



2015/0125(NLE)

14.7.2015

AMENDMENTS

27 - 166

Draft report

Ska Keller

(PE560.901v02-00)

on the proposal for a Council decision establishing provisional measures in the area of international protection for the benefit of Italy and Greece

Proposal for a decision

(COM(2015)0286 – C8-0156/2015 – 2015/0125(NLE))

Amendment 27

Louis Michel, Angelika Mlinar, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld

Proposal for a decision

Citation 3 a (new)

Text proposed by the Commission

Amendment

– having regard to the Charter of Fundamental rights, in particular Chapter I and Articles 18 and 19,

Or. en

Amendment 28

Iliana Iotova, Birgit Sippel

Proposal for a decision

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) In accordance with Article 78 (2) of the Treaty the Commission should propose to the European Parliament and the Council by the end of 2015 a permanent mechanism for administrating emergency measures in the case that one or more Member States are faced with an emergency situation, characterised by a sudden inflow of nationals of third countries to the benefit of the Member State(s) concerned.

Or. en

Amendment 29

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 3

Text proposed by the Commission

(3) The recent crisis situation in the Mediterranean prompted the Union institutions to ***immediately*** acknowledge the exceptional migratory flows in this region and call for concrete measures of solidarity towards the frontline Member States. In particular, at a joint meeting of Foreign and Interior Ministers on 20 April 2015, the European Commission presented a ten-point plan of immediate actions to be taken in response to this crisis, including a commitment to consider options for an emergency relocation mechanism.

Amendment

(3) The recent crisis situation in the Mediterranean prompted the Union institutions to acknowledge ***with great delay*** the exceptional migratory flows in this region and call for concrete measures of solidarity towards the frontline Member States. In particular, at a joint meeting of Foreign and Interior Ministers on 20 April 2015, the European Commission presented ***an inadequate*** ten-point plan of immediate actions to be taken in response to this crisis, including a commitment to consider options for an emergency relocation mechanism.

Or. en

Amendment 30

Jussi Halla-aho

Proposal for a decision

Recital 3

Text proposed by the Commission

(3) The recent crisis situation in the Mediterranean prompted the Union institutions to immediately acknowledge the exceptional migratory flows in this region and call for concrete measures of solidarity towards the frontline Member States. In particular, at a joint meeting of Foreign and Interior Ministers on 20 April 2015, the European Commission presented a ten-point plan of immediate actions to be taken in response to this crisis, including a commitment to consider options for an emergency relocation mechanism.

Amendment

(3) The recent crisis situation in the Mediterranean prompted the Union institutions to immediately acknowledge the exceptional migratory flows in this region and call for concrete measures of solidarity towards the frontline Member States. In particular, at a joint meeting of Foreign and Interior Ministers on 20 April 2015, the European Commission presented a ten-point plan of immediate actions to be taken in response to this crisis, including a commitment to consider options for an emergency relocation mechanism.
Considering the magnitude of economic and humanitarian migration, the proposed ERS does not offer an effective

or sustainable solution to this problem.

Or. en

Amendment 31
Iliana Iotova, Birgit Sippel

Proposal for a decision
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) When drafting the permanent mechanism for relocation under Article 78 (2) of the Treaty as an emergency measure, when one or more Member States are faced with an emergency situation, the Commission should provide a definition of the terms "sudden inflow of nationals of third countries" and "exceptional migratory pressure".

Or. en

Amendment 32
Kinga Gál

Proposal for a decision
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) In its conclusions of 26 June 2015, the European Council stated that Europe needs a balanced and geographically comprehensive approach to migration, based on solidarity and responsibility identifying three key dimensions which must be advanced in parallel: relocation/resettlement, return/readmission/reintegration and cooperation with countries of origin and transit.

Amendment 33

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 5

Text proposed by the Commission

(5) In its resolution of 28 April 2015, the European Parliament reiterated the need for the Union to base its response to the latest tragedies in the Mediterranean on solidarity and fair sharing of responsibility and to step up its efforts in this area towards Member States which receive the highest number of refugees and applicants for international protection in either absolute or proportional terms.

Amendment

(5) In its resolution of 28 April 2015, the European Parliament reiterated the need for the Union to base its response to the latest tragedies in the Mediterranean on solidarity and fair sharing of responsibility and to step up its efforts in this area towards Member States which receive the highest number of refugees and applicants for international protection in either absolute or proportional terms ***due to the criteria for defining the responsible Member-State to examine an asylum request set in Dublin Regulations.***

Amendment 34

Carlos Coelho, Anna Maria Corazza Bildt, Barbara Matera, Elissavet Vozemberg

Proposal for a decision

Recital 5

Text proposed by the Commission

(5) In its resolution of 28 April 2015, the European Parliament reiterated the need for the Union to base its response to the latest tragedies in the Mediterranean on solidarity and fair sharing of responsibility and to step up its efforts in this area towards Member States which receive the highest number of refugees and applicants for international protection in either absolute

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(5) In its resolution of 28 April 2015, the European Parliament reiterated the need for the Union to base its response to the latest tragedies in the Mediterranean on solidarity and fair sharing of responsibility and to step up its efforts in this area towards Member States which receive the highest number of refugees and applicants for international protection in either absolute

or proportional terms.

or proportional terms *and called for a binding mechanism of distribution of refugees among Member States.*

Or. en

Amendment 35

Pál Csáky, Artis Pabriks, Tomáš Zdechovský

Proposal for a decision

Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) Having regard to the Council Conclusions of 25-26 June 2015, this emergency mechanism should encourage greater solidarity and participation among all Member States.

Or. en

Amendment 36

Heinz K. Becker, Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision

Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) Whereas at its meetings of 25 and 26 June 2015, the European Council decided, inter alia, that three key dimensions should be advanced in parallel: relocation/ resettlement, return/ readmission/ reintegration and cooperation with countries of origin and transit. Whereas the European Council agreed in particular, in the light of the current emergency situation and the commitment to reinforce solidarity and responsibility, on the temporary and exceptional relocation over two years

from Italy and Greece to other Member States of 40 000 persons in clear need of international protection. Whereas Member States should agree on binding quota for the distribution of such persons, reflecting the specific situations of Member States.

Or. en

Amendment 37
Iliana Iotova

Proposal for a decision
Recital 6

Text proposed by the Commission

(6) *Several* Member States *were* confronted with a significant increase in the total number of migrants, including applicants for international protection, arriving on their territories *in 2014 and some continue to be so in the first months of 2015*. Emergency financial assistance by the European Commission and operational support by EASO were provided to several Member States to help them cope with this increase.

Amendment

(6) *The* Member States *in South and South-eastern Europe on the external borders of the EU are* confronted with a significant increase in the total number of migrants, including applicants for international protection, arriving on their territories *since 2011*. Emergency financial assistance by the European Commission and operational support by EASO were provided to several Member States to help them cope with this increase.

Or. en

Amendment 38
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Recital 7

Text proposed by the Commission

(7) Among the Member States witnessing situations of particular pressure and in light of the recent tragic events in the

Amendment

(7) Among the Member States witnessing situations of particular pressure and in light of the recent tragic events in the

Mediterranean, Italy and Greece in particular have experienced unprecedented flows of migrants, including applicants for international protection who are in clear need of international protection, arriving on their territories, generating a significant pressure on their migration and asylum systems.

Mediterranean, Italy and Greece in particular have experienced unprecedented flows of migrants, including applicants for international protection who are in clear need of international protection, arriving on their territories, generating a significant pressure on their migration and asylum systems. ***However, other Member States within the EU are also experiencing large increases in the number asylum seekers received.***

Or. en

Amendment 39
Iliana Iotova

Proposal for a decision
Recital 7

Text proposed by the Commission

(7) Among the Member States witnessing situations of particular pressure and in light of the recent tragic events in the Mediterranean, Italy and Greece in particular ***have experienced*** unprecedented flows of migrants, including applicants for international protection who are in clear need of international protection, arriving on their territories, generating a significant pressure on their migration and asylum systems.

Amendment

(7) Among the Member States witnessing situations of particular pressure ***in South and South-eastern Europe*** and in light of the recent tragic events in the Mediterranean, Italy and Greece in particular ***are experiencing*** unprecedented flows of migrants, including applicants for international protection who are in clear need of international protection, arriving on their territories, generating a significant pressure on their migration and asylum systems.

Or. en

Amendment 40
Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision
Recital 7

Text proposed by the Commission

(7) Among the Member States witnessing situations of particular pressure and in light of the recent tragic events in the Mediterranean, Italy and Greece in particular have experienced unprecedented flows of migrants, including applicants for international protection who are in clear need of international protection, arriving on their territories, generating a significant pressure on their migration and asylum systems.

Amendment

(7) Among the Member States witnessing situations of particular pressure and in light of the recent tragic events in the Mediterranean, Italy and Greece in particular have experienced unprecedented flows of migrants, including applicants for international protection who are in clear need of international protection, arriving on their territories, generating a significant pressure on their migration and asylum systems, ***indicating thus the negative impact of the Dublin Regulation for the first country of entry into the EU, which regrettably has not yet led to the suspension of this regulation or at least the removal of the reference to the first country of entry into the EU.***

Or. en

Amendment 41
Jussi Halla-aho

Proposal for a decision
Recital 7

Text proposed by the Commission

(7) Among the Member States witnessing situations of particular pressure and in light of the recent tragic events in the Mediterranean, Italy and Greece in particular have experienced unprecedented flows of migrants, including applicants for international protection who are in clear need of international protection, arriving on their territories, generating a significant pressure on their migration and asylum systems.

Amendment

(7) Among the Member States witnessing situations of particular pressure and in light of the recent tragic events in the Mediterranean, Italy and Greece in particular have experienced unprecedented flows of migrants, including applicants for international protection who are in clear need of international protection, arriving on their territories, generating a significant pressure on their migration and asylum systems. ***However, many irregular migrants and asylum seekers flee poverty in their home countries and do not fulfil the criteria of a refugee.***

Amendment 42

Iliana Iotova

Proposal for a decision

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The expert forecast shows an increased migratory pressure in a short- and mid-term perspective on the external maritime and land borders of the EU.

Or. en

Amendment 43

Iliana Iotova

Proposal for a decision

Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) The financial, administrative and technical capacity in the Member States on the external borders of the EU is almost depleted and this impedes the management of the migratory flows.

Or. en

Amendment 44

Kinga Gál

Proposal for a decision

Recital 7 a (new)

(7a) An unprecedented migratory pressure affects severely Hungary, where the number of illegal border crossings and of asylum applications reached the number of 61.000 by the end of June representing an insurmountable pressure on the Hungarian infrastructure.

Or. en

Amendment 45

Caterina Chinnici, Anna Maria Corazza Bildt, Rachida Dati, Miriam Dalli, Michela Giuffrida, Antonio López-Istúriz White, Barbara Matera, Luigi Morgano, Alessandra Mussolini, Elissavet Vozemberg

Proposal for a decision

Recital 8

Text proposed by the Commission

(8) According to data of the European Agency for the Management of Operational Cooperation at the External Borders (Frontex), the Central and Eastern Mediterranean route were the main areas for irregular border crossing into the Union in 2014. In 2014, more than 170 000 migrants arrived in Italy alone in an irregular manner, representing an increase of 277% compared to 2013. A steady increase was also witnessed by Greece with more than 50 000 irregular migrants reaching the country, representing an increase of 153% compared to 2013. Statistics for the first months of 2015 confirm this clear trend in respect of Italy. In addition, Greece has faced in the first months of 2015 a sharp increase in the number of irregular border crossings, corresponding to more than 50% of the total number of irregular border crossings in 2014 (almost 28 000 in the first four months of 2015 in comparison to a total

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number of almost 55 000 in 2014). A significant proportion of the total number of irregular migrants detected in these two regions included migrants of nationalities which, based on the Eurostat data, meet a high Union level recognition rate (in 2014, the Syrians and the Eritreans, for which the Union recognition rate is more than 75%, represented more than 40% of the irregular migrants in Italy and more than 50% of them in Greece). According to Eurostat, 30 505 Syrians were found to be irregularly present in Greece in 2014 compared to 8 220 in 2013.

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Or. en

Amendment 46
Tanja Fajon, Kashetu Kyenge

Proposal for a decision
Recital 8

Text proposed by the Commission

(8) According to data of the European Agency for the Management of Operational Cooperation at the External Borders (Frontex), the Central and Eastern Mediterranean route were the main areas for irregular border crossing into the Union in 2014. In 2014, more than 170 000 migrants arrived in Italy alone in an irregular manner, representing an increase of 277% compared to 2013. A steady increase was also witnessed by Greece with more than 50 000 irregular migrants reaching the country, representing an increase of 153% compared to 2013. Statistics for the first months of 2015 confirm this clear trend in respect of Italy. In addition, Greece has faced in the first months of 2015 a sharp increase in the

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In addition, Greece has faced in the first months of 2015 a sharp increase in the number of irregular border crossings, corresponding to more than 50% of the total number of irregular border crossings in 2014 (almost 28 000 in the first four months of 2015 in comparison to a total number of almost 55 000 in 2014). A significant proportion of the total number of irregular migrants detected in these two regions included migrants of nationalities which, based on the Eurostat data, meet a high Union level recognition rate (in 2014, the Syrians and the Eritreans, for which the Union recognition rate is more than 75%, represented more than 40% of the irregular migrants in Italy and more than 50% of them in Greece). According to Eurostat, 30 505 Syrians were found to be irregularly present in Greece in 2014 compared to 8 220 in 2013.

Or. en

Amendment 47

Kostas Chrysogonos, Ska Keller, Angelika Mlinar

Proposal for a decision

Recital 8

Text proposed by the Commission

(8) According to data of the European Agency for the Management of Operational Cooperation at the External Borders (Frontex), the Central and Eastern Mediterranean route were the main areas for irregular border crossing into the Union in 2014. In 2014, more than 170 000 migrants arrived in Italy alone in an irregular manner, representing an increase of 277% compared to 2013. A steady increase was also witnessed by Greece with more than 50 000 irregular migrants reaching the country, representing an increase of 153% compared to 2013.

Amendment

(8) According to data of the European Agency for the Management of Operational Cooperation at the External Borders (Frontex), the Central and Eastern Mediterranean route were the main areas for irregular border crossing into the Union in 2014. In 2014, more than 170 000 migrants arrived in Italy alone in an irregular manner, representing an increase of 277% compared to 2013, ***including more than 26100 children, of whom around 13000 were unaccompanied (7.6% of the total migrants arrived)***. A steady increase was also witnessed by Greece

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with more than 50 000 irregular migrants reaching the country, representing an increase of 153% compared to 2013. Statistics for the first months of 2015 confirm this clear trend in respect of Italy. ***From January to June 2015 Italy witnessed a 5% increase of irregular border crossings as compared to the same period in the previous year.*** In addition, Greece has faced in the first months of 2015 a sharp increase in the number of irregular border crossings, corresponding to ***a more than six-fold increase in comparison with the same period in the previous year and nearly a 140% increase compared to the previous year as a whole (76 293 from January to June 2015, according to data by Frontex,*** in comparison to a total number of almost 55 000 in 2014). A significant proportion of the total number of irregular migrants detected in these two regions included migrants of nationalities which, based on the Eurostat data, meet a high Union level recognition rate (in 2014, the Syrians and the Eritreans, for which the Union recognition rate is more than 75%, represented more than 40% of the irregular migrants in Italy and more than 50% of them in Greece; ***from January to June 2015 Syrians and Eritreans represented 30% of arrivals to Italy and nearly 60% to Greece***). According to Eurostat, 30 505 Syrians were found to be irregularly present in Greece in 2014 compared to 8 220 in 2013.

Or. en

Amendment 48
Kati Piri

Proposal for a decision
Recital 8

(8) According to data of the European Agency for the Management of Operational Cooperation at the External Borders (Frontex), the Central and Eastern Mediterranean route were the main areas for irregular border crossing into the Union in 2014. In 2014, more than 170 000 migrants arrived in Italy alone in an irregular manner, representing an increase of 277% compared to 2013. A steady increase was also witnessed by Greece with more than 50 000 irregular migrants reaching the country, representing an increase of 153% compared to 2013. Statistics for the first months of 2015 confirm this clear trend in respect of Italy. In addition, Greece has faced ***in the first months of 2015*** a sharp increase in the number of irregular border crossings, corresponding to ***more than 50% of the total number of irregular border crossings in 2014 (almost 28 000 in the first four months of 2015*** in comparison to a total number of almost 55 000 in 2014). A significant proportion of the total number of irregular migrants detected in these two ***regions*** included migrants of nationalities which, based on the Eurostat data, meet a high Union level recognition rate (in 2014, the Syrians and the Eritreans, for which the Union recognition rate is more than 75%, represented more than 40% of the irregular migrants in Italy and more than 50% of them in Greece). According to Eurostat, 30 505 Syrians were found to be irregularly present in Greece in 2014 compared to 8 220 in 2013.

(8) According to data of the European Agency for the Management of Operational Cooperation at the External Borders (Frontex), the Central and Eastern Mediterranean route were the main areas for irregular border crossing into the Union in 2014. In 2014, more than 170 000 migrants arrived in Italy alone in an irregular manner, representing an increase of 277% compared to 2013. A steady increase was also witnessed by Greece with more than 50 000 irregular migrants reaching the country, representing an increase of 153% compared to 2013. Statistics for the first months of 2015 confirm this clear trend in respect of Italy. ***According to UNHCR 67 5000 irregular migrants arrived in Italy by sea between January and 29 June 2015.*** In addition, ***in the first half of 2015*** Greece has faced a sharp increase in the number of irregular border crossings, corresponding to ***a 124% increase compared to the previous year as a whole (68 000 from January to 26 June 2015 according to UNHCR data,*** in comparison to a total number of almost 55 000 in 2014). A significant proportion of the total number of irregular migrants detected in these two ***Member States*** included migrants of nationalities which, based on the Eurostat data, meet a high Union level recognition rate (in 2014, the Syrians and the Eritreans, for which the Union recognition rate is more than 75%, represented more than 40% of the irregular migrants in Italy and more than 50% of them in Greece; ***from January to end-June 2015 Syrians and Eritreans represented 30% of the arrivals to Italy and 57% to Greece***). According to Eurostat, 30 505 Syrians were found to be irregularly present in Greece in 2014 compared to 8 220 in 2013.

Or. en

Justification

According to the latest UNHCR statistics, approximately 67 500 irregular migrants have arrived in Italy by sea in the first half of 2015. In the same period 68 000 irregular migrants have arrived in Greece.

Amendment 49

Tanja Fajon

Proposal for a decision

Recital 10

Text proposed by the Commission

(10) According to Frontex data, another important migration route into the Union in 2014 was the Western Balkan route with 43 357 irregular border crossings. However, the majority of migrants using the Balkan route are not prima facie in need of international protection, ***with 51% of the arrivals being made up only of Kosovars.***

Amendment

(10) According to Frontex data, another important migration route into the Union in 2014 was the Western Balkan route with 43 357 irregular border crossings. However, the majority of migrants using the Balkan route are not prima facie in need of international protection.

Or. en

Amendment 50

Iliana Iotova

Proposal for a decision

Recital 10

Text proposed by the Commission

(10) According to Frontex data, another important migration route into the Union ***in 2014*** was the Western Balkan route ***with 43 357 irregular border crossings.*** ***However, the majority of migrants using the Balkan route are not prima facie in need of international protection, with 51% of the arrivals being made up only of Kosovars.***

Amendment

(10) According to Frontex data, another important migration route into the Union ***since 2011*** was the Western Balkan route, ***the migration from the Middle East and North Africa, in particular from Syria and Afghanistan through the land borders of Hungary and the borders of Turkey with Greece and Bulgaria. The migratory flow through these borders is increasing***

proportionally, regardless of the measures taken in fighting trafficking and smuggling of migrants.

Or. en

Amendment 51

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 10

Text proposed by the Commission

(10) According to Frontex data, another important migration route into the Union in 2014 was the Western Balkan route with 43 357 irregular border crossings.

However, the majority of migrants using the Balkan route are not prima facie in need of international protection, with 51% of the arrivals being made up only of Kosovars.

Amendment

(10) According to Frontex data, another important migration route into the Union in 2014 was the Western Balkan route with 43 357 irregular border crossings. **While** the majority of migrants using the Balkan route are not prima facie in need of international protection, with 51% of the arrivals being made up only of Kosovars, **detection of Syrians have increased significantly in 2014 compared to 2013 from 2 706 to 12 536 and Afghans from 4 065 to 10 963.**

Or. en

Amendment 52

Kinga Gál

Proposal for a decision

Recital 10

Text proposed by the Commission

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Amendment

(10) According to Frontex data, another important migration route into the Union in 2014 was the Western Balkan route with 43 357 irregular border crossings. The majority of migrants using the Balkan route were not prima facie in need of

need of international protection, with 51% of the arrivals being made up only of Kosovars.

international protection as in 2014 51% of the arrivals were being made up only of Kosovars. ***However, in 2015 only in Hungary the number of illegal border crossings and of asylum applications reached the number of 61.000 by the end of June, the majority of applicants coming from Syria, Afghanistan and Iraq.***

Or. en

Amendment 53
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Recital 12

Text proposed by the Commission

(12) Due to the on-going instability and conflicts in the immediate neighbourhood of Italy and Greece, it is very likely that a significant and increased pressure will continue to be put on their migration and asylum systems, ***with a significant part of the migrants who may be in need of international protection.*** This demonstrates the critical need to show solidarity towards Italy and Greece and to complement the actions taken so far to support them with provisional measures in the area of international protection.

Amendment

(12) Due to the on-going instability and conflicts in the immediate neighbourhood of Italy and Greece, it is very likely that a significant and increased pressure will continue to be put on their migration and asylum systems. This demonstrates the critical need to show solidarity towards Italy and Greece and to complement the actions taken so far to support them with provisional measures in the area of international protection.

Or. en

Amendment 54
Iliana Iotova, Birgit Sippel

Proposal for a decision
Recital 12 a (new)

(12a) With regards of the expectations for an increased migratory pressure on other Member States on the external borders of the EU, the Commission should guarantee a display of solidarity through drawing up and implementation of a permanent mechanism for relocation under Article 78 (2) of the Treaty.

Or. en

Amendment 55

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 13

Text proposed by the Commission

(13) At the same time, Italy and Greece should provide structural solutions to address the shortcomings in the functioning of their asylum and migration systems. The measures laid down in this Decision should therefore go hand in hand with the establishment by Italy and Greece of a solid and strategic framework for responding to the crisis situation and intensifying the ongoing reform process in these areas. In this respect, Italy and Greece should each within one month of entry into force of this Decision, present a roadmap to the Commission which should include adequate measures in the area of asylum, first reception and return enhancing the capacity, quality and efficiency of their systems in these areas, as well as measures to ensure appropriate implementation of this Decision with a view to enable them to better cope, after the end of the applicability of this decision, with a possible increased inflow of migrants on their territories.

Amendment

(13) At the same time, Italy and Greece should provide structural solutions to address the shortcomings in the functioning of their asylum and migration systems. The measures laid down in this Decision should therefore go hand in hand with the establishment by Italy and Greece of a solid and strategic framework for responding to the crisis situation and intensifying the ongoing reform process in these areas. In this respect, Italy and Greece should each within one month of entry into force of this Decision, present a roadmap to the Commission which should include adequate measures in the area of asylum, ***in particular with regard to creating sufficient capacity in open reception accommodation for asylum seekers and identification of particularly vulnerable groups such as unaccompanied children***, first reception, and return enhancing the capacity, quality and efficiency of their systems in these areas, as well as measures to ensure

appropriate implementation of this Decision with a view to enable them to better cope, after the end of the applicability of this decision, with a possible increased inflow of migrants on their territories.

Or. en

Amendment 56

Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

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Proposal for a decision

Recital 13

Text proposed by the Commission

(13) At the same time, Italy and Greece should provide structural solutions to address the shortcomings in the functioning of their asylum and migration systems. The measures laid down in this Decision should therefore go hand in hand with the establishment by Italy and Greece of a solid and strategic framework for responding to the crisis situation and intensifying the ongoing reform process in these areas. In this respect, Italy and Greece should each within one month of entry into force of this Decision, present a roadmap to the Commission which should include adequate measures in the area of asylum, first reception **and return** enhancing the capacity, quality and efficiency of their systems in these areas, as well as measures to ensure appropriate implementation of this Decision with a view to enable them to better cope, after the end of the applicability of this decision, with a possible increased inflow of migrants on their territories.

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Or. en

Amendment 57

Tanja Fajon

Proposal for a decision

Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Furthermore calls for a rapid and full transposition and effective implementation of the Common European Asylum System by all participating Member States, thereby ensuring common European standards, including reception conditions for asylum seekers and respect for fundamental rights, as envisaged under existing legislation.

Or. en

Amendment 58

Caterina Chinnici

Proposal for a decision

Recital 14

Text proposed by the Commission

Amendment

(14) The Commission should be entrusted with the power to suspend, where appropriate, the application of this Decision for a limited amount of time where Italy or Greece does not respect their commitments in this regard. ***deleted***

Or. en

Justification

Italy and Greece must certainly address the shortcomings in the functioning of their asylum and migration systems, but it would not be fair to adopt “sanctions” that would damage primarily asylum seekers and refugees.

Amendment 59

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 15

Text proposed by the Commission

(15) If a Member State other than Italy or Greece should be confronted with a similar emergency situation characterised by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, and after consulting the European Parliament, may adopt provisional measures for the benefit of the Member State concerned, in line with Article 78(3) of the Treaty. Such measures may include, where appropriate, a suspension of the obligations of that Member State provided for in this Decision.

Amendment

(15) Considering the on-going instability and conflicts in the immediate neighbourhood of the European Union and the changing nature of migratory flows to take into account that if a Member State other than Italy or Greece should be confronted with a similar emergency situation characterised by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, and after consulting the European Parliament, may adopt provisional measures for the benefit of the Member State concerned, in line with Article 78(3) of the Treaty. Such measures may include, where appropriate, a suspension of the obligations of that Member State provided for in this Decision.

Or. en

Amendment 60

Mariya Gabriel

Proposal for a decision

Recital 15

Text proposed by the Commission

(15) If a Member State other than Italy or Greece should be confronted with a similar emergency situation characterised by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, and after consulting the European Parliament, may adopt

Amendment

(15) If a Member State other than Italy or Greece should be confronted with a similar emergency situation characterised by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, and after consulting the European Parliament, may adopt

provisional measures for the benefit of the Member State concerned, in line with Article 78(3) of the Treaty. Such measures may include, where appropriate, a suspension of the obligations of that Member State provided for in this Decision.

provisional measures for the benefit of the Member State concerned, in line with Article 78(3) of the Treaty. Such measures may include, where appropriate, a suspension of the obligations of that Member State provided for in this Decision. ***Migration routes are extremely flexible and can change rapidly. In 2015, the eastern Mediterranean route from Turkey into Greece has surpassed the central Mediterranean route from North Africa to Italy as the main source of arrivals by sea. The route of the Black Sea from Turkey also registered a 193 % increase in the number of detections of illegal border-crossing in 2014. The Commission must thus closely monitor the situation on a permanent basis so as to introduce the necessary changes as regards Member States' obligation and to adapt to new circumstances.***

Or. en

Amendment 61
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Recital 16

Text proposed by the Commission

(16) In line with Article 78(3) of the Treaty, the measures envisaged for the benefit of Italy and Greece should be of a provisional nature. ***A period of 24 months is reasonable in view of ensuring that the measures provided for in this Decision have a real impact in respect of supporting Italy and Greece to deal with the significant migration flows on their territories.***

Amendment

(16) In line with Article 78(3) of the Treaty, the measures envisaged for the benefit of Italy and Greece should be of a provisional nature.

Or. en

Amendment 62
Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision
Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) Whereas the proposal for emergency relocation mechanism is only one part of a holistic European approach to migration, Whereas it is important to stress that all other parts of the European Agenda on Migration should be implemented and enforced, including addressing the root causes of migration, an effective return policy, fighting human smuggling and trafficking and increased cooperation with third countries of origin and transfer.

Or. en

Amendment 63
Iliana Iotova, Birgit Sippel

Proposal for a decision
Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) The temporary measures for relocation by the Commission are only one part of the future holistic policy on migration by creating legal ways for migration, integration programmes, cooperation with third countries and fighting trafficking.

Or. en

Amendment 64
Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision
Recital 16

Text proposed by the Commission

(16) In line with Article 78(3) of the Treaty, the measures envisaged for the benefit of Italy and Greece should be of a provisional nature. A period of 24 months is reasonable in view of ensuring that the measures provided for in this Decision have a real impact in respect of supporting Italy and Greece to deal with the significant migration flows on their territories.

Amendment

(16) In line with Article 78(3) of the Treaty, the measures envisaged for the benefit of Italy and Greece should be of a provisional nature. A period of 24 months is reasonable in view of ensuring that the measures provided for in this Decision have a real impact in respect of supporting Italy and Greece to deal with the significant migration flows on their territories. ***Following that, an assessment has to be carried out in order to find a viable and permanent solution based on the principle of solidarity.***

Or. en

Amendment 65
Iliana Iotova, Birgit Sippel

Proposal for a decision
Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) In accordance with Article 78(2) of the Treaty the Commission should come up with a proposal for a permanent mechanism for relocation with strictly defined criteria.

Or. en

Amendment 66
Caterina Chinnici, Anna Maria Corazza Bildt, Rachida Dati, Miriam Dalli, Michela Giuffrida, Filiz Hyusmenova, Antonio López-Istúriz White, Barbara Matera, Luigi Morgano, Alessandra Mussolini, Elissavet Vozemberg

Proposal for a decision
Recital 17

Text proposed by the Commission

(17) The measures foreseen in this Decision entail a temporary derogation from the criterion laid down in Article 13(1) of Regulation (EU) No 604/2013 of the European Parliament and of the Council and the procedural steps, including the time limits, laid down in Articles 21, 22 and 29 of that Regulation.

Amendment

(17) The measures foreseen in this Decision entail a temporary derogation from the criterion laid down in Article 13(1) of Regulation (EU) No 604/2013 of the European Parliament and of the Council and the procedural steps, including the time limits, laid down in Articles 21, 22 and 29 of that Regulation. ***Child rights principles and the best interest of the Child should be the primary consideration in all procedures put in place.***

Or. en

Amendment 67

Heinz K. Becker, Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision
Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) The measures foreseen in this Decision entail a temporary derogation from the provisions related to the required consent of applicants laid down in Article 7(2) of Regulation (EU) No 516/2014 of the European Parliament and of the Council establishing the Asylum, Migration and Integration Fund, Article 17(2) of Regulation (EU) No 604/2013 of the Dublin Regulation and Article 5 of the Regulation (EU) No 439/2010 of the European Parliament and of the Council on the establishment of the European Asylum Support Office (EASO).

Or. en

Amendment 68
Marek Jurek, Kazimierz Michał Ujazdowski

Proposal for a decision
Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) Relocating countries should define their own criteria for selecting people for relocation. Countries from which refugees will be resettled, should allow hosting countries practical assistance in the selection and relocation of displaced persons (complying with recital 25) and in preparing for their relocation.

Or. en

Amendment 69
Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision
Recital 18

Text proposed by the Commission

Amendment

(18) A choice had to be made in respect of the criteria to be applied when deciding which and how many applicants are to be relocated from Italy and Greece. A clear and workable system is envisaged based on a threshold of the average rate at Union level of decisions granting international protection in the procedures at first instance as defined by Eurostat out of the total number at Union level of decisions on asylum applications for international protection taken at first instance, based on the latest available statistics. On the one hand, this threshold would have to ensure, to the maximum extent possible, that all applicants who are most likely in need of international protection would be in a position to fully and swiftly enjoy their

(18) A choice had to be made in respect of the criteria to be applied when deciding which and how many applicants are to be relocated from Italy and Greece. A clear and workable system is envisaged based on a threshold of the average rate at Union level of decisions granting international protection in the procedures at first instance as defined by Eurostat out of the total number at Union level of decisions on asylum applications for international protection taken at first instance, based on the latest available statistics. On the one hand, this threshold would have to ensure, to the maximum extent possible, that all applicants who are most likely in need of international protection would be in a position to fully and swiftly enjoy their

protection rights in the Member State of relocation. On the other hand, it would prevent, to the maximum extent possible, applicants who are likely to receive a negative decision to their application from being relocated to another Member State and therefore prolong unduly their stay in the Union. Based on Eurostat data for 2014 first instance decisions, a threshold of 75%, which corresponds in that year to decisions on applications for Syrians and Eritreans, should be used in this Decision.

protection rights in the Member State of relocation. On the other hand, it would prevent, to the maximum extent possible, applicants who are likely to receive a negative decision to their application from being relocated to another Member State and therefore prolong unduly their stay in the Union. Based on Eurostat data for 2014 first instance decisions, a threshold of 75%, which corresponds in that year to decisions on applications for Syrians and Eritreans, should be used in this Decision. ***To take into account the changing nature of migratory flows, the targeted group of beneficiaries for relocation should be assessed on a quarterly basis.***

Or. en

Amendment 70
Iliana Iotova

Proposal for a decision
Recital 18

Text proposed by the Commission

(18) A choice had to be made in respect of the criteria to be applied when deciding which and how many applicants are to be relocated from Italy and Greece. A ***clear and workable*** system is envisaged based on a threshold of the average rate at Union level of decisions granting international protection in the procedures at first instance as defined by Eurostat out of the total number at Union level of decisions on asylum applications for international protection taken at first instance, based on the latest available statistics. On the one hand, this threshold would have to ensure, to the maximum extent possible, that all applicants who are most likely in need of international protection would be in a position to fully and swiftly enjoy their protection rights in the Member State of

Amendment

(18) A choice had to be made in respect of the criteria to be applied when deciding which and how many applicants are to be relocated from Italy and Greece. A system is envisaged based on a threshold of the average rate at Union level of decisions granting international protection in the procedures at first instance as defined by Eurostat out of the total number at Union level of decisions on asylum applications for international protection taken at first instance, based on the latest available statistics. On the one hand, this threshold would have to ensure, to the maximum extent possible, that all applicants who are most likely in need of international protection would be in a position to fully and swiftly enjoy their protection rights in the Member State of relocation. On the

relocation. On the other hand, it would prevent, to the maximum extent possible, applicants who are likely to receive a negative decision to their application from being relocated to another Member State and therefore prolong unduly their stay in the Union. Based on Eurostat data for 2014 first instance decisions, a threshold of 75%, which corresponds in that year to decisions on applications for Syrians and Eritreans, should be used in this Decision.

other hand, it would prevent, to the maximum extent possible, applicants who are likely to receive a negative decision to their application from being relocated to another Member State and therefore prolong unduly their stay in the Union. Based on Eurostat data for 2014 first instance decisions, a threshold of 75%, which corresponds in that year to decisions on applications for Syrians and Eritreans, should be used in this Decision.

Or. en

Amendment 71
Iliana Iotova

Proposal for a decision
Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) In accordance with Article 78(2) of the Treaty the Commission should propose criteria to determine the applicants who will be relocated, as well as the Member States for relocation.

Or. en

Amendment 72
Monika Hohlmeier, Jeroen Lenaers, Roberta Metsola, Elissavet Vozemberg

Proposal for a decision
Recital 19

Text proposed by the Commission

Amendment

(19) The provisional measures are intended to relieve the significant asylum pressure from Italy and Greece, in particular by relocating an important number of applicants in clear need of international

(19) The provisional ***emergency*** measures are intended ***to set up a fair and equitable relocation mechanism, reflecting the specific situation of Member States***, to relieve the significant asylum pressure

protection who have arrived in the territory of Italy and Greece following the date on which this Decision becomes applicable. Based on the overall number of third-country nationals who have entered irregularly Italy and Greece in 2014 and the number of those who are in clear need of international protection, a total of 40 000 applicants in clear need of international protection should be relocated from Italy and Greece. This number corresponds to approximately 40% of the total number of third country nationals in clear need of international protection who have entered irregularly in Italy and Greece in 2014. Thus, the relocation measure proposed in this Decision constitutes fair burden sharing between Italy and Greece on the one hand and the other Member States on the other hand. Based on the same overall available figures in 2014 and in the first four months of 2015 in Italy compared to Greece, 60% of these applicants should be relocated from Italy and 40% from Greece.

from Italy and Greece, in particular by relocating an important number of applicants in clear need of international protection who have arrived in the territory of Italy and Greece following the date on which this Decision becomes applicable. Based on the overall number of third-country nationals who have entered irregularly Italy and Greece in 2014 and the number of those who are in clear need of international protection, a total of 40 000 applicants in clear need of international protection should be relocated from Italy and Greece. This number corresponds to approximately 40% of the total number of third country nationals in clear need of international protection who have entered irregularly in Italy and Greece in 2014. Thus, the relocation measure proposed in this Decision constitutes fair burden sharing between Italy and Greece on the one hand and the other Member States on the other hand. Based on the same overall available figures in 2014 and in the first four months of 2015 in Italy compared to Greece, 60% of these applicants should be relocated from Italy and 40% from Greece. *These provisional emergency measures are intended to relieve the significant asylum pressure from Italy and Greece, but are also an important test case with a view to the upcoming legislative proposal on a permanent emergency relocation scheme based on Article 78(2) TFEU.*

Or. en

Amendment 73

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 19

Text proposed by the Commission

(19) The provisional measures are intended to relieve the significant asylum pressure from Italy and Greece, in particular by relocating an important number of applicants in clear need of international protection who have arrived in the territory of Italy and Greece following the date on which this Decision becomes applicable. Based on the overall number of third-country nationals who have entered irregularly Italy and Greece *in* 2014 and the number of those who are in clear need of international protection, a total of **40 000** applicants in clear need of international protection should be relocated from Italy and Greece. This number corresponds to approximately **40%** of the total number of third country nationals in clear need of international protection who have entered irregularly in Italy and Greece *in* 2014. Thus, the relocation measure proposed in this Decision constitutes fair burden sharing between Italy and Greece on the one hand and the other Member States on the other hand. Based on the *same overall* available figures *in* 2014 *and in the first four months of 2015 in Italy compared to Greece*, **60%** of these applicants should be relocated from Italy and **40%** from Greece.

Amendment

(19) The provisional measures are intended to relieve the significant asylum pressure from Italy and Greece, in particular by relocating an important number of applicants in clear need of international protection who have arrived in the territory of Italy and Greece following the date on which this Decision becomes applicable. Based on the overall number of third-country nationals who have entered irregularly Italy and Greece *since January* 2014 and the number of those who are in clear need of international protection, a total of **75 000** applicants in clear need of international protection should be relocated from Italy and Greece. This number corresponds to approximately **60%** of the total number of third country nationals in clear need of international protection who have entered irregularly in Italy and Greece *since January* 2014. Thus, the relocation measure proposed in this Decision constitutes fair burden sharing between Italy and Greece on the one hand and the other Member States on the other hand. Based on the available figures *since* 2014 *and taking into account the shift since 2015 of refugee flows to Greece and the actual reception capacity in each country*, **50%** of these applicants should be relocated from Italy and **50%** from Greece.

Or. en

Amendment 74

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 19

Text proposed by the Commission

(19) The provisional measures are intended

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Amendment

(19) The provisional measures are intended

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to relieve the significant asylum pressure from Italy and Greece, in particular by relocating an important number of applicants in clear need of international protection who have arrived in the territory of Italy and Greece following the date on which this Decision becomes applicable. Based on the overall number of third-country nationals who have entered irregularly Italy and Greece in 2014 and the number of those who are in clear need of international protection, a total of 40 000 applicants in clear need of international protection should be relocated from Italy and Greece. This number corresponds to approximately 40% of the total number of third country nationals in clear need of international protection who have entered irregularly in Italy and Greece in 2014. Thus, the relocation measure proposed in this Decision constitutes fair **burden** sharing between Italy and Greece on the one hand and the other Member States on the other hand. Based on the same overall available figures in 2014 and in the first four months of 2015 in Italy compared to Greece, 60% of these applicants should be relocated from Italy and 40% from Greece.

to relieve the significant asylum pressure from Italy and Greece, in particular by relocating an important number of applicants in clear need of international protection who have arrived in the territory of Italy and Greece following the date on which this Decision becomes applicable. Based on the overall number of third-country nationals who have entered irregularly Italy and Greece in 2014 and the number of those who are in clear need of international protection, a total of 40 000 applicants in clear need of international protection should be relocated from Italy and Greece. This number corresponds to approximately 40% of the total number of third country nationals in clear need of international protection who have entered irregularly in Italy and Greece in 2014. Thus, the relocation measure proposed in this Decision constitutes **fair sharing of responsibility** between Italy and Greece on the one hand and the other Member States on the other hand. Based on the same overall available figures in 2014 and in the first four months of 2015 in Italy compared to Greece, 60% of these applicants should be relocated from Italy and 40% from Greece.

Or. en

Amendment 75
Barbara Matera

Proposal for a decision
Recital 19

Text proposed by the Commission

(19) The provisional measures are intended to relieve the significant asylum pressure from Italy and Greece, in particular by relocating **an important** number of applicants in clear need of international protection who have arrived in the territory

Amendment

(19) The provisional measures are intended to relieve the significant **and unmanageable** asylum pressure from Italy and Greece, in particular by relocating **a significant** number of applicants in clear need of international protection who have

of Italy and Greece following the date on which this Decision becomes applicable. Based on the overall number of third-country nationals who have entered irregularly Italy and Greece *in* 2014 and the number of those who are in clear need of international protection, a total of **40 000** applicants in clear need of international protection should be relocated from Italy and Greece. This number corresponds to approximately 40% of the total number of third country nationals in clear need of international protection who have entered irregularly in Italy and Greece *in* 2014. Thus, the relocation measure proposed in this Decision constitutes fair burden sharing between Italy and Greece on the one hand and the other Member States on the other hand. Based on the same overall available figures in 2014 and in the first four months of 2015 in Italy compared to Greece, 60% of these applicants should be relocated from Italy and 40% from Greece.

arrived in the territory of Italy and Greece following the date on which this Decision becomes applicable. Based on the overall number of third-country nationals who have entered irregularly Italy and Greece *since January* 2014 and the number of those who are in clear need of international protection, a total of **50 000** applicants in clear need of international protection should be *urgently* relocated from Italy and Greece. This number corresponds to approximately 40% of the total number of third country nationals in clear need of international protection who have entered irregularly in Italy and Greece *since January* 2014. Thus, the relocation measure proposed in this Decision constitutes fair burden sharing between Italy and Greece on the one hand and the other Member States on the other hand, *on the basis of the solidarity principle*. Based on the same overall available figures in 2014 and in the first four months of 2015 in Italy compared to Greece, 60% of these applicants should be relocated from Italy and 40% from Greece.

Or. en

Amendment 76

Marek Jurek, Kazimierz Michał Ujazdowski

Proposal for a decision

Recital 19

Text proposed by the Commission

(19) The provisional measures are intended to relieve the significant asylum pressure from Italy and Greece, in particular by relocating an important number of applicants in clear need of international protection who have arrived in the territory of Italy and Greece following the date on which this Decision becomes applicable. Based on the overall number of third-

Amendment

(19) The provisional measures are intended to relieve the significant asylum pressure from Italy and Greece, in particular by relocating an important number of applicants in clear need of international protection who have arrived in the territory of Italy and Greece following the date on which this Decision becomes applicable. Based on the overall number of third-

country nationals who have entered irregularly Italy and Greece in 2014 and the number of those who are in clear need of international protection, a total **of 40 000** applicants in clear need of international protection should be relocated from Italy and Greece. This number corresponds to approximately 40% of the total number of third country nationals in clear need of international protection who have entered irregularly in Italy and Greece in 2014. Thus, the relocation measure proposed in this Decision constitutes fair burden sharing between Italy and Greece on the one hand and the other Member States on the other hand. Based on the same overall available figures in 2014 and in the first four months of 2015 in Italy compared to Greece, 60% of these applicants should be relocated from Italy and 40% from Greece.

country nationals who have entered irregularly Italy and Greece in 2014 and the number of those who are in clear need of international protection, a total **of 20 000** applicants in clear need of international protection should be relocated from Italy and Greece. This number corresponds to approximately 40% of the total number of third country nationals in clear need of international protection who have entered irregularly in Italy and Greece in 2014. Thus, the relocation measure proposed in this Decision constitutes fair burden sharing between Italy and Greece on the one hand and the other Member States on the other hand. Based on the same overall available figures in 2014 and in the first four months of 2015 in Italy compared to Greece, 60% of these applicants should be relocated from Italy and 40% from Greece.

Or. en

Amendment 77 **Helga Stevens**

Proposal for a decision **Recital 20**

Text proposed by the Commission

(20) In line with the Annex to the Communication from the Commission on the European Agenda on Migration , the proposed distribution key should be based on a) the size of the population (**40% weighting**), b) the total of the GDP (**40% weighting**), c) the average number of spontaneous asylum applications and the number of resettled refugees per one million inhabitants over the period 2010-2014 (**10% weighting**) and d) the unemployment rate (**10% weighting**). The distribution keys set out in Annex I and Annex II of this Decision take into account

Amendment

(20) In line with the Annex to the Communication from the Commission on the European Agenda on Migration , the proposed distribution key should be based on a) the size of the population, b) the total of the GDP, c) the average number of spontaneous asylum applications and the number of resettled refugees, **including by use of national humanitarian visas**, per one million inhabitants over the period 2010-2015 and d) the unemployment rate, **with a weighing of minimum 25% for c)**. The distribution keys set out in Annex I and Annex II of this Decision take into

the fact that the Member States from which relocation will take place should not themselves contribute as a Member State of relocation.

account the fact that the Member States from which relocation will take place should not themselves contribute as a Member State of relocation.

Or. en

Justification

It is unacceptable that only a 10% weighing would be allocated to past efforts by Member States in voluntarily taking in refugees. Every region has an absorption capacity, which is not being taken into account with the current wording. It is also a grave oversight that resettlement would be taken into account, but the issuing of national humanitarian visas is not mentioned. There finally is no need to exclude national efforts in 2015.

Amendment 78 **Artis Pabriks**

Proposal for a decision **Recital 20**

Text proposed by the Commission

(20) In line with the Annex to the Communication from the Commission on the European Agenda on Migration¹, the proposed distribution key should be based on a) the size of the population (40% weighting), b) the total of the GDP (40% weighting), c) the average number of spontaneous asylum applications and the number of resettled refugees per one million inhabitants over the period 2010-2014 (10% weighting) and d) the unemployment rate (10% weighting). The distribution keys set out in Annex I and Annex II of this Decision take into account the fact that the Member States from which relocation will take place should not themselves contribute as a Member State of relocation.

Amendment

(20) In line with the Annex to the Communication from the Commission on the European Agenda on Migration¹, the proposed distribution key should be based on a) the size of the population (40% weighting), b) the total of the GDP (40% weighting), c) the average number of spontaneous asylum applications and the number of resettled refugees per one million inhabitants over the period 2010-2014 (10% weighting) and d) the unemployment rate (10% weighting). ***In addition, taking into account the complexity of the issue, other elements of the distribution key should include Member State specific conditions, such as the number of migrants already in the Member State and historic immigration.*** The distribution keys set out in Annex I and Annex II of this Decision take into account the fact that the Member States from which relocation will take place

should not themselves contribute as a Member State of relocation.

¹ COM (2015) 240 final.

¹ COM (2015) 240 final.

Or. en

Amendment 79

Iliana Iotova

Proposal for a decision

Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) When drafting the permanent mechanism for relocation under Article 78(2) of the Treaty, the Commission should include the territory of a Member State as a criterion for determining the distribution key of migrants.

Or. en

Amendment 80

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 21

Text proposed by the Commission

Amendment

The Asylum, Migration and Integration Fund (AMIF) set up by Regulation (EU) No 516/2014 of the European Parliament and of the Council¹ provides support to burden-sharing operations agreed between Member States and is open to new policy developments in that field. Article 7(2) of Regulation (EU) No 516/2014 foresees the possibility for Member States to implement actions related to the transfer of applicants for international protection as part of their national programmes, while Article 18 of

(21) The Asylum, Migration and Integration Fund (AMIF) set up by Regulation (EU) No 516/2014 of the European Parliament and of the Council¹ provides support to ***the fair sharing of responsibility*** operations agreed between Member States and is open to new policy developments in that field. Article 7(2) of Regulation (EU) No 516/2014 foresees the possibility for Member States to implement actions related to the transfer of applicants for international protection as part of their

Regulation (EU) No 516/2014 foresees the possibility of a lump sum of EUR 6 000 for the transfer of beneficiaries of international protection from another Member State.

¹ Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p.168).

national programmes, while Article 18 of Regulation (EU) No 516/2014 foresees the possibility of a lump sum of EUR 6 000 for the transfer of beneficiaries of international protection from another Member State

¹ Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p.168).

Or. en

Amendment 81
Iliana Iotova

Proposal for a decision
Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) The Commission should control the spending of the sum of EUR 6000 for the relocation of each applicant.

Or. en

Amendment 82
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Recital 24

Text proposed by the Commission

Amendment

(24) National security and public order should be taken into consideration throughout the relocation procedure, ***until***

(24) National security and public order should be taken into consideration

the transfer of the applicant is implemented.

throughout the relocation procedure.

Or. en

Amendment 83
Iliana Iotova

Proposal for a decision
Recital 24

Text proposed by the Commission

(24) National security and public order **should be taken into consideration** throughout the relocation procedure, until the transfer **of the applicant** is implemented.

Amendment

(24) **Guaranteeing the** national security and public order **in Greece and Italy, as well as in all other Member States is of an utmost importance** throughout the relocation procedure **of the applicant**, until the transfer is implemented. **It is essential to strengthen and further develop the cooperation between the European and national law enforcement agencies when screening and identifying the applicants.**

Or. en

Amendment 84
Barbara Matera

Proposal for a decision
Recital 25

Text proposed by the Commission

(25) When deciding which applicants in clear need of international protection should be relocated from Italy and Greece, priority should be given to vulnerable applicants within the meaning of Article 22 of Directive 2013/33/EU of the European Parliament and of the Council¹⁰. In this respect, special needs of applicants, including health, should be of primary

Amendment

(25) When deciding which applicants in clear need of international protection should be relocated from Italy and Greece, priority should be given to vulnerable applicants, **children for instance**, within the meaning of **Articles 21 and 22** of Directive 2013/33/EU of the European Parliament and of the Council¹⁰. In this respect, special needs of applicants,

concern. The best interests of the child should always be a primary consideration.

¹⁰ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p.96).

including health, should be of primary concern. The best interests of the child should always be a primary consideration.

¹⁰ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p.96).

Or. en

Amendment 85

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 25

Text proposed by the Commission

(25) When deciding which applicants in clear need of international protection should be relocated from Italy and Greece, priority should be given to vulnerable applicants within the meaning of Article 22 of Directive 2013/33/EU of the European Parliament and of the Council¹⁰. In this respect, special needs of applicants, including health, should be of primary concern. The best interests of the child should always be a primary consideration.

Amendment

(25) When deciding which applicants in clear need of international protection should be relocated from Italy and Greece, priority should be given to vulnerable applicants within the meaning of Article 22 of Directive 2013/33/EU of the European Parliament and of the Council¹⁰. ***In order to take into account the specific situation of vulnerable persons, Member States have a duty under the recast Reception Conditions Directive and recast Asylum Procedures Directive to conduct an individual evaluation of the vulnerabilities of individuals in terms of their special reception needs and procedural needs. Therefore, Member States must take active steps to assess the individual needs of asylum seekers and cannot rely solely on an asylum seeker's self-identification to effectively guarantee her rights under EU law.*** In this respect, special needs of applicants, including health, should be of primary concern. The best interests of the child should always be a primary consideration.

¹⁰ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p.96).

¹⁰ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p.96).

Or. en

Amendment 86
Caterina Chinnici

Proposal for a decision
Recital 25

Text proposed by the Commission

(25) When deciding which applicants in clear need of international protection should be relocated from Italy and Greece, priority should be given to vulnerable applicants within the meaning of **Article 22** of Directive 2013/33/EU of the European Parliament and of the Council¹⁰. In this respect, special needs of applicants, including health, should be of primary concern. The best interests of the child should always be a primary consideration.

¹⁰ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p.96).

Amendment

(25) When deciding which applicants in clear need of international protection should be relocated from Italy and Greece, priority should be given to vulnerable applicants within the meaning of **Articles 21 and 22** of Directive 2013/33/EU of the European Parliament and of the Council¹⁰. In this respect, special needs of applicants, including health, should be of primary concern. The best interests of the child should always be a primary consideration; ***the application of this Decision shall not compromise the level of protection resulting from the judgment of the Court of Justice of 6 June 2013, Case C-648/11.***

¹⁰ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p.96).

Or. en

Amendment 87
Tanja Fajon, Kashetu Kyenge

Proposal for a decision
Recital 25

Text proposed by the Commission

(25) When deciding which applicants in clear need of international protection should be relocated from Italy and Greece, priority should be given to vulnerable applicants within the meaning of Article 22 of Directive 2013/33/EU of the European Parliament and of the Council¹⁰. In this respect, special needs of applicants, including health, should be of primary concern. The best interests of the child should always be a primary consideration.

¹⁰ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p.96).

Amendment

(25) When deciding which applicants in clear need of international protection should be relocated from Italy and Greece, priority should be given to vulnerable applicants, **and among those special attention should be given to unaccompanied children**, within the meaning of Article 22 of Directive 2013/33/EU of the European Parliament and of the Council¹⁰. In this respect, special needs of applicants, including health, should be of primary concern. The best interests of the child should always be a primary consideration, **including their full access to child-rights Organizations**.
¹⁰ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p.96).

Or. en

Amendment 88
Kostas Chrysogonos, Ska Keller, Angelika Mlinar

Proposal for a decision
Recital 25

Text proposed by the Commission

(25) When deciding which applicants in clear need of international protection should be relocated from Italy and Greece, priority should be given to vulnerable applicants within the meaning of **Article 22** of Directive 2013/33/EU of the European Parliament and of the Council¹⁰. In this

Amendment

(25) When deciding which applicants in clear need of international protection should be relocated from Italy and Greece, priority should be given to vulnerable applicants **and among those special attention should be given to unaccompanied children**, within the

respect, special needs of applicants, including health, should be of primary concern. The best interests of the child should always be a primary consideration.

10 Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p.96).

meaning of **Articles 21 and 22** of Directive 2013/33/EU of the European Parliament and of the Council¹⁰. In this respect, special needs of applicants, including health, should be of primary concern. The best interests of the child should always be a primary consideration.

10 Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (OJ L 180, 29.6.2013, p.96).

Or. en

Amendment 89
Timothy Kirkhope

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Proposal for a decision
Recital 26

Text proposed by the Commission

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to the specific qualifications of the applicants concerned which could facilitate their integration into the Member State of relocation, such as their language skills. In the case of particularly vulnerable applicants, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants.

Amendment

deleted

Or. en

Amendment 90
Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision

Recital 26

Text proposed by the Commission

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to the specific qualifications of the applicants concerned which could facilitate their integration into the Member State of relocation, such as their language skills. In the case of particularly vulnerable applicants, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants.

Amendment

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to the ***preferences and*** specific qualifications of the applicants concerned which could facilitate their integration into the Member State of relocation, such as their language skills and ***family ties beyond the definition of family members in Regulation (EU) No 604/2013, social relations, previous stay in a Member State, previous study and previous work experience with a company or an organisation of a specific Member State***. In the case of particularly vulnerable applicants, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants. ***While applicants do not have a right to choose the Member State of their relocation, their needs, preferences and specific qualification should be taken into account to the extent possible.***

Or. en

Amendment 91

Caterina Chinnici, Anna Maria Corazza Bildt, Rachida Dati, Miriam Dalli, Michela Giuffrida, Antonio López-Istúriz White, Barbara Matera, Luigi Morgano, Alessandra Mussolini, Elissavet Vozemberg

Proposal for a decision

Recital 26

Text proposed by the Commission

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to the specific

Amendment

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to the specific

qualifications of the applicants concerned which could facilitate their integration into the Member State of relocation, such as their language skills. In the case of particularly vulnerable applicants, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants.

qualifications of the applicants concerned which could facilitate their integration into the Member State of relocation, such as their language skills. In the case of particularly vulnerable applicants, ***and particularly in the case of unaccompanied minors***, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants.

Or. en

Amendment 92

Carlos Coelho, Anna Maria Corazza Bildt, Barbara Matera, Elissavet Vozemberg

Proposal for a decision

Recital 26

Text proposed by the Commission

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to the specific qualifications of the applicants concerned which could facilitate their integration into the Member State of relocation, such as their language skills. In the case of particularly vulnerable applicants, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants.

Amendment

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to the specific qualifications of the applicants concerned which could facilitate their integration into the Member State of relocation, such as their language skills ***and other specific competences and skills that could be relevant for the labour market of the Member State of relocation. Member States should therefore facilitate an effective recognition of diplomas, qualifications and skills of asylum seekers***. In the case of particularly vulnerable applicants, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants.

Or. en

Amendment 93

Iliana Iotova

Proposal for a decision

Recital 26

Text proposed by the Commission

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to ***the specific qualifications of the applicants concerned which could facilitate their integration into the Member State of relocation, such as their language skills***. In the case of particularly vulnerable applicants, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants.

Amendment

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to ***cultural and linguistic ties, social-economical conditions and the needs of the Member State of relocation including the provisions of the Regulation EU (604/2013), as well as broader family ties, going outside the scope of this Regulation. All this should facilitate the integration of the asylum seekers. Where appropriate, their own preferences should be taken into account***. In the case of particularly vulnerable applicants, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants.

Or. en

Amendment 94

Malin Björk, Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 26

Text proposed by the Commission

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to the specific qualifications of the applicants concerned which could facilitate their integration into the Member State of relocation, such as

Amendment

(26) In addition, in order to decide which specific Member State should be the Member State of relocation, specific account should be given to the preferences and specific qualifications of the applicants concerned which could facilitate their integration into the Member State of

their language skills. In the case of particularly vulnerable applicants, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants.

relocation, such as their language skills, ***family ties beyond the definition of family members in Regulation (EU) No 604/2013, social relations, previous stay in a Member State, previous study and previous work experience with a company or an organisation of a specific Member State.*** In the case of particularly vulnerable applicants, consideration should be given to the capacity of the Member State of relocation to provide adequate support to those applicants. ***Applicant's needs, preferences and specific qualification should be taken into account to the fullest extent possible.***

Or. en

Amendment 95
Kostas Chrysogonos, Ska Keller, Angelika Mlinar

Proposal for a decision
Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) A core lesson to be learned from the pilot project on relocation from Malta (EUREMA) is that expectations and preferences should be managed properly. As an initial step, applicants should be given the possibility to express their preferences. They should rank five Member States among the Member States by order of preference and support their preferences by elements such as family ties, social ties and cultural ties such as language skills, previous stay, previous studies and previous work experience. This should take place in the course of the initial processing. As a second step, the respective Member States should be informed about the applicants' preferences. They then should be given the possibility to indicate their preferences for applicants among those applicants

who had expressed their preference for the Member State concerned. Member States should support their preferences by aspects such as family, social and cultural ties. Liaison officers appointed by Member States could facilitate the procedure by conducting interviews with the respective applicants. Applicants should also have the possibility to consult with other actors such as NGOs, United Nations High Commissioner for Refugees (UNHCR) and International Organization for Migration. In particular, unaccompanied children should have access to child-rights organizations. Finally, Italy and Greece, with the assistance of EASO, should take a decision to relocate each of the applicants to a specific Member State by taking the preferences as much as possible into account. UNHCR should be consulted on their best practices developed in resettlement including on the management of preferences and specific qualifications.

Or. en

Amendment 96

Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision

Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) Secondary movements can be avoided and integration is facilitated when applicants can rely on social relations such as family ties or ties to ethnic and cultural communities, if they speak a language common in the Member State, if they previously have stayed in the Member State or had relations with companies or organizations of that Member State or if they have other

qualifications which facilitate their social, economic or cultural inclusion.

Or. en

Amendment 97

Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision

Recital 26 b (new)

Text proposed by the Commission

Amendment

(26b) Based on the lessons-learned from the pilot project on relocation from Malta (EUREMA), expectations and preferences should where possible be taken into consideration.

Or. en

Amendment 98

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 26 b (new)

Text proposed by the Commission

Amendment

(26b) To avoid the failures of the pilot project on relocation from Malta (EUREMA), expectations and preferences should be managed properly. As an initial step, applicants should be given the possibility to express their preferences. They should rank five Member States among the Member States by order of preference and support their preferences by elements such as family ties, social ties and cultural ties such as language skills, previous stay, previous studies and previous work experience. This should take place in the course of the initial

processing. As a second step, the respective Member States should be informed about the applicants' preferences. The Member States should then be given the possibility to indicate their preferences for applicants among those applicants who had expressed their preference for the Member State concerned. Member States should support their preferences by aspects such as family, social and cultural ties. Liaison officers appointed by Member States could facilitate the procedure by conducting interviews with the respective applicants. Applicants should also have the possibility to consult with other actors such as NGOs, United Nations High Commissioner for Refugees (UNHCR) and International Organization for Migration. Finally, Italy and Greece, with the assistance of EASO, should take a decision to relocate each of the applicants to a specific Member State by taking their preferences into account to the fullest extent possible. UNHCR should be consulted on their best practices developed in resettlement.

Or. en

Amendment 99

Malin Björk, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 26 c (new)

Text proposed by the Commission

Amendment

(26c) The preferences of asylum seekers should become the primary criteria on which relocation decisions shall be based.

Or. en

Amendment 100
Barbara Matera

Proposal for a decision
Recital 26 c (new)

Text proposed by the Commission

Amendment

The principle of non-discrimination laid down in Article 10 of the Treaty on the Functioning of the European Union should be fully respected during the whole relocation procedure. Discrimination on grounds of sex, age, ethnicity, disabilities and religion is a clear violation of the Treaty.

Or. en

Amendment 101
Lorenzo Fontana

Proposal for a decision
Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) Applicants can ask to choose the Member State of their relocation and this preference has to be taken into account to the extent possible.

Or. en

Amendment 102
Iliana Iotova, Birgit Sippel

Proposal for a decision
Recital 27

Text proposed by the Commission

(27) The appointment by Member States of liaison officers in Italy and Greece should facilitate the effective implementation of the relocation procedure, including the appropriate identification of the applicants to be relocated, taking into account in particular their vulnerability and qualifications.

Amendment

(27) The appointment by Member States of liaison officers in Italy and Greece should facilitate the effective implementation of the relocation procedure, including the appropriate identification of the applicants to be relocated, taking into account in particular their vulnerability and qualifications *and, as far as possible, their preferences.*

Or. en

Amendment 103

Malin Björk, Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Recital 27

Text proposed by the Commission

(27) The appointment by Member States of liaison officers in Italy and Greece should facilitate the effective implementation of the relocation procedure, including the appropriate identification of the applicants to be relocated, taking into account in particular their vulnerability and qualifications.

Amendment

(27) The appointment by Member States of liaison officers in Italy and Greece should facilitate the effective implementation of the relocation procedure, including the appropriate identification of the applicants to be relocated, *in full respect of the persons' right to human dignity without recourse to any coercion or detention measures;* taking into account in particular their vulnerability, *preferences,* and qualifications.

Or. en

Amendment 104

Carlos Coelho, Anna Maria Corazza Bildt, Barbara Matera, Elissavet Vozemberg

Proposal for a decision

Recital 27

Text proposed by the Commission

(27) The appointment by Member States of liaison officers in Italy and Greece should facilitate the effective implementation of the relocation procedure, including the appropriate identification of the applicants to be relocated, taking into account in particular their vulnerability and qualifications.

Amendment

(27) The appointment by Member States of liaison officers in Italy and Greece should facilitate the effective implementation of the relocation procedure, including the appropriate identification of the applicants to be relocated, taking into account in particular their vulnerability and ***their specific*** qualifications ***and skills***.

Or. en

Amendment 105

Barbara Matera

Proposal for a decision

Recital 28

Text proposed by the Commission

(28) The legal and procedural safeguards set out in Regulation (EU) No 604/2013 remain applicable in respect of applicants covered by this Decision. In addition, applicants should be informed of the relocation procedure set out in this Decision and notified with the relocation decision. ***Considering that an applicant does not have the right under EU law to choose the Member State responsible for his/her application***, the applicant, should have the right to an effective remedy against the relocation decision in line with Regulation (EU) No 604/2013, only in view of ensuring respect of his/her fundamental rights.

Amendment

(28) The legal and procedural safeguards set out in Regulation (EU) No 604/2013 remain applicable in respect of applicants covered by this Decision. In addition, applicants should be informed of the relocation procedure set out in this Decision and notified with the relocation decision, ***as recalled by Article 33 of the International Migration Convention***. The applicant should have the right to an effective remedy against the relocation decision in line with Regulation (EU) No 604/2013, only in view of ensuring respect of his/her fundamental rights.

Or. en

Amendment 106

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision
Recital 29 a (new)

Text proposed by the Commission

Amendment

(29a) Whereas Court rulings both at European and national level have highlighted the flaws in the Regulation (EU) No 603/2013.

Or. en

Amendment 107
Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision
Recital 30

Text proposed by the Commission

Amendment

(30) Measures should be taken in order to avoid secondary movements of relocated persons from the Member State of relocation to other Member States. In particular, applicants should be informed of the consequences of onward movement within the Member States and of the fact that, if the Member State of relocation grants them international protection, in principle, they are only entitled to the rights attached to international protection in that Member State.

(30) Measures should be taken in order to avoid secondary movements of relocated persons from the Member State of relocation to other Member States. ***Taking the preferences of applicants, including family ties beyond the provisions regarding family in Regulation (EU) No 604/2013, social and cultural ties, as much as possible into account is a straightforward measure for applicants to develop a sense of belonging to the Member State of relocation. Applicants should be provided with all necessary information in a language they understand or are reasonably supposed to understand about their destination and, in case their preference could not be fully taken into account, of the reasons for this. Although desirable, consent of applicants is not required, provided that fundamental rights of the applicant are guaranteed. In addition, applicants should be informed of the consequences of onward movement within the Member States as provided for in Article 4 of Regulation (EU) No***

604/2013 and of the fact that, if the Member State of relocation grants them international protection, in principle, they are only entitled to the rights attached to international protection in that Member State.

Or. en

Amendment 108
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Recital 30

Text proposed by the Commission

(30) Measures should be taken in order to avoid secondary movements of relocated persons from the Member State of relocation to other Member States. In particular, applicants should be informed of the consequences of onward movement within the Member States and of the fact that, if the Member State of relocation grants them international protection, *in principle*, they are only entitled to the rights attached to international protection in that Member State.

Amendment

(30) Measures should be taken in order to avoid secondary movements of relocated persons from the Member State of relocation to other Member States. In particular, applicants should be informed of the consequences of onward movement within the Member States and of the fact that, if the Member State of relocation grants them international protection, they are only entitled to the rights attached to international protection in that Member State.

Or. en

Amendment 109
Kostas Chrysogonos, Ska Keller, Angelika Mlinar, Birgit Sippel

Proposal for a decision
Recital 30 a (new)

Text proposed by the Commission

Amendment

(30a) Consent of applicants or beneficiaries of international protection to relocation is an established principle in

EU law, enshrined in Article 7(2) of Regulation (EU) No 516/2014 and by analogy in Article 5 of Regulation (EU) No 439/2010 of the European Parliament and of the Council on the establishment of the European Asylum Support Office (EASO) and in Article 17(2) of Regulation (EU) No 604/2013, in case of use of the discretionary clauses in the Dublin procedure. According to Article 10 of this Decision, Regulation (EU) No 516/2014 is fully applicable to this Decision. Consent is of particular importance in case the preferences of an applicant cannot be taken into account. If applicants would be transferred to another Member State against their will, secondary movement is a likely consequence. Therefore, in this case, the person should not be relocated but instead another person should get the opportunity to be transferred to the respective Member State. Since the number of applicants eligible for relocation is significantly higher than the places available for relocation, a shortage of applicants for relocation will not occur. In addition, refusal to be relocated is expected to be rare due to the high incentives for applicants to participate in relocation, as, even in case of relocation to a Member State not belonging to his or her preferences, it would allow for quick integration opportunities in another Member State with reception capacity and high standard reception conditions readily available.

Or. en

Justification

Amendment 110
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Recital 31

Text proposed by the Commission

(31) *Since the objectives of this Decision cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the action, be better achieved at Union level,* the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve that objective.

Amendment

(31) The Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve that objective.

Or. en

Amendment 111

Carlos Coelho, Anna Maria Corazza Bildt, Barbara Matera, Elissavet Vozemberg

Proposal for a decision
Article 1

Text proposed by the Commission

This Decision establishes provisional measures in the area of international protection for the benefit of Italy and Greece in view of enabling them to cope with an emergency situation characterised by a sudden inflow of nationals of third countries in those Member States.

Amendment

This Decision establishes ***binding*** provisional measures in the area of international protection for the benefit of Italy and Greece in view of enabling them to cope with an emergency situation characterised by a sudden inflow of nationals of third countries in those Member States.

Or. en

Amendment 112

Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision
Article 1

Text proposed by the Commission

This Decision establishes provisional measures in the area of international protection for the benefit of Italy and Greece in view of enabling them to cope with an emergency situation characterised by a sudden inflow of nationals of third countries in those Member States.

Amendment

This Decision establishes provisional **emergency** measures in the area of international protection for the benefit of Italy and Greece in view of enabling them to cope with an emergency situation characterised by a sudden inflow of nationals of third countries in those Member States.

Or. en

Amendment 113
Kati Piri

Proposal for a decision
Article 1

Text proposed by the Commission

This Decision establishes provisional measures in the area of international protection for the benefit of Italy and Greece in view of enabling them to cope with an emergency situation characterised by a sudden inflow of nationals of third countries in those Member States.

Amendment

This Decision establishes provisional measures in the area of international protection for the benefit of Italy and Greece in view of enabling them to cope with an emergency situation characterised by a sudden inflow of nationals of third countries **or stateless persons** in those Member States.

Or. en

Justification

As an applicant, defined under Article 2(b), can also be a stateless person. Hence, the emergency relocation system should also be available in the case of a sudden inflow of stateless persons.

Amendment 114
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Article 2 – point b

Text proposed by the Commission

(b) ‘applicant’ means a third-country national or a stateless person who has made an application for international protection in respect of which a final decision has not yet been taken;

Amendment

(b) ‘applicant’ means a third-country national or a stateless person who has made an application for international protection in respect of which a final decision has not yet been taken *of Article 2 (i) of Directive 2011/95/EU*.

Or. en

Amendment 115
Tanja Fajon, Kashetu Kyenge

Proposal for a decision
Article 2 – point d

Text proposed by the Commission

(d) ‘family members’ means family members as defined in point (g) of Article 2 of Regulation (EU) No 604/2013 of the European Parliament and of the Council;

Amendment

(d) ‘close relatives’ means the spouse, children, parents, persons exercising parental authority, grandparents and grandchildren;

(Horizontal amendment. If adopted, applies throughout the text.)

Or. en

Justification

The definition of ‘close relative’ is wider than the one of ‘family members’ according to the Article 2 of Regulation 604/2013 and therefore more appropriate.

Amendment 116
Lorenzo Fontana

Proposal for a decision
Article 2 – point e

Text proposed by the Commission

(e) ‘relocation’ means the transfer of an applicant from the *territory of the Member State which the criteria laid down in Chapter III of Regulation (EU) No 604/2013 indicate as responsible for examining his application for international protection* to the territory of the Member State of relocation;

Amendment

(e) ‘relocation’ means the transfer of an applicant from the *Member State territory of arrival* to the territory of the Member State of relocation;

Or. en

Amendment 117
Pál Csáky, Artis Pabriks, Tomáš Zdechovský

Proposal for a decision
Article 3 – paragraph 1

Text proposed by the Commission

1. Relocation shall only take place in respect of applicants whose applications for international protection shall in principle be examined by Italy and Greece pursuant to the criteria for determining the Member State responsible set out in Chapter III of Regulation (EU) No 604/2013.

Amendment

1. Relocation shall only take place *on voluntary basis* in respect of applicants whose applications for international protection shall in principle be examined by Italy and Greece pursuant to the criteria for determining the Member State responsible set out in Chapter III of Regulation (EU) No 604/2013.

Or. en

Amendment 118
Caterina Chinnici

Proposal for a decision
Article 3 – paragraph 2

Text proposed by the Commission

2. Relocation pursuant to this Decision shall **only** be applied in respect of applicants belonging to nationalities for which, according to the latest available EU-wide average Eurostat data, the proportion of decisions granting international protection among decisions taken at first instance on applications for international protection as referred to in Chapter III of Directive 2013/13/EU is 75% or higher. In the case of stateless persons, the country of former habitual residence shall be taken into account.

Amendment

2. Relocation pursuant to this Decision shall **primarily** be applied in respect of applicants belonging to nationalities for which, according to the latest available EU-wide average Eurostat data, the proportion of decisions granting international protection among decisions taken at first instance on applications for international protection as referred to in Chapter III of Directive 2013/13/EU is 75% or higher. In the case of stateless persons, the country of former habitual residence shall be taken into account.

Or. en

Justification

Although the use of generalizations and presumptions may be useful for practical reasons, a strict limitation of the application of this Decision solely on the basis of the nationality of applicants (in connection with statistical thresholds) seems incorrect. This could lead to real discrimination. The proposed amendment seems a good compromise because it leaves the criteria proposed by the Commission in the foreground, but also introduces the possibility of relocating exceptionally other people if necessary to avoid situations that would be unacceptable from a practical and legal point of view.

Amendment 119

Timothy Kirkhope, Helga Stevens

Proposal for a decision

Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The purpose of this Directive shall be dependent upon Italy and Greece fulfilling its obligations to implement effective processing of those seeking international protection, carrying out swift and effective returns operations, and ensuring detention condition are in line with EU fundamental rights and EU law.

Amendment 120

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Given the changing nature of migratory flows, the targeted group of beneficiaries for relocation should be assessed on a quarterly basis.

Or. en

Amendment 121

Miltiadis Kyrkos, Iliana Iotova

Proposal for a decision

Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. It is necessary to include a review clause at the end of the first year of implementation.

Or. en

Justification

Given the emergency of the situation, and the geopolitical instability in the wider neighborhood, it is absolutely necessary to assess the evolution of the emergency situation so to take possible measures and make adequate adjustments.

Amendment 122

Lorenzo Fontana

Proposal for a decision

Article 4

Text proposed by the Commission

Amendment

Article 4

deleted

Distribution key

1. 24 000 applicants shall be relocated from Italy to the territory of the other Member States as set out in Annex I.

2. 16 000 applicants shall be relocated from Greece to the territory of the other Member States as set out in Annex II.

Or. en

Justification

We don't accept to have a limit of numbers of applicants that shall be relocated from Italy and Greece to the territory of the other Member States if for Italy and Greece there is no limits for the refugees that can arrive there.

Amendment 123

Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision

Article 4 – introductory part (new)

Text proposed by the Commission

Amendment

To relieve the significant asylum pressure from Italy and Greece, but also to act as an important test case with a view to the upcoming legislative proposal on a permanent emergency relocation scheme based on Article 78(2) TFEU, a total of 40.000 applicants shall be relocated from Italy and Greece.

Or. en

Amendment 124

Kinga Gál

Proposal for a decision

Article 4

Text proposed by the Commission

1. 24 000 applicants shall be relocated from Italy to the territory of the other Member States *as set out in Annex I*.
2. 16 000 applicants shall be relocated from Greece to the territory of the other Member States *as set out in Annex II*.

Amendment

1. 24 000 applicants shall be relocated from Italy to the territory of the other Member States *on a voluntary basis reflecting the specific situations of Member States*.
2. 16 000 applicants shall be relocated from Greece to the territory of the other Member States *on a voluntary basis reflecting the specific situations of Member States*.

Or. en

Amendment 125

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Article 4 – paragraph 1

Text proposed by the Commission

1. **24 000** applicants shall be relocated from Italy to the territory of the other Member States as set out in Annex I.

Amendment

1. **37 500** applicants shall be relocated from Italy to the territory of the other Member States as set out in Annex I.

Or. en

Amendment 126

Kati Piri

Proposal for a decision

Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. **24 000** applicants shall be relocated from Italy to the territory of the other Member States as set out in Annex I.

1. **25 000** applicants shall be relocated from Italy to the territory of the other Member States as set out in Annex I.

Or. en

Justification

The number of persons to be relocated is updated in order to take into account the significant increase of arrivals in the first months of 2015. As in the calculation by the Commission in Recital 19, the total number of persons to be relocated corresponds to 40% of persons in clear need of international protection (Syrians and Eritreans) which arrived in Greece and Italy (thus amounting to 50 000 total). The updated figure ensures coherence in the text, and also recognizes the fact that in the first half of 2015, Greece has received an equal amount of irregular migrants as Italy (68 000 in Greece and 67 500 in Italy).

Amendment 127

Jussi Halla-aho

Proposal for a decision

Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. **24 000** applicants shall be relocated from Italy to the territory of the other Member States *as set out in Annex I*.

1. *As many* applicants shall be relocated from Italy to the territory of the other Member States as *the Member States voluntarily accept*.

Or. en

Amendment 128

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. **16 000** applicants shall be relocated

2. **37 500** applicants shall be relocated

from Greece to the territory of the other Member States as set out in Annex II.

from Greece to the territory of the other Member States as set out in Annex II.

Or. en

Amendment 129

Kati Piri

Proposal for a decision

Article 4 – paragraph 2

Text proposed by the Commission

2. **16 000** applicants shall be relocated from Greece to the territory of the other Member States as set out in Annex II.

Amendment

2. **25 000** applicants shall be relocated from Greece to the territory of the other Member States as set out in Annex II.

Or. en

Justification

The number of persons to be relocated is updated in order to take into account the significant increase of arrivals in the first months of 2015. As in the calculation by the Commission in Recital 19, the total number of persons to be relocated corresponds to 40% of persons in clear need of international protection (Syrians and Eritreans) which arrived in Greece and Italy (thus amounting to 50 000 total). The updated figure ensures coherence in the text, and also recognizes the fact that in the first half of 2015, Greece has received an equal amount of irregular migrants as Italy (68 000 in Greece and 67 500 in Italy).

Amendment 130

Jussi Halla-aho

Proposal for a decision

Article 4 – paragraph 2

Text proposed by the Commission

2. **16 000** applicants shall be relocated from Greece to the territory of the other Member States *as set out in Annex II*.

Amendment

2. *As many* applicants shall be relocated from Greece to the territory of the other Member States as *the Member States voluntarily accept*.

Amendment 131**Gérard Deprez, Louis Michel, Sophia in 't Veld****Proposal for a decision****Article 5 – paragraph 2***Text proposed by the Commission*

2. **Italy and Greece shall**, at regular intervals during the period of application of this Decision, **with the assistance of** EASO and, where applicable, of Member States' liaison officers referred to in paragraph 8, identify the individual applicants to be relocated to the other Member States **and** communicate to the contact points of those Member States **and to EASO** the number of applicants that can be relocated. **Priority shall be given for that purpose to vulnerable applicants within the meaning of Article 22 of Directive 2013/33/EU.**

Amendment

2. At regular intervals during the period of application of this Decision, EASO **with the assistance of Italy and Greece** and, where applicable, of Member States' liaison officers referred to in paragraph 8, **shall** identify the individual applicants to be relocated to the other Member States, **priority being given to that purpose to vulnerable applicants within the meaning of Article 22 of Directive 2013/33/EU.** **Italy and Greece shall then** communicate to the contact points of those Member States the number **and the list** of applicants that can be relocated, **with, where applicable, the preferences expressed by applicants to certain Member States.**

Amendment 132**Tanja Fajon, Kashetu Kyenge****Proposal for a decision****Article 5 – paragraph 2***Text proposed by the Commission*

2. Italy and Greece shall, at regular intervals during the period of application of this Decision, with the assistance of EASO and, where applicable, of Member States' liaison officers referred to in paragraph 8, identify the individual applicants to be

Amendment

2. Italy and Greece shall, at regular intervals during the period of application of this Decision, with the assistance of EASO and, where applicable, of Member States' liaison officers referred to in paragraph 8, identify the individual applicants to be

relocated to the other Member States and communicate to the contact points of those Member States and to EASO the number of applicants that can be relocated. Priority shall be given for that purpose to vulnerable applicants within the meaning of Article 22 of Directive 2013/33/EU.

relocated to the other Member States and communicate to the contact points of those Member States and to EASO the number of applicants that can be relocated. Priority shall be given for that purpose to vulnerable applicants within the meaning of Article 22 of Directive 2013/33/EU, ***and special attention should be given to unaccompanied children.***

Or. en

Amendment 133

Heinz K. Becker, Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision

Article 5 – paragraph 2

Text proposed by the Commission

2. Italy and Greece shall, at regular intervals during the period of application of this Decision, with the assistance of EASO and, where applicable, of Member States' liaison officers referred to in paragraph 8, identify the individual applicants to be relocated to the other Member States and communicate to the contact points of those Member States and to EASO the number of applicants that can be relocated. Priority shall be given for that purpose to vulnerable applicants within the meaning of **Article** 22 of Directive 2013/33/EU.

Amendment

2. Italy and Greece shall, at regular intervals during the period of application of this Decision, with the assistance of EASO ***and other relevant agencies***, and, where applicable, of Member States' liaison officers referred to in paragraph 8, identify the individual applicants to be relocated to the other Member States and communicate to the contact points of those Member States and to EASO the number of applicants that can be relocated. Priority shall be given for that purpose to vulnerable applicants within the meaning of **Articles 21 and** 22 of Directive 2013/33/EU.

Or. en

Amendment 134

Iliana Iotova

Proposal for a decision

Article 5 – paragraph 3

Text proposed by the Commission

3. As soon as possible after receiving the information referred to in paragraph 2, Member States shall indicate the number of applicants who can be relocated immediately to their territory and any other relevant information, within the numbers set out in Annex I and Annex II respectively.

Amendment

3. As soon as possible after receiving the information referred to in paragraph 2, Member States shall ***inform about the available capacity for reception of migrants and*** indicate the number of applicants who can be relocated immediately to their territory and any other relevant information, within the numbers set out in Annex I and Annex II respectively.

Or. en

Amendment 135

Pál Csáky, Artis Pabriks

Proposal for a decision

Article 5 – paragraph 3

Text proposed by the Commission

3. As soon as possible after receiving the information referred to in paragraph 2, Member States shall indicate the number of applicants who can be relocated immediately to their territory and any other relevant information, within the numbers set out in Annex I and Annex II respectively.

Amendment

3. As soon as possible after receiving the information referred to in paragraph 2, Member States shall indicate the number of applicants who can be relocated immediately to their territory and any other relevant information, within the numbers set out in Annex I and Annex II respectively. ***Taking into account the rapidly changing situation in EU's neighbourhood, the Member States should have the right to review every three months the number of applicants who can be relocated immediately in its territory.***

Or. en

Amendment 136

Laura Ferrara

Proposal for a decision

Article 5 – paragraph 3

Text proposed by the Commission

3. As soon as possible after receiving the information referred to in paragraph 2, Member States shall indicate the number of applicants who can be relocated immediately to their territory and any other relevant information, within the numbers set out in Annex I and Annex II respectively.

Amendment

3. As soon as possible after receiving the information referred to in paragraph 2, Member States shall indicate the number of applicants who can be relocated immediately to their territory and any other relevant information, within the numbers set out in Annex I and Annex II respectively. ***In the absence of indication on the number of applicants who can be relocated to the territory of the Member States, it will activate an automatic mechanism of relocation on the basis of parameters set out in Annex I and Annex II.***

Or. en

Amendment 137

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Article 5 – paragraph 4

Text proposed by the Commission

4. On the basis of the information received pursuant to paragraph 3, Italy and Greece shall, as soon as possible, take a decision to relocate each of the identified applicants to a specific Member State of relocation and shall notify the applicant in accordance with Article 6(4).

Amendment

4. On the basis of the information received pursuant to ***paragraphs 3, 3a and 3b of this Article***, Italy and Greece shall, as soon as possible, take a decision to relocate each of the identified applicants to a specific Member State of relocation ***by taking preferences of applicants and Member States into account to the fullest extent possible*** and shall notify ***the Member States and*** the applicant in accordance with Article 6(4).

Or. en

Amendment 138

Heinz K. Becker, Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision

Article 5 – paragraph 5

Text proposed by the Commission

5. Applicants whose fingerprints are required to be taken pursuant to the obligations set out in Article 9 of Regulation (EU) No 603/2013 may only be **relocated** if their fingerprints have been taken.

Amendment

5. Applicants whose fingerprints are required to be taken pursuant to the obligations set out in Article 9 of Regulation (EU) No 603/2013 may only be **proposed for relocation** if their fingerprints have been taken **and transmitted to the Central System of Eurodac, pursuant to that Regulation**.

Or. en

Amendment 139

Timothy Kirkhope, Helga Stevens

Proposal for a decision

Article 5 – paragraph 5

Text proposed by the Commission

5. Applicants whose fingerprints are required to be taken pursuant to the obligations set out in Article 9 of Regulation (EU) No 603/2013 may only be relocated if their fingerprints have been taken.

Amendment

5. Applicants whose fingerprints are required to be taken **and transmitted** pursuant to the obligations set out in Article 9 of Regulation (EU) No 603/2013 may only be relocated if their fingerprints have been taken.

Or. en

Amendment 140

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Article 5 – paragraph 5

Text proposed by the Commission

5. Applicants whose fingerprints are required to be taken pursuant to the obligations set out in Article 9 of Regulation (EU) No 603/2013 may only be relocated if their fingerprints have been taken.

Amendment

5. Applicants whose fingerprints are required to be taken pursuant to the obligations set out in Article 9 of Regulation (EU) No 603/2013 may only be relocated if their fingerprints have been taken ***in full respect of the persons' right to human dignity without recourse to any coercion or detention measure;***

Or. en

Amendment 141
Caterina Chinnici

Proposal for a decision
Article 5 – paragraph 9

Text proposed by the Commission

9. The relocation procedure provided for in this Article shall not take longer than one month from the time of identification of the specific applicants to be relocated in line with paragraph 2 of this Article.

Amendment

9. The relocation procedure provided for in this Article shall not take longer than one month from the time of identification of the specific applicants to be relocated in line with paragraph 2 of this Article, ***and, unless this is contrary to the interest of the person concerned, should be completed no later than two months from the day of his/her arrival in Italy or Greece.***

Or. en

Amendment 142
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Article 6 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that family members who fall within the scope of this Decision are relocated to the territory of the same Member State.

Amendment

2. Member States shall ensure that family members ***as already defined under existing EU law***, who fall within the scope of this Decision are relocated to the territory of the same Member State.

Or. en

Amendment 143
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Article 6 – paragraph 4

Text proposed by the Commission

4. When the decision to relocate an applicant has been taken and before the actual relocation, Italy and Greece shall notify the person concerned of the decision to relocate him in writing. That decision shall specify the Member State of relocation.

Amendment

4. When the decision to relocate an applicant has been taken and before the actual relocation, Italy and Greece shall notify the person concerned of the decision to relocate him in writing. That decision shall specify the Member State of relocation. ***The Member States are not obliged to seek the consent of the applicant with regard to their place of relocation.***

Or. en

Amendment 144
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Article 6 – paragraph 5

Text proposed by the Commission

5. An applicant or beneficiary of international protection who enters the territory of another Member State than the

Amendment

5. An applicant or beneficiary of international protection who enters the territory of another Member State than the

Member State of relocation without fulfilling the conditions for stay in that other Member State shall be required to go back immediately and taken back by the Member State of relocation, pursuant to the rules laid down in Regulation (EU) No 604/2013 and Directive 2008/115/EC of the European Parliament and of the Council¹ respectively.

¹ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p.98).

Member State of relocation without fulfilling the conditions for stay in that other Member State shall be required to go back immediately and taken back by the Member State of relocation, pursuant to the rules laid down in Regulation (EU) No 604/2013 and Directive 2008/115/EC of the European Parliament and of the Council¹ respectively. ***Applicants who have been granted international protection in a Member State as a consequence of a failed Dublin transfer should also be counted as part of the overall relocation number applicable to that individual Member State.***

¹ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p.98).

Or. en

Amendment 145

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Article 7 – introductory part

Text proposed by the Commission

Member States shall increase their support in the area of international protection **to** Italy and Greece via the relevant activities coordinated by EASO and other relevant Agencies, in particular by providing when necessary national experts for the following support activities:

Amendment

Member States shall increase their support in the area of international protection **if requested by** Italy and Greece via the relevant activities coordinated by EASO and other relevant Agencies, in particular by providing when necessary national experts for the following support activities:

Or. en

Amendment 146
Miltiadis Kyrkos, Iliana Iotova

Proposal for a decision
Article 7 – introductory part

Text proposed by the Commission

Member States shall increase their support in the area of international protection to Italy and Greece via the relevant activities coordinated by EASO and other relevant Agencies, in particular by providing when necessary national experts for the following support activities:

Amendment

Member States shall increase their support in the area of international protection to Italy and Greece via the relevant activities coordinated by EASO and other relevant Agencies, in particular by providing when necessary national experts ***upon previous agreement with the hosting Member States*** for the following support activities:

Or. en

Justification

The general framework agreement should be in place for the operational support to Italy and Greece

Amendment 147
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Article 7 – introductory part

Text proposed by the Commission

Member States shall increase their support in the area of international protection to Italy and Greece via the relevant activities coordinated by EASO and other relevant Agencies, in particular by providing when necessary national experts for the following support activities:

Amendment

Member States shall increase their support in the area of international protection to Italy and Greece via the relevant activities coordinated by EASO and other relevant Agencies, in particular by providing when necessary national experts for the following support activities ***in order to ensure the lawful and good functioning of their national asylum system:***

Or. en

Amendment 148

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision

Article 7 – point a

Text proposed by the Commission

(a) the screening of the third-country nationals arriving in Italy and Greece, including their clear identification, fingerprinting and registration of the applications for international protection;

Amendment

(a) the screening of the third-country nationals arriving in Italy and Greece, including their clear identification, fingerprinting and registration of the applications for international protection, *in full respect of the persons' right to human dignity without recourse to any coercion or detention measures;*

Or. en

Amendment 149

Miltiadis Kyrkos, Iliana Iotova

Proposal for a decision

Article 7 – point b

Text proposed by the Commission

(b) the initial processing of the applications;

Amendment

(b) the initial processing of the applications; *the screening of the third-country nationals arriving in Italy and Greece, including their clear identification, fingerprinting and registration of the applications for international protection;*

Or. en

Justification

The general framework agreement should be in place for the operational support to Italy and Greece.

Amendment 150
Monika Hohlmeier, Jeroen Lenaers

Proposal for a decision
Article 7 – point ca (new)

Text proposed by the Commission

Amendment

(ca) facilitating the relocation by gathering and collecting information on specific qualifications, family ties, social relations, previous stay, study or work or language knowledge of the applicant;

Or. en

Amendment 151
Miltiadis Kyrkos, Iliana Iotova

Proposal for a decision
Article 7 – point d

Text proposed by the Commission

Amendment

(d) the implementation of the transfer of the applicants to the Member State of relocation.

(d) the implementation of the transfer of the applicants to the Member State of relocation. ***The transfer costs to the Member State of relocation should not be an additional burden to Greece and Italy.***

Or. en

Justification

The purpose of the Council decision is to allow for an economic relief for Greece and Italy. Therefore asking them to taken upon themselves these additional costs is contradictory to the decision.

Amendment 152
Heinz K. Becker, Pál Csáky, Artis Pabriks, Tomáš Zdechovský

Proposal for a decision
Article 8 – paragraph 1

Text proposed by the Commission

1. Italy and Greece shall each, within one month of entry into force of this Decision, present a roadmap to the Commission which shall include adequate measures in the area of asylum, first reception and return, enhancing the capacity, quality and efficiency of their systems in these areas as well as measures to ensure appropriate implementation of this Decision. Italy and Greece shall fully implement this roadmap.

Amendment

1. Italy and Greece shall each, within one month of entry into force of this Decision, present a roadmap to the Commission which shall include adequate measures in the area of asylum, first reception and return, enhancing the capacity, quality and efficiency of their systems in these areas as well as measures to ensure appropriate implementation of this Decision. ***Special attention should be given to strict return policy.*** Italy and Greece shall fully implement this roadmap.

Or. en

Amendment 153

Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision
Article 8 – paragraph 2

Text proposed by the Commission

2. If Italy or Greece does not comply with the obligation referred to in paragraph 1, the Commission may decide to suspend this Decision with regard to that Member State for a period of up to three months. The Commission may decide once to extend such suspension for a further period of up to three months.

Amendment

deleted

Or. en

Amendment 154
Caterina Chinnici

Proposal for a decision

Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. If Italy or Greece does not comply with the obligation referred to in paragraph 1, the Commission may decide to suspend this Decision with regard to that Member State for a period of up to three months. The Commission may decide once to extend such suspension for a further period of up to three months.

deleted

Or. en

Justification

Italy and Greece must certainly address the shortcomings in the functioning of their asylum and migration systems, but it would not be fair to adopt “sanctions” that would primarily damage asylum seekers and refugees.

Amendment 155

Timothy Kirkhope, Helga Stevens

Proposal for a decision

Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. If Italy or Greece does not comply with the obligation referred to in paragraph 1, the Commission may decide to suspend this Decision with regard to that Member State *for a period of up to three months. The Commission may decide once to extend such suspension for a further period of up to three months.*

2. If Italy or Greece does not comply with the obligation referred to in paragraph 1, the Commission may decide to suspend this Decision with regard to that Member State *as many times as is necessary.*

Or. en

Amendment 156

Pál Csáky, Artis Pabriks

Proposal for a decision
Article 8 – paragraph 2

Text proposed by the Commission

2. If Italy or Greece does not comply with the obligation referred to in paragraph 1, the Commission may decide to suspend this Decision with regard to that Member State for a period of up to three months. The Commission may decide *once* to extend such suspension for *a further* period of up to three months.

Amendment

2. If Italy or Greece does not comply with the obligation referred to in paragraph 1, the Commission may decide to suspend this Decision with regard to that Member State for a period of up to three months. The Commission may decide to *further* extend such suspension for *additional* period of up to three months, *until the obligation referred to in paragraph 1 is met*.

Or. en

Amendment 157
Miltiadis Kyrkos, Iliana Iotova

Proposal for a decision
Article 8 – paragraph 2

Text proposed by the Commission

2. If Italy or Greece does not comply with the obligation referred to in paragraph 1, the Commission may decide to suspend this Decision with regard to that Member State for a period of up to three months. The Commission may decide once to extend such suspension for a further period of up to three months.

Amendment

2. If Italy or Greece does not comply with the obligation referred to in paragraph 1, the Commission may decide, *having given the State concerned the opportunity to present its views*, to suspend this Decision with regard to that Member State for a period of up to three months. The Commission may decide once to extend such suspension for a further period of up to three months.

Or. {EN}en

Amendment 158
Jussi Halla-aho

Proposal for a decision
Article 8 – paragraph 2

Text proposed by the Commission

2. If Italy or Greece does not comply with the obligation referred to in paragraph 1, the Commission **may decide to suspend** this Decision with regard to that Member State for a period of **up to three** months. The Commission **may decide once to extend** such suspension for a further period of **up to three** months.

Amendment

2. If Italy or Greece does not comply with the obligation referred to in paragraph 1, the Commission **suspends** this Decision with regard to that Member State for a period of **six** months. The Commission **extends** such suspension for a further period of **six** months **as many times as necessary**.

Or. en

Amendment 159
Artis Pabriks

Proposal for a decision
Article 9

Text proposed by the Commission

In the event of an emergency situation characterised by a sudden inflow of nationals of third countries in a Member State of relocation, the Council, on a proposal from the Commission and after consulting the European Parliament, may adopt provisional measures for the benefit of the Member State concerned, pursuant to Article 78(3) of the Treaty. Such measures may include, where appropriate, a suspension of the obligations of that Member State provided for in this Decision.

Amendment

In the event of an emergency situation characterised by a sudden inflow of nationals of third countries in a Member State of relocation, the Council, on a proposal from the Commission and after consulting the European Parliament, may adopt provisional measures for the benefit of the Member State concerned, pursuant to Article 78(3) of the Treaty. Such measures may **in addition** include, where appropriate, a suspension of the obligations of that Member State provided for in this Decision.

Or. en

Amendment 160
Timothy Kirkhope, Helga Stevens

Proposal for a decision
Article 11

Text proposed by the Commission

Italy and Greece shall report to the Council and the Commission on the implementation of this Decision, including on the roadmaps referred to in Article 8, every **three** months.

Amendment

Italy and Greece shall report to the Council and the Commission on the implementation of this Decision, including on the roadmaps referred to in Article 8, every **two** months.

Or. en

Amendment 161
Miltiadis Kyrkos, Iliana Iotova

Proposal for a decision
Article 11

Text proposed by the Commission

Italy and Greece shall report to the Council and the Commission on the implementation of this Decision, including on the roadmaps referred to in Article 8, every **three** months.

Amendment

Italy and Greece shall report to the Council and the Commission on the implementation of this Decision, including on the roadmaps referred to in Article 8, every **six** months.

Or. en

Justification

There should be clear distinction between the report for the implementation of the Decision and the report for the implementation of the Roadmap. The foreseen timeframe is very tight and should be extended. There is no reason to put more administrative burden to Italy and Greece.

Amendment 162
Kostas Chrysogonos, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat

Proposal for a decision
Article 11

Text proposed by the Commission

Italy and Greece shall report to the Council and the Commission on the implementation of this Decision, including on the roadmaps referred to in Article 8, every three months.

Amendment

Italy and Greece shall report to the Council and the Commission on the implementation ***and the proper use of the funds received in the framework*** of this Decision, including on the roadmaps referred to in Article 8, every three months.

Or. en

Amendment 163

Laura Ferrara

Proposal for a decision

Article 11

Text proposed by the Commission

Italy and Greece shall report to the Council and the Commission on the implementation of this Decision, including on the roadmaps referred to in Article 8, every three months.

Amendment

Italy and Greece shall report to the Council and the Commission on the implementation of this Decision, including on the roadmaps referred to in Article 8, every three months. ***Member States in which the asylum seekers are relocated ensure that the management of the centres and reception facilities is subject to periodic reporting to the competent authorities. This should include at least the following elements: name of the managing institution, the overall number of staff members, the number of asylum seekers hosted, quantity and quality of the services provided, costs incurred in the management of the reception centres.***

Or. en

Amendment 164

Sophia in 't Veld, Louis Michel, Angelika Mlinar, Maite Pagazaurtundúa Ruiz, Cecilia Wikström

Proposal for a decision

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States should provide EASO with a list of profession available identifying and matching both Member States and applicants needs in the labour market.

Or. en

Amendment 165

Monika Hohlmeier, Jeroen Lenaers, Elissavet Vozemberg

Proposal for a decision

Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Evaluation

By July 2016 the Commission shall present to the European Parliament and to the Council a mid-term evaluation on the application of this Decision and, where appropriate, shall propose the necessary recommendations for a permanent emergency relocation mechanism, based on Article 78(2) TFEU that will be triggered when a clearly defined threshold is surpassed in a Member State, including in perspective of the announced Dublin fitness check.

By...* the Commission shall present to the European Parliament and to the Council a final evaluation report on the application of this Decision.

Member States shall forward to the Commission all information appropriate for the preparation of that report in due time.

** OJ: please insert the date: 30 months
after the entry into force of this Decision.*

Or. en

Amendment 166

**Gérard Deprez, Sophia in 't Veld, Louis Michel, Angelika Mlinar, Maite
Pagazaurtundúa Ruiz, Cecilia Wikström**

Proposal for a decision

Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

*By July 2016 the Commission, with the
support of the European Agency for
Fundamental Rights, shall present an
impact assessment on the respect of the
Fundamental Rights at the borders, in
particular during the finger printing
process.*

Or. en