# EUROPEAN PARLIAMENT

*2004* *2009*

*Committee on Civil Liberties, Justice and Home Affairs*

**2008/2235(INI)**

7.1.2009

# AMENDMENTS
# 1 - 127

**Draft report**
**Martine Roure**
(PE419.969v01-00)

the implementation in the European Union of Directive 2003/9/EC laying down minimum standards for the reception of asylum seekers and refugees: visits by the Committee on Civil Liberties 2005-2008
(2008/2235(INI))

AM_Com_NonLegReport

**Amendment 1**
**Giusto Catania,**

**Motion for a resolution**
**Citation 7 a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***– having regard to its resolution of 14 April 2005 on Lampedusa;*** |

Or. it

**Amendment 2**
**Giusto Catania**

**Motion for a resolution**
**Citation 7 b (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***– having regard to its resolution of 4 April 2006 on the situation of refugee camps in Malta;*** |

Or. it

**Amendment 3**
**Martine Roure**

**Motion for a resolution**
**Citation 7 c (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***- having regard to the proposal for the recasting of the Directive laying down minimum standards for the reception of asylum seekers in the Member States (COM(2008)0815) and the proposal for the revision of the Dublin II Regulation (COM (2008)0820), submitted together by*** |

***the Commission on 3 December 2008,***

Or. fr

**Amendment 4**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Indent 7 d (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***- having regard to the Commission proposal for a directive of the European Parliament and of the Council laying down minimum standards for the reception of asylum seekers (Recast) (COM (2008)0815)*** |

Or. en

**Amendment 5**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Recital A a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***Aa. whereas Directive 2003/9/EC applies to asylum seekers and refugees;*** |

Or. en

**Amendment 6**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Recital A b (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***Ab. whereas fundamental rights, such as the right to live in dignity, the protection of family life, access to health care and the right of appeal, must be guaranteed at all times;*** |

Or. en

**Amendment 7**
**Frieda Brepoels**

**Motion for a resolution**
**Recital B**

| *Motion for a resolution* | *Amendment* |
|---|---|
| B. whereas the Reception and Procedures Directives require Member States to provide asylum seekers with information ***in writing*** concerning their rights and the organisations providing assistance; and whereas it is essential ***- in view of the complexity of procedures and short deadlines,*** particularly in accelerated procedure cases **-** that asylum seekers and immigrants receive appropriate legal advice, have access to an interpreter and receive decisions concerning them in a language they understand, | B. whereas the Reception and Procedures Directives require Member States to provide asylum seekers with information concerning their rights and the organisations providing assistance; and whereas it is essential***,*** particularly in accelerated procedure cases***,*** that asylum seekers and immigrants receive appropriate legal advice, have access to an interpreter and receive ***a translation of*** decisions concerning them in a language they understand, |

Or. nl

**Amendment 8**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Recital B**

| *Motion for a resolution* | *Amendment* |
|---|---|
| B. whereas the Reception and Procedures | B. whereas the Reception and Procedures |

| | |
|---|---|
| Directives require Member States to provide asylum seekers with information in writing concerning their rights and the organisations providing assistance; and whereas it is essential - in view of the complexity of procedures and short deadlines, particularly in accelerated procedure cases - that asylum seekers ***and immigrants*** receive appropriate legal advice, have access to an interpreter and receive decisions concerning them in a language they understand, | Directives require Member States to provide asylum seekers with information in writing concerning their rights and the organisations providing assistance; and whereas it is essential - in view of the complexity of procedures and short deadlines, particularly in accelerated procedure cases - that asylum seekers receive appropriate legal advice, have access to an interpreter ***when necessary*** and receive decisions concerning them in a language they ***are reasonably expected to*** understand, |

Or. en

**Amendment 9**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Recital B a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***Ba. whereas it is essential to set clear, well-defined and unambiguous rules for the reception and treatment of asylum seekers in agreement with the rules laid down by the Geneva Convention, while a distinction should be made between asylum seekers, economic migrants and temporary refugees,*** |

Or. en

**Amendment 10**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Recital D a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***Da. whereas the situation of applicants*** |

***for asylum and/or international protection differs substantially from that of immigrants who have reached the Member States illegally,***

Or. es

**Amendment 11**
**Martine Roure**

**Motion for a resolution**
**Recital D b (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***Db. whereas the Reception Directive 2003/9/EC of 27 January applies to asylum seekers and refugees, but whereas in many of the centres visited asylum seekers and irregular migrants are held on the same premises; whereas everyone, whatever their status, should be guaranteed certain fundamental rights such as the right to live in dignity, the protection of family life, access to health care and the right of effective recourse against detention in accordance with the principles of the Charter of Fundamental Rights of the European Union and the Convention for the Protection of Human Rights and Fundamental Freedoms,*** |

Or. fr

**Amendment 12**
**Jean Lambert**

**Motion for a resolution**
**Recital E a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***Ea. Whereas not all Member States use reception centres for all or many asylum*** |

***seekers, preferring alternatives based in the community and whereas the LIBE Committee has not yet investigated that aspect of Member State practice,***

Or. en

**Amendment 13**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Recital F**

| *Motion for a resolution* | *Amendment* |
|---|---|
| F. whereas, during ***their*** visits, the Members noted on several occasions that the detention conditions were intolerable from the point of view of hygiene, overcrowding and the equipment available, and whereas the people detained were not systematically informed of the reasons for their detention, of their rights and of the progress in their case, | F. whereas, during ***some*** visits, the Members noted on several occasions***, where this was necessary owing to the poor conditions in a particular centre,*** that the detention conditions were intolerable from the point of view of hygiene, overcrowding and the equipment available, and whereas the people detained were not systematically informed of the reasons for their detention, of their rights and of the progress in their case, |

Or. es

**Amendment 14**
**Giusto Catania**

**Motion for a resolution**
**Recital F**

| *Motion for a resolution* | *Amendment* |
|---|---|
| F. whereas, during their visits, the Members noted on several occasions that the detention conditions were intolerable from the point of view of hygiene, overcrowding and the equipment available, and whereas the people detained were not systematically informed of the reasons for | F. whereas, during their visits, the Members noted on several occasions that the detention conditions were intolerable from the point of view of ***health and*** hygiene, overcrowding and the equipment available, and whereas the people detained were not systematically informed of the |

| | |
|---|---|
| their detention, of their rights and of the progress in their case, | reasons for their detention, of their rights and of the progress in their case, |

Or. it

**Amendment 15**
**Javier Moreno Sánchez**

**Motion for a resolution**
**Recital F**

| *Motion for a resolution* | *Amendment* |
|---|---|
| F. whereas, during their visits, the Members noted on several occasions that the detention conditions were intolerable from the point of view of hygiene, overcrowding and the equipment available, and whereas the people detained were not systematically informed of the reasons for their detention, of their rights and of the progress in their case, | F. whereas, during their visits, the Members noted on several occasions that the detention conditions ***in some centres*** were intolerable from the point of view of hygiene, overcrowding and the equipment available, and whereas the people detained were not systematically informed of the reasons for their detention, of their rights and of the progress in their case, |

Or. fr

**Amendment 16**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Recital F a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***Fa. whereas detention is a temporary administrative measure that differs from criminal detention,*** |

Or. es

**Amendment 17**
**Frieda Brepoels**

**Motion for a resolution**
**Recital F a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***Fa. whereas many of the comments in this resolution do not necessarily apply to all the asylum centres visited and are thus not true of all countries,*** |

Or. nl

**Amendment 18**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 1**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 1. Regrets that ***the*** visits revealed that the existing directives were still being poorly applied, or not ***at all***, by ***the*** Member States; calls on the Commission to take the necessary measures to ensure that the directives are transposed and complied with; | 1. Regrets that ***some*** visits revealed that the existing directives were being poorly applied, or ***were*** not ***being applied***, by ***some*** Member States; calls on the Commission to take the necessary measures to ensure that the directives are transposed and complied with; |

Or. es

**Amendment 19**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 1**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 1. Regrets that the visits revealed that the existing directives were still being poorly applied, or not at all, by the Member States; calls on the Commission to take the | 1. Regrets that the visits revealed that the existing directives were still being poorly applied, or not at all, by the Member States; calls on the Commission to take the |

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|---|---|
| necessary measures to ensure that the directives are transposed and complied with; | necessary measures to ensure that the directives are transposed and complied with ***more than just formally***; |

Or. it

**Amendment 20**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 1**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 1. Regrets that the visits revealed that the existing directives ***were*** still being poorly applied, or not at all, by ***the*** Member States; calls on the Commission to take the necessary measures to ensure that the directives are transposed and complied with; | 1. Regrets that the visits revealed that the existing directives ***are*** still being poorly applied, or not at all, by ***a number of*** Member States; calls on the Commission to take the necessary measures to ensure that the directives are transposed and complied with; |

Or. en

**Amendment 21**
**Javier Moreno Sánchez**

**Motion for a resolution**
**Paragraph 1**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 1. Regrets that the visits revealed that the existing directives were still being poorly applied, or not at all, ***by the*** Member States; calls on the Commission to take the necessary measures to ensure that the directives are transposed and complied with; | 1. Regrets that the visits revealed that the existing directives were still being poorly applied, or not at all, ***in some*** Member States; calls on the Commission to take the necessary measures to ensure that the directives are transposed and complied with; |

Or. fr

**Amendment 22**
**Jeanine Hennis-Plasschaert**

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

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***1a. Stresses that the principles of the Charter of Fundamental Rights of the European Union and the European Convention for the Protection of Human Rights and Fundamental Freedoms should be applied at all times and regardless of the status of the third-country national involved; therefore cannot accept that a person is not treated accordingly for the sole reason that he or she is an irregular immigrant;*** |

Or. en

**Amendment 23**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 2**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 2. Deplores the ***considerable discretionary power left to the Member States by Directive 2003/9/EC, particularly as regards the level and form of material reception conditions and access to employment and healthcare, to the detriment of the harmonising of their legislation;*** | 2. Deplores the ***number of deficiencies regarding the level of reception conditions which mainly results from the fact that Directive 2003/9/EC currently allows Member States a wide margin of discretion concerning the establishment of reception conditions at national level; therefore welcomes the Commission proposal COM (2008)0815;*** |

Or. en

**Amendment 24**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 2**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 2. Deplores the considerable discretionary power left to the Member States by Directive 2003/9/EC, particularly as regards the level and form of material reception conditions and access to employment and healthcare, to the detriment of the ***harmonising*** of their legislation; | 2. Deplores the considerable discretionary power left to the Member States by Directive 2003/9/EC, particularly as regards the level and form of material reception conditions and access to employment and healthcare, to the detriment of the ***upwards harmonisation*** of their legislation; |

Or. it

**Amendment 25**
**Martine Roure**

**Motion for a resolution**
**Paragraph 2 a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***2a. Expresses its satisfaction with the Commission's proposals for the recasting of Directive 2003/9/EC, and welcomes the fact that the stated objective is to ensure higher standards of treatment for asylum seekers in order to ensure a decent standard of living and to permit greater harmonisation of the national rules governing reception conditions;*** |

Or. fr

**Amendment 26**
**Martine Roure**

**Motion for a resolution**
**Paragraph 2 b (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***2b. Expresses its satisfaction with the Commission's proposal to expand the scope of Directive 2003/9/EC to cover subsidiary protection in order to ensure that the same level of rights attaches to all forms of international protection;*** |

Or. fr

**Amendment 27**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 3**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 3. Calls on the Member States to show more solidarity - not limited to technical and/or financial solidarity - with the countries most affected by the challenges of immigration; calls on the Commission to study the possibility of proposing a European ***burden-sharing*** instrument ***to improve efficiency for the*** Member States and afford a high level of protection ***for asylum seekers***; | 3. Calls on the Member States to show more solidarity - not limited to technical and/or financial solidarity - with the countries most affected by the challenges of immigration; calls on the Commission to study the possibility of proposing a European ***solidarity*** instrument ***aimed at relieving the burden posed by the high number of refugees received by*** Member States ***with external borders, which would be based on the principle of respect for the wishes of asylum seekers*** and ***would*** afford a high level of protection; |

Or. es

**Amendment 28**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 3**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 3. Calls on the Member States to show more solidarity - not limited to technical and/or financial solidarity - with the countries most affected by the challenges of immigration; calls on the Commission to study the possibility of proposing a European burden-sharing instrument to improve efficiency for the Member States and afford a high level of protection for asylum seekers; | 3. Calls on the Member States to show more solidarity - not limited to technical and/or financial solidarity - with the countries most affected by the challenges of immigration; calls on the Commission to study the possibility of proposing a European burden-sharing instrument to improve efficiency for the Member States and afford a high level of protection for asylum seekers ***and migrants***; |

Or. it

**Amendment 29**
**Martine Roure**

**Motion for a resolution**
**Paragraph 4**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 4. Calls on the Commission to establish a permanent system of visits and inspections; hopes that the LIBE Committee can continue its visits with a view to ensuring compliance with Community law concerning reception conditions; | 4. Calls on the Commission to establish a permanent system of visits and inspections; hopes that the LIBE Committee can continue its visits with a view to ensuring compliance with Community law concerning reception conditions ***and the holding of an annual debate on the outcome of these visits; at a plenary sitting of the European Parliament*** |

Or. fr

**Amendment 30**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 4**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 4. Calls on the Commission to establish a permanent system of visits and inspections; hopes that the LIBE Committee can continue its visits with a view to ensuring compliance with Community law concerning reception conditions; | 4. Calls on the Commission to establish, ***in cooperation with the European Parliament***, a permanent system of visits and inspections; hopes that the LIBE Committee can continue its visits with a view to ensuring compliance with Community law concerning reception conditions; |

Or. en

**Amendment 31**
**Jean Lambert**

**Motion for a resolution**
**Paragraph 4**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 4. Calls on the Commission to establish a permanent system of visits and inspections; hopes that the LIBE Committee can continue its visits with a view to ensuring compliance with Community law concerning reception conditions; | 4. Calls on the Commission to establish a permanent system of visits and inspections; hopes that the LIBE Committee can continue its visits with a view to ensuring compliance with Community law concerning reception conditions ***and the return procedures under the Return Directive;*** |

Or. en

**Amendment 32**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 5**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 5. Regrets that the open accommodation centres set up by certain Member States have low capacity and do not appear to | 5. Regrets that the open accommodation centres set up by certain Member States have low capacity and do not appear to |

| | |
|---|---|
| meet ***the*** needs; | meet ***migrants'*** needs; |

Or. it

**Amendment 33**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 6**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 6. Calls for priority to be given to the reception of asylum seekers ***and immigrants*** in open reception centres; ***considers that asylum seekers are especially vulnerable and should not be subject to measures which deprive them of their liberty;*** | 6. Calls for priority to be given to the reception of asylum seekers in open reception centres; |

Or. nl

**Amendment 34**
**Jean Lambert**

**Motion for a resolution**
**Paragraph 6**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 6. Calls for priority to be given to the reception of asylum seekers and immigrants in open reception centres; considers that asylum seekers are especially vulnerable and should not be subject to measures which deprive them of their liberty; | 6. Calls for priority to be given to the reception of asylum seekers and immigrants in open reception centres ***rather than closed units***; considers that asylum seekers are especially vulnerable and should not be subject to measures which deprive them of their liberty; |

Or. en

**Amendment 35**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 6**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 6. Calls for priority to be given to the reception of asylum seekers ***and immigrants*** in open reception centres; considers that asylum seekers are especially vulnerable and should not be subject to measures which deprive them of their liberty; | 6. Calls for priority to be given to the reception of asylum seekers in open reception centres; considers that asylum seekers are especially vulnerable and should ***in principle*** not be subject to measures which deprive them of their liberty; |

Or. en

**Amendment 36**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 6**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 6. Calls for priority to be given to the reception of asylum seekers and immigrants in open reception centres; considers that asylum seekers are especially vulnerable ***and should not be*** subject to measures which deprive them of their liberty; | 6. Calls for priority to be given to the reception of asylum seekers and immigrants in open reception centres; considers that asylum seekers are especially vulnerable***, which is all the more reason for their not being*** subject to measures which deprive them of their liberty; |

Or. it

**Amendment 37**
**Javier Moreno Sánchez**

**Motion for a resolution**
**Paragraph 6**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 6. Calls for priority to be given to the reception of asylum seekers and immigrants in open reception centres; considers that asylum seekers are especially vulnerable and should not be subject to measures which deprive them of their liberty; | 6. Calls for priority to be given to the reception of asylum seekers and immigrants in open reception centres***, along the lines of those which already exist in certain Member States***; considers that asylum seekers are especially vulnerable and should not be subject to measures which deprive them of their liberty; |

Or. fr

**Amendment 38**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 7**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 7. Reminds the Member States of their obligation to guarantee access to asylum application procedures; | 7. Reminds the Member States of their obligation to guarantee ***to asylum seekers*** access to asylum application procedures; |

Or. en

**Amendment 39**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 7 a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***7a. Urges the Member States to apply the Reception Directive to all asylum seekers from the moment when they express their wish to request protection in a Member State, even if the asylum claim has not been formally lodged***; |

Or. en

**Amendment 40**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 7 b (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***7b. Urges the Commission to remind Member States that withdrawal or reduction of reception conditions on grounds not included in the Reception Directive is or should be strictly prohibited.*** |

Or. en

**Amendment 41**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 7 c (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***7c. Basic reception conditions, such as food, housing and emergency heath care should never be withheld, since their withdrawal may violate asylum seekers' fundamental rights;*** |

Or. en

**Amendment 42**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 8**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 8. Considers it necessary to find a balance between speedy procedures, reducing the backlog and fair treatment of each individual case, particularly in accelerated procedure cases; | 8. Considers it necessary to find a ***fair*** balance between speedy procedures, reducing the backlog and fair treatment of each individual case, particularly in accelerated procedure cases; |

Or. it

**Amendment 43**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 9**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 9. Notes that the information about procedures is largely in writing and that the deadlines are very short, which poses a problem of understanding and constitutes an obstacle to asylum seekers effectively exercising their rights when they submit an application; calls for brochures explaining all the rights of asylum seekers ***and immigrants*** to be made available to them in several languages; calls on the Member States also to provide information by other means, including orally and televisually; | 9. Notes that the information about procedures is largely in writing and that the deadlines are very short, which poses a problem of understanding and constitutes an obstacle to asylum seekers effectively exercising their rights when they submit an application; calls for brochures explaining all the rights of asylum seekers to be made available to them in several languages; calls on the Member States also to provide information by other means, including orally and televisually; |

Or. en

**Amendment 44**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 9**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 9. Notes that the information about procedures is largely in writing and that the | 9. Notes that the information about procedures is largely in writing **– *when this*** |

| | |
|---|---|
| deadlines are very short, which poses a problem of understanding and constitutes an obstacle to asylum seekers effectively exercising their rights when they submit an application; calls for brochures explaining all the rights of asylum seekers and immigrants to be made available to them in several languages; calls on the Member States also to provide information by other means, including orally and televisually; | ***exists at all –*** and that the deadlines are very short, which poses a problem of understanding and constitutes an obstacle to asylum seekers effectively exercising their rights when they submit an application; calls for brochures explaining all the rights of asylum seekers and immigrants to be made available to them in several languages; calls on the Member States also to provide information by other means, including orally and televisually ***and to ensure the presence of cultural mediators at reception centres***; |

Or. it

**Amendment 45**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 9**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 9. Notes that the information about procedures is largely in writing and that the deadlines are very short, which poses a problem of understanding and constitutes an obstacle to asylum seekers effectively exercising their rights when they submit an application; calls for brochures explaining all the rights of asylum seekers and immigrants to be made available to them in several languages; calls on the Member States also to provide information by other means, including orally and ***televisually***; | 9. Notes that the information about procedures is largely in writing and that the deadlines are very short, which poses a problem of understanding and constitutes an obstacle to asylum seekers effectively exercising their rights when they submit an application; calls for brochures explaining all the rights of asylum seekers and immigrants to be made available to them in several languages; calls on the Member States also to provide information by other means, including orally and ***via the Internet***; |

Or. nl

**Amendment 46**
**Rareş-Lucian Niculescu**

**Motion for a resolution**
**Paragraph 9**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 9. Notes that the information about procedures is largely in writing and that the deadlines are very short, which poses a problem of understanding and constitutes an obstacle to asylum seekers effectively exercising their rights when they submit an application; calls for brochures explaining all the rights of asylum seekers and immigrants to be made available to them in ***several*** languages; calls on the Member States also to provide information by other means, including orally and televisually; | 9. Notes that the information about procedures is largely in writing and that the deadlines are very short, which poses a problem of understanding and constitutes an obstacle to asylum seekers effectively exercising their rights when they submit an application; calls for brochures explaining all the rights of asylum seekers and immigrants to be made available to them in ***the main international*** languages ***and in the languages spoken by a significant number of asylum seekers and immigrants in the Member State concerned***; calls on the Member States also to provide information by other means, including orally and televisually; |

Or. ro

**Amendment 47**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 10**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 10. Expresses its concern over the lack of interpreters, including at official interviews; urges the Member States to provide a public interpreting service free of charge, if necessary by telephone; | 10. Expresses its concern over the lack of interpreters ***in some of the centres visited***, including at official interviews; urges the Member States to provide a public interpreting service free of charge, if necessary by telephone; |

Or. es

**Amendment 48**
**Jean Lambert**

**Motion for a resolution**
**Paragraph 10**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 10. Expresses its concern over the lack of interpreters, including at official interviews; urges the Member States to provide a public interpreting service free of charge, if necessary by telephone; | 10. Expresses its concern over the lack of ***adequately trained*** interpreters, including at official interviews; urges the Member States to provide a public interpreting service free of charge, if necessary by telephone; |

Or. en

**Amendment 49**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 10**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 10. Expresses its concern over the lack of interpreters, including at official interviews; urges the Member States to provide a public interpreting service free of charge, if necessary by telephone; | 10. Expresses its concern over the lack of interpreters, including at official interviews; urges the Member States to provide a public interpreting service free of charge, if necessary by telephone ***or via the Internet***; |

Or. en

**Amendment 50**
**Rareş-Lucian Niculescu**

**Motion for a resolution**
**Paragraph 10**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 10. Expresses its concern over the lack of interpreters, including at official interviews; urges the Member States to | 10. Expresses its concern over the lack of interpreters, including at official interviews; urges the Member States to |

| | |
|---|---|
| provide a public interpreting service free of charge, if necessary by telephone; | provide a public interpreting service free of charge***, in the main international languages and in the languages spoken by a significant number of asylum seekers and immigrants in the Member State concerned,*** if necessary by telephone; |

Or. ro

**Amendment 51**
**Javier Moreno Sánchez**

**Motion for a resolution**
**Paragraph 10**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 10. Expresses its concern over the lack of interpreters, including at official interviews; urges the Member States to provide a public interpreting service free of charge, if necessary by telephone; | 10. Expresses its concern over the ***frequent*** lack of interpreters, including at official interviews; urges the Member States to provide a public interpreting service free of charge, if necessary by telephone; |

Or. fr

**Amendment 52**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 11**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 11. Encourages the Member States to make use of financial assistance under the European Refugee Fund in order to improve access to information and, in particular, to increase the number of languages, or media, in which the information is made available; | 11. Encourages the Member States to make use of financial assistance under the European Refugee Fund ***- the costs arising from this being appropriately shared among the Member States -*** in order to improve access to information and, in particular, to increase the number of languages, or media, in which the information is made available; |

Or. en

**Amendment 53**
**Rareş-Lucian Niculescu**

**Motion for a resolution**
**Paragraph 11**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 11. Encourages the Member States to make use of financial assistance under the European Refugee Fund in order to improve access to information and, in particular, to increase the number of languages, or media, in which the information is made available; | 11. Encourages the Member States to make use of financial assistance under the European Refugee Fund in order to improve access to information and, in particular, to increase the number of languages, or media, in which the information is made available; ***calls on the Commission to send the Member States information on the financial instruments available for that purpose and on the current best practices relating to their use;*** |

Or. ro

**Amendment 54**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 12**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 12. Regrets that access to free legal aid appears limited for asylum seekers ***and immigrants*** and amounts sometimes to no more than a list of lawyers' names, resulting in people without sufficient funds being left without assistance; | 12. Regrets that access to free legal aid appears limited for asylum seekers amounts sometimes to no more than a list of lawyers' names, resulting in people without sufficient funds being left without assistance; |

Or. en

**Amendment 55**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 12**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 12. Regrets that access to free legal aid appears limited for asylum seekers and immigrants and amounts sometimes to no more than a list of lawyers' names, resulting in people without sufficient funds being left without assistance; | 12. Regrets that access to free legal aid appears limited for asylum seekers and ***detained illegal*** immigrants and amounts sometimes to no more than a list of lawyers' names, resulting in people without sufficient funds being left without assistance; |

Or. es

**Amendment 56**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 13**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 13. Notes that it is particularly difficult for ***people in detention*** to find appropriate legal assistance given the difficulties of external communication; | 13. Notes that it is particularly difficult for ***detainees*** to find appropriate legal assistance given the difficulties of external communication; |

Or. es

**Amendment 57**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 13**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 13. Notes that it is particularly difficult for people in detention to find appropriate legal assistance given the difficulties of | 13. Notes that it is particularly difficult for people in detention to find appropriate legal assistance given the difficulties of external communication ***and the specific*** |

| | |
|---|---|
| external communication; | ***nature of the relevant legislation***; |

Or. it

**Amendment 58**
**Rareş-Lucian Niculescu**

**Motion for a resolution**
**Paragraph 14**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 14. Notes that continuity of access to ***lawyers*** is made more difficult when detainees are moved between different reception or detention centres; | 14. Notes that continuity of access to ***legal assistance*** is made more difficult when detainees are moved between different reception or detention centres; |

Or. ro

**Amendment 59**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 14**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 14. Notes that continuity of access to lawyers is made more difficult when detainees are moved between different reception or detention centres; | 14. Notes that continuity of access to lawyers is made more difficult when detainees are moved between different reception or ***administrative*** detention centres; |

Or. es

**Amendment 60**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 14**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 14. Notes that continuity of access to lawyers is made more difficult when ***detainees*** are moved between different reception ***or*** detention centres; | 14. Notes that continuity of access to lawyers is made more difficult when ***asylum seekers*** are moved between different reception ***and/or*** detention centres; |

Or. en

**Amendment 61**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 16**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 16. Urges the Member States to ***provide free and effective public legal aid to all asylum seekers and immigrants;*** | 16. Urges the Member States to ***ensure access to legal assistance and/or representation free of charge in cases where the asylum seeker cannot afford the costs involved;*** |

Or. en

**Amendment 62**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 16**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 16. Urges ***the*** Member States to provide free and effective public legal aid to ***all*** asylum seekers and immigrants; | 16. Urges ***those*** Member States ***which do not yet do so*** to provide free and effective public legal aid to ***both*** asylum seekers and ***detained illegal*** immigrants; |

Or. es

**Amendment 63**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 17**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 17. Regrets that in most of the detention centres visited, asylum seekers ***and migrants*** complained systematically about insufficient and inadequate medical care, the difficulties of consulting or communicating with doctors and the lack of specific care (in particular, for pregnant women and victims of torture) and medicines; | 17. Regrets that in most of the detention centres visited, asylum seekers complained systematically about insufficient and inadequate medical care, the difficulties of consulting or communicating with doctors and the lack of specific care (in particular, for pregnant women and victims of torture) and medicines; |

Or. en

**Amendment 64**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 17**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 17. Regrets that in most of the detention centres visited, asylum seekers and migrants complained systematically about insufficient and inadequate medical care, the difficulties of consulting or communicating with doctors and the lack of specific care (in particular, for pregnant women and victims of torture) and medicines; | 17. Regrets that in most of the detention centres visited, asylum seekers and migrants complained systematically about insufficient and inadequate medical care, the difficulties of consulting or communicating with doctors and the lack of specific care (in particular, for pregnant women and victims of torture) and ***of appropriate*** medicines; |

Or. it

**Amendment 65**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 18**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 18. Calls on the Member States to extend the medical cover currently offered so that it is not limited solely to emergency care, and to also provide mental health care; | 18. Calls on the Member States to extend the medical cover currently offered ***to asylum seekers and migrants*** so that it is not limited solely to emergency care, and to also provide mental health care; ***points out that the right to health and medical treatment are among the most fundamental individual rights;*** |

Or. it

**Amendment 66**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 18**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 18. Calls on the Member States to extend the medical cover currently offered so that it is not limited solely to emergency care, and to also provide mental health care; | 18. Calls on the Member States to extend the medical cover currently offered so that it is not limited solely to emergency care, and to also provide ***psychological counselling and*** mental health care; |

Or. en

**Amendment 67**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 19**

| *Motion for a resolution* | *Amendment* |
|---|---|
| ***19. Calls on the Commission to propose an amendment to Article 10 of Directive*** | ***deleted*** |

***2003/9/EC with a view to improving access to the employment market;***

Or. nl

**Amendment 68**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 19**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 19. ***Calls on the Commission to propose an amendment to Article 10 of Directive 2003/9/EC with a view to improving access to the employment market;*** | 19. ***Welcomes the Commission proposal to tackle the obstacles to access to the labour market and to allow access to employment after a period of six months after an application for international protection has been lodged;*** |

Or. en

**Amendment 69**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 20**

| *Motion for a resolution* | *Amendment* |
|---|---|
| ***20. Calls on the Member States not to impose legal or administrative constraints amounting to obstacles to employment access;*** | ***deleted*** |

Or. nl

**Amendment 70**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 20**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 20. Calls on the Member States ***not to impose*** legal or administrative constraints amounting to obstacles to employment access; | 20. Calls on the Member States to ***limit*** legal or administrative constraints amounting to obstacles to employment access; |

Or. en

**Amendment 71**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 21**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 21. Recognises the considerable work done by various associations in providing assistance to asylum seekers ***and 'irregular migrants'***; | 21. Recognises the considerable work done by various associations in providing assistance to asylum seekers; |

Or. en

**Amendment 72**
**Jean Lambert**

**Motion for a resolution**
**Paragraph 21 a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***21a. Calls on Member States to learn from the good practice developed within the asylum seeker strand of EQUAL concerning effective preparation for the labour market;*** |

Or. en

**Amendment 73**
**Martine Roure**

**Motion for a resolution**
**Paragraph 22**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 22. Calls on the Member States to ensure that ***these associations*** have access without legal or administrative obstacles ***to asylum seekers and irregular migrants, including those in detention centres***; | 22. Calls on the Member States to ensure that ***asylum seekers and irregular migrants*** have access without legal or administrative obstacles to ***aid – from actors independent of the national authorities – in defending their rights, including during detention; calls on the Member States to guarantee civil society a legal right of access to places of detention for foreign nationals;*** |

Or. fr

**Amendment 74**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 22**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 22. Calls on the Member States to ensure that these associations have access ***without legal or administrative obstacles*** to asylum seekers and irregular migrants, including those in detention centres; | 22. Calls on the Member States to ensure that these associations have access to asylum seekers and irregular migrants, including those in detention centres; |

Or. nl

**Amendment 75**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 22**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 22. Calls on the Member States to ensure that these associations have access without legal or administrative obstacles to asylum seekers ***and irregular migrants,*** including those in detention centres; | 22. Calls on the Member States to ensure that these associations have access without legal or administrative obstacles to asylum seekers, including those in detention centres; |

Or. en

**Amendment 76**
**Javier Moreno Sánchez**

**Motion for a resolution**
**Paragraph 22**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 22. Calls on the Member States to ensure that ***these associations*** have access without legal or administrative obstacles ***to asylum seekers and irregular migrants, including those in detention centres***; | 22. Calls on the Member States to ensure that ***NGOs with the purpose of assisting foreign nationals in the exercise of their rights*** have access ***to them*** without legal or administrative obstacles; |

Or. fr

**Amendment 77**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 22 a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***22a. Calls on Member States not to resort to the detention of asylum seekers under any circumstances, since they are per se vulnerable people in need of protection;*** |

Or. it

**Amendment 78**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 23**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 23. Regrets that the Member States are making increasing use of detention; points out that detention ***must be a measure of last resort to be used when all other non-detention measures have not had the desired result,*** must have a defined objective (e.g. expulsion) and must be limited in duration to the achievement of that objective; | 23. Regrets that the Member States are making increasing use of detention; points out that detention must have a defined objective (e.g. expulsion) and must be limited in duration to the achievement of that objective; |

Or. nl

**Amendment 79**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 23**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 23. Regrets that ***the*** Member States are making increasing use of detention; ***points out*** that detention must be a measure of last resort ***to be used when all other non-detention measures have not had the desired result, must have a defined objective (e.g. expulsion) and must be limited in duration to the achievement of that objective;*** | 23. Regrets that ***a number of*** Member States are making increasing use of detention; ***stresses that a person should not be held in detention for the sole reason that he/she is seeking international protection; stresses*** that detention must be a measure of last resort ***for the shortest period possible only in cases where other less coercive measures cannot be applied and on the basis of an individual assessment of each case;*** |

Or. en

**Amendment 80**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 23**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 23. Regrets that the Member States are making increasing use of detention; points out that detention must be a measure of last resort to be used when all other non-detention measures have not had the desired result, must have a defined objective (e.g. expulsion) and must be limited in duration to the achievement of that objective; | 23. Regrets that the Member States are making increasing use of detention; points out that detention must be a measure of last resort to be used when all other non-detention measures have not had the desired result, must have a defined objective (e.g. expulsion)**,** and must be ***proportionate and*** limited in duration to the achievement of that objective; |

Or. it

**Amendment 81**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 23**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 23. Regrets that the Member States are making increasing use of detention; points out that detention must be a measure of last resort to be used when all other non-detention measures have not had the desired result, must have a defined objective (e.g. expulsion) and must be limited in duration to the achievement of that objective; | *(Does not affect English version.)* |

Or. es

**Amendment 82**
**Martine Roure**

**Motion for a resolution**
**Paragraph 23 a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***23a. Notes the Commission's proposals to establish rules governing the placing of persons in detention with a view to safeguarding the principle that no-one should be placed in detention solely on the grounds that they have applied for international protection, and that any detention should be necessary, proportionate and considered on a case-by-case basis;*** |

Or. fr

**Amendment 83**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 24**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 24. Points out that the right to contest a detention measure is laid down in Article 5 of the ECHR; calls for all third-country nationals placed in detention to be able to exercise that right; | *(Does not affect English version.)* |

Or. es

**Amendment 84**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 24**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 24. Points out that the right to contest a detention measure is laid down in Article 5 of the ECHR; calls for all ***third-country nationals*** placed in detention to be able to exercise that right; | 24. Points out that the right to contest a detention measure is laid down in Article 5 of the ECHR; calls for all ***asylum seekers*** placed in detention to be able to exercise that right; |

Or. en

**Amendment 85**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 24**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 24. Points out that the right to contest a detention measure is laid down in Article 5 of the ECHR; calls for all third-country nationals placed in detention to be able to exercise that right; | 24. Points out that the right to contest a detention measure is laid down in Article 5 of the ECHR; calls for all third-country nationals placed in detention to be able to exercise that right ***before a judicial body***; |

Or. it

**Amendment 86**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 25**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 25. Is concerned at the prison conditions in which ***irregular migrants and*** asylum seekers are kept even though they have committed no crime; calls for such persons to be detained in separate buildings in order to ensure their protection; | 25. Is concerned at the prison conditions in which asylum seekers are kept even though they have committed no crime; calls for such persons to be detained in separate buildings in order to ensure their protection; |

Or. nl

**Amendment 87**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 25**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 25. Is concerned at the prison conditions in which ***irregular migrants and*** asylum seekers are kept even though they have committed no crime; calls for such persons to be detained in ***separate*** buildings in order to ensure their protection; | 25. Is concerned at the prison***-like*** conditions in which asylum seekers ***and illegal immigrants*** are kept ***in some of the detention centres visited*** even though they have committed no crime; calls for such persons to be detained in buildings ***other than prison buildings*** in order to ensure their protection; |

Or. es

**Amendment 88**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 25**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 25. Is concerned at the prison conditions in which irregular migrants and asylum seekers are ***kept*** even though they have committed no crime; calls for such persons to be detained in separate buildings in order to ensure their protection; | 25. Is concerned at the prison conditions in which irregular migrants and asylum seekers are ***detained*** even though they have committed no crime; calls for such persons to be detained in separate, ***open*** buildings in order to ensure their protection ***and provision with assistance***; |

Or. it

**Amendment 89**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 27**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 27. Notes that access to health care, and particularly to psychological care, is often made difficult ***by the*** prison ***conditions***; calls on the Member States to provide appropriate***, independent*** medical attention in detention centres, including psychological care, day and night; | 27. Notes that access to health care, and particularly to psychological care, is often made difficult***, since some detention centres are located in*** prison ***establishments***; calls on the Member States to provide appropriate medical attention in detention centres, including psychological care, day and night; |

Or. es

**Amendment 90**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 27**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 27. Notes that access to health care, and particularly to psychological care, is often made difficult by the prison conditions; calls on the Member States to provide ***appropriate, independent medical attention*** in detention centres***, including*** psychological care***, day and night***; | 27. Notes that access to health care, and particularly to psychological care, is often made difficult by the prison conditions; calls on the Member States to provide ***an efficient on-call service*** in detention centres***, so that medical and*** psychological care ***are available rapidly at any time***; |

Or. nl

**Amendment 91**
**Rareş-Lucian Niculescu**

**Motion for a resolution**
**Paragraph 27**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 27. Notes that access to health care, and particularly to psychological care, is often made difficult by the prison conditions; calls on the Member States to provide | 27. Notes that access to health care, and particularly to psychological care, is often made difficult by the prison conditions; calls on the Member States to provide |

| | |
|---|---|
| appropriate***, independent*** medical attention in detention centres, including psychological care, day and night; | appropriate medical attention in detention centres, including psychological care, day and night; |

Or. ro

**Amendment 92**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 28**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 28. Calls on the Member States to ***improve contact with the outside world, including by allowing*** regular visits, increasing telephone access and making internet ***access*** available in all the centres; | 28. Calls on the Member States to ***allow*** regular visits, ***increase*** telephone access and ***make*** internet ***use*** available ***under certain conditions*** in all the centres; |

Or. nl

**Amendment 93**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 28**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 28. Calls on the Member States to improve contact with the outside world, including by allowing regular visits, increasing telephone access and making internet access available in all the centres; | 28. Calls on the Member States to improve contact with the outside world, including by allowing regular visits, increasing telephone access and making ***free*** internet access available in all the centres; |

Or. it

**Amendment 94**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 28**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 28. Calls on the Member States to improve contact with the outside world, including by allowing regular visits, increasing telephone access and making ***internet*** access available in all the centres; | 28. Calls on the Member States to improve contact with the outside world ***where this is possible***, including by allowing regular visits, increasing telephone access and making ***Internet*** access available in all the centres; |

Or. es

**Amendment 95**
**Rareş-Lucian Niculescu**

**Motion for a resolution**
**Paragraph 28**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 28. Calls on the Member States to improve contact with the outside world, including by allowing regular visits, increasing telephone access and making internet access available in all the centres; | 28. Calls on the Member States to improve contact with the outside world, including by allowing regular visits, increasing telephone access and making internet ***and mass media*** access available in all the centres; |

Or. ro

**Amendment 96**
**Martine Roure**

**Motion for a resolution**
**Paragraph 28 a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***28a. Calls on the Member States to publish an annual report on the number, location and the number of persons held*** |

***there and operation of closed detention centres and the number of persons held there,***

Or. fr

**Amendment 97**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 28 b (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***28b. Calls on the Member States to report to the European Parliament and to civil society on the situation in such detention centres, particularly by giving notice of their existence, number and operation in annual reports to be submitted at a dedicated European Parliament hearing in which a platform of civil society associations working on detention issues is invited to participate;*** |

Or. fr

**Amendment 98**
**Martine Roure**

**Motion for a resolution**
**Paragraph 28 c (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***28c. Calls on the Member States to ensure the regular inspection of closed detention centres and of the conditions in which people are held there by creating a national detention centres ombudsman;*** |

Or. fr

**Amendment 99**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 29**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 29. Points out that all decisions and measures taken with regard to a minor must ***be based*** on the best interests of the child, in accordance with the Convention on the Rights of the Child; | 29. Points out that all decisions and measures taken with regard to a minor must ***centre as a priority*** on the best interests of the child, in accordance with the Convention on the Rights of the Child; |

Or. it

**Amendment 100**
**Javier Moreno Sánchez**

**Motion for a resolution**
**Paragraph 29**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 29. Points out that all decisions and measures taken with regard to a minor must be based on the best interests of the child, in accordance with the Convention on the Rights of the Child; | 29. Points out that all decisions and measures taken with regard to a minor must be based on the best interests of the child, in accordance with the Convention on the Rights of the Child; ***stresses the need to take the measures and adopt the means required to protect unaccompanied minors, whether or not they are refugees;*** |

Or. fr

**Amendment 101**
**Jean Lambert**

**Motion for a resolution**
**Paragraph 29 a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***29a. Calls on Member States to consider setting up independent official bodies to*** |

| | |
|---|---|
| | ***monitor standards and conditions in closed centres as well as implementing an official inspection system which will publish its reports;*** |

Or. en

**Amendment 102**
**Jeanine Hennis-Plasschaert, Jean Lambert**

**Motion for a resolution**
**Paragraph 30**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 30. Calls for the detention of ***migrant*** minors ***and asylum seekers*** to be prohibited in principle, and for the detention of minors with their parents to be exceptional and having the objective of ensuring that the best interests of the child are served; | 30. Calls for the detention of minors to be prohibited in principle, and for the detention of minors with their parents to be exceptional and having the objective of ensuring that the best interests of the child are served; |

Or. en

**Amendment 103**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 30**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 30. Calls for the detention of ***migrant minors and*** asylum seekers to be prohibited in principle, and for the detention of minors with their parents to be exceptional and having the objective of ensuring that the best interests of the child are served; | 30. Calls for the detention of asylum seekers to be prohibited in principle, and for the detention of minors with their parents to be exceptional and having the objective of ensuring that the best interests of the child are served; |

Or. nl

**Amendment 104**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 30**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 30. Calls for the detention of migrant minors and asylum seekers to be prohibited ***in principle***, and for the detention of minors with their parents to be exceptional and having the objective of ensuring that the best interests of the child are served; | 30. Calls for the detention of migrant minors and asylum seekers to be prohibited, and for the detention of minors with their parents to be exceptional and having the ***sole*** objective of ensuring that the best interests of the child are served; |

Or. it

**Amendment 105**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 31 a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***31a. Calls on the Member States to enforce the recommendation of the UN Committee on the Rights of the Child to ban all forms of corporal punishment, including within the family, especially when minors are in detention;*** |

Or. en

**Amendment 106**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 32**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 32. Points out that all minors have the right to education, whether or not they are in their country of origin; calls on the | 32. Points out that all minors have the right to education, whether or not they are in their country of origin; calls on the |

| | |
|---|---|
| Member States to guarantee that right, including when minors are in detention; calls for access to education to be provided in the community***, without any form of administrative restriction having the effect of separating foreign minors,*** so as to ensure the best possible integration of children and their families; | Member States to guarantee that right, including when minors are in detention; calls for access to education to be provided ***directly*** in the community, ***in an appropriate manner corresponding to the assessment of the level of knowledge of children, while at the same time developing transitional models allowing the acquisition of the necessary linguistic competences for a normal education,*** so as to ensure the best possible integration of children and their families; |

Or. en

**Amendment 107**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 32**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 32. Points out that all minors have the right to education, whether or not they are in their country of origin; calls on the Member States to guarantee that right, including when minors are in detention; calls for access to education to be provided in the community, without any form of administrative restriction having the effect of separating foreign minors, so as to ensure the best possible integration of children and their families; | *(Does not affect English version.)* |

Or. es

**Amendment 108**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 34**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 34. Calls on the Member States to guarantee that unaccompanied minors and families are housed in separate ***centres, including when they are in detention, so as to prevent mixing with other adults and ensure access to a protective environment;*** | 34. Calls on the Member States to guarantee that unaccompanied minors and families are housed in separate ***accommodation even in detention, so as to guarantee adequate privacy and family life as provided for by Article 8 of the ECHR, as well as a protective environment for children;*** |

Or. en

**Amendment 109**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 35**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 35. Expects that everyone working with minors and unaccompanied minors will receive specialist training appropriate to the children's situation; | 35. Expects that everyone working with minors and unaccompanied minors will receive specialist training appropriate to the children's situation; ***considers that non-governmental organisations specialising in that field could make a major contribution to this;*** |

Or. it

**Amendment 110**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 36**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 36. Calls for an independent legal guardian to be appointed for each unaccompanied minor to ensure his or her protection; calls for the powers and role of the legal | 36***.*** Calls for an independent legal guardian to be appointed for each unaccompanied minor to ensure his or her protection ***both in waiting areas such as airports, railway*** |

| | |
|---|---|
| guardian to be clearly defined; | ***stations and throughout the territory of the Member States***; calls for the powers and role of the legal guardian to be clearly defined; |

Or. en

**Amendment 111**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 37**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 37. Calls on the Commission ***to lay down the obligation to identify and search for a family member in the European Union so as to ensure that unaccompanied minors can join a family member where that is in their interest;*** | 37. Calls on the Commission ***and the Member States to introduce a proactive duty to trace family members, including for organisations such as the Red Cross and Red Crescent;*** |

Or. en

**Amendment 112**
**Jean Lambert**

**Motion for a resolution**
**Paragraph 37**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 37. Calls on the Commission to lay down the obligation to identify and search for a family member in ***the European Union*** so as to ensure that unaccompanied minors can join a family member where that is in their interest; | 37. Calls on the Commission to lay down the obligation to identify and search for a family member in ***conjunction with the relevant international bodies*** so as to ensure that unaccompanied minors can join a family member where that is in their interest; |

Or. en

**Amendment 113**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 37**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 37. Calls on the Commission to lay down the obligation to identify and search for a family member in the European Union so as to ensure that unaccompanied minors can join a family member where that is in their interest; | 37. Calls on the Commission to lay down the obligation to identify and search for a family member in the European Union so as to ensure that unaccompanied minors can join a family member where that is in their interest ***and they so request***; |

Or. it

**Amendment 114**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 37**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 37. Calls on the Commission to lay down the obligation to identify and search for a family member in the European Union so as to ensure that unaccompanied minors can join a family member where that is in their interest; | *(Does not affect English version.)* |

Or. es

**Amendment 115**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 38**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 38. Is concerned at the phenomenon of unaccompanied minors disappearing; calls on ***the Commission and*** the Member States | 38. Is concerned at the phenomenon of unaccompanied minors disappearing; calls on the Member States to ***gather*** data and |

| | |
|---|---|
| to ***put in place a harmonised system for gathering*** data and statistics concerning the identification of, and provision of assistance to, unaccompanied minors in order to combat this phenomenon; | statistics ***pursuant to Article 4( 3)(a) of Regulation 862/2007/EC*** concerning the identification of, and provision of assistance to, unaccompanied minors in order to combat this phenomenon; |

Or. en

**Amendment 116**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 38**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 38. Is concerned at the phenomenon of unaccompanied minors disappearing; calls on the Commission and the Member States to put in place a harmonised system for gathering data and statistics concerning the identification of, and provision of assistance to, unaccompanied minors in order to combat this phenomenon; | 38. Is concerned at the phenomenon of unaccompanied minors disappearing; calls on the Commission and the Member States to put in place a harmonised system for gathering data and statistics concerning the identification of, and provision of assistance to, unaccompanied minors in order to combat this phenomenon; ***believes that the best way to discourage the disappearance of minors is to provide suitable reception facilities for them, where they may also receive an education appropriate to their age (schooling, vocational training, etc.);*** |

Or. it

**Amendment 117**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Paragraph 39**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 39. Calls on the Commission and the Member States to put in place a harmonised and reliable mechanism for | 39. Calls on the Commission and the Member States to put in place a harmonised and reliable mechanism for |

| | |
|---|---|
| identifying unaccompanied minors, and common rules concerning age disputes; points out, in this regard, that during an age dispute procedure the person concerned must, as a precaution, be considered a minor until the end of the procedure and therefore treated as such; | identifying unaccompanied minors – ***by making use of the latest technologies such as the use of biometric data*** – and common rules concerning age disputes; points out, in this regard, that during an age dispute procedure the person concerned must, as a precaution, be considered a minor until the end of the procedure and therefore treated as such; |

Or. en

**Amendment 118**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 39**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 39. Calls on the Commission and the Member States to put in place a harmonised and reliable mechanism for identifying unaccompanied minors, and common rules concerning age disputes; points out, in this regard, that during an age dispute procedure the person concerned must, as a precaution, be considered a minor until the end of the procedure and therefore treated as such; | 39. Calls on the Commission and the Member States to put in place a harmonised and reliable mechanism for identifying unaccompanied minors, and common rules concerning age disputes; points out, in this regard, that during an age dispute procedure the person concerned must, as a precaution, be considered a minor until the end of the procedure and therefore treated as such***, and that whenever there is reasonable doubt as to the age of the minor, this must be to the benefit of the minor;*** |

Or. it

**Amendment 119**
**Jeanine Hennis-Plasschaert**

**Motion for a resolution**
**Paragraph 40**

| *Motion for a resolution* | *Amendment* |
|---|---|
| ***40. Points out that Article 8 of the ECHR guarantees respect for private and family life; calls on the Member States to protect the family unit;*** | ***deleted*** |

Or. en

**Amendment 120**
**Nicolae Vlad Popa**

**Motion for a resolution**
**Article 40 a (new)**

| *Motion for a resolution* | *Amendment* |
|---|---|
| | ***40a. Points out that a policy of family reunification is appropriate as long as it is limited to the core family;*** |

Or. en

**Amendment 121**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 41**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 41. Calls on the Member States to consider ***all appropriate*** measures ***other than*** detention and ***to demonstrate that those measures are not effective*** before detaining families which include minors; | 41. Calls on the Member States to consider ***alternative*** measures ***to*** detention and***,*** ***where appropriate and*** before detaining families which include minors***, to demonstrate that the alternatives considered are not effective***; |

Or. es

**Amendment 122**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 42**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 42. Calls for families seeking asylum to have access to family services, child services and medical consultations by child protection specialists; | 42. Calls for families seeking asylum ***and migrants*** to have access to family services, child services and medical consultations by child protection specialists; |

Or. it

**Amendment 123**
**Agustín Díaz de Mera García Consuegra**

**Motion for a resolution**
**Paragraph 43**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 43. Calls on the ***Commission*** to lay down ***mandatory*** common standards for identifying vulnerable persons, particularly victims of torture or human trafficking; | 43. Calls on the ***Member States*** to lay down common standards for identifying vulnerable persons ***likely to be eligible for international protection***, particularly victims of torture or human trafficking; |

Or. es

**Amendment 124**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 43**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 43. Calls on the Commission to lay down mandatory common standards for identifying vulnerable persons, particularly victims of torture or human trafficking; | 43. Calls on the Commission to lay down mandatory common standards for identifying vulnerable persons, particularly victims of torture or human trafficking***, people requiring special medical*** |

| | |
|---|---|
| | ***treatment, pregnant women and minors***; |

Or. it

**Amendment 125**
**Frieda Brepoels**

**Motion for a resolution**
**Paragraph 44**

| *Motion for a resolution* | *Amendment* |
|---|---|
| ***44. Considers that no vulnerable person, given their particular circumstances, should be placed in detention as that would have serious repercussions for their wellbeing;*** | ***deleted*** |

Or. nl

**Amendment 126**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 45**

| *Motion for a resolution* | *Amendment* |
|---|---|
| 45. Urges the Member States to provide specialist assistance to vulnerable persons and victims of torture and trafficking, particularly psychological assistance, to ensure their protection; calls for all staff having contact with vulnerable persons, including the officials responsible for asylum applications, to receive specialist training; | 45. Urges the Member States to provide specialist assistance to vulnerable persons and victims of torture and trafficking, particularly psychological assistance, to ensure their protection; calls for all staff having contact with vulnerable persons, including the officials responsible for asylum applications ***and the police***, to receive specialist training; |

Or. it

**Amendment 127**
**Giusto Catania**

**Motion for a resolution**
**Paragraph 47 a (new)**

| *Motion for a resolution* | *Amendment* |
| --- | --- |
| | ***47a. Emphasises that asylum seekers whose application has been rejected cannot be repatriated to a third country that has not signed the Geneva Convention, since this is a minimum requirement in terms of the guaranteeing of fundamental rights;*** |

Or. it