



2017/2270(INL)

3.9.2018

AMENDMENTS

1 - 157

Draft report
Juan Fernando López Aguilar
(PE623.853v01-00)

Humanitarian Visas
(2017/2270(INL))

Amendment 1

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Heading 1

Motion for a resolution

with recommendations to the Commission
on Humanitarian Visas

Amendment

with recommendations to the Commission
on **European** Humanitarian Visas

Or. en

Amendment 2

Juan Fernando López Aguilar

Motion for a resolution

Citation 2 a (new)

Motion for a resolution

Amendment

– *having regard to the European
Added Value Assessment on
Humanitarian Visas prepared by the
European Parliamentary Research
Service,*

Or. en

Amendment 3

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Citation 4 a (new)

Motion for a resolution

Amendment

– *having regard to Regulation (EC)
No 810/2009 of the European Parliament
and the Council of 13 July 2009
establishing a Community Code on Visas*

(Visa Code),

Or. en

Amendment 4

Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution

Citation 4 a (new)

Motion for a resolution

Amendment

- *having regard to Article 5 TEU, and Protocol No 2 on the application of the principles of subsidiarity and proportionality*

Or. en

Amendment 5

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Citation 4 b (new)

Motion for a resolution

Amendment

- *having regard to the 1951 Geneva Convention relating to the Status of Refugees and Protocol of 1967,*

Or. en

Amendment 6

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Citation 4 c (new)

Motion for a resolution

Amendment

– ***having regard to the UN Global Compact for Safe, Orderly and Regular Migration (GCM) and to the UN Global Compact on Refugees which followed the New York Declaration for Refugees and Migrants adopted unanimously by the United Nations General Assembly on 19 September 2016,***

Or. en

Amendment 7

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Recital A

Motion for a resolution

A. whereas despite numerous announcements and requests for safe legal pathways for persons seeking international protection there is currently no legal framework at European level for humanitarian visas, i.e. visas issued for the purpose of reaching the territory of the Member States in order to seek international protection;

Amendment

A. whereas despite numerous announcements and requests for safe legal pathways ***offering access to European territory*** for persons seeking international protection there is currently no ***harmonisation at EU level of protected entry procedures (PEPs) and no*** legal framework at European level for humanitarian visas, i.e. visas issued for the purpose of reaching the territory of the Member States in order to seek international protection, ***even though the Charter of Fundamental Rights of the European Union recognises a 'right of asylum'***;

Or. fr

Amendment 8

Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution

Recital A

Motion for a resolution

A. whereas *despite numerous announcements and requests for safe legal pathways for persons seeking international protection there is currently no legal framework at European level for humanitarian visas, i.e. visas issued for the purpose of reaching the territory of the Member States in order to seek international protection;*

Amendment

A. whereas *humanitarian visas are one of the existing tools that sovereign Member States may decide to use in order to ensure that people in need can legally access international protection in Europe.*

Or. en

Amendment 9

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Recital A

Motion for a resolution

A. whereas despite numerous announcements and requests for safe legal pathways for persons seeking international protection there is currently no legal framework at European level for humanitarian visas, i.e. visas issued for the purpose of reaching the territory of the Member States in order to seek international protection;

Amendment

A. whereas despite numerous announcements and requests for safe *and* legal pathways for persons seeking international *or humanitarian* protection there is currently no legal framework at European level for humanitarian visas, i.e. visas issued for the purpose of reaching the territory of the Member States in order to seek international *or humanitarian* protection;

Or. en

Amendment 10

Helga Stevens

Motion for a resolution

Recital A

Motion for a resolution

Amendment

A. whereas despite numerous announcements and requests for safe legal pathways for persons *seeking* international protection there is currently no legal framework at European level for humanitarian visas, i.e. visas issued for the purpose of reaching the territory of the Member States in order to *seek* international protection;

A. whereas despite numerous announcements and requests for safe legal pathways for persons *requiring* international protection there is currently no legal framework at European level for humanitarian visas, i.e. visas issued for the purpose of reaching the territory of the Member States in order to *obtain* international protection;

Or. nl

Amendment 11

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas - as a result - an estimated 90% of those granted international protection have reached the Union through irregular means and, since 2014, more than 17,000 migrant fatalities were recorded at Europe's external borders, a figure that represents approximately two thirds (66%) of the total number of deaths and disappearances recorded worldwide by the IOM^{1a};

^{1a} See: International Organization for Migration (IOM), Missing Migrants Project

Or. en

Amendment 12

Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution

Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas according to recent case law 'Member States are not required, under EU law, to grant a humanitarian visa to persons who wish to enter their territory with a view to applying for asylum, but they remain free to do so on the basis of their national law' (Case C-638/16 PPU X and X v État belge);

Or. en

Amendment 13
Nadine Morano

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas, despite the lack of a European framework, some Member States are already issuing residence permits on humanitarian grounds;

Or. fr

Amendment 14
Nadine Morano

Motion for a resolution
Recital B

Motion for a resolution

Amendment

B. whereas the number of persons admitted on the basis of national protected entry procedures or through resettlement remain low in comparison to the need; whereas the scope of these possibilities is equally narrow and in case of resettlement only includes persons who have already been recognised as refugees

deleted

and who fulfil further vulnerability or geographical criteria;

Or. fr

Amendment 15

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Recital B

Motion for a resolution

B. whereas the number of persons admitted on the basis of national protected entry procedures or through resettlement remain low in comparison to the need; whereas the scope of these possibilities is equally narrow and in case of resettlement only includes persons who have already been recognised as refugees and who fulfil further vulnerability or geographical criteria;

Amendment

B. whereas the number of persons admitted on the basis of national protected entry procedures or through resettlement remain low in comparison to the need, *with significant disparities between Member States*; whereas the scope of these possibilities is equally narrow and in case of resettlement only includes persons who have already been recognised as refugees and who fulfil further vulnerability or geographical criteria;

Or. fr

Amendment 16

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Recital B

Motion for a resolution

B. whereas the number of persons admitted on the basis of national *protected* entry procedures or through resettlement remain low in comparison to the *need*; whereas the scope of *these possibilities is equally narrow and* in case of resettlement *only includes persons who have already been recognised as refugees and who*

Amendment

B. whereas the number of persons admitted on the basis of national entry procedures *for humanitarian protection* or through resettlement remain low in comparison to the *global needs*; whereas the scope of *national entry procedures for humanitarian protection and resettlement is narrowly defined and*, in case of

fulfil further vulnerability or geographical criteria;

resettlement, *it is strictly connected to the criteria of vulnerability and registration as a refugee with UNHCR;*

Or. en

Amendment 17

Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution

Recital B

Motion for a resolution

B. whereas *the number of persons admitted on the basis of national protected entry procedures or through resettlement remain low in comparison to the need*; whereas the scope *of these possibilities is equally narrow and in case of resettlement only includes persons who have already been recognised as refugees and who fulfil further vulnerability or geographical criteria;*

Amendment

B. whereas *several EU Member States currently have or have previously had national schemes for issuing humanitarian visas to guarantee national protected entry of people in need*; whereas the scope of resettlement only includes persons who have already been recognised as refugees and who fulfil further vulnerability or geographical criteria;

Or. en

Amendment 18

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Recital B a (new)

Motion for a resolution

Ba. whereas European humanitarian visas should be complementary to and not substitute the already existing national entry procedures for humanitarian protection, resettlement procedures and spontaneous applications under international refugee law;

Amendment 19

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Recital C

Motion for a resolution

Amendment

C. *whereas - as a result - an estimated 90% of those granted international protection have reached the Union through irregular means;* ***deleted***

Amendment 20

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Recital C

Motion for a resolution

Amendment

C. *whereas - as a result - an estimated 90% of those granted international protection have reached the Union through irregular means;*

C. *whereas - as a result - an estimated 90% of those granted international protection have reached the Union through irregular means, **which leads to them being stigmatised before they even arrive at the external borders of the Member States, in complete disregard for their fundamental rights;***

Amendment 21

Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution

Recital C

Motion for a resolution

C. whereas - *as a result - an estimated 90% of those granted international protection have reached the Union through irregular means;*

Amendment

C. whereas *according the UN Migration Agency (IOM), 58,158 migrants and refugees entered Europe by sea through 1 August 2018. Whereas that total compares to 113,283 at this time last year, and over 261,228 at this time in 2016;*

Or. en

Amendment 22
Nadine Morano

Motion for a resolution
Recital C

Motion for a resolution

C. whereas - *as a result - an estimated 90% of those granted international protection have reached the Union through irregular means;*

Amendment

C. whereas *it is estimated that 90% of those granted international protection have reached the Union through irregular means;*

Or. fr

Amendment 23
Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution
Recital C a (new)

Motion for a resolution

Ca. whereas the vague and incomplete nature of the rules governing admission for the purposes of making an asylum application under the Schengen acquis and the lack of a common understanding of the arrangements applicable have made it possible for Member States to introduce discretionary humanitarian admission procedures which employ very different

Amendment

methods, selection criteria and procedures, and confer a range of different statuses;

Or. fr

Amendment 24

Jussi Halla-aho, Anders Primdahl Vistisen, Branislav Škripek

Motion for a resolution

Recital C a (new)

Motion for a resolution

Amendment

Ca. whereas less than half (47%) of those applying for international protection are granted it at first instance; and with poor return rates (36%) this equates to high rates of absconding from those refused;

Or. en

Amendment 25

Nadine Morano

Motion for a resolution

Recital C a (new)

Motion for a resolution

Amendment

Ca. whereas, according to Eurostat, in many Member States most asylum applications are rejected as unfounded;

Or. fr

Amendment 26

Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution

Recital D

Motion for a resolution

D. whereas ***a Union legal framework is urgently needed as one means to address the intolerable death toll in the Mediterranean and on the migration routes to the Union, to truly combat human smuggling, human trafficking, exposure to labour exploitation and violence on the black market, to manage the orderly arrival, reception and processing of asylum claims and to reduce Member States' and Union costs for asylum, law enforcement, border control, surveillance and search and rescue activities as well as to avoid fragmentation through diverging national practices risking to undermine common policies and the Union acquis;***

Amendment

D. whereas ***in order to effectively address the intolerable death toll in the Mediterranean, and to truly combat human smuggling, human trafficking, exposure to labour exploitation and violence on the black market, the EU should act responsibly and to deter asylum seekers from arriving in its territory, risking their lives at sea. Such measures may include offshore processing, mandatory detention, and the use of turn backs.***

Or. en

Amendment 27

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Recital D

Motion for a resolution

D. whereas a Union legal framework is urgently needed as one means to address the intolerable death toll in the Mediterranean and on the migration routes to the Union, to truly combat human smuggling, human trafficking, ***exposure to labour exploitation and violence on the black market, to manage the orderly arrival, reception and processing of asylum claims and to reduce Member States' and Union costs for asylum, law enforcement, border control, surveillance and search and rescue activities as well as to avoid fragmentation through diverging national practices risking to undermine common policies and the Union acquis;***

Amendment

D. whereas ***the human cost of these policies has been put at 30 000 deaths at least at the EU's borders since 2000; whereas*** a Union legal framework is urgently needed as one means to address the intolerable death toll in the Mediterranean and on the migration routes to the Union, to truly combat human smuggling ***and*** human trafficking, ***which generate earnings of up to USD 32 billion and between USD 7 and 10 billion respectively, exposure to labour exploitation, undeclared work, forced labour and forms of violence which may include slavery;***

Amendment 28

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Recital D

Motion for a resolution

D. whereas a Union legal framework is urgently needed as one means to address the intolerable death toll in the Mediterranean and on the migration routes to the Union, to truly combat human smuggling, **human** trafficking, **exposure to** labour exploitation and violence **on the black market**, to manage the orderly **arrival**, reception and processing of asylum claims and to **reduce** Member States' and Union **costs** for asylum, **law enforcement**, **border control**, **surveillance** and search and rescue activities as well as to **avoid fragmentation through diverging national practices risking to undermine common policies and** the Union acquis;

Amendment

D. whereas a Union legal framework is urgently needed as one means to address the intolerable death toll in the Mediterranean and on the migration routes to the Union, to truly combat human smuggling, **exposure to** trafficking, **in human beings**, labour exploitation and violence, to manage the orderly **arrivals**, **dignified** reception and **fair** processing of asylum claims and to **optimise** Member States' and Union **budget** for asylum **procedures** and search and rescue activities as well as to **achieve coherent** practices **in** the Union **asylum** acquis;

Or. en

Amendment 29

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Recital D a (new)

Motion for a resolution

Da. whereas there is currently no EU scheme for humanitarian visas per se; whereas under existing schemes Member States can issue visas on humanitarian grounds under Article 25 of the Visa Code, however this is left to the discretion

Amendment

of the individual Member States, resulting in low issuance rates;

Or. en

Amendment 30
Nadine Morano

Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

Da. whereas the new EU legal framework must not act as an additional pull factor for irregular immigration or an incentive to circumvent the asylum system, but rather harmonise existing practices;

Or. fr

Amendment 31
Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution
Recital E

Motion for a resolution

Amendment

E. whereas Parliament *has tried* to include provisions in this vein in Regulation (EC) No 810/2009 of the European Parliament and the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)¹;

E. whereas Parliament *failed* to include provisions in this vein in Regulation (EC) No 810/2009 of the European Parliament and the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)¹;

¹ OJ L 243, 15.9.2009, p. 1.

¹ OJ L 243, 15.9.2009, p. 1.

Or. en

Amendment 32
Helga Stevens

Motion for a resolution
Recital F

Motion for a resolution

F. whereas both Council and the Commission have rejected these amendments, on the ground, among others, that such provisions should not be included in the Visa Code, given its scope covering short-stay visas only;

Amendment

F. whereas both Council and the Commission have rejected these amendments, on the ground, among others, that, ***under the case law established by the European Court of Justice***, such provisions should not be included in the Visa Code, given its scope covering short-stay visas only;

Or. nl

Amendment 33
Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution
Recital F

Motion for a resolution

F. whereas ***both Council and the Commission have rejected these amendments, on the ground, among others, that such provisions*** should not be included in the Visa Code, given its scope covering short-stay visas only;

Amendment

F. whereas ***a Union legal framework establishing Humanitarian Visas*** should not be included in the Visa Code, given its scope covering short-stay visas only;

Or. en

Amendment 34
Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution
Recital F a (new)

Motion for a resolution

Amendment

Fa. whereas the Schengen Border Code (SBC), which seeks to lay down rules on the monitoring of persons crossing or manifestly intending to cross the EU's external borders, fails to take proper account of the situation of asylum seekers, neither in the general criteria set out in its Article 6 nor in the exceptions it lays down, despite the references to non-refoulement and to the obligations concerning access to international protection in its Articles 3 and 4;

Or. fr

Amendment 35

Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution

Recital G

Motion for a resolution

Amendment

G. whereas Parliament, faced with the Commission's inaction, has therefore decided to proceed with drawing up this legislative own-initiative report on humanitarian visas;

deleted

Or. en

Amendment 36

Helga Stevens

Motion for a resolution

Recital G

Motion for a resolution

Amendment

G. whereas Parliament, faced with the Commission's *inaction*, *has* therefore decided to proceed with drawing up this legislative own-initiative report on humanitarian visas;

G. whereas Parliament, faced with the Commission's *legal arguments and the Council's political arguments*, therefore decided to proceed with drawing up this legislative own-initiative report on

humanitarian visas *in exchange for progress regarding the Visa Code; whereas, however, the Visa Code negotiations finally foundered on provisions regarding European humanitarian visas that the S&D Group refused to abandon;*

Or. nl

Amendment 37

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Recital G

Motion for a resolution

G. whereas Parliament, faced with the Commission's inaction, has therefore decided to proceed with drawing up this legislative own-initiative report on humanitarian visas;

Amendment

G. whereas Parliament, faced with the *Council's and* Commission's inaction, has therefore decided to proceed with drawing up this legislative own-initiative report on *European* humanitarian visas;

Or. en

Amendment 38

Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution

Recital H

Motion for a resolution

H. whereas intensive work was undertaken, including with the help of experts, to draw up the recommendations which are annexed to this motion;

Amendment

deleted

Or. en

Amendment 39

Jussi Halla-aho, Anders Primdahl Vistisen, Branislav Škripek

Motion for a resolution

Recital H

Motion for a resolution

H. whereas intensive work was undertaken, including with the help of experts, to draw up the recommendations which are annexed to this motion;

Amendment

H. whereas intensive work was undertaken, including with the help of experts, to draw up the recommendations which are annexed to this motion, ***the result is a proposal which encourages the smugglers' business model, with a fast-track route to the EU territory provided at the expense of EU taxpayers;***

Or. en

Amendment 40

Heinz K. Becker

Motion for a resolution

Paragraph 1

Motion for a resolution

1. ***Requests that Commission submit, by 31 March 2019, on the basis of Articles 77(2)(b) and 78(2)(g) of the Treaty on the Functioning of the European Union, a proposal for a Regulation on establishing a European Humanitarian Visa, following the recommendations set out in the Annex to this resolution;***

Amendment

1. ***States that, following the judgment of the Court of Justice of the European Union of 9 March 2017 in Case C-638/16 PPU, X. and X. v. État Belge^{1a}, there is no legal basis for a binding legal act of the Union on long-term residence permits entitled "humanitarian visas"; draws attention to the current legal acts of the Union which allow Member States to issue short-term residence permits with limited territorial validity on humanitarian grounds; does not, therefore, see a reason to create an additional type of residence permit;***

^{1a} Judgment of the Court of Justice of 9 March 2017, X. and X. v. État Belge, C-638/16 PPU, ECLI:EU:C:2017:173.

Amendment 41
Helga Stevens

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Requests that Commission ***submit***, by 31 March 2019, on the basis of Articles 77(2)(b) and 78(2)(g) of the Treaty on the Functioning of the European Union, a proposal for a Regulation on establishing a European Humanitarian Visa, ***following the recommendations set out in the Annex to this resolution***;

Amendment

1. Requests that Commission ***examine***, by 31 March 2019, on the basis of Articles 77(2)(b) and 78(2)(g) of the Treaty on the Functioning of the European Union, ***whether*** a proposal for a Regulation on establishing a European Humanitarian Visa, ***has a real added value over and above the pooling of national efforts initially sought by [the new regulation establishing a Union resettlement framework or] Directive 2001/55/ EC, using national humanitarian visas, or in accordance with Article 25(1)(a)(i) of the European Visa Code (810/2009/EC) and Article 5(4)(c) of the Schengen Borders Code (562/2006/EC)***;

Or. nl

Amendment 42
Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution
Paragraph 1

Motion for a resolution

1. ***Requests*** that Commission submit, ***by 31 March 2019, on the basis of Articles 77(2)(b) and 78(2)(g) of the Treaty on the Functioning of the European Union***, a proposal for a Regulation on establishing a European Humanitarian Visa, ***following the recommendations set out in the Annex***

Amendment

1. ***Rejects*** that Commission submit, a proposal for a Regulation on establishing a European Humanitarian Visa.

to this resolution;

Or. en

Amendment 43

Harald Vilimsky, Nicolas Bay, Gilles Lebreton

Motion for a resolution

Paragraph 1

Motion for a resolution

1. *Requests that Commission submit, by 31 March 2019, on the basis of Articles 77(2)(b) and 78(2)(g) of the Treaty on the Functioning of the European Union, a proposal for a Regulation on establishing a European Humanitarian Visa, following the recommendations set out in the Annex to this resolution;*

Amendment

1. *Realises that the introduction of a Humanitarian Visa will not only create an unmanageable administrative burden for consulates and embassies but also preserve fundamental problems regarding secondary movements within the EU, serious deficits in the EU return policies and the security problems resulting from it;*

Or. en

Amendment 44

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Requests that Commission submit, by 31 March 2019, on the basis of **Articles 77(2)(b) and 78(2)(g)** of the Treaty on the Functioning of the European Union, a proposal for a Regulation on establishing a European Humanitarian Visa, following the recommendations set out in the Annex to this resolution;

Amendment

1. Requests that Commission submit, by 31 March 2019, on the basis of **Article 77(2)(b)** of the Treaty on the Functioning of the European Union, a proposal for a Regulation on establishing a European Humanitarian Visa, following the recommendations set out in the Annex to this resolution;

Or. en

Amendment 45
Cecilia Wikström, Gérard Deprez

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Requests that Commission submit, by 31 March 2019, on the basis of **Articles 77(2)(b) and 78(2)(g)** of the Treaty on the Functioning of the European Union, a proposal for a Regulation on establishing a European Humanitarian Visa, following the recommendations set out in the Annex to this resolution;

Amendment

1. Requests that Commission submit, by 31 March 2019, on the basis of **Article 77(2)(b)** of the Treaty on the Functioning of the European Union, a proposal for a Regulation on establishing a European Humanitarian Visa, following the recommendations set out in the Annex to this resolution;

Or. en

Amendment 46
Heinz K. Becker

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

1a. States that this new and misleading interpretation of humanitarian visas could create more problems than it solves: a pull factor for third-country nationals, mass influx at embassies and consulates that would possibly lead to their closure, an increasing number of illegally staying third-country nationals in Member States due to the fact that there will continue to be negative asylum decisions;

Amendment

Or. en

Amendment 47

Heinz K. Becker

**Motion for a resolution
Paragraph 1 b (new)**

Motion for a resolution

Amendment

1b. Expresses serious doubts that such an instrument establishing a European Humanitarian Visa would be able to stop the problems of smugglers, illegal immigration or attempts to cross the Mediterranean;

Or. en

**Amendment 48
Heinz K. Becker**

**Motion for a resolution
Paragraph 1 c (new)**

Motion for a resolution

Amendment

1c. Aims to stop migration as close to its origin as possible by, on the one hand, tackling the root causes of migration and by, on the other hand, establishing reception centres in third countries for those who are already on their way;

Or. en

**Amendment 49
Heinz K. Becker**

**Motion for a resolution
Paragraph 1 d (new)**

Motion for a resolution

Amendment

1d. Expresses the objective that asylum applications be dealt with outside the Union in third countries, in

*particular in Union-led reception centres,
in order to prevent people from
embarking on dangerous immigration
routes such as the Mediterranean;*

Or. en

Amendment 50

Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution

Paragraph 2

Motion for a resolution

Amendment

2. Considers that part of the financial implications of the requested proposal should be covered by the general budget of the Union as a practical expression of the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States, in accordance with Article 80 of the Treaty on the Functioning of the European Union; *deleted*

Or. en

Amendment 51

Harald Vilimsky, Nicolas Bay, Gilles Lebreton

Motion for a resolution

Paragraph 2

Motion for a resolution

Amendment

2. Considers that part of the financial implications of the requested proposal should be covered by the general budget of the Union as a practical expression of the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States, in accordance with Article 80 of the *2. Urges the Commission to examine the feasibility of refugee centres outside of the EU in order to offer the necessary protection in an efficient and controlled manner;*

***Treaty on the Functioning of the
European Union;***

Or. en

Amendment 52

Harald Vilimsky, Nicolas Bay, Gilles Lebreton

Motion for a resolution

Paragraph 3

Motion for a resolution

3. ***Instructs its President to forward this resolution and the accompanying recommendations to the Commission and the Council, and to the national Parliaments, the European Court of Justice, the European External Action Service, the European Asylum Support Office, the European Border and Coast Guard Agency, the European Union Agency for Law Enforcement Cooperation and the European Union Agency for Fundamental Rights.***

Amendment

3. ***Urges the Commission to assess the relations with third countries on the basis of the cooperation in EU return policies and to propose efficient approaches to eliminate deficits;***

Or. en

Amendment 53

Anders Primdahl Vistisen, Jussi Halla-aho, Branislav Škripek

Motion for a resolution

Annex I

Motion for a resolution

[...]

Amendment

deleted

Or. en

Amendment 54

Helga Stevens

Motion for a resolution
Annex I – paragraph 1 – subheading 1

Motion for a resolution

Amendment

**FORM AND TITLE OF THE
INSTRUMENT TO BE ADOPTED**

deleted

Or. nl

Amendment 55
Helga Stevens

Motion for a resolution
Annex I – paragraph 1 – indent 1

Motion for a resolution

Amendment

– *be a separate legal act to be adopted in the form of a Regulation entitled “Regulation establishing a European Humanitarian Visa”,*

deleted

Or. nl

Amendment 56
Dietmar Köster

Motion for a resolution
Annex I – paragraph 1 – indent 2

Motion for a resolution

Amendment

– have Articles 77(2)(b) and **78(2)(g)** of the Treaty on the Functioning of the European Union as legal basis,

– have Articles 77(2)(b) and **78(2)(d)** of the Treaty on the Functioning of the European Union as legal basis,

Or. en

Amendment 57
Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 2

Motion for a resolution

- have Articles 77(2)(b) and 78(2)(g) of the Treaty on the Functioning of the European Union as legal basis,

Amendment

- **may** have Articles 77(2)(b) and 78(2)(g) of the Treaty on the Functioning of the European Union as legal basis,

Or. nl

Amendment 58

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 2

Motion for a resolution

- have **Articles** 77(2)(b) **and** 78(2)(g) of the Treaty on the Functioning of the European Union as legal basis,

Amendment

- have **Article** 77(2)(b) of the Treaty on the Functioning of the European Union as legal basis,

Or. en

Amendment 59

Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 2

Motion for a resolution

- have **Articles** 77(2)(b) **and** 78(2)(g) of the Treaty on the Functioning of the European Union as legal basis,

Amendment

- have **Article** 77(2)(b) of the Treaty on the Functioning of the European Union as legal basis,

Or. en

Amendment 60

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 3 – introductory part

Motion for a resolution

– *be justified by:*

Amendment

– *it must be examined whether:*

Or. nl

Amendment 61

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 3 – subi. –1 (new)

Motion for a resolution

Amendment

-1. Practical implementation by the European Union and its Member States of their international obligations, in particular under Article 13 of the Universal Declaration of Human Rights, the 1951 Convention on the status of refugees and the 1967 Protocol on the status of refugees;

Or. fr

Amendment 62

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 3 – subi. 1

Motion for a resolution

– *the current* legal gap in Union law which does not foresee clear procedures, neither in the visa, nor in the borders or asylum acquis, for the admission to the territory of the Member States of persons seeking protection, *with an estimated 90 % of the persons subsequently being*

Amendment

– *a* legal gap *exists* in Union law which does not foresee clear procedures, neither in the visa, nor in the borders or asylum acquis, for the admission to the territory of the Member States of persons seeking protection *and whether the sealing of this gap would constitute a real added*

recognised as refugees and beneficiaries of subsidiary protection reaching the territory of the Member States irregularly,¹ often through life-threatening routes,

value,

¹ HEIN / DONATO (CIR) 2012: *exploring avenues for protected entry in Europe, p. 17*

Or. nl

Amendment 63

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 3 – subi. 1

Motion for a resolution

– the current legal gap in Union law which does not foresee *clear* procedures, neither in the visa, nor in the borders or asylum acquis, for the admission to the territory of the Member States of persons seeking protection, with an estimated 90 % of the persons subsequently being recognised as refugees and beneficiaries of subsidiary protection reaching the territory of the Member States irregularly,¹ often through life-threatening routes,

¹ HEIN / DONATO (CIR) 2012: *exploring avenues for protected entry in Europe, p. 17*

Amendment

– the current legal gap in Union law which, *in addition to resettlement procedures applicable to vulnerable refugees*, does not foresee *specific* procedures, neither in the visa, nor in the borders or asylum acquis, for the admission to the territory of the Member States of persons seeking protection, with an estimated 90 % of the persons subsequently being recognised as refugees and beneficiaries of subsidiary protection reaching the territory of the Member States irregularly,¹ often through life-threatening routes,

¹ HEIN / DONATO (CIR) 2012: *exploring avenues for protected entry in Europe, p. 17*

Or. en

Amendment 64
Helga Stevens

Motion for a resolution
Annex I – paragraph 1 – indent 3 – subi. 2

Motion for a resolution

– the risk of fragmentation as Member States increasingly set up their own programmes of humanitarian admission and procedures, *going against the general aim under Article 78(1) of the Treaty on the Functioning of the European Union to develop a common policy on asylum and subsidiary and temporary protection, and leading also to the risk that these different schemes undermine the uniform application of the common provisions on entry to the territory of the Member States of third-country nationals as laid down in the Schengen Borders Code,*

Amendment

– the risk of fragmentation as Member States increasingly set up their own programmes of humanitarian admission and procedures, *which logically follows from the exclusive competence of the Member States to decide which third-country nationals may enter their territory,*

Or. nl

Amendment 65
Bodil Valero
on behalf of the Verts/ALE Group

Motion for a resolution
Annex I – paragraph 1 – indent 3 – subi. 2

Motion for a resolution

– the risk of fragmentation as Member States increasingly set up their own programmes of humanitarian admission and procedures, going against the general aim under Article 78(1) of the Treaty on the Functioning of the European Union to develop a common policy on asylum and subsidiary and temporary protection, and leading also to the risk that these different schemes undermine the uniform application of the common

Amendment

– the risk of fragmentation as Member States increasingly set up their own programmes of humanitarian admission and procedures, going against the general aim under Article 78(1) of the Treaty on the Functioning of the European Union to develop a common policy on asylum and subsidiary and temporary protection, and leading also to the risk that these different schemes undermine the uniform application of the common

provisions on entry to the territory of the Member States of third-country nationals as laid down in the Schengen Borders Code,

provisions on entry to the territory of the Member States of third-country nationals as laid down in the *Visa Code and Schengen Borders Code*,

Or. en

Amendment 66

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 3 – subi. 3

Motion for a resolution

– the high costs, in human but also in social, economic and budgetary terms, associated with the status quo for the third-country nationals concerned (smuggler fees, risk of trafficking and exploitation, risk of persecution, risk of mortality and ill treatment, etc.) and for Member States and the Union (elevated *costs* for search and rescue, including for private shipping, border protection, cooperation with third countries, asylum procedures and possibly return in case of rejected applications for international protection as well as the fight against organised crime, trafficking and smuggling etc.),

Amendment

– the high costs, in human but also in social, economic and budgetary terms, associated with the status quo for the third-country nationals concerned (smuggler fees, risk of trafficking and exploitation, risk of persecution, risk of mortality and ill treatment, etc.) and for Member States and the Union (elevated *budget* for search and rescue, including for private shipping, border protection, cooperation with third countries, asylum procedures and possibly return in case of rejected applications for international protection as well as the fight against organised crime, trafficking and smuggling etc.),

Or. en

Amendment 67

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 3 – subi. 4

Motion for a resolution

– the added value of Union *action, in terms of ensuring compliance with Union*

Amendment

– the added value of *current Union approach, under which every illegal entry*

values, including fundamental rights, mutual trust between Member States and confidence in the system by asylum seekers, legal certainty, foreseeability, and the similar application and implementation of the rules, the achievement of economies of scale, and the reduction of the above-cited costs of the status quo,

is rewarded with the possibility of starting an asylum procedure, leading to life-threatening situations by encouraging individuals or entire families to board rickety vessels and brave the Mediterranean Sea in the (often vain) hope of obtaining right of residence in the Union, even if they were already safely established in a third country,

Or. nl

Amendment 68

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 3 – subi. 4

Motion for a resolution

– the added value of Union action, in terms of ensuring compliance with Union values, including fundamental rights, mutual trust between Member States and confidence in the system by asylum seekers, legal certainty, foreseeability, and the *similar* application and implementation of the rules, the achievement of economies of scale, and the reduction of the above-cited costs of the status quo,

Amendment

– the added value of Union action, in terms of ensuring compliance with Union values, including fundamental rights, mutual trust between Member States and confidence in the system by asylum seekers, legal certainty, foreseeability, and the *uniform* application and implementation of the rules, the achievement of economies of scale, and the reduction of the above-cited costs of the status quo,

Or. en

Amendment 69

Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 4

Motion for a resolution

– recall that the so-called Asylum

Amendment

– recall that the so-called Asylum

Procedures Directive² and Dublin Regulation³ only apply on the territory of the Member States, *while there is, at present, no regular means for asylum applicants to reach the territory where these instruments apply,*

² Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).

³ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31).

Procedures Directive² and Dublin Regulation³ only apply on the territory of the Member States,

² Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).

³ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31).

Or. en

Amendment 70

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 4

Motion for a resolution

– recall that the so-called Asylum Procedures Directive² and Dublin Regulation³ only apply on the territory of the Member States, while there is, at present, *no* regular means for asylum applicants to reach the territory where these instruments apply,

² Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting

Amendment

– recall that the so-called Asylum Procedures² Directive and Dublin Regulation³ only apply on the territory of the Member States, while there is, at present, *a* regular means for asylum applicants to reach the territory where these instruments apply, *subject to the prior consent of the host Member State,*

² Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting

and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).

³ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31).

and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).

³ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31).

Or. nl

Amendment 71

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 4

Motion for a resolution

– recall that the so-called Asylum Procedures Directive² and Dublin Regulation³ only apply on the territory of the Member States, while there is, at present, no regular means for asylum applicants to reach the territory where these instruments apply,

² Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).

³ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a

Amendment

– recall that the so-called ***Common European Asylum System, including the Asylum Procedures Directive² and Dublin Regulation³*** only apply on the territory of the Member States, while there is, at present, no regular means for asylum applicants to reach the territory where these instruments apply,

² Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).

³ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a

third-country national or a stateless person
(OJ L 180, 29.6.2013, p. 31).

third-country national or a stateless person
(OJ L 180, 29.6.2013, p. 31).

Or. en

Amendment 72

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 4 a (new)

Motion for a resolution

Amendment

– *stresses that, after the submission of an asylum application in a Member State, the EU's Common European Asylum System shall apply, including the Regulation (EU) No XXX/XXX [Dublin Regulation] and Regulation (EU) No XXX/XXX [Asylum Procedures Regulation],*

Or. en

Amendment 73

Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 4 a (new)

Motion for a resolution

Amendment

– *is of the view that a regulation for humanitarian visas should be complementary, in particular to the resettlement regulation, and provide a clear added value which cannot be provided by the instruments of the Common European Asylum System,*

Or. en

Amendment 74

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 4 b (new)

Motion for a resolution

Amendment

- *stresses that a refusal of an application for a European humanitarian visa does not affect in any way the right to apply for asylum within the EU nor does it prevent the applicant to enter other available protection schemes,*

Or. en

Amendment 75

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 4 c (new)

Motion for a resolution

Amendment

- *recall that resettlement procedures have a limited scope and apply to the most vulnerable individuals who have been registered as refugees with UNHCR and stresses that humanitarian visas should be complementary to, but not substitute, resettlement procedures,*

Or. en

Amendment 76

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 5

Motion for a resolution

– have as an objective to lay down provisions on the procedures and conditions for issuing a humanitarian visa to persons seeking international protection, to allow those persons to enter the territory of the Member State issuing the visa for the sole purpose of making an application for international protection in that Member State,

Amendment

– have as an objective to lay down provisions on the procedures and conditions for issuing a **European** humanitarian visa to persons seeking international **or humanitarian** protection, to allow those persons to enter the territory of the Member State issuing the visa for the sole purpose of making an application for international **or humanitarian** protection in that Member State,

Or. en

Amendment 77

Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 5

Motion for a resolution

– have as an objective to lay down provisions on the procedures and **conditions** for issuing a humanitarian visa to persons seeking international protection, to allow those persons to enter the territory of the Member State issuing the visa for the sole purpose of making an application for international protection in that Member State,

Amendment

– have as an objective to lay down provisions on the procedures and **guidelines** for issuing a humanitarian visa to **certain** persons seeking international protection, to allow those persons to enter the territory of the Member State issuing the visa for the sole purpose of making an application for international protection in that Member State,

Or. en

Amendment 78

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 5

Motion for a resolution

– have as an objective to lay down

Amendment

– **may** have as an objective to lay

provisions on the *procedures and conditions* for issuing a humanitarian visa to persons *seeking* international protection, to allow those persons to enter the territory of the Member State issuing the visa for the sole purpose of *making an application for* international protection in that Member State,

down provisions on the *procedure* for issuing a humanitarian visa to persons *deserving* international protection, to allow those persons to enter the territory of the Member State issuing the visa for the sole purpose of *obtaining* international protection in that Member State,

Or. nl

Amendment 79
Dietmar Köster

Motion for a resolution
Annex I – paragraph 1 – indent 6

Motion for a resolution

– cover in its scope third-country nationals who must be in possession of a visa when crossing the external borders of the Member States, pursuant to Regulation (EC) No 539/2001⁴, and who are in need of protection against a real risk of being exposed to persecution or serious harm, as defined in Directive 2011/95/EU⁵, *in line with the prohibition of refoulement, as recognised by the Charter of Fundamental Rights of the European Union, but who are not covered by [the new Regulation establishing a Union Resettlement Framework or] Directive 2001/55/EC⁶,*

⁴ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of

Amendment

– cover in its scope third-country nationals who must be in possession of a visa when crossing the external borders of the Member States, pursuant to Regulation (EC) No 539/2001⁴, and who are in need of protection against a real risk of being exposed to persecution or serious harm, as defined in Directive 2011/95/EU⁵. *Humanitarian visas should not be used for family members who would otherwise have a right to join their family in a Member State in a timely manner in accordance with other legal acts of the Union or national law. Family reunification should be independent of humanitarian visas and should be maintained as a key mechanism to ensure that Union citizens and third country nationals legally residing in the territory of the Member States enjoy their fundamental right to respect for family life.*

⁴ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of

visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁵ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-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 (OJ L 337, 20.12.2011, p. 9).

⁶ *Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).*

visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁵ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-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 (OJ L 337, 20.12.2011, p. 9).

Or. en

Amendment 80
Cecilia Wikström, Gérard Deprez

Motion for a resolution
Annex I – paragraph 1 – indent 6

Motion for a resolution

– cover in its scope third-country nationals who must be in possession of a visa when crossing the external borders of the Member States, pursuant to Regulation (EC) No 539/2001⁴, **and who are in need of protection against a real risk of being exposed to persecution or serious harm**, as defined in Directive 2011/95/EU⁵, **in line with the prohibition of refoulement, as recognised by the Charter of Fundamental Rights of the European Union, but who are not covered by [the new Regulation establishing a Union**

Amendment

– cover in its scope third-country nationals who must be in possession of a visa when crossing the external borders of the Member States, pursuant to Regulation (EC) No 539/2001⁴, **and where the claims of exposure to or risk of persecution as defined in Directive 2011/95(EU)⁵ are manifestly well founded.** **Member states shall further have the option to limit the scope for the issuing of a humanitarian visa to cases where a manifestly well-founded and immediate risk of persecution or further persecution**

Resettlement Framework or] Directive 2001/55/EC⁶,

would likely occur unless the person applying for the visa can avail themselves of the visa in order to leave their current geographical location.

⁴ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁴ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁵ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-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 (OJ L 337, 20.12.2011, p. 9).

⁵ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-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 (OJ L 337, 20.12.2011, p. 9).

⁶ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).

Or. en

Amendment 81
Helga Stevens

Motion for a resolution
Annex I – paragraph 1 – indent 6

Motion for a resolution

Amendment

– cover in its scope third-country nationals who must be in possession of a visa when crossing the external borders of the Member States, pursuant to Regulation

– cover in its scope third-country nationals who must be in possession of a visa when crossing the external borders of the Member States, pursuant to Regulation

(EC) No 539/2001⁴, and who are in need of protection against a real risk of being exposed to persecution or serious harm, as defined in Directive 2011/95/EU⁵, in line with the prohibition of refoulement, as recognised by the Charter of Fundamental Rights of the European Union, but who are not *covered by [the new Regulation establishing a Union Resettlement Framework or] Directive 2001/55/EC*⁶,

(EC) No 539/2001⁴, and who are in need of protection against a real risk of being exposed to persecution or serious harm, as defined in Directive 2011/95/EU⁵, in line with the prohibition of refoulement, as recognised by the Charter of Fundamental Rights of the European Union, but who, *aside from the question of recognition as refugees, are not already receiving sufficient protection in the first country of asylum under article 33(2)(b) in conjunction with Article 35(b) of the current Asylum Procedures Directive (Directive 2013/32/EU),*

⁴ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁵ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-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 (OJ L 337, 20.12.2011, p. 9).

⁶ *Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).*

Or. nl

Amendment 82
Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 6

Motion for a resolution

– cover in its scope third-country nationals who must be in possession of a visa when crossing the external borders of the Member States, pursuant to Regulation (EC) No 539/2001⁴, and who are in need of protection ***against a real risk of being exposed to persecution or serious harm, as defined*** in Directive 2011/95/EU⁵, in line with the prohibition of refoulement, as recognised by the Charter of Fundamental Rights of the European Union, but who are not ***covered by*** [the new Regulation establishing a Union Resettlement Framework or] Directive 2001/55/EC⁶,

⁴ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁵ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-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 (OJ L 337, 20.12.2011, p. 9).

⁶ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences

Amendment

– cover in its scope third-country nationals who must be in possession of a visa when crossing the external borders of the Member States, pursuant to Regulation (EC) No 539/2001⁴, and who are in need of protection in ***line with*** Directive 2011/95/EU⁵ ***and*** in line with the prohibition of refoulement, as recognised by the Charter of Fundamental Rights of the European Union, but who are not ***already in the resettlement process as defined in national resettlement schemes or in*** [the new Regulation establishing a Union Resettlement Framework or] Directive 2001/55/EC⁶,

⁴ Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 81, 21.3.2001, p. 1).

⁵ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-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 (OJ L 337, 20.12.2011, p. 9).

⁶ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences

thereof (OJ L 212, 7.8.2001, p. 12).

thereof (OJ L 212, 7.8.2001, p. 12).

Or. en

Amendment 83

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 6 a (new)

Motion for a resolution

Amendment

– *cover in its scope third-country nationals who must be in possession of a visa when crossing the external borders of the Member States, pursuant to Regulation (EC) No 539/2001, and who are in need of humanitarian protection when this does not amount to protection under Directive 2011/95/EU. Humanitarian protection should include issues such as vulnerability grounds when these do not amount to grounds allowing for resettlement, health conditions, compelling family grounds when these do not amount to grounds for family reunification and other grounds of humanitarian protection needs, such as in compelling individual cases arising from environmental degradation or climate change,*

Or. en

Amendment 84

Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 6 a (new)

Motion for a resolution

Amendment

– *the regulation shall not impose an*

obligation on Member States to issue a humanitarian visa under certain given criteria but shall create a common framework for those Member States that wish to, on a case-by-case basis, issue humanitarian visas in order to facilitate the access to their territory for third country nationals that would otherwise not have been able to regularly enter into their territory in order to seek international protection.

Or. en

Amendment 85
Cecilia Wikström, Gérard Deprez

Motion for a resolution
Annex I – paragraph 1 – indent 6 b (new)

Motion for a resolution

Amendment

– *a Member State that issues such a humanitarian visa shall have access to the same compensation from the AMIF funds as when a Member State receives a refugee through the European Resettlement Framework.*

Or. en

Amendment 86
Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution
Annex I – paragraph 1 – indent 7

Motion for a resolution

Amendment

– provide for such visa applications to be lodged directly, by electronic means or in writing, at any consulate or embassy of the Member States,

– provide for such visa applications to be lodged directly, by electronic means or in writing, at any consulate or embassy of the Member States; *in each case, the representation competent to receive a*

uniform visa application for the purposes of requesting asylum shall be that which is the closest and/or the safest for the applicant, in order to minimise the risk to the applicant of persecution or serious harm,

Or. fr

Amendment 87

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 7

Motion for a resolution

– provide for such visa applications to be lodged directly, by electronic means or in writing, at any consulate or embassy of the Member States,

Amendment

– provide for such visa applications to be lodged directly, by electronic means or in writing, at any consulate or embassy of the Member States, *regardless of the applicants' country of origin or citizenship,*

Or. en

Amendment 88

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 7 a (new)

Motion for a resolution

– *provide procedural guarantees, including legal assistance, information, translation and representation at each stage in procedures, and access to the UNHCR and other relevant organisations which support asylum seekers, in order to safeguard the right to be heard during the interview and throughout the preparation of the application and the process of*

Amendment

considering it,

Or. fr

Amendment 89

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 8

Motion for a resolution

– provide for admissibility criteria for such visa applications, including the filling out of an application form, the provision of information on the applicant's identity, including biometric identifiers (ten fingerprints and facial image taken life), and the provision of reasons, as far as possible documented, of the fear of persecution or serious harm,

Amendment

– provide for admissibility criteria for such visa applications ***which match non-refoulement guarantees***, including the filling out of an application form, the provision of information on the applicant's identity, including biometric identifiers (ten fingerprints and facial image taken life), and the provision of reasons, as far as possible documented, of the fear of persecution or serious harm, ***in accordance with Articles 4 and 19(2) of the Charter of Fundamental Rights***,

Or. fr

Amendment 90

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 8

Motion for a resolution

– provide for admissibility criteria for such visa applications, including the filling out of an application form, the provision of information on the applicant's identity, including biometric identifiers (ten fingerprints and facial image taken life), and the provision of reasons, as far as possible documented, of the fear of persecution or serious harm,

Amendment

– provide for admissibility criteria for such visa applications, including the filling out of an application form, the provision of information on the applicant's identity ***in the form of identity papers***, including biometric identifiers (ten fingerprints and facial image taken life), and the provision of reasons, as far as possible documented, of the fear of persecution or serious harm,

Amendment 91

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 8

Motion for a resolution

– provide for admissibility criteria for such visa applications, including the filling out of an application form, the provision of information on the applicant's identity, including biometric identifiers (*ten fingerprints and facial image taken life*), and the provision of reasons, as far as possible documented, of the *fear of persecution or serious harm*,

Amendment

– provide for admissibility criteria for such visa applications, including the filling out of an application form, the provision of information on the applicant's identity, including biometric identifiers, and the provision of reasons, as far as possible documented, of the *need of international or humanitarian protection*,

Or. en

Amendment 92

Maria Grapini

Motion for a resolution

Annex I – paragraph 1 – indent 8

Motion for a resolution

– provide for admissibility criteria for such visa applications, including the filling out of an application form, the provision of information on the applicant's identity, including biometric identifiers (ten fingerprints and facial image taken life), and the provision of *reasons, as far as possible documented*, of the fear of persecution or serious harm,

Amendment

– provide for admissibility criteria for such visa applications, including the filling out of an application form, the provision of information on the applicant's identity, including biometric identifiers (ten fingerprints and facial image taken life), and the provision of *justified reasons* of the fear of persecution or serious harm,

Or. ro

Amendment 93
Cecilia Wikström, Gérard Deprez

Motion for a resolution
Annex I – paragraph 1 – indent 8

Motion for a resolution

– provide for *admissibility criteria for such visa applications, including* the filling out of an application form, the provision of information on the applicant's identity, including biometric identifiers (ten fingerprints and facial image taken life), and the provision of reasons, as far as possible documented, of the fear of persecution *or serious harm*,

Amendment

– provide for *the practical modalities for an application such as* the filling out of an application form, the provision of information on the applicant's identity, including biometric identifiers (ten fingerprints and facial image taken life), and the provision of reasons, as far as possible documented, of the fear of persecution,

Or. en

Amendment 94
Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution
Annex I – paragraph 1 – indent 9

Motion for a resolution

– provide that the applicant for such a visa be invited to an interview, which may also be conducted by remote means of audio and video communication, which ensure an appropriate level of safety, security and confidentiality,

Amendment

– provide that the applicant for such a visa be invited to an interview, which may also be conducted by remote means of audio and video communication, which ensure an appropriate level of safety, security and confidentiality, *taking account of the vulnerability of the applicant; points out that that interview should not predetermine the granting or otherwise of refugee status, as that decision will only be taken when the applicant arrives, following detailed consideration of the subsequent asylum application and in accordance with the guarantee of a fair trial under the ordinary procedure provided for in Directive 2013/32/EU,*

Amendment 95
Maria Grapini

Motion for a resolution
Annex I – paragraph 1 – indent 9

Motion for a resolution

– provide that the applicant for such a visa be invited to an interview, which may also be conducted by remote means of audio and video communication, which ensure an appropriate level of safety, security and confidentiality,

Amendment

– provide that the applicant for such a visa be invited to an interview (***with the assistance of an interpreter if necessary***), which may also be conducted by remote means of audio and video communication, which ensure an appropriate level of safety, security and confidentiality,

Or. ro

Amendment 96
Bodil Valero
on behalf of the Verts/ALE Group

Motion for a resolution
Annex I – paragraph 1 – indent 9

Motion for a resolution

– provide that the applicant for such a visa be invited to an interview, which may also be conducted by remote means of audio and video communication, which ensure an appropriate level of safety, security and confidentiality,

Amendment

– provide that the applicant for such a visa be invited to an interview ***with qualified interpretation if necessary***, which may also be conducted by remote means of audio and video communication, which ensure an appropriate level of safety, security and confidentiality,

Or. en

Amendment 97
Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 9

Motion for a resolution

– provide that the applicant for such a visa be invited to an interview, which may also be conducted by remote means of audio and video communication, which ensure an appropriate level of safety, security and confidentiality,

Amendment

– provide that the applicant for such a visa **may** be invited to an interview, which may also be conducted by remote means of audio and video communication, which ensure an appropriate level of safety, security and confidentiality,

Or. nl

Amendment 98

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 10

Motion for a resolution

– provide that the documents submitted be assessed, including as regards their authenticity, by **a** competent, **independent, and impartial** authority, **with adequate knowledge and expertise in matters of international protection,**

Amendment

– provide that the documents submitted be assessed, including as regards their authenticity, by **the** competent authority,

Or. fr

Amendment 99

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 10

Motion for a resolution

– provide that **the** documents submitted be assessed, **including as regards their authenticity, by a competent, independent, and impartial authority, with adequate knowledge and expertise in**

Amendment

– provide that, **where applicable, any** documents submitted be assessed **in accordance with common visa practices,**

matters of international protection,

Or. en

Amendment 100
Nadine Morano

Motion for a resolution
Annex I – paragraph 1 – indent 10

Motion for a resolution

– provide that the documents submitted be assessed, including as regards their authenticity, by *a competent, independent, and impartial authority*, with adequate knowledge and expertise in matters of international protection,

Amendment

– provide that the documents submitted be assessed, including as regards their authenticity, by *the authorities of the Member States in which an application has been made*, with adequate knowledge and expertise in matters of international protection,

Or. fr

Amendment 101
Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution
Annex I – paragraph 1 – indent 10 a (new)

Motion for a resolution

– *guarantee that the visa can be issued as a preventive measure to rule out any violation of the principle of non-refoulement and that the benefit of the doubt will be granted to the applicant, unless there is irrefutable evidence from independent sources to justify turning down the visa application;*

Or. fr

Amendment 102

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 11

Motion for a resolution

– provide that applications for such a visa, once declared admissible, be assessed on a prima facie basis to consider whether applicants have an arguable claim of exposure to a real risk of persecution or serious harm without conducting a full status determination process,

Amendment

– provide that applications for such a visa, once declared admissible, be assessed on a prima facie basis to consider whether applicants have an arguable claim of exposure to a real risk of persecution or serious harm without conducting a full status determination process; ***points out that 'prima facie' assessments must not be part of the refugee status determination process and that the assessment must not predetermine the granting or otherwise of refugee status, as that decision will only be taken when the applicant arrives, following detailed consideration of the asylum application,***

Or. fr

Amendment 103

Nadine Morano

Motion for a resolution

Annex I – paragraph 1 – indent 11

Motion for a resolution

– provide that applications for such a visa, once declared admissible, be assessed on a prima facie basis to consider whether applicants have an arguable claim of exposure to a real risk of persecution or serious harm without conducting a full status determination process,

Amendment

– provide that applications for such a visa, once declared admissible, be assessed on a prima facie basis to consider whether applicants have an arguable claim of exposure to a real risk of persecution or serious harm, ***in particular in the light of the list of 'safe countries'***, without conducting a full status determination process,

Or. fr

Amendment 104
Helga Stevens

Motion for a resolution
Annex I – paragraph 1 – indent 11

Motion for a resolution

– provide that applications for such a visa, once declared admissible, be assessed ***on a prima facie basis*** to consider whether applicants have an arguable claim of exposure to a real risk of persecution or serious harm ***without conducting a full status determination process,***

Amendment

– provide that applications for such a visa, once declared admissible, be assessed to consider whether applicants have an arguable claim of exposure to a real risk of persecution or serious harm ***in their country of origin and whether the applicants were already safe in a transit country in accordance with Article 33 et seq. of the Asylum Procedures Directive (Directive 2013/32/EU),***

Or. nl

Amendment 105
Bodil Valero
on behalf of the Verts/ALE Group

Motion for a resolution
Annex I – paragraph 1 – indent 11

Motion for a resolution

– provide that applications for such a visa, ***once declared admissible,*** be assessed on a ***prima facie*** basis ***to consider whether applicants have an arguable claim of exposure to a real risk of persecution or serious harm*** without conducting a full status determination process,

Amendment

– provide that applications for such a visa, be assessed on ***the basis of the applicant's declaration and interview and, where available, supporting documentation,*** without conducting a full status determination process,

Or. en

Amendment 106
Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 11

Motion for a resolution

– provide that applications for such a visa, ***once declared admissible***, be assessed on a prima facie basis to ***consider*** whether applicants have ***an arguable*** claim of exposure to a real risk of persecution ***or serious harm*** without conducting a full status determination process,

Amendment

– provide that applications for such a visa be assessed on a prima facie basis to ***establish*** whether applicants have ***a manifestly well founded*** claim of exposure to a real risk of persecution without conducting a full status determination process,

Or. en

Amendment 107 **Helga Stevens**

Motion for a resolution

Annex I – paragraph 1 – indent 11 a (new)

Motion for a resolution

Amendment

– ***whereas a list of safe first countries of asylum within the meaning of Article 33 et seq. of the Asylum Procedures Directive (Directive 2013/32/EU) must be drawn up in advance; whereas Turkey, Lebanon and Jordan at least should be counted among such safe transit countries, save in exceptional situations where individual applicants may not receive appropriate treatment on entry because of factors such as their ethnic or cultural background, state of health, etc.,***

Or. nl

Amendment 108 **Bodil Valero** on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 12

Motion for a resolution

– provide that each applicant for such a visa be subject to a security screening, including by searching *SIS, ECRIS-TCN, and Europol data*, to ensure that he or she does not pose such a risk,

Amendment

– provide that each applicant for such a visa be subject to a security screening, including by searching *in the relevant EU and national databases while fully respecting the applicable access rights and data protection rules*, to ensure that he or she does not pose such a risk,

Or. en

Amendment 109

Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 12

Motion for a resolution

– provide that each applicant *for such a visa* be subject to a security screening, *including by searching SIS, ECRIS-TCN, and Europol data*, to ensure that he or she does not pose *such a* risk,

Amendment

– provide that, *before the issuing of such a visa*, each applicant be subject to a security screening, *through the relevant national and European databases, in order* to ensure that he or she does not pose *a security* risk,

Or. en

Amendment 110

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 12

Motion for a resolution

– provide that each applicant for such a visa be subject to a security screening, *including by searching SIS, ECRIS-TCN, and Europol data, to ensure that he or she does not pose such a risk*,

Amendment

– provide that each applicant for such a visa be subject to a security screening *as defined in Article 1F of the 1951 Convention on the status of refugees, in compliance with the principles of proportionality, necessity and effective*

judicial review,

Or. fr

Amendment 111
Helga Stevens

Motion for a resolution
Annex I – paragraph 1 – indent 13

Motion for a resolution

Amendment

– *provide that such visa applications be decided on within 15 calendar days of the date of lodging the application,* *deleted*

Or. nl

Amendment 112
Dietmar Köster

Motion for a resolution
Annex I – paragraph 1 – indent 13

Motion for a resolution

Amendment

– provide that such visa applications be decided on within 15 calendar days of the date of lodging the application,

– provide that such visa applications *shall* be decided on within 15 calendar days of the date of lodging the application,

Or. en

Amendment 113
Bodil Valero
on behalf of the Verts/ALE Group

Motion for a resolution
Annex I – paragraph 1 – indent 13

Motion for a resolution

Amendment

– provide that such visa applications

– provide that such visa applications

be decided on within 15 calendar days of the date of *lodging* the application,

be decided on within 15 calendar days of the date of *submitting* the application,

Or. en

Amendment 114
Helga Stevens

Motion for a resolution
Annex I – paragraph 1 – indent 14

Motion for a resolution

Amendment

– *provide that the decision on the application be communicated to the applicant and that it be individualised, written and motivated,*

deleted

Or. nl

Amendment 115
Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution
Annex I – paragraph 1 – indent 14

Motion for a resolution

Amendment

– provide that the decision on the application be communicated to the applicant and that it be individualised, written and motivated,

– provide that the decision on the application be communicated to the applicant and that it be individualised, written and motivated, *in a language that the applicant can understand, setting out the relevant deadlines and details of appeal procedures,*

Or. fr

Amendment 116
Bodil Valero
on behalf of the Verts/ALE Group

Motion for a resolution
Annex I – paragraph 1 – indent 14

Motion for a resolution

– provide that the decision on the application be communicated to the applicant and that it be individualised, written and motivated,

Amendment

– provide that the decision on the application be **duly** communicated to the applicant **in a language that he or she can understand** and that it be individualised, written and motivated,

Or. en

Amendment 117
Helga Stevens

Motion for a resolution
Annex I – paragraph 1 – indent 15

Motion for a resolution

– ***provide that a third-country national refused such a visa have the possibility for an appeal as is currently foreseen in the case of a refusal of a short-stay visa or a refusal of entry at the border,***

Amendment

deleted

Or. nl

Amendment 118
Bodil Valero
on behalf of the Verts/ALE Group

Motion for a resolution
Annex I – paragraph 1 – indent 15

Motion for a resolution

– provide that a third-country national refused such a visa have the ***possibility for an*** appeal as is currently foreseen in the case of a refusal of a short-stay visa or a refusal of entry at the border,

Amendment

– provide that a third-country national refused such a visa have the ***right to*** appeal as is currently foreseen in the case of a refusal of a short-stay visa or a refusal of entry at the border ***and, in case of third-country nationals who apply for a***

European humanitarian visa in order to apply for international protection in the Member States, the possibility for an appeal should be granted in line with the applicable rules under Regulation (EU) No XXX/XXX [Asylum Procedures Regulation],

Or. en

Amendment 119
Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution
Annex I – paragraph 1 – indent 15

Motion for a resolution

– provide that a third-country national refused such a visa have the possibility for an appeal as is currently foreseen in the case of a refusal of a short-stay visa or a refusal of entry at the border,

Amendment

– provide that a third-country national refused such a visa have the possibility for an appeal ***and be given redress*** as is currently foreseen in the case of a refusal of a short-stay visa or a refusal of entry at the border, ***taking account of the safety and vulnerability of the applicant,***

Or. fr

Amendment 120
Helga Stevens

Motion for a resolution
Annex I – paragraph 1 – indent 16

Motion for a resolution

– ***provide for such visas to be issued by means of a common sticker,***

Amendment

deleted

Or. nl

Amendment 121
Cecilia Wikström, Gérard Deprez

Motion for a resolution
Annex I – paragraph 1 – indent 16

Motion for a resolution

- provide for such visas to be issued by means of a common sticker,

Amendment

- provide for such visas to be issued by means of a common sticker, **and registered in a common European database,**

Or. en

Amendment 122
Bodil Valero
on behalf of the Verts/ALE Group

Motion for a resolution
Annex I – paragraph 1 – indent 16

Motion for a resolution

- provide for such visas to be issued by means of a common sticker,

Amendment

- provide for such visas to be issued by means of a common sticker **and inserted into VIS,**

Or. en

Amendment 123
Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution
Annex I – paragraph 1 – indent 17

Motion for a resolution

- provide that once a humanitarian visa is issued it allows its holder to enter the territory of the Member State issuing the visa **for the sole purpose of making an application for international protection in that Member State,**

Amendment

- provide that once a humanitarian visa is issued it allows its holder to enter the territory of the Member State issuing the visa,

Amendment 124

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 17

Motion for a resolution

– provide that once a humanitarian visa is issued it allows its holder to enter the territory of the Member State issuing the visa for the sole purpose of making an application for international protection in that Member State,

Amendment

– provide that once a *European* humanitarian visa is issued it allows its holder to enter the territory of the Member State issuing the visa for the sole purpose of making an application for international *or humanitarian* protection in that Member State,

Or. en

Amendment 125

Nadine Morano

Motion for a resolution

Annex I – paragraph 1 – indent 17

Motion for a resolution

– provide that once a humanitarian visa is issued it allows its holder to enter the territory of the Member State issuing the visa for the sole purpose of making an application for international protection in that Member State,

Amendment

– provide that once a humanitarian visa is issued it allows its holder to enter *at his or her own expense* the territory of the Member State issuing the visa for the sole purpose of making an application for international protection in that Member State,

Or. fr

Amendment 126

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 17

Motion for a resolution

– provide that once a humanitarian visa is issued it allows its holder to enter the territory of the Member State issuing the visa for the sole purpose of ***making an application for*** international protection in that Member State,

Amendment

– provide that once a humanitarian visa is issued it allows its holder to enter the territory of the Member State issuing the visa for the sole purpose of ***obtaining provisional*** international protection in that Member State,

Or. nl

Amendment 127

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 17 a (new)

Motion for a resolution

Amendment

– ***provide that, once a European humanitarian visa is issued and its holder has reached the territory of the EU, the EU's common asylum acquis and procedures shall apply, including Regulation (EU) No XXX/XXX [Dublin Regulation] and Regulation (EU) No XXX/XXX [Asylum Procedures Regulation] and the rights enshrined therein,***

Or. en

Amendment 128

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 18

Motion for a resolution

Amendment

– *provide that applications for such a visa be assessed by properly trained staff of the Member States and staff from competent Member State authorities with knowledge about the country of origin and having adequate expertise in Union asylum and fundamental rights law, having received appropriate training by the European Asylum Support Office,*

deleted

Or. en

Amendment 129

Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 18

Motion for a resolution

Amendment

– *provide that applications for such a visa be assessed by properly trained staff of the Member States and staff from competent Member State authorities with knowledge about the country of origin and having adequate expertise in Union asylum and fundamental rights law, having received appropriate training by the European Asylum Support Office,*

– *provide that applications for such a visa be assessed by properly trained staff,*

Or. en

Amendment 130

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 19

Motion for a resolution

Amendment

– *provide that such staff may either be posted in embassies or consulates or in Member States, in case of which applications are electronically transmitted*

deleted

and interviews conducted remotely,

Or. nl

Amendment 131

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 19

Motion for a resolution

– provide that *such staff may either be posted in embassies or consulates or in Member States, in case of which applications are* electronically transmitted and interviews conducted remotely,

Amendment

– provide that applications *may be* electronically transmitted and interviews conducted remotely,

Or. en

Amendment 132

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 20

Motion for a resolution

– *provide that certain aspects of the process, which do not entail any pre-selection of cases, assessment or decision making of any kind, may be managed by external service providers, including the provision of information, the management of appointments for interviews, and the collection of biometric identifiers,*

Amendment

deleted

Or. fr

Amendment 133

Dietmar Köster

Motion for a resolution
Annex I – paragraph 1 – indent 20

Motion for a resolution

Amendment

– *provide that certain aspects of the process, which do not entail any pre-selection of cases, assessment or decision making of any kind, may be managed by external service providers, including the provision of information, the management of appointments for interviews, and the collection of biometric identifiers,*

deleted

Or. en

Amendment 134

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution
Annex I – paragraph 1 – indent 20

Motion for a resolution

Amendment

– provide that *certain* aspects of the process, *which do not entail any pre-selection of cases, assessment or decision making of any kind*, may be managed by external service providers, *including* the provision of information, the management of appointments for interviews, and the collection of biometric identifiers,

– provide that *only the following* aspects of the process may be managed by external service providers: the provision of information, the management of appointments for interviews and the collection of biometric identifiers,

Or. en

Amendment 135

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution
Annex I – paragraph 1 – indent 21

Motion for a resolution

– provide that **appropriate** measures be put in place to **ensure** data protection, data security and confidentiality of communications,

Amendment

– provide that measures be put in place to **fully comply with rules on** data protection, **in particular the purpose limitation principle**, data security and confidentiality of communications,

Or. en

Amendment 136

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 22

Motion for a resolution

– provide that Member States cooperate with each other, **to ensure its harmonised application, with Union agencies, with UNHCR, as well as with other relevant** governmental and non-governmental organisations,

Amendment

– provide that Member States cooperate with each other, **EU agencies, international organisations**, governmental and non-governmental organisations **and other relevant stakeholders to ensure its harmonised application**,

Or. en

Amendment 137

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 23

Motion for a resolution

– provide that information on the procedures and conditions of such a visa as well as about the **conditions and procedures** to obtain international protection in the territory of the Member States be made **widely** available, including on the websites of the Member States' embassies and consulates **and via the**

Amendment

– provide that information on the procedures and conditions of such a visa as well as about the **procedure** to obtain international protection in the territory of the Member States be made available, including on the websites of the Member States' embassies and consulates,

Amendment 138

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 24

Motion for a resolution

Amendment

– *be implemented in several stages, beginning with a transition period of two years before its provisions become applicable, to allow for the necessary preparations to be made, followed by a further period of three years, during which its application is limited geographically to applicants residing in certain third countries to be decided upon by means of delegated acts, taking account of EUROSTAT and UNHCR data on recognition rates and global protection needs per year,* **deleted**

Amendment 139

Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 24

Motion for a resolution

Amendment

– *be implemented in several stages, beginning with a transition period of two years before its provisions become applicable, to allow for the necessary preparations to be made, followed by a further period of three years, during which its application is limited geographically to applicants residing in* **deleted**

certain third countries to be decided upon by means of delegated acts, taking account of EUROSTAT and UNHCR data on recognition rates and global protection needs per year,

Or. en

Amendment 140

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 24

Motion for a resolution

Amendment

– *be implemented in several stages, beginning with a transition period of two years before its provisions become applicable, to allow for the necessary preparations to be made, followed by a further period of three years, during which its application is limited geographically to applicants residing in certain third countries to be decided upon by means of delegated acts, taking account of EUROSTAT and UNHCR data on recognition rates and global protection needs per year,*

deleted

Or. en

Amendment 141

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 24

Motion for a resolution

Amendment

– be implemented in several stages, beginning with a transition period of two years before its provisions become

– be implemented in several stages, beginning with a transition period of two years before its provisions become

applicable, to allow for the necessary preparations to be made, *followed by a further period of three years, during which its application is limited geographically to applicants residing in certain third countries to be decided upon by means of delegated acts, taking account of EUROSTAT and UNHCR data on recognition rates and global protection needs per year,*

applicable, to allow for the necessary preparations to be made,

Or. fr

Amendment 142

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 25

Motion for a resolution

– be evaluated after two years from the start of its application *in view of deciding on a further progressive roll-out to cover ultimately all relevant refugee-producing third countries,*

Amendment

– be evaluated after two years from the start of its application,

Or. fr

Amendment 143

Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 25

Motion for a resolution

– be evaluated after two years from the start of its application *in view of deciding on a further progressive roll-out to cover ultimately all relevant refugee-producing third countries,*

Amendment

– be evaluated after two years from the start of its application,

Or. en

Amendment 144

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 25

Motion for a resolution

- be evaluated after two years from the *start of its application in view of deciding on a further progressive roll-out to cover ultimately all relevant refugee-producing third countries,*

Amendment

- be evaluated after two years from the *entry into force of the Regulation,*

Or. en

Amendment 145

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 25

Motion for a resolution

- be evaluated after two years from the start of its application in view of deciding on a further progressive roll-out *to cover ultimately all relevant refugee-producing third countries,*

Amendment

- *where a final legislative proposal is forthcoming,* be evaluated after two years from the start of its application in view of deciding on a further progressive roll-out *or abolition,*

Or. nl

Amendment 146

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 26

Motion for a resolution

- provide for significant financial

Amendment

- provide for significant financial

support from the Integrated Border Management Fund to be made available to Member States for its implementation,

support from the Integrated Border Management Fund to be made available to Member States for its implementation, *including, where necessary, to cover the expenses incurred by applicants and European humanitarian visa holders to realise their rights under the European Humanitarian Visa Scheme,*

Or. en

Amendment 147

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 27 – subi. 1

Motion for a resolution

– the Visa Code to clarify *that for persons seeking international protection* the provisions of the act establishing a European Humanitarian Visa *apply*,

Amendment

– the Visa Code to clarify the provisions of the act establishing a European Humanitarian Visa,

Or. fr

Amendment 148

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 27 – subi. 1

Motion for a resolution

– the Visa Code to clarify that for persons seeking international protection *the provisions of the act establishing a European Humanitarian Visa* apply,

Amendment

– the Visa Code to clarify that for persons seeking international protection *other* provisions apply,

Or. nl

Amendment 149

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 27 – sub. 1

Motion for a resolution

– the Visa Code to clarify that for persons seeking international protection the provisions of the act establishing a European Humanitarian Visa apply,

Amendment

– the Visa Code to clarify that for persons seeking international **protection or humanitarian** protection the provisions of the act establishing a European Humanitarian Visa apply,

Or. en

Amendment 150

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 27 – sub. 2

Motion for a resolution

– the Visa Information System to provide for applications for a humanitarian visa to be entered into that system,

Amendment

– the Visa Information System to provide for applications for a **European** humanitarian visa to be entered into that system,

Or. en

Amendment 151

Helga Stevens

Motion for a resolution

Annex I – paragraph 1 – indent 27 – sub. 3

Motion for a resolution

– **the Schengen Borders Code to adjust the entry conditions for persons seeking international protection,**

Amendment

deleted

Amendment 152

Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution

Annex I – paragraph 1 – indent 27 – subi. 3

Motion for a resolution

– the Schengen Borders Code to adjust the entry conditions for persons *seeking international protection*,

Amendment

– the Schengen Borders Code to adjust the entry conditions for persons *who have obtained a humanitarian visa, with a view to guaranteeing them access to European territory*,

Or. fr

Amendment 153

Cecilia Wikström, Gérard Deprez

Motion for a resolution

Annex I – paragraph 1 – indent 27 – subi. 5

Motion for a resolution

– *the instruments constituting the Common European Asylum System, in particular the Dublin Regulation and the Asylum Procedures Directive, to ensure that any results of the examination of an application for a humanitarian visa are taken into account in the procedures conducted once the person seeking protection has reached the territory of the Member States.*

Amendment

deleted

Or. en

Amendment 154

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution
Annex I – paragraph 1 – indent 27 – subi. 5

Motion for a resolution

Amendment

– *the instruments constituting the Common European Asylum System, in particular the Dublin Regulation and the Asylum Procedures Directive, to ensure that any results of the examination of an application for a humanitarian visa are taken into account in the procedures conducted once the person seeking protection has reached the territory of the Member States.* *deleted*

Or. en

Amendment 155
Helga Stevens

Motion for a resolution
Annex I – paragraph 1 – indent 27 – subi. 5

Motion for a resolution

Amendment

– *the instruments constituting the Common European Asylum System, in particular the Dublin Regulation and the Asylum Procedures Directive, to ensure that any results of the examination of an application for a humanitarian visa are taken into account in the procedures conducted once the person seeking protection has reached the territory of the Member States.* *deleted*

Or. nl

Amendment 156
Marie-Christine Vergiat, Barbara Spinelli

Motion for a resolution
Annex I – paragraph 1 – indent 27 – subi. 5

Motion for a resolution

– the instruments constituting the Common European Asylum System, in particular the Dublin Regulation and the Asylum Procedures Directive, ***to ensure that any results of the examination of an application for a humanitarian visa are taken into account in the procedures conducted once the person seeking protection has reached the territory of the Member States.***

Amendment

– the instruments constituting the Common European Asylum System, in particular the Dublin Regulation and the Asylum Procedures Directive, ***with a view to guaranteeing holders of humanitarian visas access to European territory.***

Or. fr

Amendment 157

Bodil Valero

on behalf of the Verts/ALE Group

Motion for a resolution

Annex I – paragraph 1 – indent 27 – subi. 5 a (new)

Motion for a resolution

Amendment

– ***Article 26 of the Convention implementing the Schengen Agreement of 14 June 1985 and to Council Directive 2001/51/EC of 28 June 2001 supplementing the provisions of Article 26 of the Convention implementing the Schengen Agreement of 14 June 1985 in order to exempt carriers transporting third-country nationals from liability, obligations and penalties where the third-country nationals involved declare their intention to apply for international or humanitarian protection in the territory of the Member States.***

Or. en