission to keep appointments with authorities and courts if his or her appearance is necessary. 5.6 Member States shall require applicants to inform the competent authorities of their current address and notify any change of address to such authorities as soon as possible.	Identical
Article 8	Article 8	Article 8	
Detention	Detention	Detention	
1. Member States shall not hold a	1. Member States shall	1. Member States shall not hold	Identical

reas appl prot Dire	on in detention for the sole on that he/she is an dicant for international ection in accordance with ective [//EU] [the lum Procedures Directive].		not hold a person in detention for the sole reason that he/she is an applicant for international protection in accordance with Directive [//EU] [the Asylum Procedures Directive].		a person in detention for the sole reason that he/she is an applicant for international protection in accordance with Directive [/EU] [the Asylum Procedures Directive].	
on the asse Mer apple	en it proves necessary and he basis of an individual assment of each case, mber States may detain an licant, if other less coercive mative measures cannot be lied effectively.	2.	When it proves necessary and on the basis of an individual assessment of each case, Member States may detain an applicant, if other less coercive alternative measures cannot be applied effectively.	2.	When it proves necessary and on the basis of an individual assessment of each case, Member States may detain an applicant, if other less coercive alternative measures cannot be applied effectively.	Identical
3. With	hout prejudice to Article 11	3.	Without prejudice to	3.	⊃[] C ⊃ An C applicant	Draft suggestion technical

and to detention in the	Article 11 <i>of this</i>	may only be detained:	group not to take up EP AM
framework of criminal	Directive and Article		for reference to Article 5
proceedings, an applicant may	5 of the ECHR and to		ECHR in light of reference to
only be detained:	detention in the		international legal obligations
	framework of criminal		in recital (15) and for reasons
	proceedings, an		of legal drafting.
	applicant may only be		
	detained:		
			Detention grounds in
			paragraph 3 to be discussed.
			Possible compromise text
			with regard to point (d) in
			light of trilogue:
(a) in order to determine or	(a) in order to	(a) in order to determine or	
verify his/her identity or	determine or	verify his/her identity	
nationality;	verify his/her	or nationality;	
	identity or		
	nationality;		
(b) in order to determine,	(b) in order to	(b) in order to determine	
within the context of a	determine,	\bigcirc [] \bigcirc the elements	

preliminary interview, the	within the	on which the	
elements on which the	context of a	application for	
application for	preliminary	international protection	
international protection is	interview, the	is based which could	
based which could not be	elements on	not be obtained in the	
obtained in the absence of	which the	absence of detention	
detention;	application for	, in particular when	
	international	there is a risk of	
	protection is	absconding © ;	
	based which		
	could not be		
	obtained in the		
	absence of		
	detention;		
(c) in the context of a	(c) in the context of	(c) in the context of a	
	· /		
procedure, to decide on	a procedure, to	procedure, to decide on	
the right to enter the	decide on the	the right to enter the	
territory;	right to enter the	territory;	
	territory;		
		○ (d) ○ When the Member	⊃(d) 3 When the
		State can substantiate	Member State

	that the applicant	can
	without delay for no	substantiate
	justifiable reason has	that the
	not turned to the	applicant
	competent authorities to	without delay
	request for asylum, but	<u>for no</u>
	- although there is	justifiable
	effective access to	reason has not
	apply for asylum - has	turned to the
	only made the	<u>competent</u>
	application after being	authorities to
	apprehended on	request for
	grounds of an illegal	asylum, but -
	stay, or	although there
		is effective
		access to apply
		for asylum -
		has only made
		the application
		after being
		apprehended
		on grounds of

	an illegal stay, or
when he/she is already c detained subject to a return	when he/she is already c detained subject to a return
procedure c in order to	procedure © under Directive 2008/115/EC in order to
and/or carry on the removal process and there are reasonable	on the removal process and the Member State can
grounds to believe that $\bigcirc \bigcirc [] \bigcirc \text{he/she}$ makes $\bigcirc \text{the} \bigcirc \bigcirc$	substantiate on the basis of objective criteria, including that he/she already had the
for international	asylum procedure, that
protection merely inorder to delay orfrustrate the	 <u>Sthere are reasonable</u> <u>Grounds to believe that Contact the state of the sta</u>
enforcement of the CD[] C return D decision C	_C ⊃ [] C application for international protection merely in order to delay or frustrate

		<u> </u>	the enforcement of the C [] C return decision C [] C; C
(d) when protection of national security or public order so requires.	(d) when protection of national security or public order so requires.	(⊃e ⊂ ⊃[] ⊂) when protection of national security or public order so requires.	
These grounds shall be laid down in national law.	These grounds shall be laid down in national law and shall be regularly reported to the Commission,	☐ [] ☐ Grounds ☐ ☐ for detention ☐ shall be laid down in national law.	EP AM not taken up.

			EASO and the European Parliament.				
4.	Member States shall ensure that	4.	Member States shall	4.	Member States shall ensure	4.	Member States shall
	rules concerning alternatives to		ensure that rules		that <u>any</u> rules		ensure that 3 any C
	detention, such as regular		concerning		concerning alternatives to		rules concerning
	reporting to the authorities, the		alternatives to		detention, such as regular		alternatives to
	deposit of a financial guarantee,		detention, such as		reporting to the authorities,		detention, such as
	or an obligation to stay at an		regular reporting to		the deposit of a financial		regular reporting to
	assigned place, are laid down in		the authorities, the		guarantee, or an obligation to		the authorities, the
	national law.		deposit of a financial		stay at an assigned place, are		deposit of a financial
			guarantee, or an		laid down in national law.		guarantee, or an
			obligation to stay at				obligation to stay at
			an assigned place, are				an assigned place, are
			laid down in national				laid down in national
			law.				law.

Article 9	Article 9	Article 9		
Guarantees for detained asylum seekers	Guarantees for detained asylum seekers	Guarantees for detained asylum seekers	Article 9 paragraphs (1) to (4) in combination with recital (15a) EP on review of the detention order.	
1. Detention shall be for as short a period as possible and shall only be maintained for as long as the grounds set out in Article 8(3) are applicable.	1. Detention shall be ordered for the shortest period possible. In particular, the period of detention pursuant to Article 8(2) (a), (b) or (c) shall not exceed the time reasonably needed to complete the administrative procedures required in order to obtain	1. Detention shall be for as short a period as possible and shall only be maintained for as long as the grounds set out in Article 8(3) are applicable.	as short a period as possible and shall only be maintained for as long as the grounds set out in Article 8(3) are applicable.	

	information on the		
	asylum seeker's		
	nationality or identity		
	or on the elements on		
	which his application		
	is based, or to		
	complete the relevant		
	procedure with a view		
	to deciding on his/her		
	right to enter the		
	territory. The average		
	period of detention		
	and the reasons for		
	detention shall be		
	regularly reported to		
	the Commission,		
	EASO and the		
	European		
	Parliament.		
	2 001 000011001001		
Administrative procedures	Administrative	Administrative procedures	Identical
relevant to the grounds set out	procedures relevant to	relevant to the grounds set	

in Article 8(3) shall be executed with due diligence. Delays in the administrative procedures that cannot be attributed to the asylum seeker shall not justify a continuation of detention.	the grounds set out in Article 8(3) shall be executed with due diligence. Delays in the administrative procedures that cannot be attributed to the	out in Article 8(3) shall be executed with due diligence. Delays in the administrative procedures that cannot be attributed to the asylum seeker shall not justify a continuation of detention.	
	asylum seeker shall not justify a continuation of detention.		
judicial or administrative authorities. Where detention is ordered by administrative authorities, it shall be confirmed by judicial authorities within 72 hours from the beginning of the detention. Where the judicial authority finds detention to be unlawful, or there is no decision	2. Detention shall be ordered by judicial [] authorities. In urgent cases it may be ordered by administrative authorities, in which case the detention order shall be confirmed by judicial	judicial or administrative authorities. Where detention is ordered by administrative authorities, → Member States shall provide for a speedy judicial review of the lawfulness of detention conducted ex officio and/or on the request of the	Presidency suggests to maintain Council text. EP suggestion: 2. Detention shall be ordered by judicial or administrative

within 72 hours, the asylum	authorities within 72	applicant. The review of	authorities. Where
seeker concerned shall be	hours from the	the lawfulness of detention	detention is ordered
released immediately.	beginning of the	shall be decided on as	by administrative
	detention. Where the	speedily as possible from the	authorities,
	judicial authority	beginning of detention in the	<u> Member States</u>
	finds detention to be	case of the ex officio review.	shall provide for a
	unlawful, or there is	In the case of a review on the	speedy judicial review
	no decision within	request of the applicant, the	of the lawfulness of
	that 72 hour period,	lawfulness of the detention	detention conducted
	the asylum seeker	shall be subject to a review to	ex officio and/or on
	concerned shall be	be decided on as speedily as	the request of the
	released immediately.	possible after the launch of	applicant. The
		the relevant proceedings. To	review of the
		this end, © Member States	lawfulness of
		shall define in national law a	detention shall be
		⊃[…] © period within	decided on as speedily
		which the ex officio review	as possible from the
		and/or the review on request	beginning of detention
		of the applicant shall be	in the case of the ex
		conducted.	officio review. In the
			case of a review on
			the request of the

	applicant, the
	lawfulness of the
	detention shall be
	subject to a review to
	be decided on as
	speedily as possible
	after the launch of
	the relevant
	proceedings. To this
	end, © Member
	States shall define in
	national law a
	⊃[…] © period
	within which the ex
	officio review and/or
	the review on
	request of the
	applicant shall be
	conducted.
⊃[] C ⊃ The applicant C	⊃[] C ⊃ The applicant C
concerned shall be released	concerned shall be released
concerned shall be released	immediately ⊃ <u>if the detention</u>

					immediately ⊃ <u>if the</u> <u>detention is not lawful</u> ⊂ .	is not lawful C.
3.	Detention shall be ordered in writing. The detention order shall state the reasons in fact and in law on which it is based and the procedures laid down in national law for challenging it, in a language the asylum seeker understands or is reasonably supposed to understand. It shall immediately be provided to the detained asylum seeker.	3.	Detention shall be ordered in writing. The detention order shall state the reasons in fact and in law on which it is based, shall specify the maximum period of detention and the procedures laid down in national law for challenging it, in a language the asylum seeker understands or is reasonably supposed to understand. It shall immediately be provided to the	3.	Detention shall be ordered in writing. The detention order shall state the reasons in fact and in law on which it is based \bigcirc . \bigcirc	

	detained asylum		
	seeker.		
		Detained asylum seekers shall immediately be informed of the reasons for detention and the procedures laid down in national law for challenging the detention order ← ⊃ [] ←, in a language ⊃ they understand ← ⊃ [] ← or ⊃ are ← ⊃ [] ← reasonably supposed to understand. ⊃ [] ←.	
4. Detention shall be reviewed by a judicial authority at reasonab		4. Detention shall be reviewed by a judicial authority at	Take Council text.
intervals of time, either ex	authority at	reasonable intervals of time,	
officio or on request by the	reasonable intervals of	⊃[…] Cex officio	
asylum seeker concerned, in	time, either ex officio	and / c or on request by	
particular whenever it is of a	or on request by the	the asylum seeker concerned,	
prolonged duration or relevant	asylum seeker	in particular whenever it is of	

	circumstances arise or new		concerned, in		a prolonged duration or	
	information becomes available		particular whenever it		relevant circumstances arise	
	which may affect the lawfulness		is of a prolonged		or new information becomes	
	of detention.		duration or relevant		available which may affect	
			circumstances arise or		the lawfulness of detention.	
			new information			
			becomes available			
			which may affect the			
			lawfulness of			
			detention.			
5.	In cases of an ampeal on marious	5	I I Mamban States	5.		Take Council text
5.	In cases of an appeal or review	5.	[] Member States	5.	<u>In cases of</u> ⊃[] C	
	of the detention order, Member		shall ensure that		<u>a</u> <u>c review</u> of the	
	States shall ensure that asylum		asylum seekers have		detention order provided	
	seekers have access to free legal		access to free legal		for in paragraph $2 $	
	assistance and representation,		assistance and		Member States shall ensure	
	where they cannot afford the		representation, where		that asylum seekers have	
	costs involved and in so far as it		they cannot afford the		access to free legal assistance	
	is necessary to ensure their		costs involved and in		and representation ⊃.	
	effective access to justice.		so far as it is			
			necessary to ensure			
			their effective access			
1		l				l l

Legal assistance and representation shall include, at least, the preparation of the required procedural documents and representation before the judicial authorities.

Legal assistance and representation may be restricted to legal advisers or counsellors specifically designated by national law to assist and represent asylum seekers.

to justice.

Legal assistance and representation shall include, at least, the preparation of the required procedural documents and representation before the judicial authorities.

Legal assistance and representation may be provided by specialised, suitably qualified and impartial legal advisers, counsellors or NGOs specifically designated by national law to assist and represent asylum

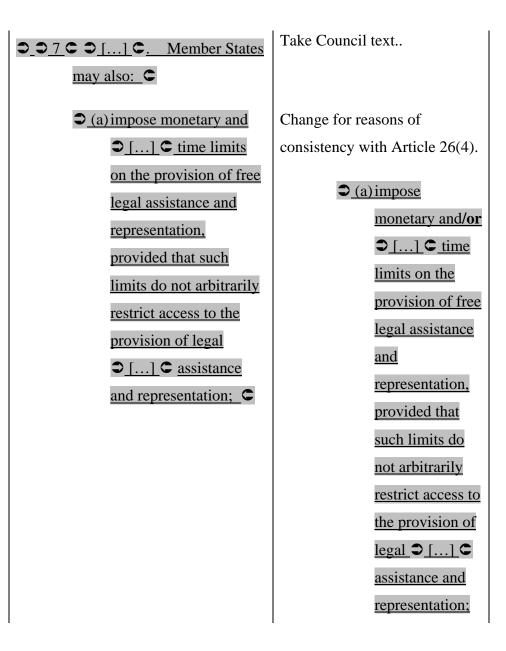
This shall include, at least,
the preparation of the
required procedural
documents and participation
in the hearing before the
judicial authorities on behalf
of the applicant.

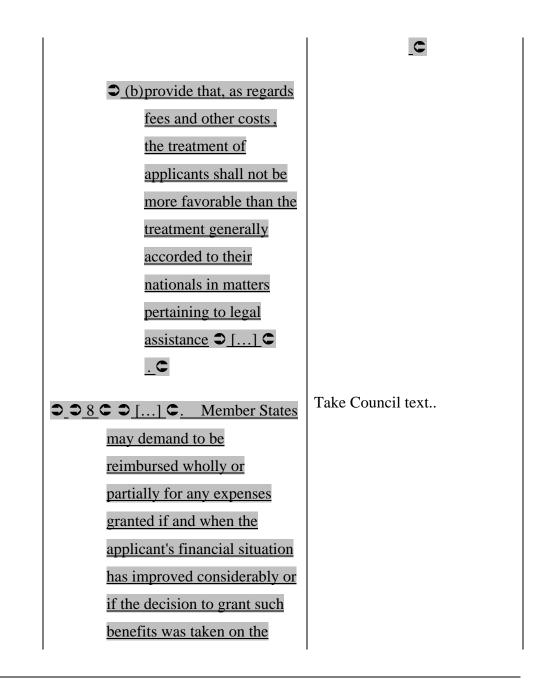
Free legal assistance and representation shall be provided by such persons as admitted or permitted under national law.

Take Council text..

Free legal assistance and representation shall be provided by such suitably qualified persons as admitted or permitted under national law whose interests do not conflict or could not potentially conflict with those of the asylum seekers.

seekers. Take Council text.. **3** 6. Member States may also provide that free legal assistance and representation are granted: C **⊃**(a) only to those who lack sufficient resources; and/or C (b) only through the services provided by legal advisers or other counsellors specifically designated by national law to assist and represent applicants for international protection. <u>[...]</u> <u>[...]</u>





Procedures for access to legal assistance and representation in such cases shall be laid down in national law.	Procedures for access to legal assistance and representation in such cases shall be laid down in national law.	basis of false information supplied by the applicant. ⊃ 9 ⊂ ⊃ [] ⊂. Procedures for access to legal assistance and representation in ⊃ [] ⊂ ⊃ such ⊂ cases ⊃ as referred to above ⊂ ⊃ [] ⊂ shall be laid down in national law. ⊂⊃ [] ⊂	Take Council text.
Article 10	Article 10	Article 10	
Conditions of detention	Detention conditions	Conditions of detention	
1. Detention shall only take place	1. Member States shall	1. Detention shall ⊃ […] C	1. Detention shall
in specialised detention	not detain asylum	take place ⊃ as a rule ⊂ in	⊃ [] C take place
facilities.	seekers in prison	specialised detention	<u>as a rule</u>
	accommodation.	facilities. Where a	specialised detention
	Detention shall only	Member State ⊃ [] C-	facilities.
	take place in	cannot provide	Member State
	specialised detention	accommodation in a	⊃[…] C cannot

	C '1''	' 1' 1 1 4 4' 6 '1'4	. 1
	facilities.	specialised detention facility	<u>provide</u>
		and is obliged to resort to	accommodation in a
		prison accommodation, the	specialised detention
		asylum seeker in detention	facility and is obliged
		shall be kept separately from	to resort to prison
		ordinary prisoners.	accommodation, the
			asylum seeker in
			detention shall be kept
			separately from
			ordinary prisoners.
			and the detention
			conditions provided
			in this Directive shall
			apply.
Asylum seekers in detention	Asylum seekers in	⊅[]€	As a rule, asylum seekers in
	•	<u> </u>	detention shall be kept
shall be kept separately from	detention shall be <i>held</i>		_
other third country nationals	separately from other		separately from other third
who have not lodged an	third country nationals		country nationals who have
			not lodged an application for

	application for international		who have not lodged			interna	tional protection.
	protection unless it is necessary		an application for				
	to ensure family unity and the		international			Where	a Member State
	applicant consents thereto.		protection unless it is			cannot	detain asylum seekers
			necessary to ensure			separa	te from other third
			family unity and the			country	y nationals, it shall
			applicant consents			ensure	that the detention
			thereto.			conditi	ons provided in this
						Directi	ve apply.
2.	Detained asylum seekers shall	2.	Detained asylum	2.	Detained asylum seekers	Identica	al
	have access to open-air spaces.		seekers shall have		shall have access to open-air		
			access to open-air		spaces.		
			spaces.				
3.	Member States shall ensure that	3.	Member States shall	3.	Member States shall ensure	3.	Member States shall
	persons representing the United		ensure that persons		that persons representing the		ensure that persons
	Nations High Commissioner for		representing the		United Nations High		representing the
	Refugees have the possibility to		United Nations High		Commissioner for Refugees		United Nations High
	communicate with applicants		Commissioner for		have the possibility to		Commissioner for
	and to have access to detention		Refugees have the		communicate with applicants		Refugees have the
	facilities. This also applies to an		possibility to		and to have access to		possibility to
	organisation which is working		communicate with		detention facilities. This also		communicate with

in the territory of the Member	and visit applicants in	applies to an organisation	and visit applicants in
State concerned on behalf of the	conditions that fully	which is working in the	conditions that
United Nations High	respect privacy in	territory of the Member State	respect privacy and
Commissioner for Refugees	detention facilities.	concerned on behalf of the	to have access to
pursuant to an agreement with	This also applies to an	United Nations High	detention facilities.
that Member State.	organisation which is	Commissioner for Refugees	This also applies to an
	working in the	pursuant to an agreement	organisation which is
	territory of the	with that Member State.	working in the
	Member State		territory of the
	concerned on behalf		Member State
	of the United Nations		concerned on behalf
	High Commissioner		of the United Nations
	for Refugees pursuant		High Commissioner
	to an agreement with		for Refugees pursuant
	that Member State.		to an agreement with
			that Member State.
4. Member States shall ensure that	4. Member States shall	4. Member States shall ensure	4. Member States shall
family members, legal advisers	ensure that family	that family members, legal	ensure that family
or counsellors and persons	members, legal	advisers or counsellors and	members, legal
representing relevant non-	advisers or	persons representing relevant	advisers or
governmental organisations	counsellors, <i>legal</i>	non-governmental	counsellors and

recognised by the Member State representatives and organisations recognised by persons representing concerned, have the possibility the Member State concerned, relevant nonpersons representing to communicate with applicants relevant nonhave the possibility to governmental and have access to detention communicate with applicants organisations governmental facilities. Limits to access may organisations [...] and have access to detention recognised by the Member State be imposed only where, by have the possibility to facilities. Limits to access virtue of national law, they are communicate with may be imposed only where, concerned, have the objectively necessary for the by virtue of national law, they possibility to and visit applicants in security, public order or are objectively necessary for communicate with conditions that fully administrative management of the security, public order or and visit applicants in respect privacy. the detention facility, provided administrative management conditions that that access is not thereby of the detention facility, respect privacy and provided that access is not severely limited or rendered have access to thereby severely limited or detention facilities. impossible. rendered impossible. Limits to access may be imposed only where, by virtue of national law, they are objectively necessary for the security, public order or

						administrative management of the detention facility, provided that access is not thereby severely limited or rendered impossible.
		3.	Member States shall ensure that asylum seekers held in detention have access to appropriate medical treatment and psychological counselling where appropriate.			EP AM not taken up because already covered by Article 19.
a s ii	Member States shall ensure that sylum seekers in detention are ystematically provided with information which explains the ules applied in the facility and	5.	Member States shall ensure that asylum seekers in detention are systematically provided with	5.	Member States shall ensure that asylum seekers in detention are systematically provided with information which explains the rules	Take Council text

sets out their rights and	information which	applied in the facility and sets	
obligations in a language they	explains the rules	out their rights and	
understand or are reasonably	applied in the facility	obligations in a language they	
supposed to understand.	and sets out their	understand or are reasonably	
	rights and obligations	supposed to understand.	
	in a language which	<u> Member States may</u>	
	they understand or	derogate from this obligation	
	may reasonably be	in duly justified cases and for	
	<i>presumed</i> to	a reasonable period which	
	understand.	shall be as short as possible	
		when the asylum seeker is	
		detained at a border or in a	
		transit zone 3 . This	
		derogation shall not apply in	
		C ⊃ [] C cases referred	
		to in Article 43 of Directive	
		[//EU] [the Asylum	
		Procedures Directive].	
			ɔ [] c
6. In duly justified cases and for a	[]	<u>⊃[]</u> C	<u> </u>
reasonable period which shall			
be as short as possible Member			

States may derogate:			
(a) from the first	[]	⊃[]℃	<u>⊃[]</u> ¢
subparagraph of			
paragraph 1 where			
accommodation in			
specialised detention			
facilities is temporarily			
not available and, as a			
consequence, Member			
States are obliged to resort			
to prison accommodation,			
provided that asylum			
seekers in detention are			
kept separately from			
ordinary prisoners;			
unaccompanied minors			
shall not, however, be			
kept in prison			
accommodation;			
(b) from paragraph 5 when	[]	⊃[]_€	<u>⊃[]</u> ¢
the asylum seeker is			

detained at a border post or in a transit zone with the exception of cases referred to in Article 43 of Directive [//EU] [the Asylum Procedures Directive].			
Article 11	Article 11	Article 11	
Detention of vulnerable persons and persons with special reception needs	Detention of vulnerable persons and persons with special reception needs	Detention of vulnerable persons and persons with special reception needs	
1. In all cases, vulnerable persons shall not be detained unless it is established that their health, including their mental health, and well-being, will not significantly deteriorate as a result of the detention.	1. In all cases, vulnerable persons shall not be detained unless it is established following an individual examination of their situation by a	1. ⊃ The health, including the mental health, of applicants ⊃ in detention ⊂ ⊃ [] ⊂ who are vulnerable persons shall be of primary concern to national authorities. ⊂ ⊃ [] ⊂	Linked with Article 22 on special reception needs of vulnerable persons. To be discussed.

	qualified and independent professional that their health, including their mental health, and well-being, will not significantly deteriorate as a result of the detention.		
Where vulnerable persons are detained, Member States shall ensure regular monitoring and adequate support taking into account their particular situation including their health.	Where vulnerable persons are detained, Member States shall ensure regular monitoring and adequate support taking into account their particular situation including their health.	Where vulnerable persons are detained, Member States shall ensure regular monitoring and adequate support taking into account their particular situation including their health.	Identical
2. Minors shall not be detained unless it is established in an	2. Minors shall not be detained unless it is <i>in</i>	2. Minors ⊃ shall only ℂ ⊃ [] ℂ ⊃ [] ℂ be	2. Minors ⊃ shall only ⊂ ⊃ [] ⊂

individual case that it is in the minor's best interests, as prescribed in Article 23(2).	their best interests, as prescribed in Article 23(2) and only after taking into consideration the findings of the individual examination of their situation in accordance with paragraph 5 of this Article.	detained ⊃ [] Cas a measure of last resort and ⊃ for the shortest period of time C ⊃ [] C ⊃ [] C	□ [] Cbe detained □ □ [] Cas a measure of last resort and after having established that other less coercive alternative measures cannot be applied effectively. It shall be and □ for the shortest period of time □ □ and all efforts shall be made to release the detained minors and place them in accommodation suitable for minors.
Detention of minors shall be a	Detention of minors	→ Unaccompanied minors	suitable for minors Unaccompanied
measure of last resort, after	shall be a measure of	shall be detained only in	minors shall be
having established that other	last resort, after	⊃[] C ⊃ particular C	detained only in

less coercive alternative	having established	circumstances. All efforts	<u>⊃[]</u> C
measures cannot be applied	that other less	shall be made to release the	⊃ <u>exceptional</u>
effectively. It shall be for as	coercive alternative	detained unaccompanied	particular C
short a period as possible and all	measures cannot be	minor as soon as possible.	circumstances. All
efforts shall be made to release	applied effectively. It	D [] C	efforts shall be made
the detained minors and place	shall be for as short a		to release the detained
them in accommodation suitable	period as possible and		unaccompanied minor
for minors.	all efforts shall be		as soon as possible. C
	made to release the		C D[]C
	detained minors and		
	place them in		
	accommodation		
	suitable for minors.		
		The minor's best interests, as prescribed in Article 23(2), shall be a primary consideration.	The minor's best interests, as prescribed in Article 23(2), shall be a primary consideration.
		<u>Unaccompanied minors</u> <u>shall not be kept in prison</u> <u>accommodation.</u> □	Shall not be kept in prison accommodation.

Detention of unaccompanied minors shall be resorted to only in particularly exceptional cases.	Unaccompanied minors shall never be detained. Where minors are detained they shall have the possibility of engaging in leisure- activities, including	⊃[] C	Unaccompanied minors shall as far as possible be provided with accommodation in institutions provided with personnel and facilities which take into account the needs of persons of their age. EP AM not taken up because already covered elsewhere in this paragraph (leisure activities) respectively in Article 10(2) (open air activities).
	play and recreational activities appropriate to their age, and open-air activities.		
Where minors are detained, they shall have the possibility to	Where minors are detained, they shall	Where minors are detained, they shall have the possibility	EP AM not taken up because already covered in Article

engage in leisure-activities, including play and recreational activities appropriate to their age. Minors shall have access to open-air spaces.	have the possibility of engaging in leisure- activities, including play and recreational activities appropriate to their age, and open-air activities. Minors shall have access to open-air spaces.	to engage in leisure-activities, including play and recreational activities appropriate to their age.	Where minors are detained, they shall have the possibility to engage in leisure-activities, including play and recreational activities appropriate to their age. □ [] □
Where unaccompanied minors are detained, Member States shall ensure that they are accommodated separately from adults. 3. Detained families shall be provided with separate accommodation guaranteeing adequate privacy.	[] 3. Detained families shall be provided with separate accommodation	Where unaccompanied minors are detained, Member States shall ensure that they are accommodated separately from adults. 3. Detained families shall be provided with separate accommodation guaranteeing adequate privacy.	Where unaccompanied minors are detained, Member States shall ensure that they are accommodated separately from adults. Take Council text.

			privacy.				
4.	Where female asylum seekers are detained, Member States shall ensure that they are accommodated separately from male asylum seekers, unless these are family members and all concerned individuals consent thereto.	4.	Where female asylum seekers are detained, Member States shall ensure that they are accommodated separately from male asylum seekers, unless <i>they</i> are family members and all concerned individuals consent thereto.	4.	Where female asylum seekers are detained, Member States shall ensure that they are accommodated separately from male asylum seekers, unless these are family members and all concerned individuals consent thereto.	4.	Where female asylum seekers are detained, Member States shall ensure that they are accommodated separately from male asylum seekers, unless these are family members and all concerned individuals consent thereto.
	Exceptions may also apply for the use of common spaces designed for recreational or social activities including the provision of meals.		Exceptions may also apply for the use of common spaces designed for recreational or social activities including the provision of meals. <i>When using</i>		Exceptions may also apply for the use of common spaces designed for recreational or social activities including the provision of meals.	the use designe social a	ons may also apply for of common spaces od for recreational or ectivities including the on of meals.

	these common spaces Member States shall ensure the physical and psychological integrity of female asylum seekers.		
5. In duly justified cases and for a reasonable period that shall be as short as possible Member States may derogate from the fourth subparagraph of paragraph 2, paragraph 3 and the first subparagraph of paragraph 4, when the asylum seeker is detained at a border post or in a transit zone, with the exception of cases referred to in Article 43 of Directive [//EU] [the Asylum Procedures Directive].	5. In duly justified cases and for a reasonable period that shall be as short as possible Member States may derogate from the fourth subparagraph of paragraph 2, paragraph 3 and the first subparagraph of paragraph 4, when the asylum seeker is detained at a border post or in a transit zone, with the	5. In duly justified cases and for a reasonable period that shall be as short as possible Member States may derogate from the fourth subparagraph of paragraph 2, paragraph 3 and the first subparagraph of paragraph 4, when the asylum seeker is detained at a border post or in a transit zone, with the exception of cases referred to in Article 43 of Directive [//EU] [the Asylum Procedures Directive].	Identical

	exception of cases referred to in Article 43 of Directive [//EU] [the Asylum Procedures Directive].		
Article <u>12</u> <u>\u224 \u224 \u2</u>	Article 12	Article <u>12 </u> <u>&</u>	
Families	Families	Families	
Member States shall take appropriate	Member States shall take	Member States shall take appropriate	EP suggestions for linguistic
measures to maintain as far as possible	appropriate measures to	measures to maintain as far as possible	changes not admissible.
family unity as present within their	maintain as far as possible the	family unity as present within their	
territory, if applicants are provided with	family unity of asylum seekers	territory, if applicants are provided	
housing by the Member State concerned.	present <i>in</i> their territory, if <i>they</i>	with housing by the Member State	
Such measures shall be implemented	are provided with housing by	concerned. Such measures shall be	
with the asylum seeker's agreement.	the Member State concerned.	implemented with the asylum seeker's	
	Such measures shall be	agreement.	
	implemented with the asylum		

Article <u>13</u> §	Article 13	Article <u>13</u> 2	
Medical screening	Medical screening	Medical screening	
Member States may require medical	Member States may require	Member States may require medical	Identical
screening for applicants on public health	medical screening for	screening for applicants on public	
grounds.	applicants on public health	health grounds.	
	grounds.		
Article <u>14</u> 10	Article 14	Article <u>14</u> 10	
Schooling and education of minors	Schooling and education of minors	Schooling and education of minors	
1. Member States shall grant to	Member States shall	Member States shall grant to	EP AM not admissible
minor children of asylum	grant to minor	minor children of asylum	
seekers and to asylum seekers	children of asylum	seekers and to asylum seekers	
who are minors access to the seekers and to asylum		who are minors access to the	
education system under similar	education system under similar seekers who are		
conditions as nationals of the	minors access to the	similar conditions as	
host Member State for so long	education system	nationals of the host Member	
as an expulsion measure against	under similar	State for so long as an	

them or their parents is not	conditions as	expulsion measure against	
actually enforced. Such	nationals of the host	them or their parents is not	
education may be provided in	Member State for so	actually enforced. Such	
accommodation centres.	long as an expulsion	education may be provided in	
	measure against them	accommodation centres.	
	or their parents is not		
	actually enforced.		
	Such education may		
	be provided in		
	accommodation		
	centres. Member		
	States shall support		
	full access to		
	education systems		
	and support the		
	minor in learning the		
	language of the		
	Member State, hence		
	contributing to its		
	integration in the		
	host society.		

	The Member State concerned may stipulate that such access must be confined to the State education system.		The Member State concerned may stipulate that such access must be confined to the State education system.		The Member State concerned may stipulate that such access must be confined to the State education system.	Identica	
	Minors shall be younger than the age of legal majority in the Member State in which the application for asylum was lodged or is being examined. Member States shall not withdraw secondary education for the sole reason that the minor has reached the age of majority.		Member States shall not withdraw secondary education for the sole reason that the minor has reached the age of majority.		Minors shall be younger than the age of legal majority in the Member State in which the application for asylum was lodged or is being examined. Member States shall not withdraw secondary education for the sole reason that the minor has reached the age of majority.	Identica	
2.	Access to the education system shall not be postponed for more than three months from the date the application for	2.	Access to the education system shall be ensured as soon as possible once	2.	Access to the education system shall not be postponed for more than three months from the date the application	2.	Access to the education system shall not be postponed for more than three

protection \Leftrightarrow international protection \Leftrightarrow asylum was lodged by \Rightarrow or on behalf of \Leftrightarrow the minor or the minor's parents. This period may be extended to one year where specific education is provided in order to facilitate access to the education system.	the application for international protection has been lodged by or on behalf of the minor and, in any event, shall not be postponed for more than three months from the date on which the application for international protection was lodged [].	for ⇒ international protection ⇔ asylum was lodged by ⇒ or on behalf of ⇔ the minor or the minor's parents. This period may be extended to one year where specific education is provided in order to facilitate access to the education system.	months from the date the application for ⇒ international protection ⇔ asylum was lodged by ⇒ or on behalf of ⇔ the minor or the minor's parents. This period may be extended to one year where specific education is provided in order to facilitate access to the education system.
Preparatory classes, including language classes, shall be provided to minors where it is necessary to facilitate their access and integration to the	Preparatory classes, including language classes, shall be provided to minors [] to facilitate their	Preparatory classes, including language classes, shall be provided to minors where it is necessary to facilitate their access $[]$ to the	Preparatory classes, including language classes, shall be provided to minors where it is necessary to facilitate their access and participation to the national education system

	national education system.		access and integration		national education system	as set out in paragraph 1_
			to the national		as set out in paragraph 1 C	
			education system.			
3.	Where access to the education	3.	Where access to the	3.	Where access to the	Take Council text.
	system as set out in paragraph 1		education system as		education system as set out in	
	is not possible due to the		set out in paragraph 1		paragraph 1 is not possible	
	specific situation of the minor,		is not possible due to		due to the specific situation	
	the Member State		the specific situation		of the minor, the Member	
	may offer other education		of the minor, the		State	
	arrangements		Member State shall		other education arrangements	
	with national law and		offer other		⇒ in accordance with	
	practices ⇔.		educational		national law and practices ⇔.	
			arrangements in			
			accordance with			
			national law and			
			practice.			

Article <u>15</u> <u>#</u>	Article 15	Article <u>15</u> 11	
Employment	Employment	Employment	
1. Member States shall determine a period of time, starting from the date on which an application for asylum was lodged during which an applicant shall not have access to the labour market.		1. Member States shall determine a period of time, starting from the date on which an application for asylum was lodged during which an applicant shall not have access to the labour market.	
1. Member States shall ensure that applicants have access to the labour market no later than 6 months following the date when the application for international protection was lodged.	1. Member States shall ensure that applicants have access to the labour market no later than <i>six</i> months following the date when the application for international protection was	1. Member States shall ensure that applicants have access to the labour market no later than ⊃ [] ⊂ ⊃ 12 ⊂ months following the date when the application for international protection was lodged ⊃ if a first instance decision by the competent	To be discussed.

		lodged.		and this delay cannot be attributed to the applicant authority has not been taken and this delay cannot be	
	Member States may extend that time limit for a period not exceeding a further six months, in the cases provided for in points (b) and (c) of Article 31(3)of Directive [//EU] [the Asylum Procedures Directive].	[]		⊅[]¢	
2.	If a decision at first instance has not been taken within one year of the presentation of an application for asylum and this delay cannot be attributed to the applicant, Member States shall decide the conditions for granting access to the labour market for the applicant ➡, in accordance with their national	2. Member States shall decide the conditions for granting access to the labour market for the applicant, in accordance with their national legislation, without unduly restricting asylum seekers' access to the	2.	If a decision at first instance has not been taken within one year of the presentation of an application for asylum and this delay cannot be attributed to the applicant, Member States shall decide the conditions for granting access to the labour market for the applicant ➡, in accordance	To be discussed.

law, while ensuring asylum seekers have effective accethe labour market. ←.	labour market. Member States shall report to the Commission, EASO and the European Parliament about the realities of asylum seekers access to the labour market in a two-year period.	with their national law, while ensuring asylum seekers have effective access to the labour market. \bigcirc	
		For reasons of labour market policies, Member States may give priority to EU citizens and nationals of States parties to the Agreement on the European Economic Area and also to legally resident third- country nationals.	To be discussed.
3. Access to the labour market shall not be withdrawn durappeals procedures, where	market shall not be	3. Access to the labour market shall not be withdrawn during appeals procedures, where an	EP suggestions on linguistic changes not admissible.

appeal against a negative	appeals procedures,	appeal against a negative	
decision in a regular procedure	where an appeal	decision in a regular	
has suspensive effect, until such	against a negative	procedure has suspensive	
time as a negative decision on	decision in an	effect, until such time as a	
the appeal is notified.	ordinary procedure	negative decision on the	
	has suspensive effect,	appeal is notified.	
	until such time as a		
	negative decision on		
	the appeal is issued.		
4. For reasons of labour market		4. For reasons of labour market	
policies, Member States may		policies, Member States may	
give priority to EU citizens and		give priority to EU citizens	
nationals of States parties to the		and nationals of States parties	
Agreement on the European		to the Agreement on the	
Economic Area and also to		European Economic Area and	
legally resident third-country		also to legally resident third-	
nationals.		country nationals.	

Article <u>16</u> <u>12</u>	Article 16	Article <u>16</u> 12	
Vocational training	Vocational training	Vocational training	Identical
Member States may allow asylum	Member States may allow	Member States may allow asylum	
seekers access to vocational training	asylum seekers access to	seekers access to vocational training	
irrespective of whether they have access	vocational training irrespective	irrespective of whether they have	
to the labour market.	of whether they have access to	access to the labour market.	
	the labour market.		
Access to vocational training relating to	Access to vocational training	Access to vocational training relating	
an employment contract shall depend on	relating to an employment	to an employment contract shall	
the extent to which the applicant has	contract shall depend on the	depend on the extent to which the	
access to the labour market in	extent to which the applicant	applicant has access to the labour	
accordance with Article <u>15 11</u> .	has access to the labour market	market in accordance with Article <u>15</u>	
	in accordance with Article 15.	<u>±</u> .	

Article <u>17</u> <u>13</u>		Article 17	Article <u>17</u> 13	
General rules on material reception conditions and health care		General rules on material reception conditions and health care	General rules on material reception conditions and health care	
1.	Member States shall ensure that material reception conditions are available to applicants when they make their application for asylum ⇒ international protection ⇔.	1. Member States shall ensure that material reception conditions are available to applicants when they make their application for international protection.	1. Member States shall ensure that material reception conditions are available to applicants when they make their application for asylum ⇒ international protection ⇔.	Identical
2.	Member States shall ⋈ ensure that ⋈ make provisions on material reception conditions ⋈ provide an adequate ⋈ to ensure a standard of living ⋈ for applicants for international protection, which	2. Member States shall ensure that material reception conditions provide an adequate standard of living for applicants, which ensures their	2. Member States shall i ensure that i make provisions on material reception conditions i provide an adequate i to ensure a standard of living i for applicants for	EP suggestions on linguistic changes not admissible.

	guarantees their subsistence and	subsistence	and		international protection,	
					•	
	protects their physical and	protects the	ir physical		which guarantees their	
	mental health ⊠ adequate for	and mental	health.		subsistence and protects their	
	the health of applicants and				physical and mental	
	capable of ensuring their				health \boxtimes adequate for the	
	subsistence.				health of applicants and	
					capable of ensuring their	
					subsistence.	
	Member States shall ensure that	Member Sta	ntes shall		Member States shall ensure	EP suggestions on linguistic
	that standard of living is met in	ensure that	such a		that that standard of living is	changes not admissible.
	the specific situation of	standard of	living is		met in the specific situation	
	⇒ vulnerable ← persons who	<i>provided</i> in	the		of \Rightarrow vulnerable \Leftarrow persons	
	have special needs, in	specific situ	ation of		who have special needs, in	
	accordance with Article	vulnerable į	persons, in		accordance with Article	
	\Rightarrow 21 \Leftarrow $\frac{12}{2}$, as well as in	accordance	with		\Rightarrow 21 \Leftarrow $\frac{17}{2}$, as well as in	
	relation to the situation of	Article 21, a	as well as		relation to the situation of	
	persons who are in detention.	in relation to	o the		persons who are in detention.	
		situation of	persons			
		who are in o	letention.			
3.	Member States may make the	3. Member Sta	ntes may	3.	Member States may make the	EP suggestions on linguistic
	provision of all or some of the	make the pr			provision of all or some of	changes not admissible.
		<u> </u>				

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			11 6.1			
	material reception conditions		all or some of the		the material reception	
	and health care subject to the		material reception		conditions and health care	
	condition that applicants do not		conditions and health		subject to the condition that	
	have sufficient means to have a		care subject to the		applicants do not have	
	standard of living adequate for		condition that		sufficient means to have a	
	their health and to enable their		applicants do not have		standard of living adequate	
	subsistence.		sufficient means to		for their health and to enable	
			have a standard of		their subsistence.	
			living adequate for			
			their health and to			
			ensure their			
			subsistence.			
4.	Member States may require	4.	Member States may	4.	Member States may require	Identical
	applicants to cover or contribute		require applicants to		applicants to cover or	
	to the cost of the material		cover or contribute to		contribute to the cost of the	
	reception conditions and of the		the cost of the		material reception conditions	
	health care provided for in this		material reception		and of the health care	
	Directive, pursuant to the		conditions and of the		provided for in this Directive,	
	provision of paragraph 3, if the		health care provided		pursuant to the provision of	
	applicants have sufficient		for in this Directive,		paragraph 3, if the applicants	
	resources, for example if they		pursuant to the		have sufficient resources, for	

have been working for a	provision of	example if they have been	
reasonable period of time.	paragraph 3, if the	working for a reasonable	
	applicants have	period of time.	
	sufficient resources,		
	for example if they		
	have been working for		
	a reasonable period of		
	time.		
If it transpires that an applicant	If it transpires that an	If it transpires that an	EP suggestions on linguistic
had sufficient means to cover	applicant had	applicant had sufficient	changes not admissible.
material reception conditions	sufficient means to	means to cover material	
and health care at the time when	cover material	reception conditions and	
these basic needs were being	reception conditions	health care at the time when	
covered, Member States may	and health care at the	these basic needs were being	
ask the asylum seeker for a	time when those basic	covered, Member States may	
refund.	needs were being met,	ask the asylum seeker for a	
	Member States may	refund.	
	ask the asylum seeker		
	for a refund.		
5. Material reception conditions		5. Material reception conditions	
may be provided in kind, or in		may be provided in kind, or	

the form of financial allowances or vouchers or in a combination of these provisions		in the form of financial allowances or vouchers or in a combination of these provisions	
Where Member States provide material reception conditions in the form of financial allowances or vouchers, the amount thereof shall be determined in accordance with the principles set out in this Article.		Where Member States provide material reception conditions in the form of financial allowances or vouchers, the amount thereof shall be determined in accordance with the principles set out in this Article.	
	5. Material reception conditions may be provided in kind or in the form of financial allowances or vouchers or in a combination of the		Take Council text given definition 2(g).

			three elements.			
5.	Where Member States provide material reception conditions in the form of financial allowances	5.	Where Member States provide material reception conditions	5.	Where Member States provide material reception conditions in the form of financial allowances and	17(5) in combination cital (20). Where Member States
	and vouchers, the amount thereof shall be determined on the basis of the point(s) of reference established by the		in the form of financial allowances and vouchers, the amount thereof shall		vouchers, the amount thereof shall be determined on the basis of the \bigcirc [] \bigcirc	provide material reception conditions in the form of financial allowances
	Member State concerned either by law or practice to ensure adequate standards of living for		be determined on the basis of the point(s) of reference established		○ <u>level(s)</u> ○ established by the Member State concerned either by law or practice to	and vouchers, the amount thereof shall be determined on the
	nationals, such as the minimum level of social welfare assistance. Member States may		by the Member State concerned either by law or practice to		ensure adequate standards of living for nationals $\bigcirc [] \bigcirc$. Member States may grant less	basis of the $\bigcirc []$ \bigcirc \bigcirc level(s) \bigcirc established by the
	grant less favourable treatment to asylum applicants compared to nationals in this respect,		ensure adequate standards of living for nationals. <i>This shall</i>		favourable treatment to asylum \bigcirc seekers \bigcirc \bigcirc [] \bigcirc compared to	Member State concerned either by law or practice to
	where it is duly justified.		at least cover adequate accommodation, food, and, where		nationals in this respect [] C , in particular where material support is partially provided in kind or	ensure adequate standards of living for nationals $\bigcirc [] \bigcirc$. Member States may

applicable, education,	where the abovementioned	grant less favourable
as well as health care	\bigcirc [] \bigcirc \bigcirc level(s) \bigcirc ,	treatment to asylum
in accordance with	applied for nationals, aim to	Seekers
this Directive. This	ensure a standard of living	⊃[] Ccompared to
does not entail that	higher than what is prescribed	nationals in this
the amount granted	for asylum seekers under this	respect $\bigcirc [] \subset \bigcirc$,
should be the same as	<u>Directive</u> C .	in particular where
for nationals.		material support is
Member States may		partially provided in
grant less favourable		kind or where the
treatment to asylum		abovementioned
applicants compared		
to nationals in this		○ level(s) C, applied
respect [].		for nationals, aim to
		ensure a standard of
		living higher than
		what is prescribed for
		asylum seekers under
		this Directive C.
		•

Article <u>18</u> <u>14</u>	Article 18	Article <u>18</u>	
Modalities for material reception conditions	Modalities for material reception conditions	Modalities for material reception conditions	
1. Where housing is provided in kind, it should take one or a combination of the following forms:	1. Where housing is provided in kind, it should take one or a combination of the following forms:	1. Where housing is provided in kind, it should take one or a combination of the following forms:	Identical
(a) premises used for the purpose of housing applicants during the examination of an application for ⇒ international protection ⇔ asylum lodged ⇒ made ⇔ at the border ⇒ or in transit zones ⇔;	(a) premises used for the purpose of housing applicants during the examination of an application for international protection made at the border or in transit zones	(a) premises used for the purpose of housing applicants during the examination of an application for ⇒ international protection ⇔ asylum lodged ⇔ made ⇔ at the border ⇔ or in transit zones ⇔;	EP AM not admissible.

		for a maxi period of f weeks;			
which g	odation centres uarantee an e standard of	(b) accommod centres who guarantee adequate standard or living;	an	(b) accommodation centres which guarantee an adequate standard of living;	Identical
hotels or	other premises for housing	(c) private hor flats, hotel other premadapted for housing applicants.	ls or nises or	(c) private houses, flats, hotels or other premise adapted for housing applicants.	Identical
as stipulated in 11, ← ⊠ in re	tions of detention Articles 10 and elation to housing	Without prejudic any specific conditions of detention as stip in Articles 10 an	ulated	⇒ Without prejudice to any specific conditions of detention as stipulated in Articles 10 and 11, ⇔ ≫ in relation to housing referred to	Identical

and (c), ☑ Member States shall	in relation to housing	in paragraph 1(a), (b) and	
ensure that <u>applicants provided</u>	referred to in	(c), ≅ Member States shall	
with the housing referred to in	paragraph 1(a), (b)	ensure that applicants	
paragraph 1(a), (b) and (c) are	and (c), Member	provided with the housing	
<u>assured</u> :	States shall ensure	referred to in paragraph 1(a),	
	that:	(b) and (c) are assured:	
(a) ⊠ applicants are	(a) applicants are	(a) ⋈ applicants are	Identical
guaranteed ≤ protection	guaranteed	guaranteed ⟨⊠	
of their family life;	protection of	protection of their	
	their family life;	family life;	
(b) ⊠ applicants have ⊠ the	(b) applicants have	(b)	Identical
possibility of	the possibility	the possibility of	
communicating with	of	communicating with	
relatives, legal advisers	communicating	relatives, legal advisers	
\Rightarrow or counsellors \Leftarrow ,	with relatives,	\Rightarrow or counsellors \Leftarrow ,	
⋈ persons	legal advisers or	> persons	
representing ⊠ <u>and</u>	counsellors,	representing ⊠ <u>and</u>	
representatives of the	persons	representatives of the	
United Nations High	representing the	United Nations High	
Commissioner for	United Nations	Commissioner for	
Refugees (UNHCR) and	High	Refugees (UNHCR)	

			C			
	⇒ other relevant national,		Commissioner		and other relevant	
	international and non-		for Refugees		national, international	
	governmental		(UNHCR) and		and non-governmental	
	organisations and		other relevant		organisations and	
	bodies ← non		national,		bodies ← non	
	governmental		international		governmental	
	organisations (NGOs)		and non-		organisations (NGOs)	
	recognised by Member		governmental		recognised by Member	
	States.		organisations		States.	
			and bodies.			
<u>(c)</u>	⇒ Family members <i>←</i> ,	(c)	Family	<u>(c)</u>	⇒ Family members ←,	Identical
	legal <u>advisers</u> or		members, legal		legal <u>advisers</u> <u>advisors</u>	
	counsellors <u>of asylum</u>		advisers or		or counsellors $\underline{\underline{\mathbf{ef}}}$	
	<u>seekers</u> , ⊠ persons		counsellors,		<u>asylum seekers</u> ,	
	representing ⊠ <u>and</u>		persons		> persons	
	representatives of the		representing the		representing <u>and</u>	
	United Nations High		United Nations		representatives of the	
	Commissioner for		High		United Nations High	
	Refugees		Commissioner		Commissioner for	
			for Refugees		Refugees	
	\boxtimes and \boxtimes $\underline{\underline{\mathbf{e}}}$		(UNHCR) and		\boxtimes (UNHCR) \boxtimes	
L				I.		ı

⇒ relevant ← non-	relevant non-	🖾 and 🖾 🏨	
governmental	governmental	⇒ relevant ← non-	
organisations designated	organisations	governmental	
by the latter and	recognised by	organisations	
recognised by the Member	the Member	designated by the latter	
State concerned	State concerned	and recognised by the	
≥ are ≥ <u>shall be</u>	are granted	Member State	
granted access <u>€</u>	access in order	concerned ⋈ are ⋈	
accommodation centres	to assist the said	shall be granted access	
and other housing	asylum seekers.	to accommodation	
<u>facilities</u> in order to assist	Limits on such	eentres and other	
the said asylum seekers.	access may be	housing facilities in	
Limits on such access	imposed only on	order to assist the said	
may be imposed only on	grounds relating	asylum seekers. Limits	
grounds relating to the	to the security	on such access may be	
security of ⋈ these	of these	imposed only on	
premises ∕ ± the centres	premises and of	grounds relating to the	
and facilities and of the	the asylum	security of ⋈ these	
asylum seekers.	seekers.	premises ⟨ ± he centres	
		and facilities and of the	
		asylum seekers.	

3.	Member States shall take into	3.	Member States shall	3.	Member States shall take into	Identica	al
	consideration gender and age		take into		consideration gender and age		
	specific concerns and the		consideration gender		specific concerns and the		
	situation of vulnerable persons		and age specific		situation of vulnerable		
	in relation to applicants within		concerns and the		persons in relation to		
	the premises and		situation of vulnerable		applicants within the		
	accommodation centres referred		persons in relation to		premises and accommodation		
	to in paragraph 1(a) and (b).		applicants within the		centres referred to in		
			premises and		paragraph 1(a) and (b).		
			accommodation				
			centres referred to in				
			paragraph 1(a) and				
			(b).				
<u>4.</u>	Member States shall	4.	Member States shall	<u>4.</u>	Member States shall	<u>4.</u>	Member States shall
	appropriate measures to prevent		take appropriate		appropriate measures to		⋉ take appropriate
			measures to prevent		prevent ⊠ pay particular		measures to prevent
	the prevention of assault ⇒		assault and gender		attention to the prevention of		⊠ pay particular
	and gender based violence		based violence		assault		attention to the
	including sexual assault, ←		including sexual		violence including sexual		prevention of assault
	within the premises and		assault, within the		assault, ← within the		⇒ and gender based
	accommodation centres referred		premises and		premises and accommodation		violence including

to in paragraph 1(a) and (b).	accommodation	centres referred to in	sexual assault and
	centres referred to in	paragraph 1(a) and (b).	harassment, ←
	paragraph 1(a) and		within the premises
	(b).		and accommodation
			centres referred to in
			paragraph 1(a) and
			(b).
			In combination with Article
			2(c) and 23(5) and recital
			(18a).
			4a. Member State shall
			ensure as far as
			possible that
			dependent adult
			applicants with
			special reception
			needs are
			accommodated
			together with close
			adult relatives who
			are already present

				in the same Member State and who are responsible for them whether by law or by the national practice of the Member State concerned.
3.	Member States shall ensure, if appropriate, that minor children of applicants or applicants who are minors are lodged with their parents or with the adult family member responsible for them whether by law or by custom.		3. Member States shall ensure, if appropriate, that minor children of applicants or applicants who are minors are lodged with their parents or with the adult family member responsible for them whether by law or by custom.	
<u>5. 4.</u>	Member States shall ensure that transfers of applicants from one housing facility to another take place only when necessary. Member States shall provide for	5. Member States shall ensure that transfers of applicants from one housing facility to another take place	5.4. Member States shall ensure that transfers of applicants from one housing facility to another take place only when necessary. Member States	Identical

	the possibility for applicants to inform their legal advisers advisors or counsellors of the transfer and of their new address.		only when necessary. Member States shall provide for the possibility for applicants to inform their legal advisers or counsellors of the transfer and of their new address.		shall provide for the possibility for applicants to inform their legal advisers advisors → or counsellors ← of the transfer and of their new address.	
<u>6.</u> <u>5</u> .	Persons working in accommodation centres shall be adequately trained and shall be bound by the confidentiality principle as defined in the national law in relation to any information they obtain in the course of their work.	6.	Persons working in accommodation centres shall be adequately trained and shall be bound by the confidentiality principle as defined in the national law in relation to any information which they obtain in the course of their work.	<u>6.5.</u>	Persons working in accommodation centres shall be adequately trained and shall be bound by the confidentiality principle as defined in the national law in relation to any information they obtain in the course of their work.	EP suggestions for linguistic changes not admissible.

7.6	Mombas States may involve	7	Mamban States mar	7.6	Mambau States may involve	Identical
<u>7. €.</u>	Member States may involve	7.	Member States may	<u>7.6.</u>	Member States may involve	
	applicants in managing the		involve applicants in		applicants in managing the	
	material resources and non-		managing the material		material resources and non-	
	material aspects of life in the		resources and non-		material aspects of life in the	
	centre through an advisory		material aspects of		centre through an advisory	
	board or council representing		life in the centre		board or council representing	
	residents.		through an advisory		residents.	
			board or council			
			representing residents.			
7.	Legal advisors or counsellors of			7.	Legal advisors or counsellors	
	asylum seekers and				of asylum seekers and	
	representatives of the United				representatives of the United	
	Nations High Commissioner for				Nations High Commissioner	
	Refugees or non-governmental				for Refugees or non-	
	organisations designated by the				governmental organisations	
	latter and recognised by the				designated by the latter and	
	Member State concerned shall				recognised by the Member	
	be granted access to				State concerned shall be	
	accommodation centres and				granted access to	
	other housing facilities in order				accommodation centres and	
	to assist the said asylum				other housing facilities in	

	seekers. Limits on such access may be imposed only on grounds relating to the security of the centres and facilities and of the asylum seekers.				order to assist the said asylum seekers. Limits on such access may be imposed only on grounds relating to the security of the centres and facilities and of the asylum seekers.	
8.	➡ In duly justified cases, ⇐ Member States may exceptionally set modalities for material reception conditions different from those provided for in this Article, for a reasonable period which shall be as short as possible, when:	8.	In duly justified cases, Member States may exceptionally lay down rules for material reception conditions which are different from those provided for in this Article, for a reasonable period which shall be as short as possible, when:	8.	➡ In duly justified cases, ⇐ Member States may exceptionally set modalities for material reception conditions different from those provided for in this Article, for a reasonable period which shall be as short as possible, when:	EP suggestions for linguistic changes not admissible.
	(a) = an initial assessment of		(a) an assessment		(a) = an initial assessment of	Identical

the specific needs of the applicant is required ⇒, in accordance with Article 22 ←,	of the specific needs of the applicant is required, in accordance with	the specific needs of the applicant is required ⇒, in accordance with Article 22 ⇔,	
- material reception	Article 22,	- material reception	Identical
conditions, as provided for in this Article, are not available in a certain geographical area,		conditions, as provided for in this Article, are not available in a certain geographical	
(b) - housing capacities normally available are temporarily exhausted.	(b) housing capacities normally	(b) = housing capacities normally available are temporarily exhausted =	Identical
	available are temporarily exhausted.		
the asylum seeker is in detention or confined to		the asylum seeker is in detention or confined to	

	border posts. These different conditions shall cover in any case basic needs.	Such different conditions shall cover in any case basic needs.	border posts. These different conditions shall cover in any case basic needs.	EP suggestion for linguistic change not admissible.
	Article <u>19</u> 15	Article 19	Article <u>19</u> 15	
	Health care	Health care	Health care	
1.	Member States shall ensure that applicants receive the necessary health care which shall include, at least, emergency care and essential treatment of illness ⇒ or post traumatic disorders .	1. Member States shall ensure that applicants receive the necessary health care which shall include, at least, emergency care and essential treatment of illness or <i>mental disorders</i> .	1. Member States shall ensure that applicants receive the necessary health care which shall include, at least, emergency care and essential treatment of illness □[] □ □.	1. Member States shall ensure that applicants receive the necessary health care which shall include, at least, emergency care and essential treatment of illness and serious mental disorders.

nec ass hav nec me	ember States shall provide cessary medical or other sistance to applicants who we special ⇒ reception ⇔ eds, ⇒ including appropriate ental health care where eded ⇔.	2. Member States shall provide the necessary medical or other assistance to applicants who have special reception needs, including appropriate mental health care where required.	2.	Member States shall provide necessary medical or other assistance to applicants who have special ⇒ reception ⇔ needs, ⇒ including appropriate mental health care where needed ⇔.	Take Council text
		Article 20			
		Victims of torture			ED AM C
		Member States shall ensure that victims of torture are quickly directed to a care centre appropriate to their situation.			EP AM for new Article not admissible.

CHAPTER III	CHAPTER III	CHAPTER III	
REDUCTION OR WITHDRAWAL OF	REDUCTION OR WITHDRAWAL OF MATERIAL RECEPTION CONDITIONS	REDUCTION OR WITHDRAWAL OF SMATERIAL RECEPTION CONDITIONS	Article 20 in combination with recital (21).
Article <u>20</u> <u>16</u>	Article 20	Article <u>20</u> <u>16</u>	
Reduction or withdrawal of	Reduction or withdrawal of material reception conditions	Reduction or withdrawal of	
1. Member States may reduce or withdraw ⋈ material ⋈ reception conditions in the following cases:	1. Member States may reduce [] - but never eliminate all - material reception conditions	1. Member States may reduce or withdraw ⋈ material ⋈ reception conditions in the following cases:	Presidency suggestion to be discussed 1. Member States may reduce or in exceptional and duly justified cases withdraw □ material □

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			reception conditions in the following eases:
(a) where an asylum seeker:	where an asylum seeker:	where an asylum seeker:	Identical
(a) = abandons the place of residence determined by the competent authority without informing it or, if requested, without permission, or	(a) abandons the place of residence determined by the competent authority without informing it or, if requested, without permission, or	(a) = abandons the place of residence determined by the competent authority without informing it or, if requested, without permission, or	Identical
(b) = does not comply with reporting duties or with	(b) does not comply with reporting	(b) <u>=</u> does not comply with reporting duties or with	Identical
requests to provide information or to appear for personal interviews	duties or with requests to provide	requests to provide information or to appear for personal	

concerning the asylum	information or	interviews concerning	
procedure during a	to appear for	the asylum procedure	
reasonable period laid	personal	during a reasonable	
	•	•	
down in national law, or	interviews	period laid down in	
	concerning the	national law, or	
	asylum		
	procedure		
	during a		
	reasonable		
	period laid		
	down in		
	national law, or		
(-) 111-1-1-1-1	(-) 1, -, 1, 1, -, 1,	(a) 1	Identical
(c) = has already lodged ⇒ a	(c) has lodged a	$\underline{(c)}$ = has already lodged \Rightarrow a	
subsequent application as	subsequent	subsequent application	
defined in Article 2(q) of	application as	as defined in Article	
[//EU] [the Asylum	defined in	2(q) of [//EU] [the	
Procedures Directive] ←	Article 2(q) of	Asylum Procedures	
an application in the same	[//EU] [the	Directive] ← an	
Member State. ∑, or ⊠	Asylum	application in the same	
	Procedures	Member State.	
	Directive], or	$\boxtimes,\underline{\mathrm{or}} \boxtimes$	

 \(\begin{aligned} \left(\text{d} \) has concealed financial resources and has therefore unduly benefited from material reception conditions. ⟨ 	[]	(d) has concealed financial resources and has therefore unduly benefited from material reception conditions.	[]
		∣⊠	
	[] When the applicant is traced or voluntarily reports to the competent authority, a duly motivated decision, based on the reasons for the disappearance, shall be taken on the reintroduction of the grant of some or all of the material reception conditions [] reduced.	In relation to cases (a) and (b), ⟨∑ \text{	Take Council text

(b) where an applicant has concealed financial resources and has therefore unduly benefited from material reception conditions.	2. Member States may reduce or withdraw material reception conditions where an applicant has concealed financial resources, and has therefore unduly	(b) where an applicant has concealed financial resources and has therefore unduly benefited from material reception conditions.	(b) where an applicant has concealed financial resources and has therefore unduly benefited from material reception conditions.
	benefited from material reception conditions.		
If it transpires that an applicant had sufficient means to cover material reception conditions and health care at the time when these basic needs were being covered, Member States may		If it transpires that an applicant had sufficient means to cover material reception conditions and health care at the time when these basic needs were being	
ask the asylum seeker for a refund.		covered, Member States may ask the asylum seeker for a refund.	

Member States may refuse	2. Member States may refuse	
conditions in cases where an	conditions in cases where an	
asylum seeker has failed to	asylum seeker has failed to	
demonstrate that the asylum	demonstrate that the asylum	
claim was made as soon as	claim was made as soon as	
reasonably practicable after	reasonably practicable after	
arrival in that Member State.	arrival in that Member State.	
	⇒ 2. Member States may reduce	⇒ 2. Member States may
	⊃ [] C material reception	also reduce \bigcirc [] \bigcirc
	conditions ⊃ [] © when	material reception
	the applicant \bigcirc [] \bigcirc ,	conditions ⊃ [] C
	without good reason, has not	when they can
	filed an application for	establish that the
	asylum as soon as possible	applicant, for no
	after arrival in that	justifiable ⊃ [] C,
	Member State C.	without good reason,
	2 []	has not lodged filed
		an application for
		asylum as soon as
		reasonably
		<u>practicable possible</u>

				<u>after arrival in that</u> <u>Member State</u> <u>C.</u> <u>○[]</u> <u>CC</u>
				3. Member States may reduce or withdraw material reception conditions where an applicant has concealed financial resources, and has therefore unduly benefited from material reception conditions.
2. 2.	Member States may determine sanctions applicable to serious breaching of the rules of the accommodation centres as well as to seriously violent behaviour.	3. Member States may determine the sanctions applicable to serious breaches of the rules of the accommodation centres as well as to	may determine sanctions applicable to serious breaching of the rules of the accommodation centres as well as to seriously violent	Member States may determine sanctions applicable to serious breaching of the rules of the accommodation

			seriously violent	behaviour.	centres as well as to
			behaviour.		seriously violent
					behaviour.
<u>3.</u> 4.	Decisions for reduction,	4.	Decisions for the	\bigcirc 4. \bigcirc \bigcirc \bigcirc \bigcirc Decisions for	⊃ <u>54.</u> C ⊃ [] C <u>=</u>
	withdrawal or refusal of		reduction, withdrawal	reduction, withdrawal or	Decisions for
			or refusal of material	refusal of ⊠ material ⊠	reduction or,
	conditions or sanctions referred		reception conditions	reception conditions or	withdrawal or refusal
	to in paragraphs 1, $\frac{2}{2}$ and $\frac{3}{2}$		or sanctions referred	sanctions referred to in	of ⋈ material ⋈
	shall be taken individually,		to in paragraphs 1, 2	paragraphs $1, \frac{2}{2}$ and $\frac{2}{3}$ shall	reception conditions
	objectively and impartially and		and 3 shall be taken	be taken individually,	or sanctions referred
	reasons shall be given.		individually,	objectively and impartially	to in paragraphs 1,2,
	Decisions shall be based on the		objectively and	and reasons shall be given.	3, and 4 <u>2</u> and <u>2</u> 2
	particular situation of the person		impartially and	Decisions shall be based on	shall be taken
	concerned, especially with		reasons shall be given.	the particular situation of the	individually,
	regard to persons covered by		Decisions shall be	person concerned, especially	objectively and
	Article \Rightarrow 21 \Leftarrow $\frac{17}{2}$, taking into		based on the	with regard to persons	impartially and
	account the principle of		particular situation of	covered by Article ⇒ 21 ←	reasons shall be given.
	proportionality. Member States		the person concerned,	$\frac{17}{2}$, taking into account the	Decisions shall be
	shall under all circumstances		especially with regard	principle of proportionality.	based on the
	ensure access to emergency		to persons covered by	Member States shall under all	particular situation of
	health care in accordance in accordance		Article 21, taking into	circumstances ensure access	the person concerned,

		T		
	with Article 19 ⇐.	account the principle	to emergency health care ⇒	especially with regard
		of proportionality.	in accordance with Article 19	to persons covered by
		Member States shall	⇐.	Article \Rightarrow 21 \Leftarrow $\frac{17}{4}$,
		under all		taking into account
		circumstances ensure		the principle of
		subsistence and		proportionality.
		access to health care		Member States shall
		in accordance with		under all
		Article 19.		circumstances ensure
				access to emergency
				health care in
				accordance with
				Article 19 and shall
				ensure a dignified
				standard of living
				for all asylum
				seekers. ⊱.
<u>4. 5.</u>	Member States shall ensure that	5. Member States shall	⊃ <u>5.</u> ⊂ ⊃ [] ⊂ = Member States	⊃ <u>65.</u> ⊂ ⊃ [] ⊂ <u>=</u>
	material reception conditions	ensure that material	shall ensure that material	Member States
	are not withdrawn or reduced	reception conditions	reception conditions are not	shall ensure that
	before a <u>negative</u> decision is	are not withdrawn or	withdrawn or reduced before	material reception

taken in accordance with	reduced before a	a <u>negative</u> decision is taken	conditions are not
paragraph 3 ⊠.	decision is taken in	in accordance with	withdrawn or reduced
	accordance with	paragraph 3 ⊠.	before a <u>negative</u>
	paragraph 4.		decision is taken
			in accordance with
			paragraph 3 5 ⊠.
CHAPTER IV	CHAPTER IV	CHAPTER IV	
PROVISIONS FOR ⇒ VULNERABLE PERSONS PERSONS WITH SPECIAL NEEDS	PROVISIONS FOR VULNERABLE PERSONS	PROVISIONS FOR ⇒ VULNERABLE PERSONS PERSONS WITH SPECIAL NEEDS	
Article <u>21</u> <u>17</u>	Article 21	Article <u>21</u> <u>17</u>	
General principle	General principle	General principle	
★ Member States shall take into	Member States shall	± Member States shall take into	± Member States shall
account the specific situation of	take into account the	account the specific situation	take into account the
vulnerable persons such as	specific situation of	of vulnerable persons such as	specific situation of

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minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children ⇒, victims of trafficking, persons with serious physical illnesses, mental illnesses, or posttraumatic disorders,
and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, in the national Chapter II relating to material reception conditions and health care.

vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of trafficking, victims of female genital mutilation, persons with serious physical illnesses and mental [...] disorders, and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, in the national legislation

minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children ⇒, victims of trafficking, persons with serious \bigcirc [...] \bigcirc illnesses, ⊃ [...] C⊃ persons with mental disorders C \bigcirc [...] \bigcirc , \Leftarrow and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, in the national legislation implementing \Rightarrow this Chapter II relating to material reception conditions and health care.

vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children \Rightarrow , victims of trafficking, persons with serious ⊃ [...] **C** illnesses, ⊃ [...] C⊃ persons with mental disorders C **⊃** [...] **C**, **⇔** and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual

	implementing this Directive.		violence, such as victims of female genital mutilation, in the national legislation implementing \$\Rightarrow\$ this Directive \$\Rightarrow\$ the provisions of Chapter H relating to material reception conditions
2. Paragraph 1 shall apply only to		2. Paragraph 1 shall apply only	and health care.
persons found to have special needs after an individual		to persons found to have special needs after an	
evaluation of their situation.		individual evaluation of their situation.	

Article 22	Article 22	Article 22	
Identification of the special reception needs of vulnerable persons	Identification of the special reception needs of vulnerable persons	S[] © SAssessment © of the special reception needs of vulnerable persons	To be discussed. Linked to Article 11(1).
1. Member States shall establish mechanisms with a view to identifying whether the applicant is a vulnerable person and, if so, has special reception needs, also indicating the nature of such needs. Those mechanisms shall be initiated within a reasonable time after an application for international protection is made. Member States shall ensure that these special reception needs are also addressed, in accordance with the provisions of this Directive,	1. Member States shall establish mechanisms in national legislation with a view to identifying whether the applicant is a vulnerable person and, if so, has special reception needs, also indicating the nature of such needs. Those mechanisms should also ensure the identification of applicants in need of	vulnerable person in line with Article 21,	EP-suggestion (if Council accepts EP suggestion for Article 22, EP can accept Council text Article 11(1)): 1.

if they become apparent at a	special procedural	<u> </u>
later stage in the asylum	guarantees, as	the applicant has
procedure.	provided for in	⊃[…] ⊂ special
	Articles 2(d) and 24	reception needs. Life
	of Directive	the applicant has
	[//EU] [the	special reception
	Procedure Directive].	needs, Member States
	They shall be initiated	shall also indicate the
	as soon as an	nature of such needs.
	application for	<u>_</u> C
	international	Presidency suggestion:
	protection is lodged.	
	Member States shall	1. → Where an
	ensure that these	applicant is a
	special reception	vulnerable person in
	needs are also	line with Article
	addressed, in	21, €- → Member
	accordance with the	States shall 2 carry
	provisions of this	
	Directive, if they	individual \supset [] \subset
	become apparent at a	<u>⊃ assessment</u> C ⊃ <u>in</u>
	later stage in the	order to identify C

asylum p	rocedure.	whether [] [] [] [] [] the vulnerable person applicant has [] [] [] special reception needs. [] If the applicant has special reception needs. Member States shall also indicate the nature of such needs. []
	⇒ [] CC ⇒ [] C This ⇒ assessment C ⇒ [] C C shall be initiated within a reasonable time after an application for international protection is made ⇒ and may be integrated into	□ assessment □ □ [] □ □ This □ assessment □ □ [] □ □ shall be initiated within a reasonable time after an application for international protection is made □ and may be integrated into existing national □ procedures □

		existing national procedures pro	shall ensure that these special reception needs are also addressed, in accordance with the provisions of this Directive, if they become apparent at a later stage in the
		they become apparent at a later stage in the asylum procedure.	asylum procedure.
Member States shall ensure	Member States shall	Member States shall ensure	Member States shall ensure
adequate support for persons	ensure adequate	that the support provided	that the support provided to
with special reception needs	support for persons	to applicants with special	applicants with special
throughout the duration of the	with special reception	reception needs © in	reception needs C ⊃ in
asylum procedure and shall	needs throughout the	accordance with this	accordance with this
provide for appropriate	duration of the asylum	<u>Directive</u> C ⊃ [] C takes	<u>Directive</u> C ⊃ [] C <u>takes</u>
monitoring of their situation.	procedure and shall	into account their ©	into account their ©
	provide for	□[] ©special reception	⊃ [] C special reception
	appropriate	needs throughout the duration	needs throughout the duration
	monitoring of their	of the asylum procedure and	of the asylum procedure and
	situation.	shall provide for appropriate	shall provide for appropriate
			monitoring of their situation.

					monitoring of their situation.		
2.	The identification mechanisms provided for in paragraph 1 shall be without prejudice to the assessment of international protection needs pursuant to Directive [//EU] [the Qualification Directive].	2.	The identification mechanisms provided for in paragraph 1 shall be without prejudice to the assessment of international protection needs pursuant to Directive 2011/95/EU.	2.	monitoring of their situation. The ⊅[] C □ assessment □ □ [] C provided for in paragraph 1 shall be without prejudice to the assessment of international protection needs pursuant to Directive [//EU] [the Qualification Directive].	2. 3. The 3	Only vulnerable persons, in accordance with Article 21 may be considered to have special reception needs and thus benefit from the support provided in accordance with this Directive. Directive. Directive. Directive. Directive. Directive.
							the assessment of international protection needs pursuant to Directive

						[//EU] [the Qualification Directive].
	Article <u>23</u>		Article 23		Article <u>23</u> <u>18</u>	
	Minors		Minors		Minors	
1.	The best interests of the child	1.	The best interests of	1.	The best interests of the child	EP suggestions for linguistic
	shall be a primary consideration		the child shall be a		shall be a primary	changes not admissible.
	for Member States when		primary consideration		consideration for Member	
	implementing the provisions of		for Member States		States when implementing	
	this Directive that involve		when implementing		the provisions of this	
	minors.		the provisions of this		Directive that involve minors.	
	ensure a standard of living		Directive applicable		⇒ Member States shall	
	adequate for the minor's		to minors. Member		ensure a standard of living	
	physical, mental, spiritual,		States shall ensure a		adequate for the minor's	
	moral and social		standard of living		physical, mental, spiritual,	
	development. ←		adequate for the		moral and social	
			minor's physical,		development. 🗢	
			mental, spiritual,			
			moral and social			

		deve	elopment.				
t	In assessing the best interests of the child, Member States shall in particular take due account of the following factors:	inter Men in pa	rests of the child, mber States shall articular take due ount of the owing factors:	2.	In assessing the best interests of the child, Member States shall in particular take due account of the following factors:	Identical	
((a) family reunification possibilities;	(a)	family reunification possibilities;		(a) family reunification possibilities;	Identical	
	and social development, taking into particular consideration the minor's ethnic, religious, cultural and linguistic background;	(b)	the minor's well-being and social development, taking into particular consideration the minor's ethnic, religious, cultural and		(b) the minor's well-being and social development ⊃[] ♥;	(b)	the minor's well-being and social development, taking into particular consideration the minor's background;

	linguistic background;		
(c) safety and security considerations, in particular where there is a risk of the minor being a victim of trafficking; (d) the views of the minor in	(c) safety and security considerations, in particular where there is a risk of the minor being a victim of trafficking;	(c) safety and security considerations, in particular where there is a risk of the minor being a victim of trafficking; (d) the views of the minor	Identical
accordance with his/her age and maturity.	(d) the views of the minor in accordance with his/her age and maturity.	in accordance with his/her age and maturity.	
3. Member States shall ensure that minors have access to leisure-activities, including play and recreational activities appropriate to their age within	3. Member States shall ensure that minors have access to leisure-activities, including play and recreational	3. Member States shall ensure that minors have access to leisure-activities, including play and recreational activities appropriate to their	Take Council text.

the premises and accommodation centres referred to in Article 18(1)(a) and (b) and to open-air activities.	activities appropriate to their age within the premises and accommodation	age within the premises and accommodation centres referred to in Article 18(1)(a) and (b) and to open-air	
	centres referred to in Article 18(1)(a) and (b), to open-air activities and to education.	activities.	
4.2 Member States shall ensure access to rehabilitation services for minors who have been victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman and degrading treatment, or who have suffered from armed conflicts, and ensure that appropriate mental health care is developed and qualified counselling is provided when needed.	4. Member States shall ensure access to rehabilitation services for minors who have been victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman <i>or</i> degrading treatment, or who have suffered from armed conflicts, and	4. 2. Member States shall ensure access to rehabilitation services for minors who have been victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman and degrading treatment, or who have suffered from armed conflicts, and ensure that appropriate mental health care is developed and qualified counselling is	EP suggestions for linguistic changes not admissible.

	ensure that appropriate mental health care [] and qualified counselling are provided when needed.	provided when needed.	
5. Member States shall ensure, if appropriate, that minor children of applicants or applicants who are minors are lodged with their parents or with the adult family member responsible for them whether by law or by custom ⇒ the national practice of the Member States concerned, provided this is in the best interests of the minors concerned ←.	5. Member States shall ensure, that minor children of applicants or applicants who are minors, whether they are unmarried or married but not accompanied by their spouse, are lodged with their parents or with the adult family member responsible for them whether by law or the national practice of the	5. Member States shall ensure, if appropriate, that minor children of applicants or applicants who are minors are lodged with their parents □, their unmarried minor children □ or with the adult □[] □ responsible for them whether by law or by eustom □ the national practice of the Member States concerned, provided this is in the best interests of the minors concerned □.	Article 23(5) in combination with Article 2(c), 18(4a) and recital (18a). 5. Member States shall ensure, if appropriate, that minor children of applicants or applicants or applicants who are minors are lodged with their parents and their unmarried minor siblings or with the adult and in the composition of them whether by law or by

		Member States concerned, provided this is in the best interests of the minors concerned.		eustom the national practice of the Member States concerned, provided this is in the best interests of the minors concerned concerned concerned .
	Article <u>24</u>	Article 24	Article <u>24</u> <u>19</u>	
	Unaccompanied minors	Unaccompanied minors	Unaccompanied minors	
1.	Member States shall as soon as possible take measures to ensure the necessary representation of unaccompanied minors by legal guardianship or, where necessary, representation by an organisation which is responsible for the care and well-being of minors, or by any other appropriate representation	1. Member States shall [] take measures to ensure the necessary representation of unaccompanied minors by legal guardians to enable them to benefit from the rights and comply with the obligations	1. Member States shall as soon as possible take measures to ensure the necessary representation of unaccompanied minors by legal guardianship or, where necessary, representation by an organisation which is responsible for the care and well-being of minors, or by	Article 24(1) in combination with Article 2(j). 1. Member States shall as soon as possible take measures to ensure the necessary representation of unaccompanied minors by legal guardianship or,

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⇒ that a representative represents and assists the unaccompanied minor to enable him/her to benefit from the rights and comply with the obligations provided for in this Directive. The representative shall have the necessary expertise in the field of childcare and shall perform his/her duties in accordance with the principle of the best interests of the child, as prescribed in Article 23(2). ⇔

provided for in this Directive. A guardian shall be appointed to advise and protect the child and to ensure that all decisions are taken in the child's best interests. The unaccompanied minor shall be informed immediately of the appointment of the guardian. A guardian should have the necessary expertise in the field of childcare so as to ensure that the interests of the child are protected and that the child's legal, social, health,

any other appropriate representation ⇒ that a representative represents and assists the unaccompanied minor to enable him/her to benefit from the rights and comply with the obligations provided for in this Directive. The representative shall have the necessary expertise in the field of childcare and shall perform his/her duties in accordance with the principle of the best interests of the child, as prescribed in Article 23(2). ←

representation by an organisation which is responsible for the care and well-being of minors, or by any other appropriate a representative represents and assists the unaccompanied minor to enable him/her to benefit from the rights and comply with the obligations provided for in this Directive. The unaccompanied minor shall be informed

where necessary.

psychological, material and educational needs are appropriately met. Agencies or individuals whose interests could potentially conflict with those of the child shall not be eligible to become guardians. Regular assessments shall be made by the appropriate authorities. In order to establish a level of trust with the unaccompanied minor and to ensure continuity during the procedure, Member

immediately of the appointment of the representative. The representative shall have the necessary expertise in the field of childcare and shall perform his/her duties in accordance with the principle of the best interests of the child, as prescribed in Article $23(2) \Leftrightarrow$ and shall have the necessary expertise to that end. In order to ensure the minor's well-being and social development mentioned in point b

of that Article, a

	States should try to ensure that the same guardian is responsible for the unaccompanied minor during the entire procedure.		change of the person acting as representative shall only take place when necessary. Organisations or individuals whose interests conflict or could potentially conflict with those of the unaccompanied minor shall not be eligible to become representatives.
Regular assessments shall be made by the appropriate authorities.	[]	Regular assessments shall be made by the appropriate authorities.	Regular assessments shall be made by the appropriate authorities, including as regards the availability of the

			necessary means for representing the unaccompanied minor."
2. Unaccompanied minors who make an application for ⇒ international protection ⇔ asylum shall, from the moment they are admitted to the territory to the moment they are obliged to leave the host Member State in which the application for ⇒ international protection ⇔ asylum was made or is being examined, be placed:	2. Unaccompanied minors who make an application for international protection shall, from the moment when they are admitted to the territory to the moment when they are obliged to leave the territory of the Member State in which the application for international protection was made or is being examined, be placed:	2. Unaccompanied minors who make an application for ⇒ international protection ⇔ asylum shall, from the moment they are admitted to the territory to the moment they are obliged to leave the host Member State in which the application for ⇒ international protection ⇔ asylum was made or is being examined, be placed:	EP suggestions for linguistic changes not admissible.

(a) with adult relatives;	(a) with adult relatives;	(a) with adult relatives;	Identical
(b) with a foster-family;	(b) with a foster- family;	(b) with a foster-family;	Identical
(c) in accommodation centres with special provisions for minors;	(c) in accommodation centres with special facilities for minors;	(c) in accommodation centres with special provisions for minors;	Identical
(d) in other accommodation suitable for minors.	(d) in other accommodation suitable for minors.	(d) in other accommodation suitable for minors.	Identical
Member States may place unaccompanied minors aged 16 or over in accommodation centres for adult asylum seekers, ⇒ if it is in their best interests, as prescribed in	Member States may place unaccompanied minors aged 16 or over in accommodation centres for adult	Member States may place unaccompanied minors aged 16 or over in accommodation centres for adult asylum seekers, ⇒ if it is in their best interests, as prescribed in	Identical

Article 23(2) ←.	asylum seekers, if it is	Article 23(2) ←.	
	in their best interests,		
	as prescribed in		
	Article 23(2).		
As far as possible, siblings shall	As far as possible,	As far as possible, siblings	Identical
be kept together, taking into	siblings shall be kept	shall be kept together, taking	
account the best interests of the	together, taking into	into account the best interests	
minor concerned and, in	account the best	of the minor concerned and,	
particular, his or her age and	interests of the minor	in particular, his or her age	
degree of maturity. Changes of	concerned and, in	and degree of maturity.	
residence of unaccompanied	particular, his or her	Changes of residence of	
minors shall be limited to a	age and degree of	unaccompanied minors shall	
minimum.	maturity. Changes of	be limited to a minimum.	
	residence of		
	unaccompanied		
	minors shall be		
	limited to a minimum.		
3. ⇒ Member States shall establish	3. Member States shall	3. ⇒ Member States	Presidency suggestion to take
mechanisms for tracing the	establish mechanisms	<u>⊃[]</u> C⇔⊃ <u>[]</u> C	Council text.
family members of an	in national legislation	Member States protecting the	
unaccompanied minor. ←	for tracing the family	unaccompanied minor's best	

protecting the unaccompanied minor's best interest shall endeavour ⇒ start ⇔ to trace, the members of \boxtimes the unaccompanied minor's ⊠ his or her family ⇒, where necessary with the assistance of international or of other relevant for international protection is made whilst protecting his/her best interests ←. In cases where there may be a threat to the life or integrity of the minor or his or her close relatives. particularly if they have remained in the country of origin, care must be taken to ensure that the collection. processing and circulation of

members of an unaccompanied minor. They shall start to trace, the members of the unaccompanied minor's family, where necessary with the assistance of international or of other relevant organisations, as soon as possible after an application for international protection is made, while protecting his/her best interests. In cases where there may be a threat to the life or integrity of the minor or his or her close relatives.

interest shall endeavour ⇒ start ⇔ to trace, the members of \boxtimes the unaccompanied minor's ⊠ his or her family ⇒, where necessary with the assistance of international or of other relevant organisations, \Leftarrow as application for international protection is made whilst protecting his/her best interests ←. In cases where there may be a threat to the life or integrity of the minor or his or her close relatives. particularly if they have remained in the country of origin, care must be taken to ensure that the collection, processing and circulation of information concerning those

	information concerning those		particularly if they		persons is undertaken on a	
	persons is undertaken on a		have remained in the		confidential basis, so as to	
	confidential basis, so as to avoid		country of origin, care		avoid jeopardizing their	
	jeopardizing their safety.		must be taken to		safety.	
			ensure that the			
			collection, processing			
			and exchange of			
			information			
			concerning those			
			persons is undertaken			
			on a confidential			
			basis, so as to avoid			
			jeopardizing their			
			safety.			
4.	Those working with	4.	Persons working with	4.	Those working with	Take Council text
	unaccompanied minors shall		unaccompanied		unaccompanied minors shall	
	have had		minors shall have		have had	
	to 🗢 时 receive appropriate		received and shall		continue to ← or receive	
	training concerning their needs,		continue to receive		appropriate training	
	and shall be bound by the		appropriate training		concerning their needs, and	
	confidentiality principle as		concerning their		shall be bound by the	

defined in the national law, in	needs, and shall be	confidentiality principle as	
relation to any information they	bound by the	defined in the national law, in	
obtain in the course of their	confidentiality	relation to any information	
work.	principle as defined in	they obtain in the course of	
	the national law, in	their work.	
	relation to any		
	information which		
	they obtain in the		
	course of their work.		
Article <u>25 20</u>	Article 25	Article <u>25 20</u>	
Victims of torture and violence	Victims of torture and violence	Victims of torture and violence	
1. Member States shall ensure that	1. Member States shall	1. Member States shall ensure	1. Member States shall
if necessary, persons who have	ensure that persons	that _z if necessary, persons	ensure that _₹ if
been subjected to torture, rape	who have been	who have been subjected to	necessary, persons
or other serious acts of violence	subjected to torture,	torture, rape or other serious	who have been
receive the necessary treatment	rape or other serious	acts of violence receive the	subjected to torture,
of damages caused by the	acts of violence	necessary treatment of	rape or other serious
aforementioned acts ⇒, in	receive the necessary	damages caused by the	acts of violence
particular access to	treatment of damages	aforementioned acts ⇒, in	receive the necessary

rehabilitation services that should allow for obtaining medical and psychological treatment ←.	caused by the aforementioned acts, in particular access to rehabilitation services that should allow for obtaining medical and psychological treatment.	particular access to ⊃[] ⊂ ⊃ relevant ⊂ medical and psychological treatment ← ⊃ or care ⊂.	treatment of damages caused by the aforementioned acts ⇒, in particular access to ⊃[] ⊂ appropriate relevant ⊂ medical and psychological treatment ⇔ or care ⊂.
2. Those working with victims of torture, rape or other serious acts of violence shall have had and shall continue to receive appropriate training concerning their needs, and shall be bound by the confidentiality rules provided for in the relevant national law, in relation to any information they obtain in the	2. Those working with victims of torture, rape or other serious acts of violence shall have <i>received</i> and shall continue to receive appropriate training concerning their needs, and shall be bound by the	2. Those working with victims of torture, rape or other serious acts of violence shall have had and shall continue to receive appropriate training concerning their needs, and shall be bound by the confidentiality rules provided for in the relevant national law, in relation to	Take Council text

course of their work.	confidentiality rules	any information they obtain	
	provided for in the	in the course of their work.	
	relevant national law,		
	in relation to any		
	information which		
	they obtain in the		
	course of their work.		
CHAPTER V	CHAPTER V	CHAPTER V	
APPEALS	APPEALS	APPEALS	
Article <u>26 21</u>	Article 26	Article <u>26 21</u>	
Appeals	Appeals	Appeals	
1. Member States shall ensure that	1. Member States shall	1. Member States shall ensure	Take Council text
negative decisions relating to	ensure that decisions	that negative decisions	
the granting ⇒, withdrawal or	relating to the grant,	relating to the granting	
reduction ← of benefits under	withdrawal of or	⇒, withdrawal or	
this Directive or decisions taken	reduction in benefits	reduction ← of benefits under	
under Article 7 which	under this Directive or	this Directive or decisions	

individually affect asylum decisions taken under taken under Article 7 which seekers may be the subject of an individually affect asylum Article 7 which appeal within the procedures individually affect seekers may be the subject of laid down in the national law. asylum seekers may an appeal within the At least in the last instance the be the subject of an procedures laid down in the possibility of an appeal or a appeal within the national law. At least in the review ⇒, in fact and in law, ⇔ procedures laid down last instance the possibility of before a judicial body shall be an appeal or a review ⇒, in in the national law. At fact and in law, \leftarrow before a granted. least in the last judicial instance the *right to* **⊃** authority **⊂⊃** [...] **⊂** an appeal or a review, in fact and in law, shall be granted. before a judicial body shall be granted. In relation to the cases referred **⊃** Member States shall In relation to the cases Take Council text. 2. to in paragraph 1, Member referred to in ensure that free legal Change for reasons of States shall ensure that asylum assistance and representation paragraph 1 before a consistency with Article 9(5). seekers have access to free legal court or tribunal, is **()** [...] **()** made assistance and representation, Member States shall available on request in where they cannot afford the ensure that asylum cases of an appeal or a review 2. Member States

costs involved and in so far as it	seekers have access to	before a judicial authority ©	shall ensure that free
is necessary to ensure their	free legal assistance	⊃[…] © referred to in	legal assistance and
effective access to justice.	and representation,	paragraph 1 🔾 , in so far as	representation is
	where they cannot	such aid is necessary to	<u>□ []</u> □ <u>made</u>
	afford the costs	ensure effective access to	available © on
	involved [].	justice C. This shall include,	request \supseteq in cases of
		at least, the preparation of the	an appeal or a review
		required procedural	before a judicial
		documents and participation	authority ©
		in the hearing before the	⊃ [] © referred to
		judicial authorities on behalf	in paragraph 1
		of the applicant.	so far as such aid is
			necessary to ensure
			effective access to
			justice € . This shall
			include, at least, the
			preparation of the
			required procedural
			documents and
			participation in the
			hearing before the
			judicial authorities on

Legal assistance and representation shall include at least preparation of the required procedural documents and representation before the judicial authorities.

Member States may provide that free legal assistance and representation not be granted if the applicant's appeal is considered by a court or tribunal to have no tangible prospect of success. In such a case, 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. Legal

behalf of the

applicant.

EP AM not taken up

representation shall include at least preparation of the required procedural documents and representation before the judicial authorities. Take Council text... Legal assistance and **⊃** Free legal assistance and Legal assistance and representation may be restricted representation may be representation shall be to legal advisers or counsellors provided by provided by such persons as specifically designated by admitted or permitted under specialised, suitably national law to assist and national law. □ □ [...] □ qualified and represent asylum seekers. impartial legal advisers, counsellors or NGOs specifically designated by national law to assist and represent asylum

assistance and

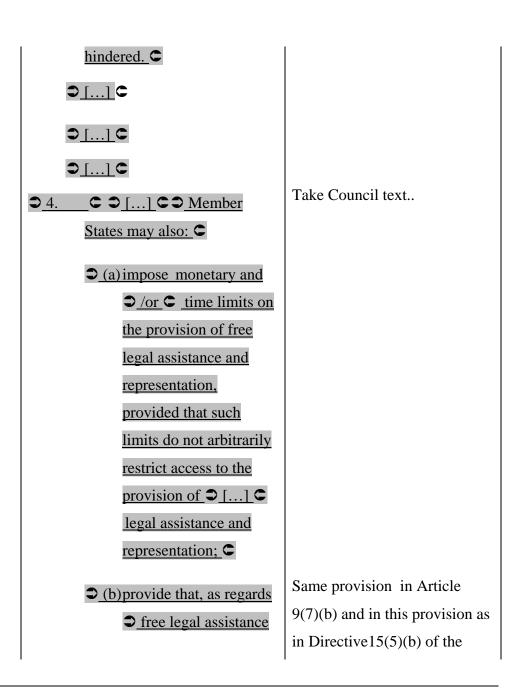
seekers.

Description 2.	Take Council text. Change for reasons of consistency with Article 9(6). 3. Member States may also provide that free legal assistance and representation is are granted 11 → made available ←
 (a) only to those who lack sufficient resources; and/or □ (b) only through the services provided by legal advisers or other counsellors specifically designated 	

by national law to assist and represent applicants for international protection **C ⊃** Member States may provide that free legal assistance and representation not be ⊃[...] ⊂ ⊃ made available c if the appeal or review C D [...] C is considered by a competent C C C [...] C authority C D [...] C to have no tangible prospect of success. In such a case, Member States shall ensure that legal assistance and representation is not arbitrarily restricted and that the applicant's effective access to justice is not

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and representation © Asylum Procedures Directive including fees and currently in force: other costs **C** (b) provide that, as regards **⊃**[...] **C**, the **→** free legal assistance treatment of applicants and representation C shall not be more **including** fees and favorable than the other costs C \supset [...] C, treatment generally the treatment of accorded to their applicants shall not be nationals in matters more favorable than the pertaining to legal treatment generally assistance **3**, including accorded to their judicial and nationals in matters administrative pertaining to legal procedures C.C assistance 3, including judicial and **administrative** procedures © . © Member States may demand to be reimbursed wholly or partially for any expenses

				granted if and when the applicant's financial situation has improved considerably or if the decision to grant such benefits was taken on the basis of false information supplied by the applicant.	
2==	Procedures for access to legal assistance ⇒ and representation ⇔ in such cases shall be laid down in national law.	Procedures for access to legal assistance and representation in such cases shall be laid down in national law.	⊅ <u>5.</u>	assistance and representation referred to above shall be laid down in national law	Take Council text. Change for reasons of consistency with Article 9(9) 5. Procedures for access to legal assistance and representation in such cases as referred to above shall be laid down in national law

CHAPTER VI	CHAPTER VI	CHAPTER VI	
ACTIONS TO IMPROVE THE EFFICIENCY OF THE RECEPTION SYSTEM	ACTIONS TO IMPROVE THE EFFICIENCY OF THE RECEPTION SYSTEM	ACTIONS TO IMPROVE THE EFFICIENCY OF THE RECEPTION SYSTEM	
Article 22		Article 22	
Cooperation		Cooperation	
Member States shall regularly inform the Commission on the data concerning the number of persons, broken down by sex and age, covered by reception conditions and provide full information on the type, name and format of the documents provided for by Article 6.		Member States shall regularly inform the Commission on the data concerning the number of persons, broken down by sex and age, covered by reception conditions and provide full information on the type, name and format of the documents provided for by Article 6.	

Article 27	Article 27	Article 27	
Competent authorities	Competent authorities	Competent authorities	
Each Member State shall notify the	Each Member State shall	Each Member State shall notify the	Identical
Commission of the authorities	notify the Commission of the	Commission of the authorities	
responsible for fulfilling the obligations	authorities responsible for	responsible for fulfilling the	
arising under this Directive. Member	fulfilling the obligations	obligations arising under this	
States shall inform the Commission of	arising under this Directive.	Directive. Member States shall inform	
any changes in the identity of such	Member States shall inform	the Commission of any changes in the	
authorities.	the Commission of any	identity of such authorities.	
	changes in the identity of such		
	authorities.		
Article <u>28 23</u>	Article 28	Article <u>28 23</u>	
Guidance, monitoring and control system	Guidance, monitoring and control system	Guidance, monitoring and control system	
			Identical
$\underline{1}$. Member States shall, with due	1. Member States shall,	1. Member States shall, with	Identical
respect to their constitutional	with due respect to	due respect to their	
structure, ⇒ put in place	their constitutional	constitutional structure,	

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relevant mechanisms in order to \(= \) ensure that appropriate guidance, monitoring and control of the level of reception conditions are established.	structure, put in place relevant mechanisms in order to ensure that appropriate guidance, monitoring and control of the level of reception conditions	⇒ put in place relevant mechanisms in order to ⇔ ensure that appropriate guidance, monitoring and control of the level of reception conditions are established.	
2. Member States shall submit relevant information to the Commission in the form set out in Annex I, by [1 year after the transposition deadline] at the latest.	2. Member States shall submit relevant information to the Commission in the form set out in Annex I on an annual basis, starting from [1 year after the transposition deadline] [].	2. Member States shall submit relevant information to the Commission in the form set out in Annex I, by [1 year after the transposition deadline] at the latest.	

	Article <u>29 24</u>	Article 29	Article <u>29 24</u>		
	Staff and resources	Staff and resources		Staff and resources	
1.	Member States shall take appropriate measures to ensure that authorities and other organisations implementing this Directive have received the necessary basic training with respect to the needs of both male and female applicants.	1. Member States shall take appropriate measures to ensure that authorities and other organisations implementing this Directive have received the necessary basic training with respect to the needs of both male and female applicants.	1.	Member States shall take appropriate measures to ensure that authorities and other organisations implementing this Directive have received the necessary basic training with respect to the needs of both male and female applicants.	Identical
2.	Member States shall allocate the necessary resources in connection with the national provisions enacted to implement	allocate the necessary resources in	2.	Member States shall allocate the necessary resources in connection with the national provisions enacted to	Identical

this Directive.	enacted to implement this Directive.	implement this Directive.	
CHAPTER VII	CHAPTER VII	CHAPTER VII	
FINAL PROVISIONS	FINAL PROVISIONS	FINAL PROVISIONS	
Article <u>30 25</u>	Article 30	Article <u>30 25</u>	
Reports	Reports	Reports	
By ⇒ [two years after the transposition	By [two years after the	By □ [two years after the	
deadline] at the latest \leftarrow 6-August 2006,	transposition deadline] at the	transposition deadline as set out in the	
the Commission shall report to the	latest, the Commission shall	first subparagraph of Article 31(1) of	
European Parliament and the Council on	report to the European	this Directive] at the latest ← 6 August	
the application of this Directive and shall	Parliament and the Council on	2006 , the Commission shall report to	
propose any amendments that are	the application of this	the European Parliament and the	
necessary.	Directive and shall propose	Council on the application of this	
	any amendments that are	Directive and shall propose any	
	necessary.	amendments that are necessary.	
Member States shall send the	Member States shall send the	Member States shall send the	

Commission all the information that is	Commission all the	Commission all the information that is	
appropriate for drawing up the report,	information that is appropriate	appropriate for drawing up the report,	
including the statistical data provided for	for drawing up the report,	including the statistical data provided	
by Article 22 by \Rightarrow [/] \Leftarrow 6	including the statistical data	for by Article 22 by \Rightarrow [/] ¹ \Leftarrow	
February 2006.	provided for by Article 28(2),	6 February 2006.	
	by [/].		
After presenting the ☒ first ☒ report,	After presenting the first	After presenting the ☒ first ☒	Identical
the Commission shall report to the	report, the Commission shall	report, the Commission shall report to	
European Parliament and the Council on	report to the European	the European Parliament and the	
the application of this Directive at least	Parliament and the Council on	Council on the application of this	
every five years.	every five years. the application of this		
	Directive at least every five		
years.			
Article <u>31 26</u> Article 31		Article <u>31 26</u>	
Transposition Transposition		Transposition	
1. Member States shall bring into	1. Member States shall	1. Member States shall bring	Take Council text.
force the laws, regulations and	bring into force the	into force the laws,	
administrative provisions	laws, regulations and	regulations and	

¹ 36 months from the date of publication in the *Official Journal of the European Union*.

necessary to comply with this	administrative	administrative provisions	
Directive by 6 February	provisions necessary	necessary to comply with this	
2005 ⊠ Articles […] [The	to comply with	Directive by 6 February	
articles which have been	Articles [] [The	$\frac{2005}{2}$ ★ Articles [2, 3, 5, 6, 7,	
changed as to the substance by	articles which have	8, 9, 10, 11, 14, [15], 17, 18,	
comparison with the earlier	been changed as to the	19, 20, 21, 22, 23, 24, 25, 26,	
Directive] and Annex I by []	substance by	27, 28] [The articles which	
at the latest ⟨█. They shall	comparison with the	have been changed as to the	
forthwith inform	earlier Directive] and	substance by comparison	
	Annex I by [] at the	with the earlier Directive] and	
Commission thereof ★ the text	latest. They shall	Annex I by [] ¹ at the	
of those provisions and a	forthwith	latest ⋘. They shall	
correlation table between those	communicate to the	forthwith inform	
provisions and this	Commission the text		
Directive ☒.	of those provisions	Commission thereof ⊠ the	
	and a correlation table	text of those provisions ☒.	
	between those		
	provisions and this		
	Directive.		
When the Member States adopt	When Member States	When the Member States Identical	

²⁴ months from the date of publication in the Official Journal of the European Union.

these measures >> those provisions \boxtimes , they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such a reference is to be include a statement that references in existing laws, regulations and administrative provisions to the directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated. 🖾

adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such a reference is to be made. They shall also include a statement that references in existing laws, regulations and administrative provisions to the directive repealed by this Directive shall be construed as references to this

adopt these measures \boxtimes those provisions \boxtimes , they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such a reference is to be made. > They shall also include a statement that references in existing laws, regulations and administrative provisions to the directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated. 🖾

2. Member States shall communicate to the Commission the text of the ☒ main ☒ provisions of national law which they adopt in the field relating to the enforcement of ☒ covered by ☒ this Directive.	Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated. 2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	2. Member States shall communicate to the Commission the text of the ⊠ main ⊠ provisions of national law which they adopt in the field relating to the enforcement of ⊠ covered by ⊠ this Directive.	Identical
Article 32	Article 32	Article 32	
Repeal	Repeal	Repeal	
Directive 2003/9/EC is repealed for the	Directive 2003/9/EC is	Directive 2003/9/EC is repealed for	Identical
Members States bound by this Directive	repealed for the Members	the Members States bound by this	
with effect from [day after the date set	States bound by this Directive	Directive with effect from [day after	

out in the first subparagraph of Article	with effect from [day after the	the date set out in the first	
31(1) of this Directive], without	date set out in the first	subparagraph of Article 31(1) of this	
prejudice to the obligations of the	subparagraph of Article 31(1)	Directive], without prejudice to the	
Member States relating to the time-limit	of this Directive], without	obligations of the Member States	
for transposition into national law of the	prejudice to the obligations of	relating to the time-limit for	
Directive set out in Annex II, Part B.	the Member States relating to	transposition into national law of the	
	the time-limit for transposition	Directive set out in Annex II, Part B.	
	into national law of the		
	Directive set out in Annex II,		
	Part B.		
References to the repealed Directive	References to the repealed	References to the repealed Directive	Identical
shall be construed as references to this	Directive shall be construed as	shall be construed as references to this	
Directive and shall be read in accordance	references to this Directive and	Directive and shall be read in	
with the correlation table in Annex III.	shall be read in accordance	accordance with the correlation table	
	with the correlation table in	in Annex III.	
	Annex III.		
Article <u>33 27</u>	Article 33	Article <u>33 27</u>	
Entry into force	Entry into force	Entry into force	
This Directive shall enter into force on	This Directive shall enter into	This Directive shall enter into force on	Identical

the ⊠ twentieth ⊠ day ⊠ following	force on the twentieth day	the ⊠ twentieth ⊠ day ⊠ following	
that ☑ of its publication in the Official	following that of its	that ⊠ of its publication in the	
Journal of the European Union.	publication in the Official	Official Journal of the European	
	Journal of the European Union.	Union.	
☒ Articles [] [The articles which are	Articles [] [The articles	☒ Articles [2, 3, 5, 6, 7, 8, 9, 10, 11,	To be finalised upon
unchanged by comparison with the	which are unchanged by	14, [15], 17, 18, 19, 20, 21, 22, 23, 24,	agreement.
earlier Directive] and Annex I shall	comparison with the earlier	25, 26, 27, 28] [The articles which are	
apply from [day after the date set out in	Directive] and Annex I shall	changed by comparison with the	
the first subparagraph of Article	apply from [day after the date	earlier Directive] and Annex I shall	
31(1)]. 🖾	set out in the first	apply from [day after the date set out	
	subparagraph of Article 31(1)].	in the first subparagraph of Article	
		31(1)]. ⊠	
Article <u>34 28</u>	Article 34	Article <u>34 28</u>	
Addressees	Addressees	Addressees	
This Directive is addressed to the	This Directive is addressed to	This Directive is addressed to the	Identical
Member States in accordance with	the Member States in	Member States in accordance with	
the Treaties <i>in accordance with the</i>	accordance with the Treaties.	the Treaties in accordance with the	
Treaty establishing the European Union.		Treaty establishing the European	
		Union.	

Done at []	Done at []	Done at []	
	For the European Parliament		
For the European Parliament The President	The President	For the European Parliament The President	
Ine Fresideni []	[]	The Frestaent []	
[]	For the	[]	
	Counci		
For the Council	l	For the Council	
The President []	The President []	The President []	
ANNEX I	ANNEX I	ANNEX I to ANNEX I	
Reporting form on the information to	Reporting form on the	Reporting form on the information	
be submitted by Member States, as	information to be submitted by	to be submitted by Member States, as required under Article 28(2) of	
required under Article 28(2) of	Member States on an annual	Directive [//EU]. After the date	
Directive [//EU]. After the date	basis, as required under	referred to in Article 28(2) of this Directive this information shall be re-	
referred to in Article 28(2) of this	Article 28(2) of Directive	submitted to the Commission when	
Directive this information shall be re-	[//EU]. []	there is a substantial change in the national law or practice that outdate	
submitted to the Commission when there		the provided information.	
is a substantial change in the national			
law or practice that outdate the provided			
information.			

 On the basis of Articles 2(k) and 22 of Directive [//EU], please explain the different steps for the identification of persons with special reception needs, including the moment it is triggered and its consequences in relation to addressing such needs, in particular for unaccompanied minors, victims of torture, rape or other serious forms of psychological, physical or sexual violence and victims of trafficking. Provide full information on the type, name and format of the documents provided for in Article 6 of Directive [//EU]. 	1. Indicate the total number of persons in your Member State currently covered by reception conditions as stipulated in Article 3(1) of Directive [//EC], broken down by sex and age. For each such person, indicate whether he or she is an asylum seeker or a family member as defined in Article 2(c) of Directive [//EC]. 2. On the basis of Article 22 of Directive [//EC]. 2. On the basis of Article and the number of asylum seekers with special needs identified divided into the following groups of persons with special needs: - unaccompanied minors - disabled people - elderly people	1. On the basis of Articles 2(k) and 22 of Directive [//EU], please explain the different steps for the identification of persons with special reception needs, including the moment it is triggered and its consequences in relation to addressing such needs, in particular for unaccompanied minors, victims of torture, rape or other serious forms of psychological, physical or sexual violence and victims of trafficking. 2. Provide full information on the type, name and format of the documents provided for in Article 6 of Directive [//EU].
	pregnant women	

	_	parents with children			
	-	ns who have been			
		eted to torture,			
	_	or other serious			
		of psychological,			
		cal or sexual			
	violen				
	– victim	s of trafficking			
	– person	ns with mental			
	health	problems			
		(please explain)			
	3. Provid	le detailed			
	inform	nation concerning			
	the do	cuments provided			
	for in	Article 6 of			
	Direct	tive [//EU],			
	includ	ling in particular			
		pe, name and			
		t of these			
	docun	•			
3. With reference to Article 15	4. With 1	reference to Article	3.	With reference to Article 15	
Directive [/EU], please		Directive		Directive [/EU], please	
	_	EU], indicate the			
indicate to the extent that any		number of asylum		indicate to the extent that any	
particular conditions are attached		rs in your Member		particular conditions are	
•		who have access			
to labour market access for asylum		labour market, as		attached to labour market access	
seekers, and describe in detail		s the total number		for asylum seekers, and describe	
<u> </u>		re currently			
such restrictions.	_	yed, broken down		in detail such restrictions.	
	by eco	nomic sector. To			

 4. 5. 	With reference to Article 2(g) of Directive [//EU], please describe how material reception conditions are provided (i.e. which material reception conditions are provided in kind, in money, in vouchers or in a combination of these elements) and indicate the level of the daily expenses allowance provided to asylum seekers.	5.	the extent that any particular conditions are attached to labour market access for asylum seekers, describe in detail such restrictions. With reference to Article 17(5) of Directive [//EU], describe in detail the nature of material reception conditions, including their monetary value, and how they are provided (i.e. which material reception conditions are provided in kind, in money, in vouchers or in a combination of these elements) and indicate the level of the daily expenses allowance provided to asylum seekers.	4.	With reference to Article 2(g) of Directive [//EU], please describe how material reception conditions are provided (i.e. which material reception conditions are provided in kind, in money, in vouchers or in a combination of these elements) and indicate the level of the daily expenses allowance provided to asylum seekers.	
5.	to Article 17(5) Directive	[]		3.	reference to Article 17(5)	
	[//EU], please explain the				Directive [/EU], please	
	point(s) of reference applied by				explain the point(s) of reference	

national law or practice with a	applied by national law or
view to determining the level of	practice with a view to
financial assistance provided to	determining the level of
asylum seekers. To the extent that	financial assistance provided to
there is a less favourable treatment	asylum seekers. To the extent
of asylum seekers compared to	that there is a less favourable
nationals, explain the reasons in	treatment of asylum seekers
this respect.	compared to nationals, explain
	the reasons in this respect.