MOTION FOR A RESOLUTION

pursuant to Rule 105(3) of the Rules of Procedure


Committee on Civil Liberties, Justice and Home Affairs

Member responsible: Birgit Sippel

The European Parliament,

– having regard to the Commission delegated regulation (C(2018)08466),

– having regard to Article 290 of the Treaty on the Functioning of the European Union,


– having regard to the motion for a resolution by the Committee on Civil Liberties, Justice and Home Affairs,

– having regard to Rule 105(3) of its Rules of Procedure,

A. whereas Article 1 of the Commission delegated regulation proposes that Annex II of Regulation (EU) No 516/2014 be amended to include a specific action related to ‘the establishment, development and operation of adequate reception and accommodation and detention facilities, and respective services, for applicants for international protection or third-country nationals who are present in a Member State and do not or no longer fulfil the conditions for entry and/or stay’;

B. whereas the Commission delegated regulation proposes that a concept of ‘controlled centres’ be included in that new specific action, and thus that funding be provided to Member States for the establishment, development and operation of such ‘controlled centres’;

C. whereas the concept of ‘controlled centres’ is a controversial concept of questionable legality which does not exist under Union law and has not been approved by the co-legislators;

D. whereas Parliament takes the view that such a concept should not be funded unless and until it is properly defined in an appropriate legislative instrument – adopted by the co-legislators – detailing the legal basis, nature, purpose and objective of such a concept;

1. Objects to the Commission delegated regulation;

2. Instructs its President to forward this resolution to the Commission and to notify it that

the delegated regulation cannot enter into force;

3. Instructs its President to forward this resolution to the Council and to the governments and parliaments of the Member States.